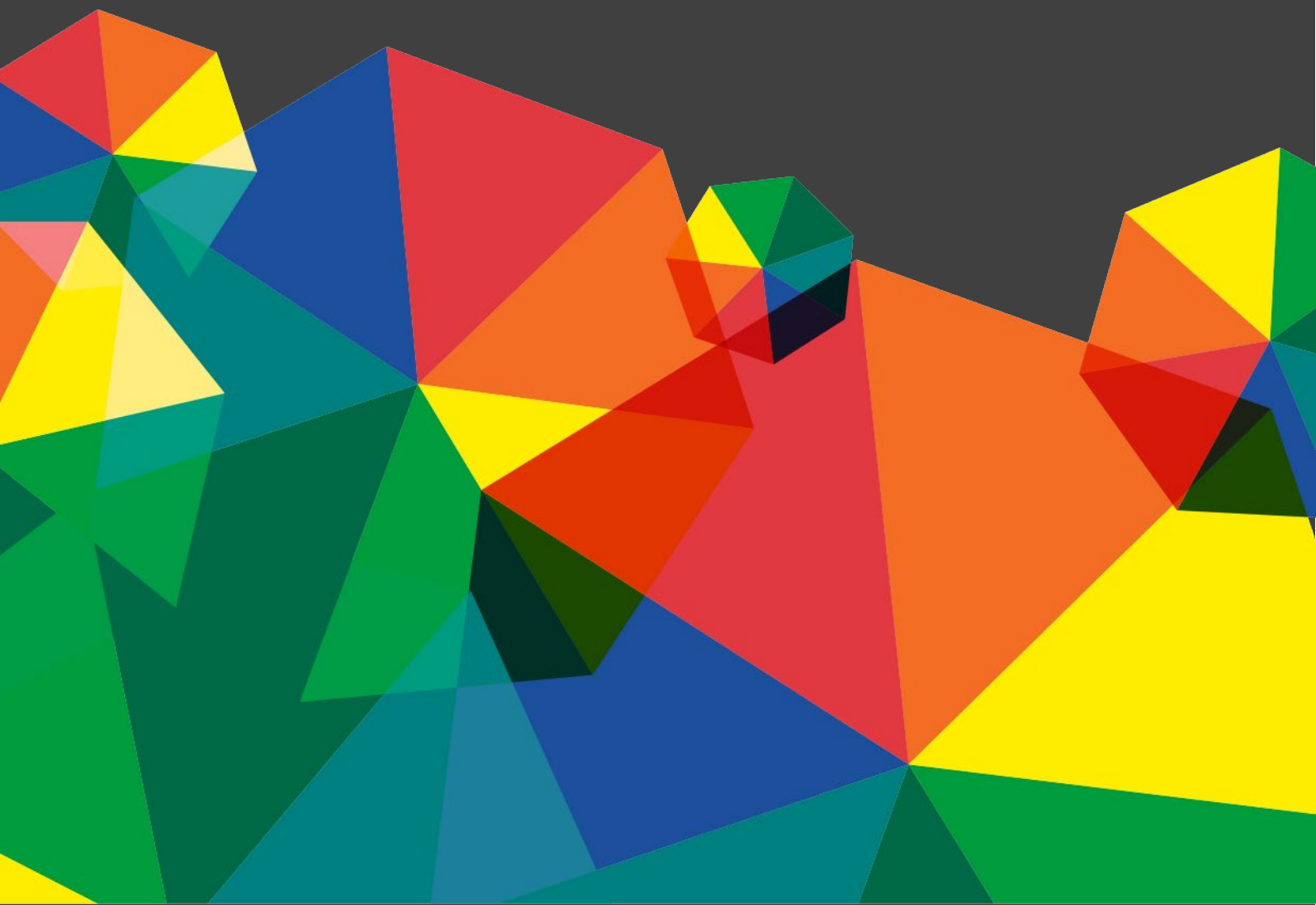
Independent Review of the Employment Arrangements of Electorate Officers

7 July 2025



Acknowledgement of Country

We acknowledge the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures, and to Elders both past and present.

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Independent Reviewer's Foreword

Public resources provided to Members of Parliament assist them in the vital role they play in supporting their constituents and our democracy. What and how public resources should be provided to Members of Parliament to enable them to do their role has long been a contentious issue.

In Western Australia, like most other jurisdictions, the framework that provides for the resourcing of Members of Parliament has been cobbled together over time, based on an outdated understanding of the role of a Member of Parliament. Where changes have been made, they have been an immediate reaction to a particular misadventure rather than reform by design.

The Crime and Corruption Commission's report, *Significant Misconduct Risks to Good Government*, has provided the opportunity to properly consider the employment framework of the staff provided to Members of Parliament, and the allocation of resources, including staff, from a first principles perspective.

My approach has been to understand how the role of a Member of Parliament has evolved, including the extent to which their duties have shifted in line with the expectations of modern society. I have then approached the role of electorate officers, who are staff allocated to Members of Parliament, and considered their employment framework. Having considered these issues, I turned my attention to how the resourcing of Members of Parliament is currently determined in Western Australia and within other jurisdictions. I conclude my report with recommendations on the establishment of an improved framework that provides greater clarity, confidence, and transparency in the provision of resources to Members of Parliament.

In conducting their duties, Members of Parliament at times engage in political or partisan activities to fulfil their role in our democracy. At other times, Members of Parliament support their community in a very non-partisan way. The engagement by a Member of Parliament in a partisan way from time to time does not prevent them from at other times conducting their duties in non-partisan ways to support their community.

A constant theme throughout my report is a defence of the appropriate and critically important role that Members of Parliament play in our democracy.

Members of Parliament across the political spectrum share a common purpose of wanting to make their community, state and nation better. But rightly, Members of Parliament take different approaches in dealing with the public policy challenges that we face as a society.

Members of Parliament are politicians, they engage in political debate. Political debate is an essential ingredient in a healthy and vibrant democracy. Citizens are required in a democracy to understand the differing approaches to the public policy issues that we face. Therefore, partisan or political debate about these challenges should be seen in a positive

light, encouraged and supported. What would we call a democracy without disagreement or where disagreement was discouraged?

Political parties are an essential, stabilising and positive force in our democracy. Our Members of Parliament operate in parliament as a member of a political party. These are the same political parties that transparently appear alongside the name of the Member of Parliament on the ballot paper when they seek election from their community. On this basis, it can only be concluded that the expectation of the community, having elected a Member of Parliament who had disclosed their party-political affiliation on the ballot paper, is that that Member of Parliament would operate as a Member of Parliament as part of that affiliation.

On this basis, in accordance with the mandate received from their community, there are duties of Members of Parliament that will require them to operate within their political party to progress essential political and partisan debate in our community. These duties provide a public good and are an essential feature of our democracy. Public resources, including electorate officers, should be provided and available to Members of Parliament to support them in their engagement in developing public policy and furthering political debate in collaboration with other members of their political party, or other group of members.

There are, however, activities that Members of Parliament engage in related to their political parties that should not be supported with public resources; the question of where to draw this line is a difficult one. Rather than avoid this question, my report seeks to draw the line at an appropriate point to provide the clarity that Members of Parliament, their staff and administrators need in a system that provides public confidence, clarity and greater transparency.

I would like to thank all those who have contributed to my report from Western Australia and other jurisdictions. I would particularly like to thank those electorate officers who shared with me their stories of their work and their motivations to do it. Electorate officers, in my view, have been overlooked in past consideration of these issues. They are an incredibly dedicated and committed bunch of people who share the same desire as employing Members of Parliament, to make their community, state and nation a better place. They are active participants in our democracy, and I thank them for the work that they do.

I would like to conclude by thanking the very non-partisan, the very able, and committed public servants who have supported me from the Department of the Premier and Cabinet. Brett, Nicole, Portia, Sean, Megan and Rose are precisely what it means to be a non-partisan public servant. You have given me the very best of advice, you have tested my thinking when it was needed, and you have applied your work to this report with amazing diligence and commitment. Like all others in our public service, you are also active participants in our democracy. Thank you.

The Hon Ben Morton

30 June 2025

List of abbreviations used

CCC	Western Australian Corruption and Crime Commission
CCC Report	*Significant Misconduct Risks to Good Government* report
Cth	Commonwealth
DoF	Western Australian Department of Finance
DPC	Western Australian Department of the Premier and Cabinet
EO	Electorate officer
EPE	Electorate and Parliamentary Expenses allowance
FTE	Full-time equivalent
HoR	House of Representatives
IBACC	Independent Broad-based Anti-Corruption Commission
IPEA	Commonwealth Independent Parliamentary Expenses Authority
IPRA	Independent Parliamentary Resources Agency
IPSA	United Kingdom Independent Parliamentary Standards Authority
IPSC	Commonwealth Independent Parliamentary Standards Commission
IT	Information Technology
JDF	Job description form
LA	Legislative Assembly
LC	Legislative Council
LOOP	Leader of the Opposition
MLA	Member of the Legislative Assembly
MLC	Member of the Legislative Council
MO	Ministerial Officer
MOPS Act	*Members of Parliament (Staff) Act 1984* (Cth)
MP	Member of Parliament
MPRT	Members of Parliament Resources and Transparency framework
NACC	Commonwealth National Anti-Corruption Commission

NSW	New South Wales
PBR Act	*Parliamentary Business Resources Act 2017* (Cth)
PBR Regulations	*Parliamentary Business Resources Regulations 2017* (Cth)
PESE Act	*Parliamentary and Electorate Staff (Employment) Act 1992* (WA)
PEO	Parliamentary Electorate Office
PRT	New South Wales Parliamentary Remuneration Tribunal
PSD	Parliamentary Services Department
PSM Act	*Public Sector Management Act 1994* (WA)
PWSS	Commonwealth Parliamentary Workplace Support Service
QIRT	Queensland Independent Remuneration Tribunal
Qld	Queensland
SA	South Australia
SAT	Western Australian Salaries and Allowances Tribunal
SMoS	Special Minister of State
Tas	Tasmania
Vic	Victoria
VIRT	Victorian Independent Remuneration Tribunal
WA	Western Australia

Chapter 1: Introduction

1.1: Background to the Review

On 11 November 2024, the WA Corruption and Crime Commission ('CCC') tabled its report *Significant Misconduct Risks to Good Government* ('CCC Report').[1] In its report, the CCC considered, amongst other things, an allegation that Electorate Officers ('EOs') working for Members of Parliament ('MPs') in WA performed party-political work during the hours they were publicly paid as EOs. The CCC made no finding of serious misconduct by any person in this respect.

However, in relation to the use of EOs, the CCC expressed the opinion that there are risks of serious misconduct arising in the future. In identifying those serious misconduct risks, the CCC recognised that the employment arrangements for EOs are complex and present challenges for oversight and accountability. Those challenges arise in part because the employer and the person responsible for the day-to-day management of EOs are not, legislatively, the same person.

While EOs are employed by the Presiding Officers, the Presiding Officers have issued a delegation to the Director General of the Department of the Premier and Cabinet ('DPC') of all their functions and duties as an employer in relation to those officers. However, in a practical sense, MPs are responsible for the day-to-day management of EOs in their office, while administration of EOs' salaries and leave entitlements is undertaken by DPC.

In response to the CCC Report, the WA Cabinet endorsed an Independent Review of the Employment Arrangements of Electorate Officers ('the Review') to examine the role, responsibilities and employment structures governing EOs. On 16 December 2024, the WA Government appointed the Hon. Ben Morton as the Independent Reviewer. The Independent Reviewer was supported by a DPC secretariat.

[1] CCC (2024) *Significant misconduct risks to good government*, CCC, Perth.

1.2: About the Review

Terms of Reference

This Review explores the employment frameworks for EOs in WA, including the legislative underpinnings. The Review considers options for reforming the relevant underlying legislative and policy frameworks to provide better clarity around the authorising and oversight of these officers.

The Terms of Reference direct the Review to:

- consider options and identify a preferred model for the employment arrangements of EOs, drawing on insights from models in other jurisdictions and targeted consultation with relevant stakeholders;
- consider amendments that would need to be made to relevant legislation, policies, and guidelines to implement the options identified through the Review;
- identify the critical enablers required to implement the recommendations of the Review, such as stakeholder buy-in, communication and change management, and any funding implications;
- in considering a preferred employment model, the Review may also give consideration to the role and responsibilities of EOs; and
- provide advice regarding the appropriate level of EO resourcing provided to MPs.

The full Terms of Reference is available at Appendix A.

The Purpose of this Review

The purpose of this Review is not to respond directly to the CCC Report. Rather, the CCC Report has led to this first principles examination of the existing framework relating to EOs.

Embracing first principles, this Review examines the purpose, role and remit of both EOs and the MPs they work for. It adopts the perspective that MPs and EOs must both be appropriately supported and empowered to achieve public policy outcomes that benefit the community. Accordingly, the Review has not considered EOs' employment arrangements and EO resourcing levels in isolation. Instead, it has done so in the broader context of the other resources provided to MPs to carry out their duties – a perspective that has been carried throughout the Review and its recommendations.

In terms of the scope of this Review, the term 'Electorate Officer' includes all persons appointed under sections 4(1)(b) and 4(2)(b) of the *Parliamentary and Electorate Staff*

(Employment) Act 1992 (WA) ('PESE Act').[2] In practice, persons employed under these sections may be given the job title 'Electorate Officer' or 'Research Officer'. For the avoidance of doubt, the terms 'EO' and 'Electorate Officer' through this Review are used to reference any person appointed under sections 4(1)(b) and 4(2)(b) of the PESE Act, whether that person holds the title of 'Electorate Officer' or 'Research Officer'. As at 29 May 2025, 235 employees were engaged under section 4 of the PESE Act including:

- 136 Electorate Officers; and
- 99 Research Officers.

A significant proportion of these staff are part-time employees and the total full-time equivalent ('FTE') makeup of the workforce at 29 May was 178.7.

The Case for the Review

The employment framework for EOs in WA is long overdue for review. Sections 4(1)(b) and 4(2)(b) of the PESE Act provide that EOs are employed to assist MPs in dealing with 'constituency matters.'[3] This term is not defined in the PESE Act or supporting extraneous or administrative guidance. Since the enactment of the PESE Act, the political, parliamentary and community landscapes have evolved dramatically. The expectations placed on EOs and the MPs they support have expanded and become more complex, with demands intensifying in recent years. Yet the legislative and administrative framework underpinning the employment of EOs and the resourcing framework has remained static for over 3 decades, while the level of EO resourcing has not increased for over two decades. Further, the provision of resources in WA remains linked to an antiquated remuneration framework set by the Salaries and Allowances Tribunal ('SAT').

This Review was commissioned in recognition that this framework may no longer be fit-for-purpose. While the CCC Report raised specific concerns about ambiguity and lack of oversight in the employment framework, this Review goes further by examining broader structural issues such as whether MPs are adequately resourced and supported across the full breadth of their roles. In doing so, the Review identifies opportunities to modernise and strengthen the framework to reflect the realities of the work of an MP.

This approach takes place within a broader national shift toward stronger integrity standards. Recent reforms – such as the establishment of the National Anti-Corruption Commission at the Commonwealth level – reflect heightened public expectations for transparency, accountability and oversight. However, the case for this Review differs

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[2] *Parliamentary and Electorate Staff (Employment) Act 1992* (WA) ('PESE Act') ss 4(1)(b), 4(2)(b).

[3] PESE Act ss 4(1)(b), 4(1)(c).

significantly to that of Red Shirts and Operation Watts in Victoria.[4] The CCC found no evidence of MPs directing, encouraging or allowing EOs to engage in serious misconduct, or any other findings of criminal malfeasance. And importantly, the CCC found no evidence of other public officials directing EOs to undertake any unlawful activities, including branch stacking. Instead, the CCC cautioned that the employment framework in WA, including 'an unclear demarcation between campaigning and public duty'[5], establishes an environment of risk for future misconduct. Comprehensive reforms at this juncture will support WA to meet evolving standards for modernised systems that promote transparency and public trust. Reform will also address the lack of clarity in the current framework around appropriate activities of EOs that creates risk, including for well-intentioned employees, MPs and administrators.

Methodology

The engagements for this Review sought to proactively and comprehensively examine the structure, roles and supports that underlie the employment of EOs. The Review drew on a wide range of sources:

- a survey of all EOs currently employed in WA, with 82 responses returned;
- roundtables with WA MPs from all major political parties;
- interviews with unions, academics, agencies, senior officials, relevant government departments and parliamentary officials, across WA and inter-jurisdictionally;
- targeted desktop analysis of employment and entitlement frameworks across all other states, territories and the Commonwealth; and
- consideration of other recent reviews in jurisdictions that have adopted recent reforms, including the:
    - Commonwealth *Independent Parliamentary Entitlements System Review* ('Conde-Tune Review);[6]
    - Commonwealth *Review of the Parliamentary Workplace: Responding to*

[4] Glass, D. (2022) *Investigation of a matter referred from the Legislative Council on 9 February 2022 – Part 1*, The Victorian Ombudsman, Melbourne. ('Red Shirts Report'); Redlich R and Glass D (2022) *Operation Watts: Investigating into allegations of misuse of electorate office and ministerial office staff and resources for branch stacking and other party-related activities*, Victorian Ombudsman and the Independent Broad-based Anti-corruption Commission, Melbourne. ('Operation Watts Report').

[5] CCC Report, 31 [150].

[6] Conde J and Tune D (2016) *An Independent Parliamentary Entitlements System Review*, Commonwealth of Australia, Canberra ('Conde-Tune Review').

