

ELECTORAL AMENDMENT (FINANCE AND OTHER MATTERS) BILL 2023

Second Reading

Resumed from an earlier stage of the sitting.

HON TJORN SIBMA (North Metropolitan) [5.08 pm]: In the 10 or so minutes I have left today, I want to focus on another what I will call “innovation” to electoral laws as proposed by this bill. That is the registration of how-to-vote cards. I will refer briefly to the second reading speech given by the parliamentary secretary a couple of weeks ago. I quote —

This bill will also ensure that voters are not misled by information on how-to-vote cards. It is a recognised global phenomenon that voters face increasing misinformation and deliberate disinformation during elections. The Australian Electoral Commission was concerned enough about the effect of disinformation on elections to establish a register of disinformation to correct the record for electoral processes for the 2022 federal election, the Fadden and Aston by-elections, and the recent referendum. The government is addressing the potential for deceiving or misleading information to be included on how-to-vote cards by ensuring that during polling, voters are provided with accurate how-to-vote cards that do not deceive or mislead them about their vote. Accordingly, the government has adopted the approach taken in Queensland and Victoria whereby how-to-vote cards must be registered.

Extensive provisions, including clause 79, emanate from this principle. I note on my reading of the bill that “misinformation” and “disinformation” can scarcely be found in its body, but I might have to go back again. Misinformation and disinformation are conceptual terms relating to information operations, if you will. I am not necessarily convinced that they are significantly relevant to the conduct of state elections in Western Australia to necessitate a bureaucratic encumbrance with respect to how-to-vote cards. It appears to me that in fact, misinformation and disinformation are spread to disrupt or advance some sort of nefarious interests and state elections in Western Australia may indeed be targeted by that kind of operational skulduggery. However, I would think it achievable through ways other than manipulating, if possible, the how-to-vote cards that are distributed by electoral volunteers at polling booths. If someone wanted to spread misinformation or disinformation, they would do as is already being done; they would undertake the creation of deepfakes, utilise artificial intelligence and spread a range of propaganda, which is likely to be more effective than conducting it by way of a how-to-vote card. Although the intention here might be a noble one, we are frankly proving ourselves naive, inert and unable to deal with reality as it plays out in real time. In fact, I think this goes to the reason that genuine consultation is needed about the construct of these kinds of bills if the government wants to reform this act in this way. The government needs to refer to people who are far more knowledgeable in this area than the government seems to be.

I cannot let it pass without mention that misinformation rather than disinformation may on occasion be in the eye of the beholder. I cite an example that I came across in the 2021 state election that I am sure others came across as well. That election was conducted in the midst of COVID when we had a population that was not only habituated but compelled to the point of reflex to scan QR codes at the point of entry into any premises in which there were other people. I recall a neat campaign trick that the Australian Labor Party used, at least in the northern suburbs. I saw this practice replete. It was not necessarily wrong, but it was misleading to the degree that people would go up to a QR code thinking they were checking in to comply with COVID obligations, but were actually scanning in the delivery of a Labor how-to-vote card. I thought that was completely disingenuous.

Hon Kate Doust interjected.

Hon TJORN SIBMA: I am sorry! It is in the eye of the beholder!

When it comes to the provisions outlined in this bill, who is the arbiter of misinformation and disinformation? It is an unelected official, I am told.

Several members interjected.

Hon TJORN SIBMA: I am not necessarily sure. I take the interjections because they are well intended but I do not think that the government knows what it is talking about.

Tell me how misinformation and disinformation were spread by how-to-vote cards at the last election. I await an example. There have been errors in how-to-vote cards and disgruntled groups of people. I recall the Nedlands election in which an independent candidate reissued her how-to-vote card and that caused some consternation. There was another reissue from the Labor Party. That is legitimate, but in an instance like that in which there is political disputation between candidates for whatever reason that reflects on the flow of preferences or the way a party wants people to vote, the responsiveness of change to political circumstances at the level of an electorate will be encumbered by having to go to the Electoral Commission to ask for permission to retract the old how-to-vote card and establish a new one.

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

There are problems as well with the definition of error and how a court may read an error. This kind of issue needs to be ventilated because this bill will not be referred to the appropriate committee that could have done the job. That is problematic conceptually and legally and provides enormous administrative discretion. There will be time delays. For example, it is not uncommon for major parties to issue statewide how-to-vote cards. Candidates drop out, die or whatever. Is the party actually breaching the act by issuing a redundant how-to-vote card? It potentially would be on a strict reading of this bill. With all due respect, parliamentary secretary, I think we will need to spend time at clause 79 and the attendant provisions because this is an area of great interest. Although the aspirations may be noble, I think they potentially may come undone quite rapidly. I am not comforted by the fact that we are modelling this provision on the registration decisions made in Queensland and Victoria because, as best as I know, they have been untested at a state election. I would have thought it would be prudent to wait for how it would play out.

I do not have much time left. I will come back to the consultation dimension. This bill was not consulted on properly. There are areas of disagreement and clarification, but the central point that financial caps will apply and improve the playing field is completely erroneous when this incumbent government spent more than \$100 million a year on its own advertising propaganda. That is not a fair system.

HON NEIL THOMSON (Mining and Pastoral) [5.18 pm]: I rise to stand with my colleagues in opposition to the Electoral Amendment (Finance and Other Matters) Bill 2023. I will speak on a couple of aspects only, but I want to pick up on the point that Hon Tjorn Sibma made—namely, regarding the tens of millions of dollars spent on political advertising through programs that the government is currently running. I note the incessant bombardment of the Building for Tomorrow advertising currently underway. Of course, the answer to the question that I asked not that long ago in the last financial year was \$2.17 million. I do not know what the figure will be this year. I have asked some more questions. I am going to get answers on this. It is very clear that the purpose of that advertising is to promote the government's standing in the community. It is not about providing information about when, for example, the Fitzroy Crossing bridge will be open. It is not providing information in any meaningful way about the timetable delays to the Building for Tomorrow projects. I mean it would be useful if we could actually get an honest advertising of how many delays, missed opportunities and missed deadlines that the minister, now Treasurer, achieved. I think that is such a disappointment.

The other aspect that I must say I find frustrating is the missed opportunity. We see the inconsistency, and I think that there is an opportunity for further scrutiny of the election promises that are made to every community group in the dying days of a campaign. I know that the Electoral Act puts a proscription on offering gifts and inducements within a certain period of elections; I think it is three months up to the lead-up to the campaign. The level to which this is taken is beyond the normal practice. I particularly hear of stories in which a successful candidate goes on to present hundreds of small cheques and grants. Those things are not bad in themselves, but some scrutiny is needed about how that works so the process is properly controlled. We see comments when a failed candidate does not get up; that is, the commitments from the government somehow are not relevant to a seat in which there is a failed candidate. This is the sort of feedback that I get, and so I think some scrutiny is needed. I am not saying that we should not have election commitments; small grants are vital for our community. If this bill had been referred to the Standing Committee on Legislation, the committee could have looked at a whole lot of things and made sure that governments do not abuse taxpayers' dollars to try to further the political aims of the government.

We have to talk about the COVID situation. I found the restrictions placed on me as a candidate and the unfair playing field of access to remote communities during the COVID pandemic deeply offensive and egregious. I contacted the Commissioner of Police when I saw on Facebook that Divina D'Anna was travelling through remote communities during the COVID pandemic, when she was not supposed to be out in those communities. The members opposite might want to just listen. The Liberal candidate for Kimberley had a swing of 6.5 per cent in his primary vote when remote communities were not included, but 97 per cent of the vote went to the Labor Party during the COVID pandemic because the Liberal Party was simply not allowed to go into those communities to do normal campaigning. That was an unfair playing field. I had reports of the candidates using the government jet and landing in Halls Creek. The report I got was that people were getting off that jet during the campaign. I put it to members opposite and they can rebut my claims, but that is what I heard from people on the ground. This sort of twisting of the political landscape occurred under the Labor Party during the COVID pandemic to get an advantage. I can see the ongoing twisting of this confused and confusing Attorney General, who is basically just setting himself up for another set of advantages so the union movement will continue to pour buckets of money into the Labor Party. He will allow the union movement to siphon millions of dollars into the campaigns of the Labor Party but restrict other parties in the state. That is an issue. To me, those are issues that should have been considered as part of the election caps.

I want to pick up on the issue of the inclusivity provisions in the act. I think that was a missed opportunity. I have been very strong on the issue of Aboriginal voting in our community because it is something that Hon Tjorn Sibma and I have raised going back to June this year. The number of Aboriginal people on the electoral roll is something that I have raised in questions going back to earlier this year. I see that clause 10 inserts —

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

5I Commissioners to have regard to particular groups when performing functions

(1) In this section —

inclusivity principle means the principle that the following persons should be given a reasonable opportunity to enrol and vote —

(a) Aboriginal persons;

Fantastic! The opposition has raised this issue multiple times and the fact that there has been such a low level of enrolment. I see that those enrolment levels increased during the Voice campaign. Clearly, there was some incentive to get out there to try to get people finally enrolled. That is a good thing, but this is obviously having a big impact on the current discussions and consideration by the Western Australian Electoral Commission and Electoral Boundaries WA about regional electoral boundaries. I have raised many times in this place the unfair and skewed approach of the Labor Party to regional enrolment and regional boundaries. This is a very serious skewing of the electoral system, which is intentionally done. The Labor government is again skewing the system for its own advantage by ramming through electoral reforms in 2021 and changing the way in which the Electoral Act impacts on the assessment of regional boundaries. We have an inclusivity principle, and I would have liked to see regional people included in that inclusivity principle. Clearly, the Labor Party has absolutely no concern for anyone beyond those in the metropolitan area. I believe that we will see a massive impact in the next election in the vote against the Labor Party in regional areas. I am sure that people like Hon Kyle McGinn, who is away on urgent parliamentary business, are very relieved now that there will be a union stitch-up in the order of the top positions on the Labor Party's upper house ticket. In fact, a backroom deal will be done by members of the union movement to order members of the Labor Party on the upper house ticket.

Hon Martin Aldridge: They are doing it right now.

Hon NEIL THOMSON: I imagine they are doing those. They are scurrying around, picking up the phone to the United Workers Union conveners and other unions across the state, because members opposite will be seeking to make sure they are far enough up the list. That is how it will happen.

It is unlike the Liberal Party, which made a commitment to regional representation and local participation, and has made a commitment to broad participation through random delegates in the selection of candidates in its preselection process. We have the Liberal Party with a broad selection, through membership-based selection to regional representation. These are all the things that we stand for, but the Labor Party will do it by stitching it up and ordering those arrangements through the union movement. So much for inclusivity—there is none at all!

Several members interjected.

The ACTING PRESIDENT (Hon Dr Brian Walker): Order! One moment. I am very much in favour of an interjection, but I am not in favour of a competing narrative.

Hon NEIL THOMSON: Thank you, Acting President.

We would seek to have the inclusivity provisions expanded. We seek to expand inclusivity to not only Aboriginal persons—something that I have been a strong advocate for consideration by the Electoral Commission—but also persons from culturally or linguistically diverse communities. We should make sure that these people understand obligations under our very important democracy because that is such an important part of the whole introduction to Australia and how fantastic it is here. They come to Australia and are part of our democracy. Persons with disabilities and persons who are homeless are also included in clause 10. What about people who live in regional Western Australia? I presented my excellent submission to Electoral Boundaries WA, which I hope results in a reconsideration of the boundaries of Western Australia in the Legislative Assembly with the retention of those very important seats of North West Central and Moore. I hope that results in that. When I look at the population —

Several members interjected.

Hon Dan Caddy: Which party owns that seat?

Hon NEIL THOMSON: Just listen for a moment, instead of interjecting. Just listen.

When I put my submission together in August this year, I looked at the enrolment rate of the population over 18-years-old as a percentage. In North West Central, only 61 per cent were enrolled. If people would care to read it, they might learn something. In the Kimberley, it was 64 per cent; the Pilbara, 68 per cent; Kalgoorlie, 72 per cent; and Cottesloe, 89 per cent.

Several members interjected.

Hon NEIL THOMSON: Listen and learn! Joondalup was at 89 per cent. There is an incredible structural deficiency within our electoral system that is part of the issue about exclusivity and not inclusivity. It is pushing people away

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

because of their remoteness, where they live, the jobs that they have to undertake, their cultural background and their situation living in remote communities or in places like Carnarvon or Kununurra. It is pushing people away so that they are not getting access to the information that is required in order to get on that electoral roll. Those are the numbers that stare us in the face, with 89 per cent for seats like Cottesloe and Joondalup, but only 61 per cent of the adult population in the seat of North West Central, and 64 per cent in the Kimberley. It can be done, because during the Voice to Parliament campaign we saw activists out there with their T-shirts, running around and working flat out, signing people up, doing the job the Australian Electoral Commission should have been doing years ago to create a pathway. I am not criticising it; I am saying that it was not resourced to do the job. It did not have the funds, the access or the ability to do the job. The Electoral Commission needed to be out there with its purple T-shirts and signs.

It was a little confusing during the Voice campaign. I have an anecdote from Kalgoorlie, where the AEC came out during the Voice and it could not find its sign. Where had it gone? Apparently, one of the Yes campaigners had taken it home because they confused it with their own sign. They took the sign home because it was purple, the same colour as the AEC's. We see the kinds of games that are played over there by the left; they are very good at playing those games. What a joke! They talk about equity and inclusivity, but they do not care about the regions of Western Australia; it has been absolutely demolished by neglect. In old terms, if we talk about heritage buildings, the heritage of our democracy is being demolished by neglect in the regions, because the work of the AEC neglects the regions. That is what it is doing. Instead, this other piece of rubbish comes before us, gearing up the funding, making sure that the government can get buckets of money from the union movement and that it can have that all sorted, but not deal with the real issues that would allow our democracy to flourish.

It was interesting when I recalculated those numbers. North West Central is now up to 64 per cent adult enrolment, so a little more work was done on enrolments there. Kimberley is now up to 70 per cent. That is a good outcome, but we need to get it up to 89 per cent. The Pilbara is now up to 70 per cent. Kalgoorlie is now up to 73 per cent. These numbers are as of 16 October. I have asked the responsible parliamentary secretary in this place whether the Electoral Commission might even consider looking at current enrolment data or might have thought about working a little harder to get enrolment rates up to a reasonable level of the adult population so that it reflects the true distribution of our community in both the urban and regional environments, but we keep coming back to having to do it within a certain time frame under the act and "as soon as practicable". Those words were used by the parliamentary secretary. It is very impracticable when the situation is so skewed by long-term neglect, and it is a very handy situation to remove a seat from the next election that is currently held by an alliance member.

When I see the numbers and the uniform swing across Western Australia, I challenge the Attorney General; Minister for Electoral Affairs to look at this. It would not surprise me that for a change of government to occur in Western Australia with a two-party preferred vote, on this side of the equation it would require something in the order of 53 per cent to change government. That is not democracy. I put that challenge out there; I would like to see the numbers. I do not think the modelling has been done. The government is not interested in true democracy. Democracy should be set up so that if there is a popular vote of 51 per cent, that party should form government. That is certainly not the government's interest.

All the Minister for Electoral Affairs has done throughout his whole time in that role is to look at ways of gaining political advantage. That has always been in the DNA of the Labor Party, whether it be during the COVID pandemic, excluding candidates, getting out and doing the job, using government resources through an inordinate amount of funding being poured into government advertising, through the failure of the Treasurer with some of the overdue projects and Building for Tomorrow, or swamping YouTube and our social media with advertisements in order to propagate its own ends. Those are the sorts of things that this Labor Party does as part of its DNA. It is not about equity or inclusivity. It is all under the guise of inclusivity, but it is not truly about inclusivity because the only time it was interested in getting Aboriginal people enrolled was when it wanted to get an outcome in the Voice. That is when it got motivated. We see that with the Labor Party; there always has to be an ends to it before it gets involved, sorting the means. I have no trust, no confidence whatsoever in the Minister for Electoral Affairs; therefore, I stand and oppose this bill, because I do not believe we can trust the government. We have seen the way this government rammed through those changes without consideration in 2021, and here we are doing exactly the same thing today.

Look at the international standards that exist in relation to this sort of change. Look at the conventions that normally apply. We do not see that with the WA Labor Party. We see an arrogance and dominance that will come to an end in 2025, regardless of tipping the tables and regardless of changing the dynamics in order to set itself an advantage. We will see this government thrown out because of its incompetence, and it will occur with such a reprise from the community, particularly in the regions, because we see how strongly people are standing up against government.

I will end on this point, because it is a very good one. We saw massive spending during the Voice campaign from the big corporates, including Qantas with all its livery, yet we now see the breakdown of the Qantas brand. We saw all the corporates lining up behind the Labor Prime Minister in order to drive his particular agenda and pouring

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

money into an outcome. I can tell members about the shock on the faces of those Labor supporters at the Kalgoorlie booth during the Voice to Parliament vote when 83 per cent voted no, even though it was a very low key campaign. Therefore, in some ways, I will always have this wonderful trust in the people of Western Australia that regardless of the games at play, they will deliver an outcome in 2025. They will deliver an outcome and throw this government out, because this government cannot be trusted with anything.

HON BEN DAWKINS (South West) [5.39 pm]: I thank Hon Neil Thomson for a very informative speech. I was already convinced, but I can confirm that I will not be supporting the Electoral Amendment (Finance and Other Matters) Bill 2023 as it is, but I will be putting forward some amendments that I invite members to support. They are effectively about democracy, and I appreciate that Hon Neil Thomson spoke passionately about democracy. It is lacking severely in this state and getting worse with every so-called reform of this Labor government. The choice is up to members to potentially improve something that they know is a problem—I am talking about improvements via my amendments that will be on the supplementary notice paper shortly.

I understand that it is a reality that elections are won with money, not with good ideas; by brands, not by candidates; and that voters are disengaged and disillusioned, but it does not have to be that way. The government has advised that it cannot exclude certain donors because banning industries such as property developers or fossil fuel companies is unworkable. How about we just limit donations to individuals, not organisations? That would be the most elegant solution.

Public funding for major parties will effectively be doubled under this legislation. The principle of public funding is to reduce donations. As Hon Neil Thomson asked, is the Labor Party proposing to double its funding from the taxpayer and keep all its funding from the union movement? What is happening there? Surely when one goes up, the other can go down.

I note that the federal member for Curtin, Kate Chaney, has advanced a private member's bill called the Electoral Legislation Amendment (Restoring Trust) Bill 2023. She is obviously seeking to address people's lack of trust in and disengagement with our democracy. This is clearly an issue that many people feel strongly about, but the chances of the benefactors of the two-party system changing it are practically zero. Kate Chaney has spoken about the disadvantages of smaller parties in the way these electoral reforms are being proposed, and even under the current system. I think Hon Martin Aldridge earlier talked about the impossibility of a minor party—I think he referred to them as “start-up parties”—getting up under the current system, and it is only getting worse as we progress towards the rich getting richer and the big parties, particularly Labor, getting more money.

Hon Ayor Makur Chuot interjected.

Hon BEN DAWKINS: Sorry, I am not taking interjections.

We require the incorporation of all recipients of public money in Western Australia as far as I know. The Labor Party must be, and currently would be, the biggest unincorporated beneficiary of public funds in Australia, I would imagine. I cannot imagine that there would be another unincorporated body that receives something in the vicinity of \$27 million per federal election and I think \$3 million or \$4 million for federal elections in Western Australia. I do not think any unincorporated body in Australia receives that amount of money. We require community childcare committees to incorporate, as well as bowling clubs, charity organisations and other community groups. We require them to have rules and a constitution that members can enforce. This is basic good governance, but ironically it is not required of the Labor Party. The other registered parliamentary parties in this chamber today are all incorporated. Hon Sue Ellery, the Leader of the House, confirmed earlier today that incorporation generally is required by recipients of public money so that they can have established financial reporting and governance structures, and so that they can be trusted to administer grants. That is another basic amendment to this bill that I will move.

Political parties should have to abide by their own rules and values and allow members to hold them accountable. This is afforded to members of cricket clubs, so why not political parties? I expect the opposition alliance to support this amendment, considering that those parties are incorporated. Of course, the Labor government will be less than enthusiastic, considering its own status.

The bill makes mention of unincorporated associations, but only in relation to donors, not recipients. However, it is the recipients that we are trying to hold accountable for the receipt of public money, is it not? I will be interested to hear the Labor Party's response to my amendment on incorporation because it is almost a no-brainer, I would have thought. Hon Matthew Swinbourn, with his legal background, will know that an unincorporated association cannot be contracted with. If there were reporting requirements under the Electoral Act, Ellie Whiteaker, the current state secretary of the Labor Party, would be required to fulfil those reporting requirements in her own name, because there is no separate legal entity; it would actually be Ellie herself who would be responsible for fulfilling those reporting requirements. However, if Ellie left and a new state secretary came along, there would be no legal

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

requirement on that state secretary to fulfil any reporting requirements that Ellie may not have completed during her term. An unincorporated body cannot properly be contracted with; it is just totally ridiculous.

I appreciate the \$1 000 disclosure limit. Other members have already said that the Labor Party has used this power to abolish regional representation in this house. Hon Mia Davies in the other place has referred to the fact that the government is effectively legislating itself another term. It is giving itself an almost 100 per cent pay rise. I think that using its power to legislate for another term is an abuse of power and an abuse of the legislative process.

We also heard about the government's complete ignorance of the consultative requirements that usually would apply to a bill like this, and also ignorance of the conventions that apply to governments not unilaterally changing the most important pieces of legislation, such as electoral legislation. Governments should strive for consensus in such cases, but there has been no attempt made by the government of any kind in that area.

The Attorney General; Minister for Electoral Affairs is horribly conflicted on this point. I suspect that the Labor Party has asked him to not venture into the field of requiring recipients of millions of dollars electoral funding to incorporate. I suspect that is the case because of what came out of a recent *Melbourne University Law Review*; two recent cases highlighted the fact that, to paraphrase that journal, the Western Australian Labor Party has deliberately remained unincorporated so that it cannot be held to its own rules. That was actually the finding of a judge. The reason is that if a body is unincorporated, any disputes—financial, governance or otherwise—are not justiciable. This amendment would bring the Labor Party within the bounds of the law. Surely we can ask that recipients of public money on this scale should be bound by the laws of the country in relation to administrative law, procedural fairness and so on.

I am not sure what happened with members to my left on the weekend, but is it true that they are now going to have a left, right, left, right —

Hon Darren West: A march?

Hon BEN DAWKINS: Yes, a marching song as their preselection procedure for this place. The unions on the left and right are divvying up the preselection positions —

Several members interjected.

Hon BEN DAWKINS: I would not want to be; do not worry! I hate to tell members that that is going to be unenforceable, too. The party does not have any requirement to actually abide by this new left, right, left, right system, because its rules are unenforceable. It might be of some disappointment to members —

The ACTING PRESIDENT (Hon Dr Brian Walker): Order, member! Might I ask you to direct your comments through the chair.

Hon BEN DAWKINS: It might come with some disappointment to members on my left to learn that even if they are given a left or a right position on the ticket by their union as a preselection, it is not enforceable. It is the only political party in WA that does not have enforceable laws, and deliberately so. They are not enforceable by members. Members of a bowling club would be able to enforce the rules against their president or the club itself, but members of the Labor Party and elected members or candidates are unable to do so. It is more democratic to have a vote of members for preselection, which is what Hon Neil Thomson referred to before. It is how we should operate in a democracy. How many of the vocal and wise members to my left participated in a ballot and how many were unilaterally put on the ticket by their union? There has not been a member vote—there has been in the Liberal Party—for preselection in the Labor Party in the division of Tangney since 2012. That is not democratic. People need to be put there by members of the party and the public so that they are representative of the public, not representative of the union movement and the factions. This is how we end up with what is effectively an unrepresentative government.

Funnily enough, the Electoral Amendment (Finance and Other Matters) Bill 2023 refers to the primary purpose of political parties being preselections. The bill will double the funding but the preselection process will remain non-justiciable, including the left-right-left system it has brought in. We fund parties that do not follow administrative or procedural fairness in the very process we are funding them for. There is a direct link between public funding and what we are asking them to do with taxpayer money and what they are not doing and stuffing up.