Serious Incidents ('Foster Review');[7]

- Commonwealth *Independent Review of the Parliamentary Business Resources Act 2017 and Independent Parliamentary Expenses Authority Act 2017* ('Ellis-O'Dwyer Review');[8] and,
- Commonwealth *Members of Parliament (Staff) Act 1984 Review* ('MOPS Act Review');[9]
- Commonwealth *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces* ('Set the Standard Report')[10]
- New South Wales Standing Committee on Parliamentary Privilege and Ethics, *Report on Electioneering, Campaigning and Doorknocking, and the Role of Electorate Officers*;[11]
- Conclusions of Malcolm Hazell's Independent Review of Victorian MPs' Salary Entitlements, Allowances and Other Arrangements;[12]
- Victorian Ombudsman and the Independent Broad-based Anti-corruption Commission, *Operation Watts: Investigating into allegations of misuse of electorate office and ministerial office staff and resources for branch stacking and other party-related activities*;[13]
- Victoria's *Operation Watts progress report*;[14]

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[7] Foster S (2021) *Review of the Parliamentary Workplace: Responding to Serious Incidents*, Department of the Prime Minister and Cabinet, Canberra ('Foster Review').

[8] O'Dwyer K and Ellis K (2021) *Independent Review of the Parliamentary Business Resources Act 2017 and Independent Parliamentary Expenses Authority Act 2017,* Commonwealth of Australia, Canberra ('Ellis-O'Dwyer Review').

[9] Department of the Prime Minister and Cabinet (DPMC) (2022) *Review of the Members of Parliament (Staff) Act 1984*, DPMC, Canberra ('MOPS Act Review').

[10] Jenkins K (2021) *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces,* Australian Human Rights Commission, Sydney ('Set the Standard Report').

[11] Legislative Assembly of New South Wales (NSW) Standing Committee on Parliamentary Privilege and Ethics (2013) Electioneering, Campaigning and Doorknocking, and the role of Electorate Officers, Parliament of NSW, Sydney.

[12] Hazell M (2013) *Independent Review of Victorian MPs' Salary Entitlements, Allowances and Other Arrangements* (Report not publicly available).

[13] Operation Watts Report.

[14] Farrow S and Glass D (2023) *Operation Watts Progress Report*, Victorian Ombudsman and the Independent Broad-based Anti-corruption Commission, Melbourne ('Operations Watts Progress Report').

- *Operation Corinth: Investigation into the submission of false claims for sitting day relief payments by a New South Wales Member of Parliament and members of her electorate staff*.[15]
- The Victorian Ombudsman *Investigation of a matter referred from the Legislative Council on 9 February 2022 – Part 1* ('Red Shirts Report').[16]

I am grateful to all participants who generously shared their time and valuable insights. As the Review did not have the power to compel evidence, all contributions were shared on a voluntary basis. A full list of contributors is provided at Appendix B.

Report Structure

Consistent with the first-principles approach adopted by the Review, chapter 2 considers the role of MPs across all political persuasions. It demonstrates that all MPs, as part of a political party or movement, participate in Australia's democracy and achieve influence on public policy outcomes for the community.

Drawing on survey data, chapter 3 considers the role of EOs, including the backgrounds and motivations of the people who perform this important function and the evolution of EO responsibilities over time.

The system of rules and regulations applying to EO employment in WA is reported in chapter 4, as well as approaches taken in other Australian jurisdictions.

Chapter 5 examines the public resources provided to MPs using a holistic perspective, considering EOs, allowances and electorate offices provided to MPs to do their jobs effectively, both in WA and in other states and territories.

Recommendations are presented in chapter 6. They are shaped by the findings concluded from this Review's engagements and research, which are presented throughout the report. Together, the recommendations underscore the need for a consistent, principles-based framework for the management of EOs in WA, comprising legislative, regulatory and policy instruments.

Chapter 7 concludes the report by explaining the critical enablers needed to implement the recommendations put forward in this Review.

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[15] Ipp D (2010) *Investigation into the Submission of False Claims for Sitting Day Relief Payments by a NSW MP and Members of her Electorate Staff*, Independent Commission Against Corruption, Sydney.

[16] Red Shirts Report.

Chapter 2: The role of Members of Parliament and how it has evolved over time

2.1: A shared commitment to public good: stories of contemporary Members of Parliament

Finding 1: Members of Parliament from all political persuasions are motivated to improve their community, state and nation.

WA Members of Parliament ('MPs') across the political spectrum describe a central motivation for entering public life – a deeply held commitment to making a meaningful contribution to their community, state and nation. While their political journeys and ideological backgrounds vary, MPs speak with conviction about the importance of public service: of championing the needs, challenges and aspirations of the people they represent. This commitment to service is not abstract. It is reflected in their day-to-day efforts to assist constituents in navigating complex government systems, improve access to vital services and respond directly to issues affecting safety and wellbeing in their electorates.

For many MPs, this dedication to service is often a natural extension of prior careers or community activity in the service of public good. Teachers, health workers, social workers, lawyers, community leaders and advocates – these prior careers laid the foundation for political lives shaped by service. For these individuals, entering politics was not a departure from their values, but a continuation of their lifelong commitment to improving the lives of others and giving a voice to the underrepresented.

While service to their local community is a central motivation, MPs are also driven by a desire to influence change beyond their electorate. Today's representatives are no longer confined to local concerns. Many enter politics to champion causes with broader significance including environmental protection, economic reform, social justice and national security. In many ways, MPs see their role as not only the 'local' member, but as active participants in driving systemic change and shaping the future of the state and nation.

Public service, at both local, state and national levels, is a central and sincere motivator, some consultations acknowledged the role of personal ambition. This perspective does not diminish the genuine sense of duty expressed by many MPs but recognises that political life is a complex mix of altruism, values, power and influence in the pursuit of change. In this context, ambition is not a flaw, but often a necessary ingredient for achieving meaningful democratic outcomes.

Finding 2: Communities elect Members of Parliament to appropriately engage, prosecute and debate on how to achieve outcomes. Respectful political debate and differences in public policy approaches benefit the community and should be celebrated, not considered negative. Encouraging and resourcing debate and community engagement on these diverse approaches is an important ingredient in our democracy.

While a commitment to servicing their communities is what draws many individuals into public life, once in office, MPs must honour this commitment by delivering real and meaningful outcomes. Doing so requires more than good intent. It demands active engagement on how best to meet commitments and achieve outcomes. This means prosecuting ideas and participating in open, respectful debate – both across the political divide and engaging with diverse community views. Such disagreement and contest of ideas are widely recognised as essential to shaping better policy and strengthening democratic outcomes. In this way, political debate, by contributing to more robust outcomes, is seen to serve, engage and uplift communities.

Importantly, political disagreement is regarded not just as an expectation, but as a defining strength of our democracy. Many interview participants to this Review regard respectful political debate as a public good: a necessary feature of a healthy, pluralistic system in which elected representatives can disagree or challenge each other's competing visions for our community to ultimately achieve the best outcome for the community.

Partisan debate is also regarded similarly, as a positive and necessary part of our political system, through which MPs can analyse, support, or oppose public policy ideas through their own party-political perspectives.

This Review embraces this perspective throughout: that open debate, the contest of ideas, transparency and accountability are central to the functioning of a robust political system. It is from this foundation that this Review contends those operating within this system, namely MPs and the electorate officers ('EOs')[17] who support them, benefit from structures and resourcing that uphold and protect the contest, transparency and debate of ideas. When MPs and EOs receive effective support to engage in debate, constituents and the community benefit through better ideas, stronger representation, accountability and more considered outcomes.

[17] For the avoidance of doubt, the terms 'EO' and 'Electorate Officer' through this Review are used to reference any person appointed under sections 4(1)(b) and 4(2)(b) of the PESE Act, whether that person holds the title of 'Electorate Officer' or 'Research Officer'.

Finding 3: Members of Parliament consider that serving in government, rather than opposition, provides a greater ability to make a positive impact. There is a collegiate responsibility to work as a team to achieve success at elections to secure the opportunity to govern to enable that greater impact.

Minor parties and independents aspire to serve alongside like-minded people in parliament to improve their ability to influence outcomes, including by holding the balance of power in a healthy and collegiate crossbench.

While respectful political contest is foundational, MPs also emphasise that achieving real outcomes requires more than debate – it requires the ability to govern. Interview participants consistently stated that serving in government is the clearest path and most obvious opportunity to shape policy and deliver on commitments. Members of Parliament resoundingly aspire to serve in government with their affiliated political party, rather than in opposition or non-government.

Westminster convention requires a majority in the lower house to govern. This majority enables the governing party to exercise greater influence over policy, budgetary and legislative agendas and government resources. Parliamentarians serving in government can more effectively drive legislative change, advocate for funding or programs for their electorates and advance their policy agenda. In other words, serving in government allows individual MPs, as well as the governing party to which they belong, to more effectively deliver outcomes for their constituents and communities.

> **They are motivated to communicate to increase awareness, so they can get elected so they can be in parliament, so they can hopefully do something.**
>
> – Senior Political Journalist.

Members of Parliament also note that fulfilling their ambition – to serve constituents effectively in government – requires collective discipline to work as a cohesive political team. To this end, MPs report a shared commitment and collegiate responsibility to work hard and build goodwill with constituents; in part, to secure the opportunity to govern. This responsibility is reflected in the party loyalty characteristic of Australian politics, where fidelity to one's political party stems from the recognition that the ability to govern – and to deliver meaningful outcomes aligned with shared values – depends on operating as a disciplined and unified political team.

These aspirations are not too dissimilar for minor parties and independents, who aspire to serve alongside like-minded people in Parliament. Sitting in a healthy crossbench, with colleagues from their own, or other ideologically aligned, parties, improves their ability to

influence outcomes, including by holding the balance of power in the Parliament. In consultation with minor party MPs, they work together and find common ground, even when ideologically opposed on many issues, to try and achieve outcomes on the issues their party campaigned on.

2.2: The importance of political parties in the community and in parliament

Finding 4: Members of Parliament are almost without exception elected because of the endorsement of their political party or political movement rather than as an individual.

In WA, political parties are the primary mechanism through which MPs operate and organise themselves to gain office. This is not only a feature of WA: Australia boasts a well-established party system across all tiers of government. In WA, MPs are almost without exception elected due to their affiliation with a political party or movement rather than as individuals. Without the backing of a political party or movement, most MPs would struggle to achieve electoral success. Members' reliance on endorsement underscores the critical role political parties play in shaping successful political careers and within our representative democracy.

And while, in recent times, there have been no independent parliamentarians elected to WA Parliament without prior, formal, or past political party affiliation, being independent should be considered a political brand. An MP's non-affiliation or independence is an active choice to position themselves as an alternative to the established party system. They seek to position their brand as centred on local representation and a deliberate rejection of party values, principles, discipline and loyalty.[18] Therefore, even in the absence of formal party ties, independents leverage their image, sometimes in collaboration with other non-affiliated members, to present an alternative political offering.

> **We are politicians, you can't be a Member of Parliament without engaging in politics.**
>
> – WA Member of Parliament.

[18] For example, federally, the Teals identify themselves as '*community-backed* independents.'

Finding 5: Having disclosed their party affiliation on the ballot paper, Members of Parliament are expected by their communities, including those that did not vote for them, to operate within and as part of that party affiliation. This includes acting politically and in a partisan manner in their roles, to achieve public policy outcomes consistent with their party's ideology, values and mandate.

Communities elect candidates with, and based on, the party affiliation disclosed to them on the ballot paper at the time they vote. Transparency at the ballot box is a cornerstone of our free and fair electoral system, ensuring voters are appropriately informed about the political alignment of candidates. Having disclosed as much at the ballot box, communities rightly expect their representatives to honour their affiliation while in office. Some interview participants suggested it is unreasonable to expect politicians to renounce this affiliation or refrain from engaging in politics or operating within a political party. These views reflect the practical reality that Members are elected under a party banner and operate within a party-political system.

> **How could you do politics without being political; conversely, what isn't politics?**
>
> – WA Member of Parliament.

Finding 6: Party affiliations are a critical part of Australia's representative democracy and inextricably linked to the role and function of Members of Parliament. Influencing the public policy positions or election policies of a member's own political party is a key tool for achieving public policy outcomes for the community.

Political affiliations and the existence of political parties are important features of Australia's system of democracy. The Australian Constitution makes particular and direct reference to political parties.[19] At no point is Cabinet recognised or mentioned in the Constitution. This point is raised not to ill-legitimise the role of Cabinet in our system of government but to instead reinforce the legitimacy of political parties in our system of government and our democracy. For one, they bring structure and stability to our parliamentary democracy. This is evidenced by the 1905 WA State Election, which marked a turning point in the state's

[19] *Commonwealth of Australia Constitution Act 1900* (Cth) s 15.

political development, being the first time all elected members of the Legislative Assembly were formally endorsed by political parties.[20] This ushered in a period of enhanced stability following prior political turbulence, during which WA experienced 5 changes in premiership.[21] These rapid leadership changes, often resulting from fragile alliances and the absence of cohesive party structures, underscore the need for organised political groupings to achieve a stable parliamentary democracy for the benefit of our citizens.

Political parties are not only vehicles for electoral success and stable governance but are essential parts of an MP's role through which they can shape and advance public policy. As discussed in chapter 2.1, political debate and the robust contest of ideas are fundamental for good policy outcomes for constituents. Political parties provide the structure and support through which MPs can generate and debate ideas. Party forums (such as branch meetings and state and national conferences) enable MPs to contribute to debate, shape policy and advocate for their local community.

> **"The work within a party is absolutely essential to parliamentary outcomes.**
>
> – WA Member of Parliament.

Finding 7: All political parties, even those that some constituents may not agree with, exist for the public good and do not exist to provide a private benefit to themselves.

To this end, political parties can be seen as providing a public benefit. Many political parties are expressly constituted, as associated incorporations, for the purpose of promoting their values, ideology and objectives to achieve a public good. Political party constitutions highlight diverse ideological beliefs and objectives, pursued for public good. For example, the WA Liberal Party constitution states one of its objectives as, 'to develop our country to its full potential so as to create a better way of life for all'.[22] Similarly, the WA Labor constitution contains, 'The [Australian Labor Party] has its origins in… the aspirations of the

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[20] Black D (1997) *Election Statistics: Legislative Assembly of Western Australia, 1890-1996*, Parliamentary History Project and Western Australian Electoral Commission.

[21] de Garis B (1991) 'Self-Government and the Emergence of Political Parties, 1890-1911' in Black D (ed), *The House on the Hill: A History of the Parliament of Western Australia 1832-1990*, Parliament of Western Australia, Perth.

[22] Liberal Party of Western Australia (2023) *Constitution & Rules*, Liberal Party of Western Australia.

Australian people for a decent, secure, dignified and constructive way of life'.[23] In this way, political parties are not merely a label on the ballot paper; they are a signifier of values and objectives, and a network that enables MPs to deliver meaningful outcomes for the communities they represent.

Finding 8: Members of Parliament interact as part of their 'parliamentary party'. Each parliamentary party has different ways of conducting business and provides a collegiate and collective support network for its members.

Currently in WA, MPs serve in parliament in their capacity as members of a political party.[24] This is referred to as their 'parliamentary party', as distinct from the organisational wing of their party. Each parliamentary party has different ways of conducting business,[25] but all serve an important role in the policy design and democratic process. The positive impact of political parties on democratic processes as organisations that provide support to MPs is recognised.[26] Through forums such as caucus meetings and party room meetings, parliamentary parties discuss parliamentary strategy, priorities and agendas. The debate in parliamentary party and caucus rooms is often determinative of parliamentary voting patterns. To effect change in parliament, MPs must advocate to their parliamentary party colleagues for the adoption of a specific policy positions. This provides individual MPs a pathway to shaping the parliamentary agenda.

Parliamentary parties also receive greater resources, including access to office bookings and longer chamber speaking slots. This is evidence of the support political parties provide MPs within our parliamentary democracy.

Operating within a parliamentary collective also enables MPs to work closely with colleagues who share their political values and priorities. Parliamentary party offices are typically co-located within the parliamentary precinct, and parliamentary colleagues sit

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[23] WA Labor (2023) *2023 WA Labor Rules & Constitution*, WA Labor.

[24] Conde J and Tune D (2016) *An Independent Parliamentary Entitlements System Review*, Commonwealth of Australia, Canberra ('Conde-Tune Review').

[25] Parliamentary party meaning WA Labor Party members who sit in parliament, as opposed to the organisational wing of the WA Labor party.

[26] Many published documents recognised the positive impact of political parties, including Parliamentary Remuneration Tribunal (2020) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney, which in setting the level of resourcing for Members of Parliament recognised independents 'do not have access to support from colleagues or the Party support that is otherwise available to Members either in Government or the Opposition.'

together in the chambers. This physical proximity fosters a collegiate environment, facilitating real-time collaboration, information sharing and strategic alignment across the parliamentary party.

In these ways, political parties, and their parliamentary wings, bring structure, strategy and support to our democratic system, enabling individual MPs to collaborate, contest ideas, shape policy solutions and ultimately deliver better outcomes for communities.

This is not to say that MPs only operate within their political affiliations. Members of Parliament regularly work across the party spectrum to better understand each other's approach to public policy issues in a respectful and collegiate manner not often seen by the general public.

2.3: Fleshing out the role of a Member of Parliament – three categories of public duties

Despite the collective nature of political life, the role of a parliamentarian is fundamentally unique to the individual.[27] There are no standardised job descriptions for MPs, nor are there any mandatory professional qualifications or vetting requirements to serve as an MP. Rather, our elected officials come from a range of backgrounds and bring a variety of skills and experiences to the position.[28] This is an important feature of Australia's representative democracy.

While each parliamentarian's background, experiences and electorate are unique, the Review found there are common responsibilities and expectations in how MPs spend their time. While the day-to-day role of a parliamentarian lacks formal legislative definition, the role is shaped by the expectations of the public and the initiatives and values of the MP and their political party. So, while interview participants didn't always describe these responsibilities in the same terms, their responses generally cluster around the following 3 categories of public duties MPs are expected to undertake.

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[27] See, e.g. Department of the Prime Minister and Cabinet (DPMC) (2022) *Review of the Members of Parliament (Staff) Act 1984*, DPMC, Canberra ('MOPS Act Review') p 43.