As Hon Sue Ellery said earlier today that recipients of public money generally need to have governance and financial reporting, which goes with incorporation. The Labor Party has no financial reporting or governance structure. These things come with incorporations through the Associations Incorporation Act. I will give members an anecdote. As we know from the 2022 federal election—I tried to table a document earlier, but Hon Matthew Swinbourn did not want me to table it—the leader of the right faction at the time, Mr Ben Harris, highlighted in an email to members that the candidate who was, by all reports, most likely favoured by the good people of the division of Swan, was Fiona Reid, but they did not get to vote for her. In an email from Hon Matthew Swinbourn's factional leader,

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

Fiona Reid was eliminated outright—unilaterally—by the left unions using their majority on the admin committee. Funnily enough, the Labor Party had the numbers to win Swan. Zaneta—I cannot pronounce her surname —

Hon Sue Ellery: Mascarenhas.

Hon BEN DAWKINS: That is the name. The good Zaneta is now in federal Parliament and Fiona Reid is not. The people of Swan never got to vote on their preferred candidate. Fiona Reid was cut out but she could have been in Parliament today.

Hon Dan Caddy interjected.

Hon BEN DAWKINS: If Hon Dan Caddy wants me to keep going, I can.

WA Labor is a corrupt organisation.

Several members interjected.

Hon BEN DAWKINS: Just give me a little bit of time here, thank you.

This is my last anecdote. Hon Dr Steve Thomas may remember the good men who are honourable David Smith and honourable Phil Smith.

Hon Dr Steve Thomas interjected.

Hon BEN DAWKINS: Hon Dr Steve Thomas obviously knows them well. They are good gentlemen in the electorate of the south west and former members of the other place, I believe. They collected money and bought “Labor House”; I am going back to the 1980s. It was put into a division by the Labor Party. The return on that money from selling Labor House was given to the Forrest federal election campaign committee. This arrangement continued for many years. Dave and Phil Smith were very pleased that they had been able to raise money for the federal campaign. Suddenly, in 2021, the WA Labor headquarters said that it was acquiring that money—some of which was Phil Smith’s own money—money that they had raised through their friends and Labor people across Australia, which was in a particular fund. WA Labor headquarters said, “We’re acquiring that money and it’s going into consolidated revenue. You’re not getting interest on that money in the future.” It was stolen by party headquarters. The government talks about financial governance. Do we want to put more public funding into that sort of organisation, which treats people—long-time and worthy members, even members from the other place—with complete contempt? I am inclined to finish there.

Several members interjected.

Hon BEN DAWKINS: I see things fairly clearly. If people contribute money to political parties, I would have thought that they should get to vote. Sixteen year olds in this country pay taxes and they will pay double the tax to support the people to my left, but they will not get to vote. That seems a bit unfair. As the Greens have done federally, I will propose to lower the voting age to 16 as part of these amendments. It is linked to the fact that they are paying taxes for political parties without getting the chance to vote, and under this legislation that amount will be doubled. Hon Tjorn Sibma and Hon Martin Aldridge, it is not very wise to get into a debate about whether young people are smart enough or engaged enough. They will no doubt tell us that old people are probably not smart enough and do not care enough. That debate could go on and on. It is not about age; it is about paying taxes and being entitled to vote. It is about expanding the franchise and making it more democratic. Guess what? That is another amendment, and probably why there was a little bit of derision from members on my right.

Hon Sue Ellery: It was more than that.

Hon BEN DAWKINS: Hon Sue Ellery knows that lowering the voting age to 16 would also favour the Labor Party. We know anecdotally that most young people are more community minded and probably more left than right. I foreshadow upcoming amendments.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [5.58 pm]: I have to say that it has been an interesting afternoon. I will not have much time to commence my second reading contribution to the Electoral Amendment (Finance and Other Matters) Bill 2023. I might just start with a phrase that is probably well known to most, which is *Timeō Danaōs et dōna ferentēs*. For those who did not do Latin in the early days, it basically means “I fear the Greeks even when bringing gifts.”

Hon Stephen Dawson: Can I ask what the phrase was again?

Hon Dr STEVE THOMAS: *Timeō Danaōs et dōna ferentēs*. Does the minister want me to spell it? It has been a while! When the Labor Party introduces electoral reform, be a little nervous, because the Labor Party introduces electoral reform bearing a gift for itself, as it has always done. This is not the first piece of Labor Party electoral reform that I have been through, members might be surprised to know; I have been through a few.

Sitting suspended from 6.00 to 7.00 pm

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

Hon Dr STEVE THOMAS: Before we hastily adjourned for the dinner break, we delved into a bit of Latin from the poem by Virgil. We should be worried about the Labor Party bringing apparent gifts in terms of legislation into the Parliament. Perhaps *Timeō Danaōs et dōna ferentēs*—beware of Greeks when bearing gifts—should actually be *Timeō sinister et dōna ferentēs* or beware the left hand when bearing gifts. The left hand is immensely dangerous, more importantly, the “left” hand—the Labor Party—looks after itself whenever it comes bearing a gift about electoral reform.

I have actually lived through this more than once. I think this is my third —

Hon Sandra Carr: Are we the Greeks?

Hon Dr STEVE THOMAS: Sorry, I cannot hear the member.

Hon Sandra Carr: Are we the Greeks?

Hon Dr STEVE THOMAS: No, the Labor Party is the left hand; it is the “sinister”. Left handers were considered evil, so in Latin “left-handed” was “sinister” and “right-handed” was “dexter”. If someone was both-handed, they were “ambidextrous”. Those are the Latin derivations of the word. The Labor Party is the sinister—perhaps in more ways than one!

However, as appropriate as that name might be for members of the Labor Party, we do need to progress to some more substantive matters of electoral reform. Like I said, I have been through this three times, and every time it was an act of betrayal of regional Western Australia by the Labor Party in order to attain its long-term goal. We ultimately have to remember that its long-term goal is not simply the universal application of one vote, one value, but the universal empowerment of the Labor Party. There is an old-fashioned statement that says that the greatest interest is always self-interest. That applies to the Labor Party above all. In a minute, I will demonstrate why and also why we should be very careful about this bill.

The Minister for Electoral Affairs is running around saying that we should welcome this bill with open arms. Apparently, he is quite outraged that the opposition in the other place that shall not be named voted against the bill at the end of the day. He thinks it should be grateful for his ministrations to electoral reform. However, the reality is that if we take the realistic view that the Labor Party always looks after its own interests, anybody who accepts that at face value is a fool.

What does the Labor Party do? I will go back to the first version of the electoral reform that I experienced in this Parliament. It was in that chamber that shall not be named in 2005. Far be it from me to suggest that the Labor Party is probably much more than simply opportunistic, it is opportunistic in the extreme. At the 2005 election, the Labor Party was returned, not with the great majority or a majority in this chamber, but with the displacement of a Liberal member of Parliament who had some attachment to the one vote, one value argument. That was a gentleman by the name of Alan Cadby, who was a member for the North Metropolitan Region. If I were to think of him kindly, I would call him a pragmatist, but when I think of him perhaps unkindly, I think of him as that Labor strategist who would sacrifice everything for the Labor cause. Hon Jim McGinty seized his opportunity to introduce the long-held dream of the Labor Party of one vote, one value—that long held institution. It was not because Hon Jim McGinty or even at that time the Premier, Dr Geoff Gallop, necessarily had much in the way of ideology, and I knew them all personally. Hon Dr Geoff Gallop was probably the closest in the Labor Party at that point who I was aware of who genuinely took a moral stand on some issues, but I will not apply that to Hon Jim McGinty. They saw an opportunity to get this long-held Labor Party agenda in place and could easily get it through the lower house because they had the numbers, but they could not get it through the upper house unless Alan Cadby jumped ship. He lost his preselection for a winnable spot in the North Metropolitan Region, so he jumped ship and ultimately quit the Liberal Party. I had a chat with him, because at that point I was a new member of Parliament in a seat called Capel, which was created for the 2005 election and killed off by 2008 by the machinations of the Labor Party.

Hon Darren West: Was it sinister?

Hon Dr STEVE THOMAS: It is always sinister. The Labor Party, Hon Darren West, is always sinister.

Hon Jackie Jarvis interjected.

Hon Dr STEVE THOMAS: Hang on, one at a time. I missed that one. It was unworthy of interjection, perhaps. The Labor Party is always sinister. It is not necessarily always honourable, but is always sinister, by definition. We love a bit of Latin. I should try to find some Shakespeare to throw in a bit later, but we will see how we go.

What did the Labor Party do at that point? It changed the Electoral Act to its own advantage, which is what the Labor Party always does. What did it do? It took away the weighting on regional seats and moved eight seats from the regions into the metropolitan area. One of them was mine, and I might come back to that election a little later. It moved eight seats, because it was to the advantage of the Labor Party. If it was an idealistic though sinister government, it would stand on its principle of one vote, one value across the board, would it not? It would think that if were not just a cynical manipulator of electoral legislation to get the outcome to protect the Labor Party, it

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

would apply it universally across the board. Is that what the Labor Party of the time under Hon Dr Geoff Gallop as Premier and Hon Jim McGinty as Minister for Electoral Affairs did?

I want to read to members a little from the bill that I read a lot back in 2005, because it was the first legislation the government rushed into Parliament. There might be a bit of a trend here, because before the 2005 election, no-one in the Labor Party was talking about electoral reform, a bit like how before the 2021 election the Labor Party was not talking about electoral reform. In fact, seven times the then Premier Mark McGowan said, “It’s not on my agenda”, but they are cynical opportunists. What happened in 2005? We would think that this Labor Party, this sinister government, would apply this law universally. That is not what it did. This bill went through and clause 4 introduced new section 16G(4) that the government set out and states —

- (a) the average district enrolment at the relevant day;
- (b) in respect of each of the 57 districts —
 - (i) the name assigned to the district;
 - (ii) the boundaries fixed ...
 - (iii) the number of electors within the boundaries as so fixed;
- and
- (c) the districts included in each of the regions,

It set out the map. The important clause was proposed section 16H. It stated —

16H. Basis for division of the State into districts

- (1) For the purposes of this section the Commissioners shall divide the number of electors by the number of districts, and the result of that division is referred to as the “**average district enrolment**”.

That is pretty simple. It continues —

- (2) The Commissioners shall divide the State into districts in accordance with the principle that, for each district, the number of electors that the district would have had at the relevant day must not be more than 10% greater, or more than 10% less, than the average district enrolment at the relevant day.

The bill presented by the government said that the state would be divided into 57 seats at the time, and it would be divided into roughly equal numbers, not more than 10 per cent higher and not more than 10 per cent lower. That sounds pretty principled thus far.

Hon Matthew Swinbourn: That sounds like 20 per cent.

Hon Dr STEVE THOMAS: In the bill that was debated, it was 10 per cent. Proposed section 16H(3) was interesting. I call this the Jim McGinty clause. It stated —

- (3) However —
 - (a) the Commissioners shall ensure that the region known as the Mining and Pastoral Region consists of 5 complete and contiguous districts;
 - (b) in making the division required by subsection (1) the Commissioners shall disregard —
 - (i) the electors in that region; and
 - (ii) those 5 districts;
 - and
 - (c) the Commissioners shall not apply the principle set out in subsection (2) in relation to those 5 districts.

The Labor Party, the sinister party of Parliament, decided that the state would be divided into 57 districts and they would all be roughly the same except for the Mining and Pastoral Region. Why was the Mining and Pastoral Region exempt under a platform from the Labor Party that demanded the principle of one vote, one value? In fact, the bill was called the One Vote One Value Bill. Let us have a look at why that would be the case. Prior to that change, three regions were in non-metropolitan Western Australia. We had three country regions and three metropolitan regions, as there currently is, but they were slightly differently shaped. We had the North Metropolitan Region, the East Metropolitan Region, the South Metropolitan Region and the South West Region, the Agricultural Region and the Mining and Pastoral Region.

In the 2005 election, the South West Region elected these parties in these seats. The Albany electorate returned an ALP member in Peter Watson. Bunbury returned a Liberal member in John Castrilli. Capel returned a Liberal member; that was me. Murray–Wellington at that point was Collic–Wellington, and it returned a Labor member

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

in Mick Murray. Dawesville returned a Liberal member, Kim Hames. Leschenault returned a Liberal member in Dan Sullivan. Mandurah returned a Labor member in current Minister Templeman. The seat of Stirling returned a Nationals WA member in Terry Redman. Vasse returned a Liberal member in Troy Buswell, and Warren–Blackwood returned a Liberal member in Paul Omodei. As we go through that list, we see that three Labor members came through and there was a significantly higher number of other members.

The Agricultural Region in that election was also excluded; it had to have one vote, one value applied but with some large area mitigation. The seat of Avon was held by the National Party and Max Trenorden. Geraldton was held by Shane Hill for the ALP. Greenough was held by Grant Woodhams for the National Party. Merredin was held by Brendon Grylls for the National Party. Moore was held by Gary Snook for the Liberal Party. Roe was held by Graham Jacobs for the Liberal Party, and Wagin was held by Tuck Waldron for the National Party. In the Agricultural Region, the Labor Party held one seat.

In those regions, the Labor Party applied its one vote, one value because it was obviously to the benefit of the Labor Party. Why was there an exemption to this grand principle that has apparently been a 100-plus-year agenda for the Labor Party in Western Australia? Let us have a look. In 2005 in the Mining and Pastoral Region, the seat of Murchison–Eyre was held by the ALP’s John Bowler; Central Kimberley–Pilbara by the ALP’s Tom Stephens; North West Coastal by the ALP’s Fred Riebeling; and Kimberley by the ALP’s Carol Martin. There was one other seat at that point, Kalgoorlie, that was held by Matt Birney for the Liberal Party, much to the chagrin of the Labor Party, because it was a rare event to see a swing to the Liberal Party when Matt Birney got elected back in 2001; I think it was the only swing to the Liberal Party in that election, or was it a by-election? The Labor Party held four out of five seats.

After the 2008 state election the Labor Party still held five seats in the Mining and Pastoral Region, and the rules of one vote, one value did not apply to the Mining and Pastoral Region, so Carol Martin retained Kimberley and Tom Stephens retained Central Kimberley–Pilbara. There was another name for members opposite: the electorate of North West Central was created, and guess who won it? A gentleman by the name of Vince Catania won that seat for the Labor Party. That worked very well for members opposite.

The seat of Kalgoorlie was at that point won by John Bowler, who suffered some setbacks and ultimately became an Independent. At that point the seat of Eyre was picked up by Graham Jacobs, so once again it was four to one. Why did the Labor Party go through this ideological process of one vote, one value but exempt the Mining and Pastoral Region? Because it was to its benefit to do so. It was because it was to the advantage of the Australian Labor Party in Western Australia—that sinister group of manipulators. That is why the Mining and Pastoral Region was exempted in that redistribution.

That was a pretty painful redistribution for me; my seat disappeared and a number of south west seats were merged. My seat was basically split up between Vasse, Bunbury and Collie–Preston. We had sitting members in Vasse and Bunbury, so I had to do the hard yards, take a bullet for the team and stand for the seat of Collie–Preston, and I could not shift Mick Murray. I was one per cent behind when I started and I was one per cent behind when I finished; neither of us could shift votes in that election. I won every booth outside Collie; he won every booth inside Collie, but he won every booth inside Collie by about 80–20, because it was Collie versus the rest. That was not easy, I have to say. I took a bullet for the team on that, and it took me eight years to resurrect my career, but that is exactly what I have done. The hard yards came, my seat disappeared, and I said, “You know what? I’m going to do it for the team.” It was not easy.

It was the ideology of the Labor Party that drove that, but it was not universal. It was the selfishness of the Labor Party that put exemptions in place because it was to the Labor Party’s benefit. There is no high moral ground for the Labor Party in electoral reform. It does not come to the table in any way, shape or form to do the best thing for the people of Western Australia; it is looking after the interests of the Australian Labor Party in Western Australia. This is politics; it is a tough game and I do not generally expect much different, to be honest. I suspect that if the Liberal Party had the opportunity, we might look after the Liberal Party as part of this process as well.

Yes, the Australian Labor Party cynically took advantage to put its agenda in place to look after the Liberal Party; fine. But do not come in here and tell us, with outrage —

Hon Martin Pritchard interjected.

Hon Dr STEVE THOMAS: Sorry, I cannot hear the member.

Hon Martin Pritchard: You said “Liberal Party”!

Hon Dr STEVE THOMAS: Oh, did I? Sorry, Labor Party! Careful! Thank you.

Members opposite should not come in here and tell us that they are doing this for the benefit of the state or the Parliament or anyone other than the Australian Labor Party, because we know exactly why they are doing this: for

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

the benefit of their party. That was the first electoral reform I experienced under the Labor Party. The second round of electoral reform I experienced from the Labor Party was when I got back in after the 2021 election, not before when the then Premier said seven times, apparently, “It’s not on my agenda; electoral reform is not on my agenda.” Immediately after the election, what did he do? He had such a sweeping win that he had control of two houses and he immediately put electoral reform on the agenda. Was that to the benefit of the state of Western Australia? Was that to the benefit of the Parliament? No, it was to the benefit of the Australian Labor Party. Again, another cynical and sinister effort by someone who probably learnt at the feet of Hon Jim McGinty, and I will explain that in a minute.

Hon Mark McGowan was in Parliament when Hon Jim McGinty destroyed lower house representation for the regions, and I think Hon Mark McGowan just picked it up. For those who remember, not that that many people in this place now were here at the time—there were a few; Hon Tjorn Sibma and Hon Darren West and the parliamentary secretary were here—I made a speech when I returned in 2017 that referred directly to the then Premier who around the time of the electoral redistribution was playing some pretty nasty games. The then President, Hon Kate Doust, had to call me to order and was perhaps tempted to go a fair amount further. I will say this in relation to what went on back in 2008: the Labor Party took great glee in exaggerating stories, many of which were not true, to gain political advantage. That is the game of politics. The hypocrisy of then Premier Mark McGowan being outraged that his home was targeted when he had done exactly the same thing astounded me. It is a tough game, it is a dirty game, but I tell you what, if you cannot take it, do not give it out. That is my advice. It is a dirty, nasty game, but if you are going to give it out, take it back. If you cannot take it, do not give it out. That is a bit of free advice.

In 2021 there was this revamp of the Legislative Council. We got rid of regions completely and, obviously, funnily enough, that had an impact on the representation in the lower house of the Mining and Pastoral Region, because two seats were merged. The agenda has finally started to creep through, again. It is not because it is for the benefit of the region being represented, but because it is to the political advantage of the Labor Party that we now remove the regions, we changed this act of betrayal of 2005 a little bit further and a seat has now been merged. Funnily enough, neither of the seats that were merged was held by the Labor Party. The argument is that the Electoral Commission is independent of government and Parliament—it is certainly independent of Parliament. It is supposed to be independent of the government, but it is just an interesting trend —

Hon Matthew Swinbourn: It is not the Electoral Commission that does that.

Hon Dr STEVE THOMAS: Sorry, the boundary review.

Hon Matthew Swinbourn: Yes, it is a different entity.

Hon Dr STEVE THOMAS: Yes, but it is still supposed to be independent of government.

Hon Matthew Swinbourn: It is independent.

Hon Dr STEVE THOMAS: It is still supposed to be independent.

Hon Matthew Swinbourn: It is independent of government.

Hon Dr STEVE THOMAS: That is what it is supposed to be.

Again, I will go back into a little bit of history. When the seat of Capel was merged with the seat of Collie, the new seat was called Collie–Preston. Hon Kate Doust has come in. I mentioned her in passing before, but in a positive way, in a good light, which is properly cruel to any preselection that —

Hon Kate Doust: I’m not sure what the connection was to the seat you’re referring to.

Hon Dr STEVE THOMAS: We have jumped ahead a bit. Hon Kate Doust will have to look at *Hansard*. I do not have time to go back because I said I would try not to take the whole —

Hon Tjorn Sibma: He was praising your restraint in your previous role.

Hon Dr STEVE THOMAS: I was referring to Hon Kate Doust’s previous role when she had to pull me up on occasions for excesses, not as much as Hon Tjorn Sibma, but on occasions.

Hon Kate Doust: I think in your maiden speech I had to pull you up.

Hon Tjorn Sibma: How it lingers in one’s memory.

Hon Dr STEVE THOMAS: We are not casting aspersions, so we will need to move on.

The seat was dissolved and merged into the seats of Vasse, Bunbury and Collie, and became the seat of Collie–Preston. That is the interesting thing. The Electoral Commissioner at the time was Warwick Gately, from memory, when the seat of Collie–Preston was formed. As I said earlier, I had no choice. I had to stand for that seat. I took one for the Liberal Party. There was no point in me trying to do something else, because someone had to stand and I was the only one qualified to do it. If we look at what happens at the federal level, where the precedent was set, we can see that when two seats are merged, either the name of the seat with a larger population is taken

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

or it is given a completely independent name. Bear in mind that the seat of Capel, which was merged, was about 60 per cent of the voting population of the seat of Collie. Actually, I think it was over 60 per cent and less than 40 per cent. The town of Collie voted 80 per cent Labor, and it was very hard to get past those numbers.

Hon Matthew Swinbourn: I don't think you have forgiven them for that, have you?

Hon Dr STEVE THOMAS: Keep doing what you are doing with energy and resources and coal. They are coming around, parliamentary secretary. That is probably not true. I might not be changing people's votes but, by gee, I am having fun stirring you guys up. Do not distract me on those issues. We will do that during question time tomorrow.

The standard set by the Australian Electoral Commission is that when seats are merged, an advantage is not given to one member over the other. If one seat is dominant in the next seat, it can be called that, otherwise it has to be given a new name so that no-one gets an electoral advantage. The seat of Collie no longer existed because it was part of the merged seat. What did the Electoral Commission do under Warwick Gately? It called the seat Collie–Preston. It completely removed the name Capel, so the Labor Party ran around saying that the seat of Capel no longer existed and that Steve Thomas did not have a home, but it is okay with Mick Murray because Mick Murray has not shafted his electorate by supporting one vote, one value and the name Collie was still in there. I wrote a letter and made a submission into that. I pointed out that the name flew in the face of both procedural fairness and the precedent set by the Australian Electoral Commission. The answer I got back was that the Western Australian Electoral Commission decided to call it Collie–Preston because of the two river systems in the seat, which are Preston River and Collie River, so the Electoral Commission did not change the name. It might surprise members to know that there are three rivers in that electorate: Collie River, Preston River and Capel River. I live on Upper Capel Road. Even though I live in the Shire of Donnybrook–Balingup, I live along the upper Capel River catchment. There are three rivers, not two. One is called Capel, and that was the name of the largest seat. I am probably going to do this under parliamentary privilege, but I think it was a corrupt act, whether deliberate or accidental, for that seat to be called Collie–Preston and not include Capel in the name because I think it gave a deliberate and definitive advantage to the Labor candidate in that election. When members tell me that this is decided outside of politics, I am yet to be convinced. That is the example I put forward that the people who decided those boundaries, even when it was pointed out to them that the national precedent was the opposite of what they put forward—I am not asking the parliamentary secretary to answer any of these questions because I know that he cannot —

Hon Matthew Swinbourn: I don't have answers to those questions.

Hon Dr STEVE THOMAS: That is right. I saw him taking notes. He is probably going to write to Mr Gately or something.

Hon Matthew Swinbourn: I was thinking about my lunch tomorrow.

Hon Dr STEVE THOMAS: Okay! That is not bad. I like that.

That change gave a definitive advantage to one party over another and one candidate over another. It was to Labor's advantage to keep the name of Labor's seat in the name of the electorate, even though it was the smaller part of the new electorate, because it suited Labor's argument that it had not abandoned its electorate by voting in favour of one vote, one value. That was a definitive advantage from an organisation that is supposed to be free of influence. The Labor Party might argue that that was an accidental advantage and an accidental corruption of the system. But I am here to say that I think it was a corruption of the system. Even when it was pointed out, it was not fixed. Not only does the Labor Party put forward electoral reform to its advantage, not to the advantage of the community, I think the system cannot necessarily be trusted as part of that.