[28] See, e.g. Abey T, Wells N, Deegan B (2014) *Report of the Parliamentary Salaries and Allowances Tribunal Inquiring into Basic Salary, Allowances and Benefits Provided to Members of the Tasmanian Parliament*, Tasmanian Industrial Commission, Hobart p 15; Abey T, Wells N and Roberts M (2016) *Report into Parliamentary Salaries and Allowances including a Determination*, Tasmanian Industrial Commission, Hobart p 69; Egan J (2011) *The Attributes, Role and Reward of a Backbencher in the Federal Parliament*, The Commonwealth Remuneration Tribunal.

Finding 9: In practice, the role of a Member of Parliament is not singular. Members of Parliament have a multitude of responsibilities that cluster around 3 public duties: electorate, parliamentary and party-political.

Electorate category of duties

The electorate duties component of MPs' roles relates to the role of a 'local member' engaging with and resolving local issues for local people. The electorate category of duties is broad: it includes any issue that may come through an MP's inbox or electorate office door. MPs provide assistance navigating government services, including assistance with deeply personal issues relating to constituent's engagement with government departments. Electorate duties also include participating in debate and discussion and communicating with constituents about approaches to public policy issues. Consulting on and communicating the public policy positions of their own political party, and of other parties is also a part of this duty. Beyond the electorate office, this category of duties extends to community engagement through events, doorknocking, social media or mobile offices; opportunities for the MP and their EOs to talk directly with constituents. In these interactions, both in the office and beyond, MPs were described to act like social workers, by listening to concerns, hopes and ambitions; triaging complex and difficult issues; and working to resolve them. Under this banner, MPs were also seen to take on an advocacy role – representing the concerns and issues of their constituents in decision-making forums, negotiating with boards and groups and advocating for policies and projects that will positively impact their communities. In this role, MPs act as a community champion, campaigning for their local communities to receive infrastructure or services.

Parliamentary category of duties

It is uncontroversial that MPs develop, research and sponsor legislative instruments, answer questions in parliament, debate matters of public importance, contribute to committee work, consider policy reform options and ultimately vote on proposed laws. Through these duties, MPs serve as conduits between the views of their constituents and the decisions made in parliament. Parliamentary duties also carry a strong accountability function. In parliament, MPs ask questions without notice, scrutinise government action through mechanisms such as parliamentary committees and help ensure transparency in public expenditure. This function is also evident as MPs scrutinise policy, action and platforms of other political parties. Consulting on and communicating the public policy positions of their own political party, and of other parties is an important part of parliamentary duties. This category of duties also includes exercising the powers, functions or duties of the member's office, attending events in their official capacity of an MP, and engaging with organisations on public policy or legislative matters. These duties are central

to a functioning democracy, anchoring an MP's role as both a representative and a check on executive power.

Party-political category of duties

A corollary of an MP's affiliation with a political party is that affiliation carries legitimate duties that are inextricable to the role. These duties include contributing to the development of party policy, election platforms and engagements as a public-facing representative of their political party. Such responsibilities are typically carried out through forums such as caucus or party room committees and meetings, state or national party conferences and other party gatherings. Activities in this category of duties have substantial, clear and direct nexus to MP's membership of the parliament.[29]

Finding 10: Members of Parliament are expected to undertake public duties that contribute to public good. Other duties should not be considered public duties as they relate to the private operation and management of a political party.

The categories of duties detailed above that MPs perform are public in nature. These duties are carried out in service of the broader public good and yield a public benefit to constituents and communities.

Members of Parliament, however, also undertake private duties that do not have a sufficient nexus with their public office. Private duties include the internal administration and management of their affiliated political party, soliciting applications for party membership and directly soliciting votes for themselves or others from their own political party. While this Review is of the opinion that MPs should receive appropriate support for their public duties, MPs should not receive support for their private duties. This is discussed more fulsomely in chapters 4 and 6.

[29] Conde-Tune Review p 54.

2.3.1: Changes to the role of a parliamentarian over time

Finding 11: The duties of Members of Parliament have expanded and become more demanding and complex over time.

The role of MPs has changed and evolved over time. The duties of an MP have become more demanding in recent years, particularly in response to changing community expectations and increased technological engagement demands.

Originally, the role of an MP was part-time and solely focused on legislative work. Members of Parliament undertook legislative work in the evenings at parliament after having worked in other professions during the day, including as doctors, lawyers, company directors and graziers.

By way of example, the first member elected to the Legislative Assembly seat of Perth following self-government in 1890, Dr Edward Scott, still found time to practice as a physician and serve as Lord Mayor of Perth as well as chairman of the prestigious WA Turn Club.[30] Dr Scott, and his single challenger, collectively received 380 votes in 1890. By 1921, the introduction of compulsory voting saw 2,809 people vote in the Division of Perth.[31] And now, 26,521 people recently voted in the Division of Perth at the 2025 WA State Election. The relationship an MP is expected to have with their constituents has naturally changed now that electorates have grown significantly.

The number and complexity of issues on which constituents now need and expect their MPs to engage with has increased. There are more legislative instruments for consideration, items for committee work, complex policy issues to resolve, events to attend and opinions being mooted than ever before. Consultations revealed that these expectations now transcend well beyond the electorate, with state MPs expected to undertake more boundary-less and international work than previously.

> **An MP receives day-to-day enquiries from any person within WA, not just within the electorate – and they can be about any issue, state or federal.**
>
> – WA Electorate Officer.

[30] Parliament of Western Australia (n.d.) *Members' biographical register Edward Scott*, Parliament of Western Australia.

[31] Black D and Prescott V (1997) *Election Statistics: Legislative Assembly of Western Australia, 1890-1996*, Western Australian Parliamentary History Project and Western Australian Electoral Commission.

The rise of digital communication, social media and virtual engagement has also required MPs to take on new roles related to online communications, responding to community member's comments and messages and managing a 24/7 public persona. Expectations around response times and accessibility place significant demands on MPs and their support staff.

> **The community expects Members to be publicising events, and providing commentary on government policies and programs, both for and against. Members are expected to be available 24 hours a day, and not just during office hours on weekdays. Members are also expected to have a personal presence out of hours at community and party events.**
>
> – NSW Standing Committee on Parliamentary Privilege and Ethics.

The rise of digital communications has correlated with a surge in targeted hatred and intimidation aimed towards MPs. Members of Parliament are not only on the receiving end of these attacks but are also expected to actively monitor public commentary on their social media channels. They carry responsibilities to manage comments posted by others, even outside of office hours, to avoid the risk of legal liability, exposing them to 24/7 burdens that extend well beyond traditional political duties. These developments have added cumbersome dimensions to the role of an MP that did not exist a decade ago.

These changing expectations have resulted in working conditions that are unique to a small cohort of individuals: geographically dispersed offices,[32] constant public scrutiny, frequent travel, absences from home and long work hours.[33] In short, being a modern parliamentarian is effectively a 24-hour job with no weekends and continuous responsibilities – our elected officials are never off duty. As chapter 4 will discuss, while the role of MPs has expanded and become more demanding, the resources provided to our parliamentarians have not kept pace.

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[32] Jenkins K (2021) *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces*, Australian Human Rights Commission, Sydney p 54.

[33] MOPS Act Review p 42; Foster S (2021) *Review of the Parliamentary Workplace: Responding to Serious Incidents*, Department of the Prime Minister and Cabinet, Canberra p 6, 20, and 81.

2.3.2: The inter-relationship of a Member of Parliament's duties

Finding 12: While Members of Parliament may focus on certain duties at different times, over the course of their parliamentary term, all members will engage with all 3 categories of public duties – electorate, parliamentary and party-political. A Member of Parliament's duties are intrinsically interrelated.

In performing their role, MPs may have more limited exposure to certain aspects or duties at times. However, over the course of a parliamentary term, it is firmly expected that MPs engage in each of the 3 categories of duties. While duties vary in importance, prominence and visibility, all duties are legitimate over the course of a parliamentary term.

In looking at how they discharge their role, an MP's duties are not discrete, mutually exclusive or siloed. In practice, they frequently overlap.[34] In undertaking a single activity, an MP will likely engage in multiple categories of duties. For example, effectively resolving a constituent's enquiry (electorate category of duty) may lead to policy development that informs an election platform (party-political category of duty) or contributes to an MP's understanding of issues debated in parliament (parliamentary category of duty). This intersection underscores the complexity of MP's responsibilities.

Finding 13: Whilst some roles may be perceived as more partisan than others, the more partisan or political roles of a Member of Parliament in no way prevent them from focusing on the more non-partisan elements of their role.

The overlapping, inter-connected nature of an MP's role means that many activities carry partisan and non-partisan elements. 'Partisan' refers to elements that could be characterised as having a strong alignment or allegiance to an MP's political party or ideology, with other elements being more neutral or bipartisan. In practice, these elements are difficult to untangle. Indeed, the New South Wales Parliamentary Remuneration Tribunal recognised this in observing that parliamentary duties and political duties are not easily separated.[35]

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[34] Conde-Tune Review p 22.

[35] Parliamentary Remuneration Tribunal (2012) *Annual Report and Determination of Additional Entitlements for Members of the Parliament of New South Wales*, NSW Remuneration Tribunals, Sydney.

In this context, certain activities may be perceived as more partisan in nature than others, existing on a sliding scale. For example, advancing party platforms is typically viewed as more partisan than assisting a vulnerable constituent to access support. This Review found, however, that undertaking more partisan-leaning activities does not prevent an MP from focusing on non-partisan work. This was emphasised in MP roundtable consultations, where all participating MPs confirmed they strive to serve constituents equally, regardless of political affiliation, voting history or personal beliefs.

> **When someone walks in with an issue, partisanship is parked at the door.**
>
> – WA Member of Parliament.

> **The partisan elements of the work enhance the bipartisan or non-partisan aspects of the role – the debate over partisan issues enhances understanding.**
>
> – WA Member of Parliament.

2.3.3: Effective performance of a Member of Parliament's duties contributes to their re-election

Finding 14: The effective performance of a Member of Parliament's duties, both partisan and non-partisan, contributes to their chances of re-election.

Several interview participants recognise that an MP's effectiveness in performing these 3 categories of duties is ultimately determined by their electorate.[36] Such is the foundational accountability mechanism of Australian democracy: constituents have the power and right to vote for their local representative. Strong and effective representatives will generally be re-elected by their community. Whereas ineffectual representatives will generally be assessed accordingly by voters, with some notable exceptions.

In this way, the Review finds that parliamentarians who perform their duties effectively, both individually and as a political collective, both contribute to and improve their likelihood of re-

[36] O'Dwyer K and Ellis K (2021) *Independent Review of the Parliamentary Business Resources Act 2017 and Independent Parliamentary Expenses Authority Act 2017*, Canberra: Commonwealth of Australia p 48 recognised this, finding "incumbency is a significant advantage before and during election campaigns".

election. This finding aligns with the view of the 2016 Commonwealth Committee of the Independent Parliamentary Entitlement System Review:[37]

> **A parliamentarian's performance of his or her duties (particularly electorate duties, such as serving and representing constituents) will necessarily accrue some benefit to his or her candidacy, or that of other party candidates and the party itself.**
>
> – Commonwealth Independent Parliamentary Entitlements System Review.

Accepting the Committee's observation, it is then very difficult to delineate between the effective performance of an MP's duties (including those that are partisan) and activities that contribute to an MP's re-election. The two are inextricable. An effective MP communicates well and often with their constituents, to keep them informed and engaged with issues. That communication, however, also necessarily raises the profile and stature of the incumbent MP, increasing their chances of re-election. In this context, this Review heard that re-election activities begin on the day an MP is elected.[38]

> **It is not possible to avoid engaging in activities that contribution to re-election.**
>
> – Administrator in another jurisdiction.

It is neither possible nor appropriate to determine the subjective intent of an MP when performing their duties. This Review accepts from extensive roundtable consultations, that MPs feel a deep sense of commitment to the role – borne out of values of duty, public service, integrity and loyalty to their communities. Where MPs are motivated by their re-election (to serve another term for their constituents), this does not undermine values of service but reinforces them. Ultimately, in seeking to deny public resources for activities that could contribute to the re-election of a member, those communities are likely denied the public good that comes with engaging throughout the term.

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[37] Conde-Tune Review p 60.

[38] Corruption and Crime Commission (CCC) (2024) *Significant misconduct risks to good government*, CCC, Perth.

2.4: Conclusion: the pursuit of public good through collective political action

Across political divides and diverse electorates, MPs enter public life with a shared commitment to serve their communities and effect public good. The role of an MP clusters around a set of inter-connected categories of public duties: electorate, parliamentary and party-political. Reinforcing the legitimacy of the party-political category of public duties, party affiliation is not only legitimate, but essential to democratic outcomes. The public elect representatives in full knowledge of their political alignment and expect them to act accordingly. Political parties bring structure, strategy and support to our democratic system, enabling individual MPs to collaborate, contest ideas and shape policy outcomes. In the event that an independent is elected, without affiliation to a political party, that independent should rightly be able to communicate their non-affiliation and act in a political partisan way to develop their own values and communicate their own political priorities. To sustain a vibrant and effective parliamentary democracy that leads to improved community outcomes, public resources should be provided to MPs to match the entirety of their public duties, including their public duties as a member of a political party.

Chapter 3: The role of electorate officers and how they support their Member of Parliament

3.1: Who are electorate officers?

Finding 15: Electorate officers fulfill an important function within our democracy.

Electorate officers ('EOs') are the publicly funded staff who provide support to Members of Parliament ('MPs') in their electorate offices. They serve as conduits between representative officials and their communities, managing constituent concerns upwards, co-ordinating local events and supporting the MP's engagement with a range of stakeholders. Electorate officers are a feature of every Australian parliamentary system. Whilst the specific functions they perform differs from jurisdiction to jurisdiction, the overarching intent of these officers remains the same: EOs exist to enable the MP to fulfil their duties.

As discussed earlier, EOs in WA are employed under section 4 of the *Parliamentary and Electorate Staff (Employment) Act 1992* (WA) ('PESE Act') to 'assist a member of the Legislative Council or a member of the Legislative Assembly in dealing with constituency matters.' This definition can be interpreted narrowly, which limits the duties an EO can perform in their role. The legislative boundaries of the role are restrictive, which can conflict with the individual needs and expectations of the MP and electorate they serve.

Measures have been taken to provide some assurance and clarity to EOs about what is expected of them, including the development of standard job description forms for the two job titles in use. At present the two forms, developed by the Department of the Premier and Cabinet's ('DPC') Parliamentary Electorate Office ('PEO') Support team, broadly categorises the role responsibilities as 'constituent enquires', 'community liaison', 'management of electorate office' and 'other'.

Some differentiation between 'research' and 'electorate' officers is provided, with research officers expected to focus on the collation and analysis of information whilst the electorate officer role is more centred around engaging with constituents. Both MPs and EOs alike stress the distinction in functions between the two roles was often blurred in practice, with officers of either type being required to do whatever work was needed in any given moment. This conflation in responsibilities was often attributed to the limited number of staff in each office.

With some exceptions, which will be unpacked in later chapters, MPs are provided with two full-time equivalent ('FTE') EOs. As a default position, MPs are provided with one electorate officer and one research officer. Members of Parliament can request to have two officers of one type if that suits their needs better, as well as to divide the 2.0 FTE across multiple part

time employees. As at 29 May 2025, there were 235 people employed as EOs across 178.7 FTE. Of the total head count, 58 per cent are in electorate officer roles, with the remaining 42 per cent being research officers.

For most non-office holding MPs, EOs are the only staffing resource available to support them in their duties. Throughout this Review's consultation process, MPs continuously made the point that their roles would be immeasurably harder without the support of their electorate staff. The day-to-day work of EOs with either job title could include any or all of the following: managing the MP's diary, organising community events, reviewing and responding to electronic correspondence, working directly with a constituent who is struggling to access government services and researching a policy issue of significance to the electorate.

> **We assist the member with fulfilling their duty to the state government.**
>
> – WA Electorate Officer.

As has been discussed in chapter 2, MPs have demanding roles and their communities rightly place high expectations on them. It would be unrealistic to expect MPs to fulfill their diverse set of functions without appropriate support. When an MP is at parliament or at community engagements, there needs to be some avenue through which constituents can access them. Conversely, to ensure the MP's time is being utilised effectively there must be some way of triaging correspondents and commitments.

As the first point of contact for constituents seeking assistance, and often the sole representative for the MP in the community, EOs are crucial to ensuring that community voices have a pathway to the halls of power. By facilitating this connection between MP and constituent, EOs play a crucial role in Australia's system of representative democracy.

3.2: The motivations and values of electorate officers

This chapter explores the motivations and values of EOs and celebrates the roles they play in serving our communities. Recognising the EO's role is closely linked to that of their employing MP, this chapter highlights the unique relationship of trust and proximity within an electorate office, and how this shapes an EO's view of themselves.

To ensure this Review adequately represented the experiences and perspectives of EOs themselves, a number of engagement methods were used. Principal among these was a detailed qualitative and quantitative survey issued to all EOs, of which 82 anonymous participants responded. Electorate officers provided detailed, and at times moving, accounts of their day-to-day work and the motivations which drive them. The remainder of this chapter draws heavily from those insights, coupled with direct conversations with EO representative bodies and individual officers.

Finding 16: Like Members of Parliament, electorate officers also see their employment as a way to contribute to their community, state and nation.

EOs are driven by the same fundamental motivation as their employing MPs – a desire to make a meaningful difference in people's lives. Seventy-eight per cent of EOs who took part in the survey stated a desire to make a positive impact in their community was a key motivator for why they sought to be an EO in the first place.

When asked about community or individual issues they had supported, EOs provided examples of helping vulnerable and marginalised groups, people living with disability, isolated older demographics, unhoused people and low-income families. In many cases, constituents who presented at the electorate office felt unable to engage with government through other channels.

> **I have had people come to the office at closing time, who have left a Family and Domestic Violence situation – they walked out with children and nothing else – no phone, no money. It took me until 8:30 in the evening to find them suitable accommodation given all the refuges and other contacts we had were at capacity.**
>
> – WA Electorate Officer.