Hon Stephen Dawson: Are you being a conspiracy theorist over there? I just walked in. Is that what I missed?

Hon Dr STEVE THOMAS: Here is a piece of advice, minister: you are not a conspiracy theorist if they are actually out to get you. In politics, whether it is my side or the opposite side, we should get used to that idea.

Hon Matthew Swinbourn: That is a saying about being paranoid: just because you are paranoid does not mean they are not out to get you.

Hon Dr STEVE THOMAS: That is right; there are a couple of different sayings. I do not know the Latin version of that one, so we are not going there. Somebody else can have a better go in a minute if they like.

When we get back to the upper house so-called electoral reform, once again it was entirely to the benefit of the Australian Labor Party. It was not to the benefit of the state or anybody except those members sitting opposite and their cronies in the other place that shall not be named.

Now we have this third version of electoral reform on behalf of the Western Australian Labor Party. Once again, it is saying, "This is the best thing for the community." It is not about the community. "This is the best thing for Parliament." It is not about the Parliament. This is to the benefit of the Western Australian Labor Party once again.

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

I suspect members opposite and the parliamentary secretary when he responds will argue and say that the fundraising rules that will be applied to other parties will also be applied to the Labor Party.

Hon Matthew Swinbourn: Are you reading my reply?

Hon Dr STEVE THOMAS: I thought that was your lunch! Hang on! Lunch tomorrow: humble pie!

Hon Stephen Dawson: I think it is apple pie he is having.

Hon Dr STEVE THOMAS: Cold shoulder, humble pie. We will see whether the hot tongue comes later when the parliamentary secretary responds. This is once again the trend of the Australian Labor Party. It takes advantage. Yes, the government is right that the same set of fundraising rules will apply. I have applied this in a number of discussions around what the Labor Party is trying to do. Here is the best way I can describe it. Yes, the Labor Party will to some degree hamstring itself. It will shackle itself to some more onerous donation and contribution rules. It will shackle itself in terms of the ability to spend money. But like most elections, we are in a race. This is an 800-metre race, which was probably my best event.

Hon Klara Andric interjected.

Hon Dr STEVE THOMAS: No? Hon Klara Andric has not seen me run 800 metres.

Hon Matthew Swinbourn: When was the last time you ran 800 metres?

Hon Dr STEVE THOMAS: It is a while since I ran an 800-metre sprint. I got down to just under two minutes but there were people who could do it in one minute and 54 seconds.

Hon Kate Doust: I think you are getting distracted.

Hon Dr STEVE THOMAS: I am getting distracted again. It takes former Presidents to keep me in line. This is an 800-metre race in terms of elections. The Labor Party has decided it is 400 metres in front, so if it shackles everybody, it is pretty confident it can maintain its 400-metre lead. That is precisely what is going on with the legislation before the house. The Labor Party has said that right now while it is in ascendancy and has 70-something members across two houses and holds 53 of 59 lower house seats, while it has a majority in the upper house, while it is in ascendancy, that is the best time to shackle everybody because that will give it the greatest advantage. Do not come in here and say this is about accountability. This government cares nothing for accountability.

I had a question today about costs, but the answer I got back was that it is cabinet-in-confidence. I might do a study and work out how many times the answers to my questions about how much money the government is wasting in various areas are put down to cabinet-in-confidence or commercial-in-confidence. It is very hard to get an answer out of this government. This government is not interested in transparency in the slightest.

Hon Matthew Swinbourn: Are you suggesting that if you were in government, you'd be providing us answers to all the questions?

Hon Dr STEVE THOMAS: I can quite honestly say I will promise closer to the gold-standard transparency than the Labor Party has. All I have to do is beat the Labor Party's performance on gold-standard transparency. All I have to do is beat you guys. The Labor government has set the bar so low that even somebody with legs as short as me can jump over it.

Several members interjected.

The DEPUTY PRESIDENT: Order, members! I am struggling to hear the Leader of the Opposition and he is the closest member to me.

Hon Dr STEVE THOMAS: Thank you, Deputy President.

The bar is so low in transparency and accountability despite the gold-standard promise that even I can jump over it. The bar is so low. I was not bad at the 800-metre sprint, but I was not good at high jump. The bar is so low that it is very easy to step over it.

A government member interjected.

Hon Dr STEVE THOMAS: I am not flexible enough for limbo; I cannot do that either. All I have to do is stand upright and I can step over the transparency bar set by you guys.

The government figures that it is ahead and that there is an electoral advantage for the Labor Party. The government thinks that we should sit here and say, "Thank you very much. Please, sir, can I have some more?" That was not Shakespeare, but I have got one of the classic lines in. Please, sir, can I have some more? Yes, the Labor government is all about openness and transparency. Rubbish! It sees another advantage for the Labor Party and it is pushing that advantage for all its worth. I should not expect any different. That is not a personal slight. I understand that

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

the government has an advantage. We are using expressions tonight. Is it “Never give a sucker an even break”? The Labor government has seen an advantage and it is going to take advantage of it. Fine. But members should at least stand up and say that that is what they are doing: “We are taking advantage because we can.” Let us put aside all the feigned outrage of the Minister for Electoral Affairs, who says “How dare you oppose this bill? I’m doing it for you guys. You guys should embrace this.” Rubbish! The Labor Party is doing it for the Labor Party. The Labor Party is taking advantage. Obviously, the last election was extreme. In 2017, we said that it would never be this bad again and fortune proved something else. But even the most optimistic Labor Party person would say that the Labor Party is going to drop a few seats at the next election. I can just see them sitting around the strategy table. I am not sure who the chief strategists are in the Labor Party.

Hon Dan Caddy: At least we have more than one.

Hon Dr STEVE THOMAS: I thought it was pretty much an ivory tower. We will see how it goes.

They are sitting around the table saying, “It will never get better than this. We will never be more dominant than we currently are. What can we do to change the laws to keep us as dominant as possible for as long as possible? It doesn’t matter that we are shackling ourselves. We could put handcuffs and leg cuffs on.” I do not remember what leg cuffs are called; “We can walk along like that because we know they’re 400 metres behind and they can’t walk any faster.” That is what the Labor Party is interested in. It is not interested in transparency. It is interested in maintaining the advantage of the Labor Party for as long as possible. Do you know what? I am not even upset by it. I am not shouting at members opposite. It does not make me angry.

Hon Stephen Dawson: You kind of have been shouting at us.

Hon Dr STEVE THOMAS: I have my projecting voice on.

I am not even upset by it. But Labor members should just stand up and tell us that that is what Labor is doing. Let us have a little bit of honesty in the debate. This is not for the betterment of the people of WA. This is for the political advantage of the Labor Party.

I suspect all other members are interested in their political advantage. The changes through the previous electoral reform in the upper house dramatically advantaged the crossbench. I do not think it did the Labor Party any harm. It certainly advantaged the crossbench and it gave regional conservatives another slap in the face. That is the simple outcome. I suspect the crossbench is rubbing its hands together, saying, “We’ll be bigger.” If it gets bigger, that is not necessarily a bad thing. I would hate to see it get as silly as the Australian Senate, particularly a couple of Parliaments ago, but let us see what happens. It is not to the disadvantage of the Labor Party. The 2005 changes advantaged the Labor Party. The 2021 changes advantaged the Labor Party. The 2023 changes will advantage that sinister group, again the Labor Party. That is fine. Let us see where we end up. That is the legislation that we will debate. I am looking for the Labor Party to acknowledge that and climb down from its high moral ground and its high horse.

HON DR BRAD PETTITT (South Metropolitan) [7.40 pm]: I rise to speak in support of the Electoral Amendment (Finance and Other Matters) Bill 2023. For the most part, the Greens are very supportive. Interestingly, I did not read the bill in the same way that Hon Dr Steve Thomas did. I think this bill largely captures best practice around the kind of things that need to happen in many cases. I will certainly be flagging some amendments and the further improvements that I think could be made for the legislation to become absolutely best practice. This is a really good step in the right direction. It is even better than the bill I introduced only a few months ago, which was also the government’s bill. It certainly goes a lot further. It is also a lot bigger. I think it is 50 pages longer than the act it is amending, and certainly many times larger than the original 2020 bill that I introduced, or reintroduced, I should say.

Hon Stephen Dawson: Yes, you didn’t introduce it. It was me.

Hon Dr BRAD PETTITT: The minister introduced it. This bill is better. Did I reintroduce it? Technically, it is a slightly different bill, so I did introduce it. We now arrive at an even better bill than the one that both Hon Stephen Dawson and I introduced, which is good.

There are two key bits to this legislation. The first bit is the 102 clauses of the bill up front. I have a very good team—I give a shout-out to them—that has gone through it. I will be up front in saying that we want to modernise the act, taking Labor at its word around how many of these parts will work. The briefing we had was good, and we were very supportive of the clauses. I will quickly go through some of them.

Improving accessibility is a good thing. We want to see more people vote and more people enrolled to vote. This legislation will certainly enable people from culturally and linguistically diverse communities to do that, and also people who have a disability or who might be homeless. The more people who are part of our electoral system, the better. It is even about the little things, like making sure polling stations have bathrooms. We are certainly very supportive of that. It is good to see some of those changes, along with some of the other quite logical provisions—for example, voters no longer needing a witness to submit a postal vote, which is certainly very sensible.

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

I like the fact that Australia has a good strong voter turnout. If we can get people to turn up and enrol to vote, even if they are not enrolled on the day, it gets rid of those barriers to voting as much as possible. I feel like it encourages people to vote. The United States seems to be going towards making it harder for people to vote. To make it easier for people to vote is really important.

One of the other changes that I really liked was allowing young people to enrol to vote from the age of 16 years. It would be fair to say that the Greens would go further than that. My federal colleague Senator Jordon Steele-John has done a fair bit of work in this space. I think he moved a bill in the Australian Senate as far as back as 2018. He wanted to lower the voting age to 16.

Even this step is a good one. Enrolling to vote at the age of 16 years is something to think about for the next election. It would be good to acknowledge that they are part of the system. There is really good stuff there, as there is around modernising the language used. It will be more gender neutral, and using more inclusive terms around disability and the like is really good.

There is a lot in the first 112 clauses, but it all seems to be heading really well in the right direction.

The more meaty bit, which I will spend a bit more time on, is the financial elements of the bill. Again, I think a lot of these elements will be a great improvement on where we are currently at. It would be fair to say that one of the big ones is the federal disclosure laws. The idea was that just because a party was enrolled in both state and federal areas, it could use the loophole, which was \$14 000 back in the day, but my notes say that the minimum threshold is now \$16 300, which is extraordinarily high. Taking that back to the state threshold is really important. I thought that \$1 000, where we first landed, was a good neat number. Again, I use the bar that says: what amount of money could we honestly say would have some influence on an individual? One thousand dollars felt like a good line in the sand for that. I note that that was changed to \$2 600 in the other place after an amendment from the opposition. It feels like an obscure number. I do not quite understand the rationale for that from either side. Why is \$2 600 a sensible number?

Hon Matthew Swinbourn: Just by way of context, that's the current disclosure system in the state. I get your broader point about why that might not be a good number, but that's where that has come from.

Hon Dr BRAD PETTITT: I certainly understand that. I do not know how that number was arrived at. It seems to be a slightly odd number that is probably a bit arbitrary. Maybe it is a case of it being adjusted over time. Going back to a neat \$1 000 amount would be good. I also think we should align what we do in this place at a state level with what happens at a local government level and federally. In a perfect world, a \$1 000 threshold would sit across all three levels of government. It is certainly something that I would support. I will move an amendment to take it back to \$1 000, which is what it was originally when the bill was introduced in the other place. I hope that will at least be given due consideration.

It is really good to see the requirement for real-time disclosure. It was missing from the bills that Hon Stephen Dawson and I introduced in different years. Certainly, it is something that I think we all agree is good. Again, local government has a version of this already. As someone who had to disclose things at a local government level, I can say that it is not that hard. I appreciate that some have said that it will make it very difficult and it might not be workable. Actually, it is not very hard. If someone gets a gift or a donation, they simply record it; then they do not forget about it and they move on. I think it is a worthwhile shift. It is worth noting that this was discussed quite a lot by the Joint Standing Committee on Electoral Matters during the inquiry into the 2022 federal election. Overwhelmingly, the report found that there was support for improving donation disclosure law for these reasons. Although some might say that it causes problems and it might discourage people from donating because they would not want to be identified prior to an election, I would say that that is the point. People should know who has donated to whom prior to voting. That is the system we want. It is all about being transparent. Frankly, I think it is pretty appalling that a donation can be hidden until after an election, which is what has happened for a long time in this state under the current disclosure laws. Again, reflecting on what happens at a local government level, that cannot happen, and those disclosures have to be made prior to the election with very quick turnarounds. The seven-day disclosure period outside of an election period is not as onerous, but quite workable and doable and is certainly a measure that the Greens will be supporting as we go forward.

This Electoral Amendment (Finance and Other Matters) Bill 2023 provides an extensive new regime for spending caps for candidates and political parties. Again, the provisions are quite good in the sense that spending per seat applies to individuals and also other non-political party actors. It would be fair to say that the other place talked quite a bit about how this would not achieve fairness, but I think the reasoning behind the expenditure caps is really sound. I appreciate the argument for better and longer consultation on some of these matters, which was why I supported the referral of this bill to the Standing Committee on Legislation. Although that referral was ultimately not supported, there is enough in this bill to show that there is nothing inherently problematic and that it is absolutely workable.

Extract from Hansard

[COUNCIL — Tuesday, 7 November 2023]

p5844e-5866a

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

The one area where—maybe I will start with the good bit. The banning of foreign donations is again another element that the Greens will be supporting, but I want to flag that this area could quite logically be expanded. There are good reasons for banning foreign donations, which have been outlined quite well, but many of those reasons, or at least similar reasons, could also be applied to banning donations from certain industries. We already see this happening across several jurisdictions in which some industries have undue influence on decision-making and policy making and on policy itself. New South Wales already bans donations from tobacco, liquor and gambling industries and both New South Wales and Queensland ban donations from property developers. These are really sensible bans.

I note that this issue actually went to the High Court of Australia. There was a challenge to the constitutionality of the ban on donations from property developers in New South Wales but the High Court found —

... the public interest in removing the risk and perception of corruption is evident. These are provisions which support and enhance equality of access to government, and the system of representative government which the freedom protects.

There is a really good logical reason for doing that and for expanding the ban beyond property developers. The New South Wales ban was later extended to tobacco, liquor and gaming industries on the basis that those industries distorted government decisions in a way that was contrary to the public interest. It is my view and the view of the Greens that big corporations should not be able to donate to political parties on the scale that we currently see. It is not credible that both the major parties continue to pretend that the money they receive from those corporations does not translate into favourable treatment. I could give a few examples of this but one article that was quite amusing was in *WAtoday* a few weeks ago in which Nigel Satterley lamented the change of Premier and the loss of Mark McGowan. Mr Satterley was concerned that he was no longer able to pick up the phone and directly call the Premier as he had previously been able to do with Mr McGowan. I think that is a credit to Premier Cook. Why is it that some people who donate or because of other influences, feel like they can just pick up the phone and call the Premier or a minister? For me, it explains why a ban on those donations should be introduced and why everybody who is part of a democracy should have an equal say. I mean, I am sure Nigel Satterley is a nice guy, but that is not the reason he is getting access. Part of it is the amount of money that gets thrown at major parties.

Hon Tjorn Sibma: Would you take a counterfactual?

Hon Dr BRAD PETTITT: Sure.

Hon Tjorn Sibma: Do you think the only reason a politician would take a phone call from Nigel Satterley is because of a donation history or the prospect of a future donation? Would it not also be the case that he is a significant businessman who has made a range of investments in developments in Western Australia and is an industry leader in his own right? Is that not also a sufficient reason to take a call?

Hon Dr BRAD PETTITT: That could be a sufficient reason to take a call, but it is not a sufficient reason to expect that one's call will always be taken.

Point of Order

Hon JACKIE JARVIS: I was under the understanding that all comments should be directed towards and through the chair. I noticed that a discussion was happening. I wondered whether we could perhaps resume that practice.

The DEPUTY PRESIDENT: Members, all interjections are unruly, but it is not uncommon for members to engage in the way that has just occurred during the second reading debate. If it gets to the point that order is not maintained in the chamber, the chair will intervene and call the chamber back to the business at hand. There is no point of order.

Debate Resumed

Hon Dr BRAD PETTITT: To respond to that, I actually think it is healthy that we debate and unpack issues. In response to Hon Tjorn Sibma's comment, through the chair, I have no problem with captains of industry and influential people having good lines of communication with politicians. The problem is that donations blur it. In fact, we could quite honestly say that that would actually be a much more credible position and a reason for a minister or the Premier to pick up the phone, but the heart of the problem is the public's faith in whether that has been blurred by the fact that that person has also given tens or hundreds of thousands of dollars in donations and therefore expects the phone to be picked up. A healthy democracy of course involves good communication between industry and political leaders, but when there is a perception or a reality or both that who makes the biggest donations has the best access, that diminishes us all and potentially diminishes decision-making in this state.

I am going to be even more controversial. I have an example that I think goes far beyond the example I gave about gambling and the property industry in New South Wales. It is one that is peculiar to WA. I would also like to see donations from the fossil fuel industry included. I am going to point out something here. We are to have a gas transformation conference in this state at the end of the month. I think it is actually called the WA Energy Transition

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

Summit—“gas transformation” was a slip because literally everybody who will be speaking at it will be from the gas industry. It is one of the most extraordinarily lopsided line-ups for a talk about transformation that I have ever seen. If the government is serious about transformation, frankly, gas will be a very small stepping stone towards renewables. Weirdly, almost nobody from the renewables industry will be speaking at the Energy Transition Summit.

I come back to the point I am trying to make: there is a real danger that the lines between those who donate—in this case, the fossil fuel industry—and the decisions we make and the way that policies are made will be blurred. If we are serious about keeping climate change to 1.5 degrees, it is not going to include massive gas expansion. That is not me saying that; the International Energy Agency and the United Nations are saying that. We are about to go well beyond that. Once again, there is a perception that our government is beholden to the fossil fuel industry. That is at the heart of why I think changes should be made to this legislation. At the committee stage, I will move amendments to expand the list of prohibited donors beyond foreign donations. It is worth flagging that because I think it is one of the most important things we can do.

Another part I am concerned about, which I am trying to unpack a bit, is around cash for access. If we are serious about properly completing how donations work in this state, in a properly transparent way, it is not just about direct donations. We also have to capture the other things. For instance, if I paid \$15 000 to sit next to Hon Dr Brian Walker for dinner, surely that is a donation that should also be recorded in the same way that other donations are recorded and similarly, if I donated wine to him or that kind of thing. In the briefing, I was given some assurances that those things will be captured by the bill. As we go through the committee stage, I will be interested to make sure that is the case. I am hoping that we come out at the end of this being as close as we can to best practice. If we miss out things like cash for access, I think that would be a big loophole, which we could drive too many bottles of Grange through, so let us not do that. I am hoping we can get to complete disclosure. We will be looking at some amendments in this space as well.

Another area that is not captured, which I think again in an ideal world would be, is about the revolving door—a ban on politicians becoming lobbyists immediately after leaving office. Again, it is a particularly Western Australian thing. I think that would be right and useful. I appreciate it would have some consequences around fairness and jobs and that kind of thing. Certainly, we have got to the point in this state of blurring ministerial offices and board positions and the like. I think it has a corrosive effect on people’s confidence in democracy—the idea that a Premier or minister can literally walk out of their job and, within months, be on multiple boards, the very boards that they were making decisions about in cabinet and through legislation that they were introducing. Anyone who cares about a proper democratic system and wants to get rid of undue influence would want to see that gone.

Expenditure caps are another bit that we support. The Greens have long called for expenditure caps on elections. I know some concerns were raised about this from others but I think it is very sensible. Clive Palmer might not have won a seat with all his attempts, but I think he had some influence —

Hon Matthew Swinbourn interjected.

Hon Dr BRAD PETTITT: Yes. I was thinking here in Western Australia. He spent a lot of money. He did not get a seat but he has some influence in this place through expenditure caps, perhaps. I do not know whether he was the driving force behind it, but he certainly explained to many of us the dangers of not having expenditure caps in place.

Another thing that is probably for the committee stage is that the \$10 million limit is still a lot of money. I am not quite sure how it was arrived at. The Greens would certainly be happy with a lower cap than that. It would be interesting to know how the \$10 million overall cap was arrived at.

Almost finally—I am almost at the end—I refer to the \$4.40 return to political parties. A good step around strengthening our democracy is increasing that rate of return. It would be fair to say, looking at all the other states, that it is not excessive. Western Australia was one of the lowest before this and it will put us much more in the middle space, which is really good. I certainly think it makes our system much more sustainable and robust. My feedback that I will flag now is that it was probably a missed opportunity to also modernise what can be claimed. The rest of the bill will modernise the act, but why not also modernise the categories under which parties can claim electoral return? I will give one example. It could enable parties to claim staff who have been specifically hired to work on elections. That would have been a good change. A good reason for that is that we all agree that electoral staff in our offices should not be used for elections. However, if other staff who are not in electoral offices cannot be claimed, and only materials and such things can be claimed, there is a real danger that there may be a temptation—I am not saying anyone is doing it—of using those staff to support local members or candidates in elections. If we are serious about disentangling that, I think we need to make sure that political staffers do not get caught up in electioneering. I think enabling political parties to claim staff costs as part of the \$4.40 return per vote to political parties would have been a sensible shift, and I am interested in getting a sense of why that was not included.

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

In conclusion, these are really good changes. There are ones that actually surprised me and went further than I was expecting. It has certainly gone beyond the previous bills that were introduced. It is not perfect, and that is why I have a couple of amendments to move primarily going to the \$1 000 and adding some further prohibited donors. Those are ways to take this bill from being very good to excellent. That said, this is a really good and important shift to improve democratic processes and I am happy to support it on that basis.

HON DR BRIAN WALKER (East Metropolitan) [8.06 pm]: I have no intention of speaking more than a few minutes, as the points that I would like to raise have been beautifully brought forth by my colleague Hon Dr Brad Pettitt; he encapsulated a lot of what I would have said. I have one point of contention regarding the \$1 000 limit. I appreciate it and can see where the government is coming from. However, the point is that a party like mine, for example, will have people saying, “Listen, I would love to give a little bit of support to you because I like what you’re doing, but I don’t want my name associated with anything to do with cannabis because of the stigma.” We are fighting this in an open house and in society, but people are still much more concerned about cannabis than the horrors in our society of alcohol and other drugs. The horrors are out there, but somehow cannabis, this safe, simple and sacred healing herb, is something that we cannot tolerate. People say, “If people knew that I supported cannabis, I would lose my reputation. I would lose some of my business.”

We would very much like the limit of \$1 000, which is really very low, to be higher—probably at \$2 600, although we could always do with more, could we not? Who is seriously going to do nefarious things with such a small sum? It would make a big difference for us, especially the smaller parties, to have people able to give reasonable and very helpful donations to us without having their names splashed as: “He is a supporter of a party!”

I will give the example of my Christmas card from last year. Members might think that my collector’s item of a Christmas card is something of beauty, but that was not the perception from society. We had Caitlyn Rintoul saying that it was a “poorly Photoshopped” and “controversial” Christmas card! People ascribed all kinds of nasty things to us because of the perception out there, but I think none of them is valid.

Hon Kate Doust: It is in the eye of the beholder.

Hon Dr BRIAN WALKER: Indeed, so. Thank you.

Hon Martin Aldridge: I’ve still got mine.

Hon Dr BRIAN WALKER: There is another one coming out! The point here —

Hon Tjorn Sibma: You should send one to Caitlyn Rintoul!

Hon Dr BRIAN WALKER: I certainly will send a signed one! I think she was actually a bit narky because she did not get one.