> **Someone came through the door advising me they were going to commit suicide and all I could do was sit and talk to them – to encourage them that together we could try and find some solutions to the problems being faced and then calm them to a point where I could walk them to the local hospital so that we could get some emergency intervention.**
>
> – WA Electorate Officer.

Electorate officers seldom have formal backgrounds in crisis management or in dealing with acute social service issues. Nevertheless, the prominent position MPs have in our society, coupled with the commitment they have made to serve their communities, means electorates offices naturally serve as beacons for those in need of help. While some EOs express a desire for more support in dealing with particularly difficult situations, this Review heard no evidence that EOs where unwilling to fulfill this quasi-social worker role. Instead, supporting vulnerable people was consistently raised as one of the most meaningful and rewarding aspects of the role.

> **We are dealing with people who have tried their best to resolve an issue and they often are at the end of their tolerance given the answers they receive from government departments and agencies. The issues faced by many require investigation and take time. Often people come to our offices as a measure of desperation – they don't know the questions they need to ask to have their issues resolved.**
>
> – WA Electorate Officer.

Some EOs connect this desire to make a difference with an interest in government, discussing the need for reform in the way government services are provided or in the kinds of support available to the public. Seventy-two per cent of respondents reported pursuing their role out of an interest in politics and government, viewing the position as a meaningful opportunity to contribute to the proper functioning of government in WA. For many EOs, this interest was shaped by lived experience and as such they bring a personal understanding of the impact of government systems. All the EOs who engaged with this Review demonstrated a keen awareness of how government can, and should, be supporting the community.

> **I am interested in politics. Growing up incredibly poor, having a single mum on Centrelink and living in a HomesWest house. This made me very aware of politics. I decided in year 8 I wanted to work in a career that actually addresses problems that need to be solved.**
>
> – WA Electorate Officer.

> **An increasing amount of people are engaging with the public service generally at all levels, and as the broader systems of government become more complex and intertwined, the public need more and more help in navigating said systems.**
>
> – WA Electorate Officer.

Just as MPs fervently reject the idea that they would turn away a constituent seeking help based on how they had voted at previous elections, EOs also conceive of their commitment to the public as being largely non-partisan, particularly regarding their constituent support role.

> **Regardless of who they voted for – they're a constituent, we help constituents. That's the job.**
>
> – WA Electorate Officer.

EOs also acknowledge the reality that they operate within a political context and that anyone choosing to engage with the office likely has at least some awareness of their MP's political stances.

> **Of course we aren't expected to act completely impartially. If someone called up saying they were homeless, there would be no question that we would help them. But if someone called asking for help fast tracking their application for mining tenement then we would refer to the member's position. That said, we're unlikely to get those kinds of calls because [their MP's] position on those matters is well known.**
>
> – WA Electorate Officer.

As will be unpacked further in this chapter, EOs generally do not view this as a barrier to serving the community, instead believing that fulfilling their MPs political objectives is a key way they bring value to the community.

Together, these insights reveal a workforce that is not only also deeply values-driven but also uniquely placed to hear and respond to the genuine concerns of the public. It is democratically essential that MPs have this connection point, so that parliament and government can operate with knowledge and awareness of the WA public's needs. Beyond these important practicalities, it has been personally heartening to hear from so many EOs about their genuine personal conviction to serve the public and improve the lives of ordinary Western Australians.

Finding 17: Electorate officers generally support the values of the political party of their employing members – they would not seek employment with members from an opposing political party.

Along with the desire to make a difference, many EOs are motivated in their roles by a deep alignment with the values and ideological outlook of their employing MP and affiliated party. Electorate Officers often demonstrate a deep commitment to similar policy approaches and solutions as their MP, with 78 per cent of surveyed EOs citing the opportunity to work with an MP whose values and priorities align with their own as a major motivator for pursuing the role. This sense of shared purpose within an electorate office is pronounced and linked to

the success of the MP, with 68 per cent of EOs aspiring for their employing MP to serve in a government one day.

For many EOs, this alignment in values fosters a strong sense of purpose, enhancing job satisfaction and giving their work deeper meaning. These values-based motivators are key to providing fulfilment in an otherwise demanding role. Only 11 per cent of EOs would seek to continue working in an office regardless of the political party of the member, whilst 71 per cent would choose to stay if the incoming and outgoing MPs were affiliated with the same political party. A further 18 per cent would not seek to remain employed as EOs, citing that their connection was with the individual MP.

> **Part of the reason I sought to work as an electorate officer is because of my MP. I saw he held the values I share. I feel like he is there to enact change.**
>
> – WA Electorate Officer.

Given the centrality of this connection, it is unsurprising that some EOs first meet their MPs through political party involvement. Volunteering on election campaigns, assisting or attending community events or participating in local party branch meetings. These early interactions sometimes evolve into an employment relationship and many EOs reporting having been approached by their MPs to come and work in their offices.

> **I came to work for my Member of Parliament after volunteering for her. In practice I've been working for her much longer then she's been paying me, but as a committed believer of the Labor movement I was happy to do this.**
>
> – WA Electorate Officer.

As has been discussed, the party-political aspects of an MP's role are inextricable from their broader public duties. An MP's political affiliation shapes not only the activities they engage in, like debate in parliamentary caucus/party rooms, but also the broader approach they take to their duties. An MP's political affiliation will determine the issues they choose to champion, the philosophies they apply to policy and the stakeholders who are most significant to them.

> **It's a fact that electorate/research officers have a political view one way or another. Anyone who says different is not being honest with themselves. This is why we seek employment for a particular member or with a particular political party whose views/aspirations match our own.**
>
> – WA Electorate Officer.

Political alignment between EOs and their MPs is a reality which it is impractical to ignore. Beyond this, having consistent views on key topics is central to both why EOs pursue this work and to their effective performance within those roles.

Finding 18: Electorate officers associate and describe their role most clearly with the relevant Member of Parliament or political party.

Given their shared political ideals, ambitions and values, it follows that EOs identify their role in closest association with their MP. When asked, in a social setting, who they work for, 77 per cent of surveyed EOs would describe themselves as working for their MP. This is compared with 11 per cent describing themselves as working for government, 5 per cent who would say they work for DPC, 4 per cent saying they work for the MP's political party and 3 per cent saying they work for parliament. None would describe themselves as working for the public service.

> **My role is to support my Member of Parliament in fulfilling their duties effectively. Electorate office staff work directly with their MP and are generally expected to align with the MP's political values, priorities, and approach. The relationship is close and trust-based, and the skills required are often tailored to the specific needs of the MP.**
>
> – WA Electorate Officer.

> **Once employed, as a staff member whether in government or opposition, our job is to help our Member of Parliament service the electorate to the best of our ability.**
>
> – WA Electorate Officer.

Because EOs are spread across electorate offices around WA, they are unlikely to interact with employees of DPC, parliament or any other parts of government on a day-to-day basis. Instead, they work directly with their MP, when they are in the office, and with their EO colleagues. All managerial direction comes from the MP, and in line with this 99 per cent of surveyed EOs considered their MP to be their day-to-day manager. Regardless of the formal employment arrangements at play, the relationship between EO and MP sits at the crux of an EO's role.

> **Their dedication is not in doubt. Nor is the high level of trust that exists between an MP and their staff.**
>
> – WA Corruption and Crime Commission ('CCC').[39]

This close association to their employing MP must be built on trust and loyalty, and this connection often extends to the MP's political party. Electorate officers work collegiately within their MPs political party, sharing guidance, templates, processes and advice amongst other EOs working for an MP within the party. When asked who, other than their employing MP, they would turn to for advice on job related concerns, 59 per cent of EOs said they would seek support from another EO from the same political party as their MP – whilst a further 23 per cent would seek advice from the staff of the MP's political party or leader's office. Only 15 per cent would reach out to DPC in the first instance, and only 4 per cent would reach out to the Clerk of the relevant house of parliament. None would initially seek advice from an EO working for an MP of a different political affiliation.

Finding 19: Electorate officers seek support in the conduct of their role from other EOs working for MPs of the same party affiliation, and not from EOs working for MPs of a different political affiliation. Electorate officers have the same camaraderie and support within their party affiliation that MPs do.

> **The work of EROs [Electorate and Research Officers] exists in an inherently political environment where the nature (and continuation) of the work is determined by party political elections every 4 years.**
>
> – WA Electorate Officer.

> **Our responsibility is to the Member we are employed by and to the political party under which they were elected.**
>
> – WA Electorate Officer.

[39] CCC (2024) *Significant misconduct risks to good government*, CCC, Perth ('CCC Report') p 49.

It is clear EOs identify and associate more closely with their employing MP and their affiliated political party, than they do the Presiding Officers, a department or the public service.

Finding 20: An electorate officer's role should involve activities that support their Member of Parliament engaging in the development and debate about public policy issues, including when these relate to the party-political duties of the member.

During consultations, there was a broad acknowledgment that EOs are part of the political processes. They respond to constituent enquiries and share the accomplishments and intentions of their employing MP. These communications necessarily relate to policy positions, including policies that their employing MP or affiliated political party will take to future elections.

> **Our job is to always support our MP and each interaction we have with a member of the community allows that person for form an opinion. Whether or not that transfers to someone being persuaded to vote a certain way at an election is debatable. Voting is up to the individual.**
>
> – WA Electorate Officer.

Beyond simply relaying the positions of their MPs, EOs often engage in activities which are understood to contribute to policy development itself. As concerns or issues are raised by the public, part of an EO's responsibility is to understand how the MP can support or alleviate that issue. Given that an MP's primary lever of power is as a member of the legislature, it is natural that EOs would assist in developing policy solutions to the issues constituents raise with them or to the issues the MP champions.

The development of policy and legislation is by no means a straightforward process, and is central to a robust policy cycle is debate and the contestation of ideas. Within a parliamentary system like ours, this debate will occur along party lines. For an MP to be an effective legislator they must be able to influence the policy position of their own party or political grouping and to understand how the policy positions of other parties relate to their policy objectives.

> **If I'm developing a policy then I'm naturally going to take that policy to my party colleagues. It's impossible to separate policy advice that my electorate staff are developing for my use from advice that contributes to the party's policy position.**
>
> – WA Member of Parliament.

A conservative reading of the PESE Act could deduce, however, that EOs are not able to support their MPs in the development of policy positions, in preparation for caucus or party room meetings, or in preparation and execution of their role as a legislator. To expect an MP to have no support in developing policy or preparing for debate is inappropriate and would lead to detrimental outcomes for the community.

3.3: Electorate officers have increasingly complex responsibilities

Finding 21: The role of an electorate officer, much like the role of their employing Member of Parliament, has become more demanding over time.

The role of an EO has undergone a similar expansion in scope to that of the MP. Ninety-four per cent of EOs considered their role to have become more complex and demanding over time. This expansion in scope is likely attributable to the same change in demands and expectations experienced by MPs. To service the needs of their MPs, EOs are being required to engage in work which is more time-consuming, sensitive and emotionally charged.

> **In my first time in this role, 20 years ago, there was a less immediate interaction with the world at large and there was more time to process and get the work done. Now everyone – including ourselves – expects things to be complete within unrealistic timeframes… Constituent work is slow and painstakingly intricate.**
>
> – WA Electorate Officer.

Some EOs reported that a factor behind the increase in demands on EOs is that community awareness has increased. Through increased politicisation and the pervasiveness of new media, constituents are more politically aware and engaged on issues that impact them. As a result, there is a growing community expectation for EOs to explain political positions and

policies of their employing MP and their affiliated political party. This awareness is reported to have increased the volume of enquiries and pressure on electorate offices. With increases in electorate populations and the abolition of upper house regions,[40] EOs are now responsible for serving a larger constituency as well.

> **Rising polarisation within the community, growing public distrust in government, declining living standards, and increasing pressures on households collectively contribute to a more challenging and unstable social environment. Increased political awareness – while ultimately a net positive for democratic engagement – has placed greater demands on MPs and EROs, resulting in heightened responsibilities and workloads.**
>
> – WA Electorate Officer.

Alongside growing community awareness of issues, EOs reported that social media and other digital platforms have increased expectations about the immediacy and urgency of responses.[41] Constituents expect EOs to acknowledge and address concerns in real time, often across multiple channels. These expectations often come without the appreciation that considered and thoughtful solutions take time.[42]

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[40] *Constitutional and Electoral Legislation Amendment (Electoral Equality) Act 2021* (WA). Since the 2025 State Election members of the Legislative Council have represented a single state-wide electorate, as opposed to the previous 6 regionally bound electorates. This fundamentally changes the relationship that MLCs are expected to have with their constituents.

[41] Department of the Prime Minister and Cabinet (2022) *Review of the Members of Parliament (Staff) Act 1984*, DPMC, Canberra ('MOPS Act Review') p 50 and Jenkins K (2021) *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces,* Australian Human Rights Commission, Sydney, heard that EOs in other jurisdictions are experiencing similar pressures due to the rise of digital communication.

[42] MOPS Act Review p 51 noted similar pressures on Commonwealth EOs.

> **As communications technology evolves, MPs and EROs are required to be competent across more technologies and methods of communication. Members of Parliament are taking advantage of new mediums – they have to if they hope to reach constituents. Where a ERO could have simply relied on distributing media releases to the major outlets in the past, they now have to be competent with new and emerging mediums.**
>
> – WA Electorate Officer.

EOs also reported the substance of their work has changed. Not only are constituent issues more time-sensitive and demanding in volume, they are also more complex, sensitive and emotionally charged, particularly where mental health, complex physical health issues or housing insecurity is involved. This complexity is compounded for constituents dealing with intersectional issues, of which we heard many.

There are very real concerns about the safety, both physical and psychosocial, of EOs having to manage complex and at times abusive or aggressive constituents who present at the office. With only 2.0 FTE and the mobile nature of an MPs duties, the likelihood of there only being one EO in the office at a time is high. Whilst EOs come from a range of backgrounds, they seldom have the security or specialised de-escalation skills which would usually be required of a government service working directly with clients with complex needs.

> **Constituent matters have certainly become more… complex, multifaceted and difficult to resolve… I find that interactions with constituents are also more volatile than they used to be, with mental health being a frequent component of my interactions with constituents.**
>
> – WA Electorate Officer.

> **We don't have adequate training provided to deal with a lot of what comes through the office doors. We are given the opportunity to speak to the EAP [Employee Assistance Program] representatives[43], but that's a band-aid fix.**
>
> – WA Electorate Officer.

Interaction with constituents, either in-person or through correspondence, has become more complex. The greater volume, urgency and intricacy of the administrative and customer service tasks expected of EOs has changed the skills needed to effectively carry out the role. This has also been coupled with a steady expansion in the scope of an EO's responsibilities.

> **You need to be willing to effectively act as a ministerial advisor, scrutinising legislation, meeting with stakeholders and developing policy, while also completing basic office management tasks, running media and social media, organising diary and community engagement events, engaging in significant amount of time-consuming correspondence and calls with community members and 1,000 other things.**
>
> – WA Electorate Officer.

> **The role of electorate offices as community services hubs has also expanded across the board … this has likewise increased the breadth and complexity of EO duties, which has not been effectively matched with new resources, centralised training, on continuous reviews of staffing needs.**
>
> – WA Electorate Officer.

The people who seek out work as an EO are overwhelmingly driven to advance the political values of their employing MP, and many of the EOs this Review consulted with welcomed opportunities to engage in more challenging work. But this has resulted in a norm where contemporary EOs are expected to manage a diverse and demanding workload.

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[43] DPC offers free and confidential professional counselling sessions to all staff, including EOs, through its Employee Assistance Program (EAP). Services are offered through two external providers; Relationships Australia WA and PeopleSense.

Finding 22: The role is no longer confined to a 9AM – 5PM schedule. There is an expectation that electorate officers conduct some of their duties outside of usual business hours.

A significant 77 per cent of EOs indicated that they are required or expected to work outside of regular hours or to take leave to fulfil their core duties effectively. Some indicated that this was a result of the increased demands and complexity of their responsibilities, whilst others noted that working long hours is a natural consequence of serving an MP who is themselves not bound to a standard work week.

> **All the EOs who appeared before the Commission explained that electorate office hours are long, and generally in excess of the agreed 37.5 hours per week.**
>
> – CCC Report p 48.

Reported reasons for working outside of standard hours included accompanying their MP to community events on weekends, being available when their MP is debating an issue at parliament during evenings, effectively monitoring and responding to the media and writing speeches or preparing advice at short notice.

> **MPs are basically on 24/7. They have many commitments outside of work hours, and often need advice or someone to accompany them directly. Our duty is also to assist our Members with directly connecting with and engaging with the community, and to do that to its fullest, work must be done outside of office hours.**
>
> – WA Electorate Officer.

Few EOs described this as an issue which greatly troubled them. In view of their political convictions and personal commitments to their role, many EOs noted they are happy to go the extra mile after hours. Many connected their willingness to work long hours with their desire to provide a quality service to the community, or explicitly to their belief in the MP or the MP's political party. Some did express a frustration with the way their work commitments impinged on their personal lives, and both EOs and MPs acknowledged that the role can be taxing and that burnout amongst EOs was not uncommon.

> **It is not expected, I just do. We all have a strong work ethic and know there is a job to be done.**
>
> – WA Electorate Officer.

> **You can do your job well and put in the extra hours or run as a mediocre office and risk your MP getting a reputation of laziness, not responding and the like. Those are the choices with only two staff in an office.**
>
> – WA Electorate Officer.

EOs currently do not have access to overtime or other forms of additional compensation in acknowledgement of this work. They are, however, able to work flexibly using time-in-lieu to structure their hours around periods of high need. The *Electorate and Research Employees CSA Agreement 2024* sets ordinary hours for EOs at 150 hours per 4-week period and anticipates that these hours will be worked flexibly between 7:00am and 6:00pm Monday to Friday, with a maximum of ten ordinary working hours to be worked in any one day. Reliance on time-in-lieu is high, both as a means of accounting for work done during evenings and weekends, as well as a way of facilitating leave for activities which cannot be done in their capacity as EOs.

However, even with these provisions, the examples encountered throughout consultations indicate that a greater degree of flexibility in working hours is needed to ensure that EOs can adequately support their MP's needs, while having any additional hours appropriately recognised.

Finding 23: It is unreasonable to require electorate officers to take leave to perform activities that are expected of them by their employer, or to expect these tasks are undertaken outside of work hours. There are occupational safety and health risks associated with this approach.

There is a strong awareness among EOs that some activities are not permissible during their publicly funded working hours. Perhaps influenced by the CCC's report, these activities are broadly referred to by EOs as 'campaigning'.

> **On some occasions we have taken leave to perform tasks of a political nature (e.g. day before State Election). This is not a requirement of my Member of Parliament but I want to help my party get elected so I know the rules and I take time off. It is a personal choice not a requirement of my job.**
>
> – WA Electorate Officer.

In a very practical sense, an EO's continued employment is tied to the re-election of their employing MP, with EOs automatically losing their position if their MP fails to secure re-election. Prohibiting an EO from engaging in activities which may contribute to their MP's re-election does not negate this inherent vested interest an EO will have in those processes. Notwithstanding this, these pragmatic interests almost always accompany a genuine belief by the EO that the MP's re-election would be a positive outcome for the community.

> **Although I am neither compelled nor explicitly expected by my Member of Parliament to undertake these activities, I feel an obligation to do so. This is both to support my MP's re-election efforts and to safeguard the continuity of my own employment, as the cessation of my MP's tenure would also result in the termination of my role.**
>
> – WA Electorate Officer.

Any framework attempting to support EOs in the performance of their duties must be cognisant of the reality that EOs will likely choose to engage in this activity. Electorate officers should be provided clear guidance about what activities must be done in their own time and processes should be in place to enable this.

A high degree of confusion was expressed with regard to those duties which, whilst not directly relating to the solicitation of votes, could be considered of a party-political nature.

> **Are you campaigning for your member three months from an election, no, I am campaigning for him every day… we are doing that all the time.**
>
> – WA Electorate Officer.

Electorate officers across party lines noted the difficulty of determining whether some activities where permissible during their working hours or not. Electorate officers discussed the frequency with which constituents would approach electorate offices with queries directly relating to the MP's party and the impracticality of not being able to respond during business hours or through DPC-owned email addresses or phone lines.

> **You end up in these ridiculous situations where you have to tell them "oh, do you mind giving me a call back on my mobile, I'll step out for a minute" or "I actually can't talk about that now, but if you come back at lunch time…" and that's all just so that you can tell them which website to go to if they want to volunteer.**
>
> – WA Electorate Officer.

This confusion is compounded when considering the interrelated nature of electorate office activities. As discussed in chapter 2, party political duties cannot easily be separated from an MP's other duties and this remains true for their staff. This creates a daily conundrum for EOs who have to assess each activity they engage to determine whether it is overtly political, or more accurately whether it could be perceived as overtly political, and to then make a call about whether they need to do it outside of their paid time.

> **How can we work to secure good outcomes for our constituents, while pretending those efforts aren't also about building trust and support for the Member to continue doing that work? It's a contradiction.**
>
> – WA Electorate Officer.

The ongoing assessment of permissibility of tasks, consideration of workarounds and additional unpaid hours being worked by EOs given the current rules, all have a detrimental impact on staff wellbeing and morale.

Finding 24: The role of an electorate officer should more closely mirror the role of the Member of Parliament, so that members can be better supported across the breadth of their duties.

As discussed in chapter 2, the role of modern MPs is complex and demanding. Members of Parliament require support across all their functions, including party-political functions, to fulfil their obligations to constituents, their political party and parliament. Crucially, parliament cannot perform its core democratic functions unless its members are effectively supported. For this reason, interview participants emphasised that MPs should receive support across the full breadth of their role, and that EOs are best placed to deliver this support.

> **The role is about supporting someone in a political system.**
>
> – Administrator in another jurisdiction.

As discussed, EOs operate in a relationship of proximity, trust and loyalty with their employing MP. In this way, they are appropriately and uniquely positioned to deliver integrated, responsive support across an MP's interconnected duties. In practice, constituent casework often feeds directly into an MP's parliamentary work, policy advocacy and broader political engagement. Positioned at the coalface of this casework, EOs then possess the context and insight to support policy development, media and stakeholder engagement, and parliamentary responsibilities.

> **Political and representative work are deeply intertwined. Portfolio work, by its very nature, is political. Developing policy positions, responding to government failures, and engaging stakeholders all feed directly into political outcomes. Why draw an artificial line between the two? Why should there be a distinction that undermines the practical, day-to-day reality?**
>
> – WA Electorate Officer.

While Ministers are supported by dedicated ministerial advisers and departmental resources, no equivalent infrastructure exists for non-office holding MPs. Beyond their electorate office, MPs have limited or no access to staff, policy support or political advice. In this context, EOs are not just well-placed – they are often the only available staff capable of supporting the full spectrum of an MP's responsibilities. Their role is therefore essential in ensuring that all MPs, and not just Ministers, can effectively serve their constituents, contribute to parliamentary debate and engage in the policy process. In this way, EOs should support MPs across the full breadth of their duties.

> **When we are not there, our staff need to be able to be an extension of us. If I'm allowed to do something, then my staff should be allowed to support me in whatever way I need them.**
>
> – WA Member of Parliament.

3.4: Conclusion: towards aligning electorate officer support

The expectations placed on EOs spans far beyond constituency matters. Electorate officers assist constituents, and contribute to policy development, media engagement and parliamentary preparation, often under significant time pressure and in response to increasingly complex and emotionally charged issues. This evolution reflects the growing demands placed on MPs and EOs and highlights the need for a modernised framework.

Given their proximity, trust and alignment with their employing MP, EOs are uniquely placed across the full breadth of an MP's role. Limiting their role to constituency matters, as per the

current legislation, ignores the reality of how policy is developed and how parliamentary work is conducted. It does not allow MPs to be fully supported in their appropriate engagement in our democracy. This limitation, in turn, would weaken democratic representation. To ensure all MPs, regardless of party or office-holding status, can serve their communities and contribute meaningfully to public life, EOs must be empowered to support the full breadth of the MP's duties.

Chapter 4: Employment framework for electorate officers

The WA Government commissioned this Review in recognition that the current employment arrangements for electorate officers ('EOs') are complex. The current employment framework presents oversight and accountability issues and lacks the role clarity required of a modern EO workforce. This Review finds these challenges stem from misalignments in the current employment framework. Specifically, it considers 3 issues in the current employment framework of EOs in WA:

1. **EO roles and responsibilities:** There is a disconnect between the current statutory remit of EOs, and the public duties they should be able to carry out in service of their Member of Parliament ('MP') (see chapter 4.1).
2. **Their 'public servant' status:** Perceptions of EOs as public servants are often misaligned with their legal employment status (see chapter 4.3).
3. **The formal employer:** The formal employer of EOs in WA is not the same person responsible for their day-to-day management (see chapter 4.4).

These issues are considered in turn. Drawing on comparative observations from other jurisdictions, this chapter identify pathways for reform to the current EO employment framework in WA.

4.1: The roles and responsibilities of electorate officers in WA

Section 4.1 examines the framework providing for the roles and responsibilities of EOs in WA. This analysis reveals the legislative basis for EOs in WA is outdated, undefined and could be interpreted narrowly. The lack of legislative clarity creates a difficult environment for the administrators responsible for drafting administrative instruments – such as job description forms, the code of conduct and internal policy guidelines – based on legislation that does not provide a clear or comprehensive foundation. This limits the ability for administrative instruments to provide certainty in relation to the role and responsibilities of EOs.

The constrained framework leaves well-meaning EOs, the Members of Parliament ('MPs') they support and administrators at risk of misinterpretation, misapplication and misconduct findings.

4.1.1: Outdated legislative parameters for the roles of electorate officers

The current legislative framework that outlines the scope and role of EOs in WA does not reflect the practical realities of the work they need to perform to properly support their MP.

EOs are employed under the *Parliamentary and Electorate Staff (Employment) Act 1992* (WA) ('PESE Act') [44]. As discussed in earlier chapters, in practice, persons employed under these provisions may be given the job title 'electorate officer' or 'research officer'.[45]

The PESE Act provides that an EO is appointed to assist a member of the Legislative Council or the Legislative Assembly 'in dealing with constituency matters.'[46] The term 'constituency matters' is not defined nor further elaborated on in the legislation and its meaning does not appear to have been the subject of discussion in parliament at the time of the passage of the legislation.

This legislative underpinning is outdated and the lack of a clear definition of 'constituency matters' leaves the term open to different interpretations – i.e. narrowly, whereby an EO can only support their MP in a matter that directly relates to an issue raised by a constituent or, more broadly, whereby EOs can support MPs in any matter that may affect a constituent. This creates a challenge for MPs and EOs in reconciling the legislative parameters with the expectations and practical realities of an EO in supporting their MP across the breadth of their public duties – in an environment where the scope of their legislatively endorsed role is critical to the question of the propriety of their conduct as a public officer, including under the Criminal Code.

Some could conclude that EOs' legislative role is limited only to dealing with and supporting constituents rather than supporting their employing MPs in the true breadth of their role, including those political or partisan activities that contribute to the strength of our democracy.

Finding 25: The statutory functions of electorate officers under the *Parliamentary and Electorate Staff (Employment) Act* 1992 do not adequately describe the appropriate role of electorate officers. The term 'constituency matters' is undefined, unclear and could be interpreted narrowly.

[44] The PESE Act also governs parliamentary staff, who are outside the scope of this Review.

[45] Per the relevant job description forms.

[46] PESE Act ss 3(1) and 4(1)(b)(i).

4.1.2: Job Description Forms

Consistent with best practice, the Department of the Premier and Cabinet ('DPC') has made administrative efforts to clarify the role and expectations of EOs through the provision of job description forms ('JDFs'). JDFs for Electorate Officer and Research Officer roles outline responsibilities under the following categories:

- constituent enquiries;
- community liaison;
- management of electorate office; and
- other.

The JDFs align with the PESE Act's definition of the EO role as dealing with 'constituency matters'. For example, the EO JDF states upfront that 'the Electorate Officer's primary role is to assume the initial point of contact for all constituent enquiries' with the research responsibilities of the Research Officer listed under the 'constituent enquiries' category.[47]

While the JDFs align with the PESE Act definition of the role, they are not truly reflective of what the role of EOs should entail, as outlined in chapter 3, primarily due to the legislative constraint of 'constituency matters. It's clear a future legislative framework needs to recognise the non-exhaustive breadth of duties that modern EOs perform, beyond constituency work.

Finding 26: While Job Description Forms has sought to reflect the practical demands of the role, the scope of electorate officers' duties remains constrained by the existing legislative framework.

4.1.3: Prohibited activities of electorate officers

The core issue in defining permitted and prohibited activities of EOs lies in the narrow legislative foundation of an EO's role under the PESE Act, that authorises EOs to assist with 'constituency matters'. While it is generally understood that there are limits on the activities of EOs given they are funded by the public, those limits and prohibitions, do not expressly feature in the PESE Act.

Administrative instruments such as the Parliamentary Electorate Office ('PEO') Code of Conduct and Parliamentary and PEO Handbook have sought to provide guidance on

[47] EO job description form, provided by DPC.

permissible activities to support EOs in the performance of their functions.[48] These administrative instruments intend to establish expectations and standards for EOs that in turn promote public confidence, trust and integrity. As a result of these instruments being grounded the narrowly defined constituency matters head of power, they have been constrained in their ability to do so. They too reflect a necessarily narrow interpretation of the EO role, that is disconnected from the broad ranging duties of the MP, who the EO is established to support. In this way, there is a disconnect between the law and the guidance material, and the nature of the environment in which EOs work. This makes it difficult to define with confidence not only what is permissible, but also what is impermissible, such as terms like 'party-political activity'. The ambiguous legislative framework creates challenges for administrators – public servants policing unclear rules – including the articulation of clear, defensible boundaries of an EO's role.

4.1.3A: Prohibition on party-political activities

The PEO Handbook states that EOs 'must not use public resources for *party-political work*.'[49] DPC's pre-election guidance reiterates this prohibition: EOs 'must … not engage in *party-political activities*.'[50]

In the context of permissible activities for EOs, there is no definition available for what constitutes party-political work or activities. While the SAT uses the term 'party-political activity' in its determination on the use of MP resources, its application in that context does not provide guidance on what specific activities are considered acceptable or prohibited for EOs.

4.1.3B: Ambiguity of 'party-political' as a prohibition

The terms 'party-political work' and 'party-political activities', without definition or example, are conceptually and practically quite vague concepts. While the party-political category of an MP's duties is explained in chapter 2, the distinction between what constitutes party-political activities that have a *public benefit* and should therefore be permissible, and those of a *private* nature varied from stakeholder to stakeholder. In the absence of clear definition,

[48] Department of the Premier and Cabinet (2025) *Parliamentary Electorate Office Handbook,* DPC, Western Australian Government, Perth ('PEO Handbook').

[49] PEO Handbook.

[50] Pre-election guidance to Electorate officers and MPs; must only perform work relating to their parliamentary and electorate duties and not engage in party-political activities.

a wide range of EO activities in support of their employing member could be considered party-political, and therefore outside of the legislative scope of an EO's role, such as:

- preparing responses to constituency enquiries on behalf of the MP that feature the MP's political party or parliamentary party's name or logo, or that promotes the policy position of the party;
- organising and attending a stall at a community event where the MP seeks to engage with the community, where signage is present that identifies that political affiliation of the MP;
- researching and preparing written advice about an issue, that the MP would use to inform their political party's policy platform or election commitments;
- arranging volunteers and participates in door knocking activities to survey the electorate and to share information on the MP's political party or parliamentary party's policy positions and priorities;
- speechwriting for a community event at which the MP promotes their party's policy platform or election commitments;
- preparing draft advertisements, media releases, letters or publications to constituents that include the political party or parliamentary party's logo or the MP's affiliation; and
- organising the MP's travel arrangements for attendance at events of the Member's political party or parliamentary party where the MP is participating as a Member of Parliament.

Looking to a future framework, however, there was consensus in consultations on the need for clear definition of permissible and prohibited EO activities, as well as where the line of public and private party-political duties should rest.

4.1.4: Conclusion: roles and responsibilities of electorate officers in WA

> **I don't want people to have to worry about these things, but people are terrified.**
>
> – WA Member of Parliament.

This Review recognises it is extremely challenging for administrators and oversight bodies to outline clear standards and expectations within the current legislative framework. These difficulties have only compounded over time where the roles and expectations of MPs and their EOs have become more demanding and complex, but the legislative frameworks have not moved with the same pace.

The lack of clarity in the current framework increases the risk that activities that are undertaken in good faith, but beyond what could objectively be described as constituency matters, could be found to constitute serious misconduct. Adverse findings could be made

against well-meaning individuals, their MPs or administrators for activity undertaken in the otherwise ordinary course of the role. These risks may disincentivise EOs from undertaking valuable, outward-facing work that would otherwise benefit their MPs, their community and our democracy.

Finding 27: The lack of legislative clarity regarding the roles and responsibilities of electorate officers creates risk and uncertainty for individual electorate officers, Members of Parliament and administrators of the current framework.

4.2: Other jurisdictions' approaches to the roles and responsibilities of electorate officers

While WA is not unique in having a legislative framework for EOs that could be clearer, some jurisdictions – in particular NSW and the Commonwealth – adopt a clearer legislative approach to the roles and responsibilities of EOs. NSW and the Commonwealth also provide a link between the roles and responsibilities of an EO and the framework governing the entitlements and resources of MPs.

4.2.1: The approach in other states and territories

Across other jurisdictions, the *permitted* roles and responsibilities of EOs are generally defined and guided by:

1. legislation and regulation;
2. supporting material and guidance; and / or,
3. employment instruments (Job Description Forms, Codes of Conduct and employment contracts).

This chapter primarily considers the legislation that provides for EOs statutory functions.

4.2.1A: Broad and inclusive statutory functions in other jurisdictions

In most jurisdictions, legislation provides for the statutory functions of EOs. For example, in Queensland, EOs are appointed to 'help the member to effectively discharge the member's duties.'[51] In Victoria, EOs are employed 'to assist a Member of Parliament,' with duties and

[51] *Parliamentary Service Act 1988* (Qld) s 26AA(1).

responsibilities of EOs 'determined by the member'.[52] These statutory functions are arguably broader than in WA where EOs are employed to assist WA MPs in dealing with 'constituency matters' which, as above, could be interpreted narrowly.[53]

However, while these statutory functions are broad and inclusive, they lack legislative definition. The term 'member's duties' is not legislatively defined in Queensland. In Victoria, it does not appear there are legislative parameters on the permitted duties and responsibilities of EOs.[54] Without clear legislative definitions, interpretations may vary as to what activities EOs are legally permitted to undertake. As a result, even when the statutory functions appear broad, the lack of clarity can lead to uncertainty about what is permissible. This may lead to reliance on administrative policies and guidance which do not carry the same authority or oversight as legislative instruments.

Finding 28: Even where the statutory functions for electorate officers are broad, lack of legislative definition can lead to differing interpretations of what activities electorate officers are legally permitted to undertake.

In NSW, EOs work to similarly broad statutory functions. Electorate officers are legislatively employed to 'assist the member in exercising his or her functions as a Member of Parliament.'[55]

However, in NSW, the permitted roles and responsibilities of EOs are also linked to the rules for the activities for which MPs may receive public resources.[56] Legislation contemplates that 'additional entitlements', including EOs, are provided for the purpose of facilitating an NSW MP's 'parliamentary duties' for which they may receive public recompense.[57]

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[52] *Parliamentary Administration Act 2005* (Vic) ss 30(1) and 30(4).

[53] PESE Act ss 4(1)(b)(i) and 4(2)(b)(i).

[54] Other than the restriction on 'party specific activity' (*Parliamentary Administration Act 2005* (Vic) s 30(5)).