Anyhow, here we have it. The perception is very important, so we would appreciate a higher sum. I think members would appreciate this. This bill, which I think is very good, speaks to one of my particular—how can I put this—not horrors, but more of a kind of deep-seated fear of what we are seeing in this world. We need people to be actively engaged in working to the benefit of our society, and that means getting politically active. Most people are not. Most people look at politicians and describe all kinds of horrible things to us. Coming into this chamber, all I have met are people who are truly honourable, hardworking and committed to serving the people as best they can, however that may appear. The outside perception is something very different.

One of the areas that people would be very keen to attack us about is the concept of improper behaviour, undue influence and shenanigans with money. This bill will go some way to giving some assurance to the public that we are well organised and well managed. I would like to see the concept going out into the public that we are working to the best advantage of the people who have elected us. No matter from which area they come or what beliefs they have, we are working on behalf of the public who have elected us, and we are protecting them from nefarious behaviour by those who are less able to control their greed. This is a very sensible step to take; however, that being said, during the Committee of the Whole, we will go into some detail about how this bill works, because the devil, of course, is always in the detail. We have to be very careful to not just whitewash and brush over details that can be picked out in the next part of the bill’s process through the chamber.

Although my initial views are very supportive, and I am very happy to stand with my colleagues on the crossbench with that, we will of course listen very closely and possibly add a few questions during the Committee of the Whole stage. In general, I support this bill as being a reasonable approach and something that, if we could enhance or improve it in any way in this house, would be ideal, but as it is, it is certainly a good step. It is something that we should support after proper perusal.

HON WILSON TUCKER (Mining and Pastoral) [8.12 pm]: I feel compelled to say a few things on this Electoral Amendment (Finance and Other Matters) Bill 2023 because the last time I heard the word “electoral” uttered in the title of a bill—ignoring Hon Dr Brad Pettitt’s private member’s bill—was in 2021, when we dealt

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

with very controversial and impactful legislation. I am still suffering from a little post-traumatic stress disorder as a result of that bill, because I found myself as the Trojan Horse, you could say, and the justification given by the Premier at the time, Hon Mark McGowan, for the purpose of that bill. It felt like it was a bill that was being held as achieving electoral equality. We obviously know the real reason for that bill. I have learnt a few sayings in the last two and a half years and one of them is to not form a committee unless the outcome of that committee is known, and the same also applies with the intentions of a bill: do not bring a bill into fruition unless the consequences of that bill are known. That is exactly what we saw with Labor entrenching its position and helping its incumbency with that electoral bill.

In this bill, the parallels with history are repeating themselves once again. This is being heralded as something that gives more transparency. I think it goes a little way towards doing that, but the cynic in me—the last two and a half years have probably made me a bit of a cynic—sees it as window-dressing and that it could go a lot further. I think the real intention of this bill is that the Labor Party has crunched numbers, done the maths and knows that this will help it in the long run. I heard the figure of \$3 million being bandied around. Around the four per cent threshold, the money flows back into the party coffers. That is obviously a very significant amount of money.

I think the main points that I really want to get into are best reserved for the Committee of the Whole. At this stage, during the second reading contribution, I want to make a couple of points about the entrenchment the Labor Party is giving itself through this bill and the four per cent. I understand that it will bring Western Australia into line with other jurisdictions, and that is fine, but it will really entrench the support, favouritism—I guess that is probably not the right word—or advantage that major parties have over minor parties. If parties are not hitting the four per cent, it will be incredibly difficult because those parties will be dealing with the other ramifications of the bill but will not be getting the reimbursement and the flow-on effects that come with that. They will not get the millions of dollars flowing in, but they will have to deal with the other consequences of the bill.

The majority of the consequences are good. I am absolutely not here to oppose accountability and transparency, but the minor parties really will have to comply with these things at the same level as the major parties, and they will not get the favouritism that comes with the bill.

The other part I will quickly talk about is the justification and reason for this bill. We heard from Hon Dr Steve Thomas about the Labor Party's shallow justification for this bill. We got a history lesson, which I appreciate. When we talk about anything electoral, my history goes back to 2016, when I founded the Daylight Saving Party. I contested the 2017 election and, of course, the 2021 election, which brought me into this place. I appreciate the history lesson from members with a lot more lineage than I have.

The other point I would like to talk about is the justification or reasons Hon Roger Cook, our now Premier, has made about this bill. We are talking about nearly real-time disclosure, and the impost and the burden that parties will have to bear to comply with that. That was used as a justification for the four per cent reimbursement, which will be measured in the millions—a significant amount of money.

I refer to that centralisation. During the briefing I received, I asked a question about how parties will comply. During an election period, when the writ is handed down, all parties will have to ensure that their donations are made public within a 24-hour window. That can be quite a burden on parties. The Western Australian Electoral Commission will actually take a lot of that burden off the parties. This is actually a pretty good pattern. If we look at this through a software development lens, we are talking about centralisation. Rather than reinventing the wheel for all these other organisations, it basically just replicates the functionality that they all will need to do and centralises it into a place where the functionality makes a lot of sense, so the WAEC will do a lot of the heavy lifting. It really comes down to parties that receive donations then disclosing those donations. I am struggling to see the justification for requiring millions of dollars for a 24-hour window for parties to disclose their donations; that is something that we can drill into during the committee stage. I think it is a shallow argument to make. In the case of history, I think it is window-dressing. It is a shallow justification for this bill, and it only benefits the major parties that attract over four per cent, not the minor parties. That is the main point I will make.

I will reserve my judgement on this bill. I have listened intently to all the members who have spoken; I am still largely on the fence. I think there are some good bits in the legislation in respect of disclosure, transparency and accountability, but I think it is a case of once bitten, twice shy with regard to the true intentions of the Labor Party when it comes to any legislation that contains the word “electoral” in its title. I look forward to Committee of the Whole House.

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [8.20 pm] — in reply: I stand to give the government's reply to the contributions we have heard from honourable members to the second reading debate on the Electoral Amendment (Finance and Other Matters) Bill 2023. I acknowledge the contributions of Hon Martin Aldridge, as lead speaker for the opposition alliance; Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt, who did not make any excuses for himself but

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

has not been well and still is not well, so I thank him for turning up; Hon Dr Brian Walker; and, last but not least, Hon Wilson Tucker. It disappoints me to hear that the honourable member has become so cynical and jaded in his time here; he is still a young man and there is still hope!

Hon Tjorn Sibma: Look what you've done to him!

Hon MATTHEW SWINBOURN: I think the member has played his part in that as well! We have all been involved in that, but I say to Hon Wilson Tucker: hold hope, my friend, hold hope!

Seriously, I thank members for most of the contributions; I cannot say as parliamentary secretary representing the Minister for Electoral Affairs that they were all of the same quality or interest. I thank Hon Martin Aldridge for acknowledging the bill's improvements on the 2020 legislation. Of course, some members think the bill is entirely irredeemable, judging by some of the comments that were made, but I do appreciate that members have acknowledged the improvements on the 2020 bill, particularly with regard to the definition of "foreign donors" for the purposes of banning foreign donors.

I would also like to acknowledge and thank Hon Tjorn Sibma for recognising that the provisions in the bill for real-time disclosures are laudable, and for saying that he is supportive of key components of the bill, even though the Liberal Party and the Nationals WA voted against the legislation in the Assembly and will no doubt do so again in this place. I think perhaps some of the comments made by other members were a bit hyperbolic. When members look at the bill they may see things that they do not support, but there are a number of measures in this bill that more reasonable minds will very easily support.

I would also like to thank Hon Dr Brad Pettitt for clearly setting out that the Greens support this bill, notwithstanding that he will seek to move amendments in a number of areas. I also thank Hon Dr Brian Walker for his indication of the Legalise Cannabis Party's support for the bill. I cannot extend that acknowledgement to Hon Wilson Tucker because he did not get that far, but we again remain hopeful, notwithstanding how jaded and cynical he has now become! We will move on to that.

Hon Martin Aldridge made some comparisons with the 2020 bill. In particular, the political finance aspects of the current bill have largely been explored and consulted on extensively, because they replicate to some degree—perhaps not to the letter—the provisions of the 2020 bill. The 2020 bill included a reduced time frame for the disclosure of donations; the removal of the ability for parties to comply with donations disclosure laws by disclosing in accordance with the Commonwealth Electoral Act; a ban on foreign donations; and the introduction of expenditure caps. These concepts were considered by the Standing Committee on Legislation in the last Parliament. That committee held public hearings that included receiving evidence from a panel of academics. Submissions were also received from political parties, stakeholders and other academics. The report of that committee has informed the development of this bill.

One of the first questions asked by both Hon Martin Aldridge and Hon Tjorn Sibma was about why we have put forward amending legislation rather than a rewrite of the entire Electoral Act. I have the blue bill here. The actual bill will not be quite as big as what I am holding in my hands now because obviously the blue bill includes the deletions, but it is a somewhat heavy tome, and, of course, we will make it larger. The Electoral Act 1907, as it is described, is not what the Electoral Act 1907 was when it was passed back in 1907, if that is the year it was passed. I suspect it was the year it was either introduced or passed. I cannot remember what the convention was all the way back then. What we have here is not that same act.

Hon Neil Thomson interjected.

The ACTING PRESIDENT: Order!

Hon MATTHEW SWINBOURN: Can the member let me make my point?

The current act is not the same as the act that was written in 1907. I am sure that even Hon Neil Thomson can appreciate that.

Hon Neil Thomson interjected.

Hon MATTHEW SWINBOURN: I am sure the member can appreciate it.

Hon Neil Thomson interjected.

Hon MATTHEW SWINBOURN: You find the *Hansard*, and you show that to me. I will happily correct the parliamentary record if it contradicts the point I am making. The fact of the matter is that the original 1907 act does not look like this.

Hon Neil Thomson: We all know that; we knew that at the time.

Hon MATTHEW SWINBOURN: Thank you for sharing your insights!

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

The ACTING PRESIDENT: Order! I remind members to please address their comments to the chair.

Hon MATTHEW SWINBOURN: We are up for the challenge, of course. As members will see by the number of clauses in this bill, we have tackled a number of the outstanding and continuing issues that have been identified in the past. The bill significantly rewrites the current Electoral Act, and, in fact, many of the parts have been replaced entirely—for example, divisions 3 and 3A relating to voting in elections.

In drafting, the government has consulted extensively, as indicated in my second reading speech, with the Electoral Commission to ensure that the issues with the current act that have been identified are addressed. However, to completely rewrite such a large act would be a very complex and time-consuming process that needs to be balanced against the importance of getting these reforms through with sufficient time to prepare ahead of the next general election. I reflect on the fact that not very long ago we passed a complete rewrite of the Workers Compensation and Injury Management Act, and, if I recall off the top of my head, that process was started in 2009 and has taken until now. We heard the message from the President earlier today indicating that the bill had received royal assent. That process went on for 15 years. It was a rewrite of the entire act, an act of similar dimensions to this one, and it was a task that we were not ready to take on at this stage, so we have come forward with an amendment bill rather than a rewrite of the entire act. Whether that is acceptable to members is entirely a matter for them.

Hon Martin Aldridge asked about provisions in the bill arising from the government versus matters that arose from the Electoral Commission. I will not be able to go through that clause by clause, given that there are 190-odd clauses in the bill, so I will just talk in a general thematic sense about the areas that have been initiated, if I can put it that way, by government, and the rump of them are essentially what has come from the commission. A number of areas arise from government's election commitments as well as other matters we have pursued since then. This all comes from the government and not the commission: aspects relating to political funding and disclosure, including the reduced time frame for disclosure; the ban on foreign donors; expenditure caps; state campaign accounts and the higher reimbursement rate for electoral expenditure; the registration of how-to-vote cards; the procedural fairness process for the removal of a person from the register who lacks capacity to vote; the inclusivity principle for the Electoral Commissioner when performing their functions; recognition of election campaign workers; a requirement to provide access to bathroom facilities; and a requirement to signpost a designated entrance. The remaining provisions arise from recommendations we received from the commission or relate to modernisation and improvement of language and structure, as recommended by Parliamentary Counsel's Office, which obviously drafted of the legislation. They are not here, of course.