[55] *Members of Parliament Staff Act 2013* (NSW) s 14(1).

[56] *Parliamentary Remuneration Act 1989* (NSW) s 9.

[57] *Parliamentary Remuneration Act 1989* (NSW) ss 10(1) and 10(3)(b).

It's from this legislative basis the NSW Parliamentary Remuneration Tribunal ('PRT') determines that EOs may facilitate the efficient performance of particular parliamentary duties of a NSW MP, such as:

- activities undertaken in representing the interests of constituents;
- performing electorate work for a Member's electorate and participation in official and community activities to which the Member is invited because of the Member's status as a parliamentary representative;
- attending and participating in sessions of parliament; and,
- participation in the activities of parliamentary committees.[58]

Finding 29: The NSW framework provides a link between the permissible roles and responsibilities of electorate officers and the duties of Members of Parliament for which they may receive public resources.

4.2.1C: Prohibited activities of electorate officers in other jurisdictions

Electorate officers in most jurisdictions are prohibited from undertaking 'campaigning' or 'electioneering' activities. These prohibitions are framed and housed in a range of different manners across the jurisdictions.

Other jurisdictions that use terms such as 'campaigning' or 'electioneering' are experiencing similar challenges to those examined in this Review. As a result, they have not been treated as best practice examples. Instead, several jurisdictions have identified they will be looking at the outcomes of this Review to help guide their own approaches.

In Queensland, EOs are prohibited from undertaking 'restricted activities', being 'political electioneering or campaigning activities.' This prohibition is contained in EO position descriptions. Guidance is provided on what activities constitute political electioneering or campaigning,[59] however, the guidance does not delineate between these two terms.

[58] Parliamentary Remuneration Tribunal (2024) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney cl 2.1.

[59] For example, soliciting financial support for a member; undertaking or attending activities for the overt purpose of encouraging a general exhortation to support a particular person; or distributing material featuring political party logos or how to vote instructions in favour of a particular candidate or political party.

In NSW, the PRT's Determination prohibits EOs, as additional entitlements, from being used for activities of a 'direct electioneering or political campaigning nature'.[60] These terms are not defined in the Determination. Further prohibitions are included in the Determination which provide that EOs, as additional entitlements, should not be used to fund certain activities such as membership drives, costs associated with election campaigning for an individual Member of Parliament and party fundraising for a Member of Parliament's own political use.[61]

The Code of Conduct for Staff of Members of the Legislative Assembly in the NT provides that while performing their duties, staff of Members of the Legislative Assembly must not act in a politically partisan manner or use work time for political activity.

In Victoria, the legislation that provides for the employment of EOs also provides that the duties and responsibilities of an EO are to be determined by the MP who nominated them, but expressly prohibits an MP from determining that an EO can, should or must perform a party specific activity.[62] The term 'party specific activity' is expressly defined by this legislation as meaning any activity for the dominant purpose of directing how a person should vote at an election, by promoting or opposing:

- the election of any candidate at the election; or
- a registered political party; or
- an elected member.[63]

By expressly defining 'party specific activity', it is clearer which activities *are* 'party specific' in nature in Victoria – as opposed to WA, where 'party political activity' is not defined. It appears Victoria would allow EOs to engage in activities that fall outside of the 'party specific activity' definition – this may include activities that may currently be considered 'party-political work' and therefore impermissible in WA.

Despite greater specificity, the Independent Broad-Based Anti-Corruption Commission of Victoria recommended in its 2022 report 'Operation Watts' that this prohibition be amended to tighten the employment arrangements for EOs by including a prohibition on activities undertaken for the predominant purpose of helping the administration, organisation or

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[60] Parliamentary Remuneration Tribunal (2024) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney cl 2.1.1.

[61] Parliamentary Remuneration Tribunal (2024) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney cl 2.2.2.

[62] *Parliamentary Administration Act 2005* (Vic) s 30(4)-(5).

[63] *Parliamentary Administration Act 2005* (Vic) s 30(6).

management of a political party, including the recruitment and maintenance of party members.[64]

4.2.2: The approach in the Commonwealth

The Commonwealth employment framework is primarily managed by the *Members of Parliament (Staff) Act 1984* (Cth) ('MOPS Act'). There is a link between the MOPS Act and the Parliamentary Business Resources framework ('PBR framework') which ensures there is a consistent approach to how an MP can use the public resources provided to them and how an MP can direct their EOs.[65] This feature is not common in other jurisdictions but is important in providing consistency. On this basis, it is important to explain the operation of the PBR framework and how the Commonwealth system has defined 'parliamentary business'.

4.2.2A: 'Parliamentary business': the Commonwealth's approach to linking permissible and impermissible activities of electorate officers with the PBR framework

In the Commonwealth, EOs are appointed under the MOPS Act.[66] Although this Act does not define the statutory functions of EOs, the *Members of Parliament (Staff) (Employee Direction) Determination 2025* ('Employee Direction') provides that Commonwealth MPs:

> **may direct [electorate officers] to undertake activities that support, assist or facilitate the employing parliamentarian's duties ... including the conduct of the parliamentary business of the employing parliamentarian.[67]**

This makes clear that MPs may direct their staff to support, assist or facilitate them in the conduct of their 'parliamentary business'. The term 'parliamentary business' is defined by the PBR framework and is the overarching principle that regulates the use of public resources by MPs – that is, the use of public resources by MPs must be for the purpose of

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[64] Redlich R and Glass D (2022) *Operation Watts: Investigating into allegations of misuse of electorate office and ministerial office staff and resources for branch stacking and other party-related activities*, Victorian Ombudsman and the Independent Broad-based Anti-corruption Commission, Melbourne ('Operation Watts Report') [938] and p 200 Recommendation 7.

[65] *Parliamentary Business Resources Act 2017* (Cth), *Parliamentary Business Resources Regulations 2017* (Cth) and related ministerial determinations.

[66] MOPS Act s 11(1).

[67] *Members of Parliament (Staff) (Employee Direction) Determination 2025* (Cth) s 5.

conducting the MP's 'parliamentary business'.[68] In this way, the Employee Direction creates a link between what an MP can use their public resources for and what activities they may direct an EO to undertake. A Commonwealth MP who is satisfied that an activity can be permissibly claimed and publicly funded as 'parliamentary business', can direct an EO to support, assist or facilitate such an activity. Embedding this framework in legislation and associated instruments provides a clear, transparent, legislative source for Commonwealth MPs and EOs to rely on in carrying out their day-to-day activities.

4.2.2B: The Commonwealth's definition of 'parliamentary business'

To understand what activities EOs are, and are not, permitted to undertake in the Commonwealth, it is necessary to understand what 'parliamentary business' is in the context of the PBR framework.

A Commonwealth MP's 'parliamentary business' is defined as meaning any of the 4 streams of duties: parliamentary, electorate, party-political and official duties. A Ministerial Determination under the PBR framework outlines a range of activities that fall within each of these 4 streams of duties.[69] For example:

- the **parliamentary duties** of an MP are activities that relate directly to the MP's role as an MP that they undertake in their capacity as an MP and include, for example:
    - preparing for, participating in and attending to business arising from proceedings of the Parliament;
    - developing, reviewing or amending legislation or proposed legislation and engaging in activities for that purpose; and
    - undertaking research, communication or administration connected with the business of the Parliament, the member's policy portfolio, or their role as a member.[70]
- the **electorate duties** of an MP are activities that support or serve the MP's constituents that the MP undertakes in their capacity as their constituent's elected representative and include, for example:
    - facilitating and participating in debate, discussion, a meeting, event or function, or undertaking research or administrative functions relating to

[68] Members must also comply with certain principles for use – they must act ethically and in good faith in the use and accounting for the use of public resources, be prepared to justify publicly their use of public resources, are personally responsible and accountable for their use of public resources and must ensure that any use of public resources provides value for money: PBR Act ss 25 and 27.

[69] *Parliamentary Business Resources (Parliamentary Business) Determination 2025* (Cth).

[70] *Parliamentary Business Resources (Parliamentary Business) Determination 2025* (Cth) sch 1.

matters of importance or interest to constituents, including matters of national importance;
    - communicating with constituents; and
    - representing the views and interests of constituents.[71]
- the **party-political duties** of an MP include, for example:
    - activities that the MP undertakes in their capacity as an elected senator or member of the House of Representatives in respect of the political party to which they belong and include, such as participating in a formal meeting or national, state or territory conference of the political party;
    - activities that the MP undertakes in their capacity as an elected senator or member of the House of Representatives in collaboration with another group of members, such as participating in developing policies, proposals and plans including in the context of the federal election.[72]
- the **official duties** of an MP are activities that relate to the MP's role as an office holder or Minister of State that they undertake in their official capacity and include, for example, exercising the powers or functions, or performing the duties, of the member's office.[73]

The PBR framework allows Commonwealth MPs to use public resources, including work expenses, for activities related to their own 'parliamentary business'. The PBR framework specifically carves out activities that are not the 'parliamentary business' of a Commonwealth MP – that is, activities that are carried out for the purpose of providing a personal benefit to, or pursuing commercial purposes of, the MP or another person.[74]

The PBR framework also imposes specific conditions on the work expenses MPs receive for the conduct of their 'parliamentary business'. Members of Parliament must not use these expenses to produce, communicate or distribute material that:

- solicits a vote for a person other than the MP;
- solicits subscriptions or other financial or non-financial support (other than volunteering) for a member, political party or candidate;
- solicits applications for or renewals of membership in a political party; or
- provides instructions on how to complete a ballot paper (e.g. 'how to vote' cards).[75]

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[71] *Parliamentary Business Resources (Parliamentary Business) Determination 2025* (Cth) sch 2.
[72] *Parliamentary Business Resources (Parliamentary Business) Determination 2025* (Cth) sch 3.

[73] *Parliamentary Business Resources (Parliamentary Business) Determination 2025* (Cth) sch 4.

[74] PBR Act s 6(2).

[75] *Parliamentary Business Resources Regulations 2017* (Cth) s 66(3).

Under these restrictions, an MP cannot use work expenses to produce, communicate or distribute 'how to vote' cards, or material that seeks the election or re-election of any other person or to solicit a vote for a political party.[76] They cannot use these expenses to produce, communicate or distribute material with the words 'vote for' another MP or 'vote for' a specific political party, including their own.[77] In this way, the Commonwealth framework effectively eschews the ambiguity of terms such as 'party-political activity', 'campaigning' and 'electioneering', opting instead to prohibit the use of public resources for specific activities.

Members of Parliament can, however, use these expenses in support of their own re-election. Members can, for example, use these expenses, subject to their obligations, to produce, communicate or distribute material that:

- includes the statement 'Vote for Sarah' (where Sarah is the MP making the claim), 'Get out and vote at the federal election', 'If you would like to volunteer for my campaign, contact my office', 'I ask for your support at this election';
- seeks the views or voting preferences of the electorate, e.g. as part of a questionnaire or survey.[78]

Finding 30: The Commonwealth system allows Members of Parliament to use their work expenses to solicit a vote in support of their own re-election. In consideration of the Corruption and Crime Commission's view regarding the inequity that can exist between incumbents and non-incumbents, this approach should be curtailed in the WA framework.

4.2.2C: The Commonwealth's approach to the permissible and impermissible activities of EOs in practice

Consistent with the Employee Direction, EOs may be directed to assist, support or facilitate in their employing MP's 'parliamentary business'. In other words, EOs can be directed to undertake activities relating to the MP's electorate, parliamentary, party political and official duties. The Commonwealth's approach to linking an EO's permissible activities with the

[76] Ministerial and Parliamentary Services (2025) *Federal, State, Territory or Local Elections*, Department of Finance.

[77] Ministerial and Parliamentary Services (2025) *Conditions for claiming*, Department of Finance.

[78] Ministerial and Parliamentary Services (2025) *Conditions for claiming*, Department of Finance.

activities of an MP's 'parliamentary business' more appropriately reflects the expectation that an EO should assist an MP across the breadth of their duties.

The Commonwealth provides administrative guidance on how this link operates in practice. Guidance provides the following examples of activities that are generally appropriate for EOs to undertake to assist, support or facilitate their employing MP's 'parliamentary business', including in the context of a federal election:

- communicating with constituents, including by telephone, in-person or electronically;
- preparing and distributing information that outlines the work of their employing MP, which may include doorknocking and visiting schools and business;
- engaging with the MP's constituents;
- attending official political party events where their attendance is directed to support, assist or facilitate their MP carrying out their parliamentary business;
- working from, participating in and/or representing their employing MP and their views at a party headquarters or other administrative support functions; and
- encouraging voter enrolment, registration and turnout and producing and distributing postal vote applications, including at pre-poll centres.[79]

As above, MPs can use their work expenses in support of their own re-election. Where the production, communication or distribution of material in support of an MP's own re-election constitutes parliamentary business of the MP, EOs may be directed to support, assist or facilitate the MP. Guidance provides that where an EO is accompanying their employing MP to a number of events over the course of a day, one of which includes the MP communicating with constituents and soliciting votes for themselves at a pre-poll or polling centre, it may be appropriate for the EO to attend and assist their employing MP in managing their broader arrangements, including supporting and facilitating this activity.[80]

If public funding is not permitted under the PBR framework, it may be difficult to defend why it is reasonable to direct EOs to undertake such activities.[81] In this way, Commonwealth EOs cannot be directed to fundraise, solicit memberships or solicit subscriptions during work hours. They are also not permitted to hand out 'how to vote' cards or other material that provides instruction on how to complete a ballot paper during work hours. Commonwealth EOs are also prohibited from wearing clothing that provides instruction on

[79] Ministerial and Parliamentary Services (2025) *Directing a MOP(S) Act employee*, Commonwealth Department of Finance.

[80] Ministerial and Parliamentary Services (2025) *Directing a MOP(S) Act employee*, Commonwealth Department of Finance.

[81] Ministerial and Parliamentary Services (2025) *Directing a MOP(S) Act employee*, Commonwealth Department of Finance.

how to complete a ballot paper or promotes a vote for anyone who is not their employing MP.[82]

In addition to creating a link between permissible EO activities and 'parliamentary business', the Employee Direction also provides that Commonwealth MPs may direct an EO to undertake activities that support, assist or facilitate the employing parliamentarian's duties more generally. While the direction must be lawful, reasonable and defensible, these other duties do not appear to be defined. Australian Government Department of Finance guidance provides that:

> **While parliamentarians may direct their staff to undertake 'other' duties to support them as a parliamentarian… if public funding for an activity is not permitted under the PBR framework, it may be difficult to defend why it is reasonable to direct [electorate officers] to undertake such activities.**
>
> – Ministerial and Parliamentary Services[83]

The lack of definition of these other duties poses a risk of creating ambiguity in what activities parliamentarians may direct their staff to undertake in this area of 'other' duties that are not related to parliamentary business.

Finding 31: In the Commonwealth, there is a link between Members' of Parliament 'parliamentary business' for which they may receive public recompense under the federal resourcing regime and the activities electorate officers may permissibly undertake. This link, as well as the definition of Members' of Parliament 'parliamentary business', sit within a comprehensive, transparent legislative framework.

4.2.2D: Conclusion: the approach to and link between 'parliamentary business' and the permitted activities of EOs

The PBR framework in the Commonwealth provides that public resources can be used by MPs for the purpose of their 'parliamentary business' and, importantly, clearly defines what

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[82] Ministerial and Parliamentary Services (2025) *Directing a MOP(S) Act employee*, Commonwealth Department of Finance.
[83] Ministerial and Parliamentary Services (2025) *Directing a MOP(S) Act employee*, Commonwealth Department of Finance p 2.

does, and what does not, constitute 'parliamentary business'. The Commonwealth framework also establishes a link between the activities of Commonwealth EOs and the PBR framework in that employing Commonwealth MPs can direct their EOs to undertake activities that support, assist or facilitate the employing MP's 'parliamentary duties'.

In this way, there is a consistent approach to how a Commonwealth MP can use public resources provided to them and what activities a Commonwealth MP may direct their EOs to undertake. In clearly defining what does and does not constitute 'parliamentary business', the PBR framework supports MPs to understand what they can and cannot use their public resources for and supports MPs and EOs in understanding what activities an EO can be directed to undertake. The expansive definition of 'parliamentary business' in the Commonwealth more accurately reflects the notion that an EO should support their MP across the full breadth of the MP's duties.

There is an opportunity for WA to adopt a consistent framework of rules governing the use of public resources and the permissible activities of EO staff. Such framework should make clear that certain restrictions apply to the use of public resources and the activities that EOs may be directed to undertake. While WA can adopt this type of framework as best practice, what activities are and are not permitted should be adapted to consider and suitably reflect what is appropriate in WA.

Finding 32: Adopting the approach in the Commonwealth, there should be a consistent framework of rules governing the use of public resources and the activities that electorate officers are, and are not, permitted to undertake.

4.2.3: Commonwealth anti-corruption legislation

In the *National Anti-Corruption Commission Act 2022* (Cth) section 8(11) provides that 'to avoid doubt, the use by a parliamentarian, or staff member of a Commonwealth agency, of public resources to conduct parliamentary business in accordance with the PBR Act or the *Members of Parliament (Staff) Act 1984* (Cth) ('MOPS Act') does not constitute corrupt conduct.'

Finding 33: For the avoidance of doubt, in the Commonwealth, anti-corruption legislation has made it explicit that *Members of Parliament (Staff) Act 1984* (Cth) staff and administrators acting in accordance with the *Parliamentary Business Resources Act 2017* (Cth) or *Members of Parliament (Staff) Act 1984* (Cth) are not engaging in corrupt conduct.

4.2.4: Conclusion: a clearer, principles-based framework for the roles and responsibilities of electorate officers

The current statutory functions of EOs in WA do not adequately describe the roles that EOs are expected to undertake in assisting their MP and the community. The term 'constituency matters' is undefined, unclear and open to a narrow interpretation, leaving EOs and MPs navigating an area of grey. Reform is needed to align the legislative framework with the evolving nature of the expected roles of EOs. There is an opportunity for WA to embrace valuable insights from other jurisdictions to create a clear and principles-based approach to the roles and responsibilities, both permissible and impermissible, of EOs. This would provide EOs and MPs with greater guidance and authority to undertake activities that contribute to the public good.

4.3: Are electorate officers public servants?

The next employment issue this chapter examines is the question of whether EOs are public servants or form part of the broader public sector. While EOs make a meaningful contribution to public life, EOs are not public service officers or public sector employees in a legal sense. Electorate officers do not fall within the *Public Sector Management Act 1994* (WA) ('PSM Act') as they do not form part of the Public Sector or the Public Service.

This distinction is important. It reflects the unique, political context in which EOs operate. This chapter explores perceptions of EOs as serving the public, the legal status of EOs as independent from the public sector and how other jurisdictions approach these questions. This chapter concludes that public sector standards, particularly those for strict impartiality, are not suitable in the EO employment context. And while the current legal framework in WA reflects this distinctness, there are valuable comparative insights from other jurisdictions.

4.3.1: A divided consensus in WA

A broad cross-section of interview participants gave conflicting feedback on whether EOs are public servants in WA. Agency officials, political party officials, political office holders, representative bodies and other contributors varied in their responses. Seventy-five per cent of EO respondents consider themselves public servants;[84] however, much divergence stems from differing interpretations of the term 'public servant.'

[84] EO survey, Q11.

On a broader, colloquial interpretation, most participants agreed EOs are 'public servants' in the sense they serve the public. This Review empathically supports this perspective. Chapter 3 celebrates how EOs are motivated by a deep commitment to public service. Their work is clearly a service to the public, regardless of how this is classified in legislative frameworks. Countless stories, provided by over 80 EOs, affirm this: they *serve* individual constituents and community groups on a breadth of issues.

> **Our role is to assist the public on a variety of issues. So yes, we are in a way public servants.**
>
> – WA Electorate Officer.

Despite this, on a stricter, legal interpretation, nearly all participants confirmed EOs are not considered public service officers.

4.3.2: In WA, electorate officers are not formally 'public servants'

Finding 34: Electorate officers in WA are not public service officers nor employees of the broader public sector. Members of Parliament's electorate offices are excluded from the definition of the public sector under the *Public Sector Management Act 1992* (WA).

It is appropriate that electorate officers have their own Code of Conduct.

The PESE Act does not expressly refer to the interaction between EOs and the PSM Act. Despite this lack of express clarification, EOs are not covered by the provisions of the PSM Act as they do not form part of the public sector. Further, EOs are not covered by the Public Sector CSA Agreement and, rather, are covered by the separate Electorate and Research Employees CSA Agreement.[85]

EOs have their own Code of Conduct and are not covered by the WA Public Sector Code of Ethics. This is much like EOs in the Commonwealth system who are covered by their own behaviour code, rather than the Australian Public Service Code of Conduct. Arrangements in other jurisdictions are explored further below.

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[85] Western Australian Industrial Relations Commission, *Electorate and Research Employees CSA Agreement 2024*, AG 14/2025, 12 February 2025; Western Australian Industrial Relations Commission, *Public Sector CSA Agreement 2024*, PSAAG 3/2024, 23 December 2024.

EOs are eligible for membership of the Civil Service Association of WA, the trade union representing employees who deliver public services across WA. It is appropriate for the Civil Service Association to retain coverage of this workforce, reflecting EOs' role in delivery of services to the public, and the union's existing coverage of EOs and other occupational groups employed by the State of Western Australia.

4.3.3: In other jurisdictions, legislation expressly provides electorate officers are not public servants

Unlike in WA, which does not expressly refer to the application of the PSM Act to EOs, in most other jurisdictions, EOs are expressly excluded from the relevant public sector management legislation.

For example, the legislation appointing EOs in Queensland provides that officers of the parliamentary service, including EOs, are not employed under the relevant public sector management legislation.[86]

The legislation under which EOs are appointed in SA expressly provides that a person employed as an EO is not an employee in the public service.[87] In NSW and Victoria, legislation makes clear the relevant public sector management legislation does not apply to EOs.[88]

Further, the determination setting out the terms and conditions of the employment of EOs in the NT expressly states persons employed as EOs are not employees within the meaning of the NT public sector management legislation.[89]

Finding 35: In most other Australian jurisdictions, legislation expressly provides that electorate officers are *not* public servants.

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[86] *Parliamentary Service Act 1988* (Qld) s 26A.

[87] *Public Sector Act 2009* (SA) s 72(2).

[88] *Government Sector Employment Act 2013* (NSW) s 5(1)(c); *Parliamentary Administration Act 2005* (Vic) s 30(3).

[89] Northern Territory of Australia Remuneration Tribunal, Determination of Salaries and other Entitlements of Assembly Members (No. 1 of 2024, 1 April 2024) cl 12.6.

4.3.4: Electorate officers require a different set of standards than that applied to public servants

While this Review recognises the service EOs provide to their communities, EOs are not public service officers nor public sector employees. This is appropriate given the nature of the role of an EO fundamentally differs to that of public service officers or employees of the broader public sector. On this view, while many public sector standards are important to EOs, they should be not held to these standards.

A significant distinction between EOs and their public sector counterparts lies in the standard of impartiality. The Public Sector Code of Ethics requires that public sector employees maintain strict impartiality.[90] Impartiality is not an appropriate standard for EOs, as they operate in a significantly different professional environment – one that is parliamentary and often highly political. As EOs put it:

> **They are employed … to perform a public function, albeit, one with a degree of partisanship uncommon … in the rest of the public sector.**
>
> – WA Electorate Officer.

> **The demands of EOs are unique to the parliamentary context and don't necessarily align with the neutral, policy-driven roles typical of the broader public service. For these reasons, EOs are not – and should not necessarily be – classified as public servants.**
>
> – WA Electorate Officer.

> **Electorate officers should not be considered 'public servants' in the traditional sense. Our roles are fundamentally different from those in the public service. … Electorate offices handle highly sensitive and confidential matters for constituents – which is why they are exempt from FOI laws.**
>
> – WA Electorate Officer.

[90] Public Sector Commissioner, *Commissioner's Instruction 40: Ethical Foundations* (PSC24022589, 2 October 2023). This instruction requires all public sector employees to comply with the Public Sector Code of Ethics, which has 4 minimum standards of integrity, impartiality, respect for others, and trust & accountability.

EOs should be able to perform activities with partisan elements. Their work informs legislative strategy, caucus or party room debates and political-party platforms. These partisan elements are inextricable from the support they provide to their MPs and constituents. On this view, it is not appropriate for the public sector requirement for impartiality to apply to EOs.[91]

Finding 36: Electorate officers are not public servants nor public sector employees and do not have the Public Sector Code of Ethics apply to them. It is appropriate they are not bound by the public sector standard of impartially in the course of their duties but are instead covered by their own behavioural code.

The *Equal Opportunity Act 1984* (WA) ('Equal Opportunity Act') supports this finding, indicating that EOs sit within a distinct category of professionals where they can be discriminated against based on political belief. Generally, a person's political beliefs are separate from their job performance or qualifications. For this reason, the Equal Opportunity Act provides it is unlawful to discriminate on the grounds of political conviction in the context of employment decisions. However, section 66(2) of the Equal Opportunity Act provides it is not unlawful to consider a person's political conviction when the work being offered is as an EO, along with other positions such as ministerial advisors and professional political party staff. On this view, it is appropriate that EOs, once hired, sit as a class of professionals who do not have public sector standards applied to them in the course of their duties.

Finding 37: The *Equal Opportunity Act 1984* (WA) includes a provision allowing for Members of Parliament to make hiring decisions which factor in the political convictions of their prospective employees. This recognises the connection between employment as an electorate officer with the member's political values and vision.

In WA, there is established precedent for *publicly funded* employees who perform functions in the public interest but are not defined as public servants under the PSM Act, such as Corruption and Crime Commission ('CCC') staff. This is also true of EOs engaged in other Australian jurisdictions. These arrangements demonstrate that delivery of public functions does not necessarily require employment as public service officers, and that alternate

[91] Department of the Prime Minister and Cabinet (2022) *Review of the Members of Parliament (Staff) Act 1984*, DPMC, Canberra ('MOPS Act Review') p 43.

employment frameworks can appropriately support roles which serve a public purpose while recognising their distinct operational, accountability or independence requirements.

Finding 38: There is precedent for publicly funded officers who still provide a public good yet are not formally public service officers – such as electorate officers in other jurisdictions and Corruption and Crime Commission staff.

As such, the current arrangement where EOs are not within the scope of the PSM Act appropriately reflects the unique and inherently political nature of their work.

4.4: The employer of electorate officers in WA: disconnect between formality and reality

4.4.1: Who is the formal employer in WA?

The PESE Act provides that the Presiding Officers of the Parliament of WA are the employers of EO staff, with the Speaker being the employer of EOs working for Members of the Legislative Assembly and the President being the employer of EOs working for Members of the Legislative Council.[92] The Presiding Officers employ EOs on the recommendation of the Director General of DPC.[93]

The Presiding Officers have delegated to the Director General of DPC the exercise and performance of all their powers and duties in relation to EOs. In practice, these delegated functions are managed on behalf of the Director General by the PEO Support team within DPC. The PEO Support team provides support such as issuing contracts, handling payroll and entitlements, advising on workplace conduct issues and coordinating recruitment, onboarding and termination processes. However, this role is largely administrative. While the PEO Support team provides advice to EOs about the nature of their role and offers assistance to members, it does not perform a managerial or supervisory function as an employer would ordinarily be expected to perform. Rather, the team's role more closely resembles that of an outsourced employment support service.

[92] PESE Act ss 4(1)(b) and 4(2)(b).

[93] PESE Act s 4.

Importantly, there has been no comprehensive review of the PESE Act since its enactment more than 30 years ago in 1992. As discussed in chapter 3, over that time, the demands and expectations placed on EOs have evolved considerably.

4.4.2: Members of Parliament are the functional employer in WA

Despite the formal employment lines established under the PESE Act, in practice, the Presiding Officers of the Parliament, the Director General of DPC and the PEO Support team do not have day-to-day interaction with individual EOs. In fact it would be wrong to suggest they have month to month, or even year to year, interaction with individual EOs regarding their performance or direction of their duties. These parties, residing at Parliament House and Dumas House, do not allocate tasks, monitor performance or engage regularly with individual staff. As the CCC observed:

> **DPC does not have practical oversight of the electorate officers' performance.**[94]
>
> – CCC Report: Serious Misconduct Risks to Good Government p 13.

The overwhelming consensus across stakeholders is that the day-to-day manager and supervisor of staff is the MP. DPC confirmed this, submitting to the CCC:

> **it is made clear to all Members of Parliament that they are expected and required to manage the day-to-day operation of their respective electorate offices, including electorate officer staff.** [95]
>
> – CCC Report: Serious Misconduct Risks to Good Government p 13.

Nearly all EOs share this view, with 99 per cent of EOs reporting that their day-to-day manager is the MP to whom they work.[96] This day-to-day relationship aligns with how EOs describe their professional identity, where 77 per cent of EOs report that, in the first instance, they identify as working for their employing MP. This compares to only 5 per cent

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[94] CCC (2024) *Significant misconduct risks to good government*, CCC, Perth ('CCC Report') p 13.

[95] CCC Report p 13.

[96] EO survey Q10.

of EOs who would describe themselves, in the first instance, as working for DPC and 3 per cent as working for the Presiding Officers.[97]

Members of Parliament determine the duties of their EOs, allocate tasks, set office expectations and provide ongoing direction. It is the MP that conducts interviews in the selection of new employees – with DPC formally signing off on the selection and issuing the contract of employment at the end of the process. Further, MPs have a shared responsibility to provide a safe workplace for EOs. Unlike the Presiding Officers, Director General DPC and PEO Support team, MPs are more physically present at their electorate office than any other party.[98] Further, EOs often decide their employment based on factors relating to the employing MP, such as political party affiliation or offices held, and not on factors relating to the Presiding Officers, Director General or PEO Support team.[99]

> **Our roles are fundamentally different from those in the public service. We serve Members of Parliament, supporting their work within their electorates … Parliamentary Electorate Offices fall under the responsibility of the Parliament of Western Australia, not the Department of the Premier & Cabinet. The current arrangement – where electorate staff are managed by DPC – is inappropriate.**
>
> – WA Electorate Officer.

In this way, there is a disconnect between the formal employer designations in the PESE Act and the practical reality: that MPs are the functional employer of their EOs.[100]

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[97] EO survey Q8.

[98] Noting the Review heard regional MPs generally have less face time in their electorate offices than metropolitan MPs.

[99] EO survey Q8.

[100] 'Functional employer' is not a known term of art within employment law. This term has been used purely to refer to the *de facto* employer, respective of any legal standing.

Finding 39: For all effective purposes, the Member of Parliament is the functional employer of electorate officers in their office. The Member of Parliament has the day-to-day managerial responsibilities and leads the selection process for recruitment of new employees. The role of the Department of the Premier and Cabinet in relation to electorate officers is closer to that of an outsourced employment support service than that of employer.

4.4.3: Observations of the current employment framework in WA

In its investigation, the CCC heard evidence that the current employment relationship is 'complicated'.[101] Under the current framework, multiple parties have different responsibilities and obligations to EOs.[102] As discussed above, the Presiding Officers as the formal employer have delegated to the Director General of DPC all their functions and duties in relation to EOs, and MPs are the day-to-day managers of EOs in their office and are responsible for setting tasks and directing the day-to-day work of EOs. As noted by the CCC:

> **The end result of this scheme is that the administration of electorate officers' leave entitlements and salaries is undertaken by DPC, but otherwise, staff are answerable to their respective Member of Parliament.**
>
> – CCC Report: Serious Misconduct Risks to Good Government p 13.

There is a risk this disconnect results in a lack of clarity around which party holds certain obligations. Because of the spread of responsibility across multiple parties, interview participants consistently expressed a lack of clarity about who the employer is. Over 40 per cent of EOs surveyed stated they are either *unclear* on some aspects of who is responsible for their employment, *mostly unsure,* or have *no understanding* of the framework.[103] While it is not unusual in a parliamentary context for employer responsibilities to be distributed across multiple parties, the current arrangements do not provide sufficient clarity to employees or those responsible for managing employment matters. This lack of clarity

[101] CCC Report p 14.

[102] MOPS Act Review p 35.

[103] EO survey Q9.

results in confusion about lines of accountability, expectations and avenues for workplace recourse.[104]

Finding 40: There are risks with lack of clarity and oversight under the current employment model in WA. If the Presiding Officers and the Department of the Premier and Cabinet remain the formal and delegated employer of electorate officers, they will require increased access to individual electorate office sites in ways that may not be appropriate.

The CCC identified a lack of oversight and supervision by the formal employer under the current model as a serious misconduct risk.[105] There are unavoidable physical constraints that make it challenging for the Presiding Officers, Director General DPC and DPC PEO Support team to have practical oversight of EOs and fulfill managerial responsibilities. This physical separation makes it difficult for these parties to provide meaningful oversight and support and to discharge their obligations. Consistent with the CCC's approach, if the Presiding Officers were to remain the formal employer under a future framework, they will require greater access and supervision of EOs to properly discharge their level of responsibility as employer.

The current employment framework creates challenges for clarity and oversight, exposing WA EOs, MPs, the DPC PEO Support team, the Director General DPC and the Presiding Officers to risk. This model is not fit-for-purpose to support a modern EO workforce.

[104] MOPS Act Review p 36 acknowledged this was also an issue in the federal landscape under the multi-party employment arrangement.

[105] CCC Report p 15.

4.5: The employer in other jurisdictions

In accordance with the Terms of Reference, this Review considers the employment models of EOs in other jurisdictions across Australia. Research and consultations confirm there are a range of different employment frameworks across the Commonwealth, states and territories. A high-level summary of the employment frameworks across Australian jurisdictions is set out in the table below.

		Employer[106]	Provider of administrative support[107]
WA		Another MP	Agency
Cth		MP	Agency/Independent Agency
NSW		MP	Parliament
Vic		Another MP	Parliament
SA		Another MP	Agency
Qld		Clerk of the Parliament	Parliament
Tas	**LA**	Another MP / Agency	Agency
	LC	Another MP	Parliament
NT		Northern Territory	Parliament

Figure A: ***Employers in other jurisdictions***

Across Australia, the employer of EOs can be broadly summarised by the following 3 models:

1. **The employer is another MP** – the Presiding Officers in WA, Victoria and the Tasmanian Legislative Council; the Premier in the Tasmanian House of Assembly; the Minister for Industrial Relations in SA.[108]
2. **The employer is the MP** – the Commonwealth and NSW.[109]

[106] The employers are as follows: WA, Vic, Tas LC – Presiding Officers; Cth, NSW – MP; SA – Minister for Industrial Relations; Qld – Clerk of the Parliament; Tas LA – Premier or DPAC; NT – the Territory.

[107] Administrative support: WA, Tas LA – DPC; Cth – Department of Finance and the Parliamentary Workplace Support Service; SA – Department of Finance and Treasury; NSW, Vic, Tas LC, NT, Qld – Parliament.

[108] PESE Act ss 4(1)(b) and 4(2)(b); *Parliamentary Administration Act 2005* (Vic) s 30(1); *Parliamentary Privilege Act 1898* (Tas) s 4(1); *Public Sector Act 2009* (SA) s 72.

[109] *Members of Parliament (Staff) Act 1984* (Cth) ('MOPS Act') s 11(1); *Members of Parliament Staff Act 2013* (NSW) s 14.

3. **Other** – the Clerk of the Parliament in Queensland; the Territory in the NT.[110]

In all jurisdictions, administrative support is provided by a body other than the formal employer; typically, a parliamentary department or central government department.

4.5.1: Electorate officer employer models in other jurisdictions

This chapter reviews employment models in other jurisdictions to determine the most appropriate employment arrangements for WA.