I turn to funding for the commission, which is an issue that Hon Martin Aldridge raised as well. A number of other members also made points about it—I think Hon Tjorn Sibma may have made a similar point. We acknowledge that the Western Australian Electoral Commission will require additional funding and resourcing, as it will need to implement the changes as a result of this bill. The minister knows that and cabinet knows that. In deciding to pursue the bill, that is obviously how they know that as well. They made the decision to support the bill and understand that as a consequence of that there will be funding implications. The commission has turned its mind to the additional resources required. That will be the subject of a submission, obviously, to the Expenditure Review Committee and subsequently to the Treasurer and cabinet. As we all know, how much of that we can disclose is extremely limited, but we are obviously disclosing that the commission will be working on a submission of that kind. My advice is that the government will adequately fund the commission to meet its needs in relation to that. The minister said —

The commission knows that extra resources will be required. As the minister, I know that, and cabinet, in deciding to pursue this legislation, knows that.

He further said —

I will not give a commitment on numbers in advance of the ERC. We know the resources required and they will be provided.

He also said —

Additional resources for that will be looked at by the Expenditure Review Committee and subsequently the cabinet and the Treasurer. We are serious about these things.

And finally —

There will be extra resources to the commission.

I do not know whether I will be able to take it much further than that in the debate, but we are very much aware of the requirement to provide the resources to the commission to meet the needs of the new provisions in the bill.

The member also raised concerns regarding the higher rate of reimbursement to be made available to political parties and candidates who opt in to receive it and said that it will not assist parties with the increased administrative costs they may incur as a result of the political finance provisions of this bill because it is not for that purpose. We

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

say that it is a matter for parties to choose how they use the money they receive for the reimbursement of their electoral funding. They may choose to invest that money into electoral expenditure, in which case they will need to transfer that money into their state campaign account. However, they may decide to use it to cover other costs incurred. This is an administrative matter for the parties and candidates to decide. The member also raised concerns about the time that it may take to register how-to-vote cards and the inconvenience that will cause to parties. The applications for registration, cancellation or replacement will be dealt with as quickly as possible by the commission. It will have resources made available to do so and I bring to the attention of the house that I have put on the supplementary notice paper an amendment to effectively bring forward the commencement of the period for registration by one day.

Hon Tjorn Sibma made submissions—sorry, submissions are stuck in my head. He made a contribution regarding the failure to comply with the disclosure requirements and the approach that will be taken to prosecution. I will make this point: there will be matters that people have covered in their second reading speeches that I will not cover in my reply in sufficient detail or to members' satisfaction. I acknowledge at the outset that I will try to deal with these things by acknowledging them. The member raised concerns about the consequences of the failure to comply with the requirement to disclose by the end of the next business day during the capped expenditure period. This matter would be dealt with by the Electoral Commission using appropriate discretion to the particular circumstances of the alleged offending, taking into account, as I say, the particular circumstances. Generally, the commission takes an educative approach in these sorts of instances, particularly if it is a first instance. I do not think that the Electoral Commission is known as a prosecuting agency or as being overzealous on those sorts of things. If appropriate, the commissioner would potentially refer the matter to a contract investigator and, if sufficient evidence was identified, refer the matter to police prosecutors for consideration of whether a charge should be laid. In making that decision, the usual considerations such as the public interest would then apply. There will not be an obligation on the commission to prosecute in the circumstances the member described. As I said, the first instance would be to seek compliance with the provisions on an ongoing basis and to also educate people and ensure that is happening.

The member raised issues about the expenditure caps. These are designed to set an uppermost limit on spending, not to burden or limit the implied freedom of political communication. The member raised a concern that the caps would encourage parties and candidates to spend more up to the capped amounts. However, I think it is always worth remembering that political parties and candidates can still spend only the funds that they have. We will introduce a cap. Hon Dr Brad Pettitt referred to the \$10 million maximum cap. If a party has 37 candidates in the Council and 52 candidates in the Assembly, it will not have that \$10 million; it will still have to fundraise. If it fundraised beyond the cap, it could spend only to the cap.

Hon Tjorn Sibma: During the period.

Hon MATTHEW SWINBOURN: That is right. But parties can fundraise, of course, throughout the term of Parliament and leading up to an election, but a party cannot spend more than the cap in a particular electorate or in a statewide campaign. As I said, to date, no political party has spent the equivalent to the maximum available cap in any election.

Hon Martin Aldridge: Not even half of it.

Hon MATTHEW SWINBOURN: We will probably have more precise figures at the table, but I think the Labor Party and Liberal Party spent between \$6 million and \$7 million at the last election, so that has left a big gap. The caps will be indexed so they will increase, but the purpose of setting them beyond what was spent is mostly not to impact on the freedom of political communication. Although past performance is not an indication of future performance, it is a basis on which we can make an assessment of where it should be set. As I said, part of the justification for why it is higher than what has previously been spent, rather than lower, is that if there were a challenge to the caps, they would be defensible before the High Court.

I quote from the Standing Committee on Legislation report of 2020 —

- 6.3 ABC election analyst Antony Green was reported as stating that caps should be introduced for political parties and third-party campaigners. Not only would they help to 'get rid of some of the mutually assured destruction in the amount of money parties spend on the campaigns' but would assist Western Australia to avoid 'the American path' where 'the money is incalculable that gets spent on election campaigns'.
- 6.4 The proposed introduction of expenditure caps was generally supported by academics who submitted to the inquiry and who appeared before the Committee on 9 October 2020. Professor Phillimore, for example, welcomed them, submitting that 'while it is vital that all have a right to political expression, it is equally important that one or two interests, with greater financial means, are not able to overwhelm and drown out other voices'.

Extract from Hansard

[COUNCIL — Tuesday, 7 November 2023]

p5844e-5866a

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

The High Court has upheld the validity of expenditure caps on the basis that despite burdening the freedom of political communication, they are legitimate means of pursuing the objective of removing the risk and perception of corruption and undue influence in New South Wales politics. The High Court decision is *McCloy v New South Wales* [2015] HCA 34.

The member also asked questions about how the cap would work and whether a political party could spend up to the cap amount in addition to candidates doing the same thing. Expenditure by an endorsed candidate is taken to be expenditure by the political party. Expenditure on an individual candidate or a district must not exceed the relevant candidate cap. New section 175SM sets out when expenditure will be deemed to be in relation to a particular candidate or district. It does not matter whether the expenditure is being incurred by the party or the candidate; it is about whether the expenditure relates to material that explicitly mentions the name of the candidate and is communicated mainly in the district and not mainly outside the district. Expenditure of all a party's endorsed candidates will be aggregated under a total party cap and the party can then use any underspend on general messaging however it likes, as long as the total expenditure cap, including candidate expenditure, remains under the total party cap. I think we will unpack that more as we get into those areas and I think it will all come together.

The member asked a question about GST. I am advised GST is disregarded and not included for reporting purposes by the commission.

The member raised an issue about unions, whether affiliated or not, providing funds. Members opposite all refer to unions but I do not know whether we can separate them from being any different from other potential contributors to political campaigns because the same rules apply to them as apply to others. Whether it is unions or some other group, the local chamber of commerce or the local environment group—if it were the Greens party or something like that—these things will apply to all of them if they contribute money towards candidates. Whether or not unions are affiliated with the Labor Party or some other political party, if one exists, they are not an associated entity under the bill because they are not controlled by the political party. If they pay an affiliate fee to a party, this will have to be disclosed by the party as a political contribution. If a union makes a donation to a party or candidate, the same will also apply. If they incur electoral expenditure over \$500 in relation to an election, they will be a third-party campaigner and have to meet the compliance obligations. If I can, perhaps, break it down a bit more for Hon Tjorn Sibma, a union that is affiliated with the Labor Party, for example, will pay an affiliation fee and that affiliation fee will have to be disclosed by the political party to the Western Australian Electoral Commission. A union, for example, might make a donation to a candidate directly, and if that donation is greater than \$2 600, the candidate must disclose that they have received that donation. If they intend spending money in a particular district to run their own campaign, if I can put it that way, whether that is in support of one or another candidate, the third party spending limits will apply. They will not be able to spend—this is off the top of my head—\$13 000 in that district in support of, or against, a particular candidate. Does that make sense to Hon Tjorn Sibma, now that I have broken it down into those three examples? I could substitute unions for some other organisation, but there will be no easy mechanisms to avoid the obligations under the bill. We will get into it in more detail, but I just wanted to cover that.

Hon Tjorn Sibma asked who will audit state campaign accounts. When lodging annual returns in relation to state campaign accounts, the responsible person must also lodge either a report prepared by a registered auditor or a document in approved form in relation to the accuracy of the return. This is dealt with in proposed section 175LQ. It is an offence to lodge a return with false or misleading particulars. The commission may from time to time conduct audits or engage a contractor to do so.

I think that has largely dealt with the matters raised by Hon Tjorn Sibma. I am sure I have probably missed some bits and pieces, but we can get into those when we get into Committee of the Whole. I am conscious of the time. We had contributions from Hon Neil Thomson and Hon Ben Dawkins. The least I say about that, the more tactful I will be!

Hon Dr Steve Thomas claimed that the bill is only for the benefit of the Labor Party and all those sorts of things. Of course, I do not agree with his characterisation that the bill is for the benefit of the Labor Party; it is for the benefit of the people of Western Australia, and that is a very defensible position. I am not sure that an independent analysis of this bill supports the position that he advocated—that it benefits only the Labor Party. The provisions of the bill will apply equally to all political parties. There are no special Labor Party provisions. All the obligations, duties and responsibilities that will apply to the Labor Party will apply to the Liberal Party, the Nationals WA, the Greens (WA), the Legalise Cannabis WA Party and others.

Hon Dr Brad Pettitt, who is not in the chamber at the moment because of urgent parliamentary business, raised a number of issues. I do not think I will get time to respond to those before I am interrupted. I am conscious of the fact that I only have two minutes; I will read quickly. As has been mentioned, following an amendment moved by the opposition and accepted by the government in the lower house, the disclosure threshold has been set at \$2 600, subject to indexation with the consumer price index. That figure reflects the current disclosure threshold in WA. The government accepted the amendment on the basis that neither amounts of \$1 000 and \$2 600 are likely to turn the head of a decision-maker or give rise to corruption or undue influence. The specified amount in the bill is still

Extract from *Hansard*
[COUNCIL — Tuesday, 7 November 2023]
p5844e-5866a

Hon Tjorn Sibma; Hon Neil Thomson; Hon Ben Dawkins; Hon Dr Steve Thomas; Hon Dr Brad Pettitt; Hon Dr Brian Walker; Hon Wilson Tucker; Hon Matthew Swinbourn

well below the disclosure threshold at the national level, which is \$16 300. The honourable member said he has put a number of amendments on the supplementary notice paper regarding a group of people he would like to see prohibited from making political donations. I make the short comment that everybody wants to put on the list the people they do not like. The question is always: how does that serve their interests? How does it serve the interests of their political party? How does it align with their ideology? We have not gone down that path except for foreign donors. I do not think we intend to accept the honourable member's amendments. On that basis, I commend the bill to the house.

Division

Question put and a division taken with the following result —

Ayes (19)

Hon Klara Andric
Hon Dan Caddy
Hon Sandra Carr
Hon Stephen Dawson
Hon Kate Doust

Hon Sue Ellery
Hon Lorna Harper
Hon Jackie Jarvis
Hon Shelley Payne
Hon Stephen Pratt

Hon Martin Pritchard
Hon Samantha Rowe
Hon Rosie Sahanna
Hon Matthew Swinbourn
Hon Dr Sally Talbot

Hon Dr Brian Walker
Hon Darren West
Hon Pierre Yang
Hon Peter Foster (*Teller*)

Noes (8)

Hon Martin Aldridge
Hon Peter Collier

Hon Louise Kingston
Hon Steve Martin

Hon Tjorn Sibma
Hon Dr Steve Thomas

Hon Neil Thomson
Hon Colin de Grussa (*Teller*)

Pairs

Hon Kyle McGinn
Hon Ayor Makur Chuot

Hon Donna Faragher
Hon Nick Goiran

Question thus passed.

Bill read a second time.