Unique models in Tasmania and Queensland

The employment framework in Tasmania has been described as 'unusual and complex' with EOs reporting to different employer 'types' depending on the chamber of their MP (the employer being the Premier or the Department of Premier and Cabinet for House of Assembly EOs and the Presiding Officer in the Legislative Council).[111]

This leads to separate employment, management and support arrangements across two cohorts of EOs. It was recommended in February 2024 that employment responsibility for all EOs be consolidated.[112] WA EOs supporting MPs in both houses of parliament should report to the same employer 'type' to ensure consistency in reporting, management and support.[113]

Queensland is the only Australian jurisdiction where the employer is the Clerk of the Parliament. Queensland is a unicameral parliament with one house. This model would not be appropriate for WA's bicameral parliament.

Finding 41: Having separate employer 'types' for electorate officers in each chamber of parliament is not a suitable employment model in WA.

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[110] *Parliamentary Service Act 1988* (Qld) s 26AA; Northern Territory of Australia Remuneration Tribunal, Report and Determination of Salaries and other Entitlements of Assembly Members (No. 3 of 2024, 1 January 2025) cl 12.6.

[111] Bolt S (2022) *Motion for Respect: Report into Workplace Culture in the Tasmanian Ministerial and Parliamentary Services*, Equal Opportunity Tasmania, Hobart p 46.

[112] WorkPlace Research (2024) *Report on the Structure of the Tasmanian Parliamentary Services*, Parliament of Tasmania, Hobart p 38. Consolidated within the Legislature General.

[113] The employer 'types' are listed in the 'Employer' column of Figure A, above.

Oversight challenges

In Queensland, SA, Tasmania and Victoria, the employer is someone *other* than the relevant MP – typically an officer holder like the Presiding Officers or another Minister. This is the current arrangement in WA.

In these jurisdictions, there is a lack of physical proximity between EOs and their formal employer. This creates difficulties for employing parties to have clear oversight and supervision of issues that their staff may be encountering. This impacts their ability to properly discharge their responsibilities as the formal employer and their ability to understand the unique and specific needs, pressures and issues of EOs.

Employer obligations are especially difficult to carry out where the employer is another office holder such as the Presiding Officers or the Premier. As an elected representative with other commitments, office holders may encounter challenges in understanding the nature of their employment relationship with hundreds of staff. Presiding Officers past and current have performed their duties responsibly, however, there is a practical inability to fulfil the obligations of employer without further insertion into the activity of individual electorate offices, and further incursion would be inappropriate.

Operation Watts found in the Victorian context that even in situations where office holders may be aware of issues in an electorate office, because of their position, they may be unwilling to intervene in relation to matters regarding a Victorian MP's use of their EO.[114] Importantly, there was no evidence of this in WA.

In jurisdictions with multi-party employer arrangements, oversight challenges can arise due to the confusion and uncertainty about who is responsible for the formal direction and accountability of EOs.

The Independent Broad-based Anti-Corruption Commission ('IBACC') recognised this risk in Victoria where, like WA, employment responsibilities rest with the Presiding Officers but are delegated to a departmental senior official. IBACC observed of this arrangement:

> **Ambiguous reporting lines create potential overlaps, gaps and a consequent lack of clarity about responsibilities and accountability for [electorate officer] job performance.**
>
> – Operation Watts Report, p 195.

[114] Operation Watts Report [954].

In recognition of the risks a multi-party employer arrangement carries, IBACC recommended the formal employer move away from the Presiding Officers and sits solely with the Secretary of the Department of Parliamentary Services, with no delegated functions.[115]

In jurisdictions where the formal employer is the MP, and where there is a single entity carrying out the function of employer, risks relating to oversight and supervision are minimised. Members of Parliament, as the functional and actual employer on behalf of the jurisdiction, have a greater proximity to and oversight of EOs than any other party.

Finding 42: Challenges and risks relating to the oversight and supervision of electorate officers are pronounced where the employer is someone other than the Member of Parliament, and/or where the employer function is split across multiple parties.

The role of MPs in employment decisions

In jurisdictions where the MP is not the formal employer, the employment of EOs is still at the discretion of the relevant MP.

Various frameworks reflect this, especially in their hiring practices. This includes Queensland, where legislation empowers the Clerk, *on the recommendation of the Queensland MP*, to appoint a person as an EO.[116] Similarly, legislation in Victoria empowers the Presiding Officers to employ EOs *nominated by the Victorian MP* and confers power on the MP to determine the duties and responsibilities of the nominated EO.[117] In SA, it is common practice for MPs to advertise and recruit EOs, despite not being the formal employer.

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[115] Operation Watts Report, recommendation 11 and [955] – [958]. The Operation Watts report recommended the employment functions sit singularly with the Secretary of the Department of Parliamentary Services to strengthen its capacity to perform its role efficiently and effectively.

[116] *Parliamentary Service Act 1988* (Qld) s 26AA(1).

[117] *Parliamentary Administration Act 2005* (Vic) ss 30(1) and 30(4).

Finding 43: The employment of electorate officers is at the discretion of the relevant employing Member of Parliament, even in the employment frameworks of jurisdictions where the Member of Parliament is not the formal employer. The Commonwealth and NSW go a step further in formalising the MP as the legal employer of their staff.

The appropriateness of the MP as the employer

The Commonwealth and NSW have designated the MP as the formal employer. The Commonwealth Review of the MOPS Act, undertaken in 2022, reaffirmed the appropriateness of Members as the formal employer of EO staff.[118] In doing so, the MOPS Act Review recognised that the Commonwealth MP, in practice, has the day-to-day management and decision making in relation to EOs.

The MOPS Act Review also recognised this model provides Commonwealth MPs with the ability to run functional and successful offices whilst also holding them accountable for employment practices. This affords MPs flexibility to align their staff with their needs, working styles and values and enables MPs to form cohesive teams that are responsive to the work of a Commonwealth MP.

Malcolm Hazell's review into Victorian MPs' salaries, allowances and other arrangements noted that the fundamental role of an EO is to support the Victorian MP to discharge their duties. Hazell recommended that Victorian MPs become the employer of their own EOs. Although this recommendation has not been adopted, the report concluded that MPs must ultimately be responsible for staff and their actions, with staff themselves accountable to their MP.[119]

In 2013, NSW shifted the formal employer from the Premier's Department to the MP. This shift, which was broadly modelled on the Commonwealth MOPS framework, recognised the appropriateness of NSW MPs, as the person who makes the relevant hiring and firing decisions and directing the day-to-day work of EOs, being the formal employer. In enacting this change, NSW recognised that:

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[118] MOPS Act Review.

[119] Hazell M (2013) *Independent Review of Victorian MPs' Salary Entitlements, Allowances and Other Arrangements*, Victorian Government (Report not publicly available).

> **There is a misalignment between the legal basis of their employment and the practical reality [of] who actually makes decisions to employ and dismiss them, and who has responsibility for directing their work and conduct.**
>
> – Hon Michael Gallacher, Second Reading Speech for the *Members of Parliament (Staff) Act 2013* (NSW) that established the MP as the employer.

> **These new arrangements are broadly modelled on the arrangements that have applied in the Commonwealth, which have served members of the Federal Parliament exceedingly well for almost three decades.**
>
> – Barry O'Farrell, Second Reading Speech for the *Members of Parliament (Staff) Act 2013* (NSW) that established the MP as the employer.

Finding 44: Frameworks where the Member of Parliament is the employer appropriately reflect that the Member of Parliament is, for all intents and purposes, the functional employer of electorate officers within their office.

4.5.2: Key considerations in determining an employment model

Western Australia is at a critical juncture in how it moves forward with an employment model for EOs. Consistent with the CCC's views, the employer should exercise greater supervision of day-to-day tasks to fulfil its employment obligations and reduce oversight challenges.

One way to move forward could be for Presiding Officers and/or DPC to take more responsibility for the direction of EO tasks and management of the performance of their duties. This, however, is likely to result in an inappropriate level of involvement by the Presiding Officers and/or DPC in the activities of electorate offices and therefore the activities of MPs.

More appropriately, the functional employer should be the formal employer of EOs. This chapter works through key factors relevant to determining what the future role and responsibilities of the employer should be and who should carry out these responsibilities.

In jurisdictions where the MP is the formal employer, measures have been taken to ensure that a consistent approach to key industrial matters is taken across the workforce. Additionally, steps have been taken to ensure that the MP's status as formal employer does not become burdensome or interfere with their other core duties. These measures include

ensuring that EOs and MPs receive adequate and standardised training, HR services are centralised and delivered in a consistent professional manner, and that the MP has appropriate support for dealing with complaints and termination processes.

Training and support for MPs

A key consideration if MPs were made the formal employer is the training and support they would require to effectively perform this role, including for dealing with any complaints that may arise. This is important for both experienced members transitioning from an established functional employer relationship to a formal employer relationship, as well as new members becoming formal employers.

The level and diversity of MPs skills, experiences and backgrounds as employers with direct reports varies. Some MPs have never managed staff or run an office prior to entering politics. It is for this reason the Commonwealth's *Set the Standard* report recommended people management skills training be offered to MPs, in recognition that the capacity of MPs to manage their staff is an important factor in their effectiveness.[120]

Training and support are necessary to ensure MPs are equipped to effectively perform their obligations as employers and to ensure consistency and appropriateness in employment practices. This includes consistent human resources practices and conflict resolution.

The MOPS Act Review also emphasised the importance of all MPs receiving mandatory training and ongoing support to ensure they are equipped to manage staff in a fair, lawful and professional manner.[121] The Parliamentary Workplace Support Service ('PWSS') has since been established which provides both ad-hoc and bespoke training and professional development.[122]

Regardless, currently MPs are not provided adequate training to fulfil the functional employer role and the existing obligations attached to that role. Notwithstanding any future change to the employment model for EOs, MPs need to be provided more training in order to effectively fulfil their duties as the functional employer.

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[120] Jenkins K (2021) *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces,* Australian Human Rights Commission, Sydney ('Set the Standard Report') p 204.

[121] MOPS Act Review p 41.

[122] Parliamentary Workplace Support Service (2025) *Guide for Parliamentarians Employer Responsibilities*, Commonwealth of Australia p 31.

Finding 45: Appropriate support and training must be provided to Members of Parliament to empower them to be effective employers. Regardless of if the status quo remains, where Members of Parliament are the functional employer, or if they become the formal employer, further support and training must be provided to support the effective discharge of their duties.

Provider of administrative support

Currently in WA, administrative support is provided by the DPC PEO Support team. In line with the finding that MPs must be appropriately supported, were they designated the formal employer, consideration must be given to the most appropriate and effective provider of administrative support to assist the MP and EOs in their employment relationship.

The DPC PEO Support team works diligently and supports MPs to a high standard. The question before me is not a judgement question, but rather a question about from where in the framework this work should be performed.

In NSW, where the MP is the employer on behalf of the State, administrative support is provided by the Department of Parliamentary Services.

In no jurisdiction is the support provided by a first minister's department, removing any perception of political conflict.

In the Commonwealth, the 2021 *Set the Standard* report identified multiple providers of human resources and administrative support for employing Commonwealth MPs and their staff (e.g. parliamentary departments, the Department of Finance and the Independent Parliamentary Expenses Authority) and noted the lack of a single source of contact.[123] The Report recommended the establishment of an independent and non-partisan body to support Commonwealth MPs and their EOs by providing centralised human resources support and assisting with policies, processes and programs, including in relation to recruitment, induction and performance management. The Commonwealth recently established the Parliamentary Workplace Support Service, which provides human resources services to Commonwealth MPs and their EOs. The Department of Finance's Ministerial and Parliamentary Services team still provides administrative support, however,

[123] Set the Standard Report p 178 - 180.

this centres more on overseeing the administration of pay and conditions for EOs and the provision of public resources, rather than human resources and training support.[124]

Finding 46: Recognising that Members of Parliament require support to carry out employment responsibilities, the Commonwealth established an independent agency – the Parliamentary Workplace Support Service – to provide centralised human resources and training support.

Industrial agreement bargaining

In the Commonwealth framework, MPs employ staff on behalf of the Commonwealth under the MOPS Act. The Enterprise Agreement governing employment conditions is executed by the Special Minister of State on behalf of the Commonwealth, acting on authority of the Prime Minister. This makes a single enterprise agreement, rather than a multi-enterprise agreement.

Enterprise bargaining for employees engaged under the MOPS Act is centrally coordinated with the Department of Finance leading the bargaining process in close collaboration with the Australian Public Service Commission.[125]

Should the MP become the employer in WA on behalf of the State, a similar model would be achievable. This means that bargaining could be conducted centrally to achieve one industrial agreement that covers all EOs, providing all EOs with the same pay and employment conditions.

Reporting and resolution of complaints

Another consideration where the MP is the formal employer is the mechanism for the reporting and management of complaints and disputes in the employment relationship.

It may be seen as a benefit where the employer is someone other than the MP where EOs are able to report conduct or escalate complaints to a removed employing party. This

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[124] Parliamentary Workplace Support Service (2025) *Guide for Parliamentarians Employer Responsibilities*, Commonwealth of Australia p 5.

[125] This process is governed by the Australian Public Service Commission (2023) *Public Sector Workplace Relations Policy 2023*, Commonwealth of Australia, which outlines the framework and expectations for workplace relations across the Commonwealth. The current employment terms and conditions are set out in Fair Work Commission, *Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27*, AE526545, 5 November 2024.

allows, however, for the abdication of responsibilities and provides a protection to MPs to the detriment of their staff.

An employer other than the MP does not guarantee independence in the resolution of disputes. In Victoria, Operation Watts noted the Presiding Officers (the formal employers of EOs), are dependent on the continuing support of their leader and other MPs, and may be perceived as unwilling to intervene in relation to complaints about a Victorian MP's conduct towards their EOs.[126] Operation Watts also noted appropriately that an employee is entitled to a fair and effective process for resolving disputes or complaints.[127]

In the Commonwealth, the Set the Standard Report, recognising EOs and other staff prefer to report certain complaints independently, recommended a new Independent Parliamentary Standards Commission ('IPSC') be established.[128] The recently established IPSC has powers to investigate complaints about breaches of behaviour codes that apply to Commonwealth MPs and EOs.[129] Members of Parliament and EOs can also access support from the PWSS to review complaints and recommend local resolutions to resolve matters. Any matters that require an investigation are dealt with by the IPSC.

Regarding industrial disputes, the NSW legislative framework restricts EOs from bringing industrial proceedings in the Industrial Relations Commission in relation to their employment, including termination, disciplinary proceedings, remuneration and other conditions of employment.[130] Despite any change in the employment framework in WA, it is not intended to disadvantage EOs such that they would not have access to existing rights and remedies in relation to their employment.

Finding 47: Any robust employment framework must contain procedures for dispute resolution. Where the Member of Parliament is the employer of electorate officers, an independent agency can provide support to manage the resolution of complaints in the employment relationship.

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[126] Operation Watts Report p 195.

[127] Operation Watts Report p 195 [956].

[128] Set the Standard Report p 228.

[129] These codes prohibit certain behaviours such as bullying, harassment, sexual harassment and discrimination.

[130] *Members of Parliament Staff Act 2013* (NSW) s 26.

4.6: Conclusion: aligning the legal employer with the practical reality

This chapter highlights that the current employer model for EOs in WA is misaligned with the practical reality. While the formal employer is the Presiding Officers under the PESE Act, the MPs exercise day-to-day managerial authority and make the substantive decisions in relation to recruitment. This disconnect creates ambiguity in responsibilities, weakens oversight and exposes all parties (EOs, MPs and administrative bodies) to risk.

Comparative analysis of other Australian jurisdictions reveals WA is not alone in grappling with these challenges. However, jurisdictions that have formalised the MP as the employer on behalf of the jurisdiction, such as the Commonwealth and NSW, have taken steps to align legal structures with operational realities. These models offer valuable insights, particularly in how they balance flexibility and support for MPs with safeguards for EOs.

WA has an opportunity to modernise its EO employment framework to one that reflects the practical realities of the relationship between WA MPs and their staff, protects EOs and strengthens public trust in the institution of parliament.

Chapter 5: Resourcing of electorate offices

This chapter considers the full breadth of supports and resources currently provided to MPs in WA and other jurisdictions towards the operation of their electorate offices. Namely, the allocation of electorate officer ('EO') staffing levels, the provision of physical electorate office locations, the provision of allowances related to the operation of the office and the administrative support and guidance MPs receive.

From this analysis, there is no cohesive resourcing framework in WA; with individual resources having their own rules in relation to their use. This patchwork approach is difficult to navigate for MPs and creates challenges for accountability and transparency. Looking to other jurisdictions, there are considerable opportunities for reform to the resourcing arrangement for MPs in WA.

This chapter does not consider travel allowances, accommodation allowances and other allowances that do not carry sufficient connection to the day-to-day expenses of electorate offices, as they are outside of the scope of this Review.

5.1: Allocation of electorate staff in WA

The provision of EOs is a crucial resourcing element for an MP. Without appropriate coverage within an electorate office constituents may not receive adequate advice and support from their local representatives, and MPs will not be fully supported fulfill their essential role in our democracy. The stories of the over 80 EOs who engaged with this Review confirm this: the support they provide is critical for both constituents and to support MPs fulfill their role in our democracy. Members of Parliament must be supported by an appropriate allocation of EOs in terms of their full-time equivalence ('FTE') and this allocation should be clear and transparent.

5.1.1: Current electorate officer staffing levels in WA

Government first agreed to provide funding for the establishment of an electorate office, including 1.0 FTE electorate officer, for each WA MP in 1974. [131] Prior to this, MPs were provided with shared accommodation and secretarial support within Parliament House. In 1983, an additional 1.0 FTE was provided to the electorate offices of the Premier, Deputy Premier and Leader of the Opposition ('LOOP') in acknowledgment of the increased demand from constituents on these offices.

[131] Historical figures on EO FTE levels were provided by DPC's PEO Support team.

In 1997, all MPs were provided an additional 0.4 FTE as a part-time officer to undertake research, giving rise to the research officer category of employees which makes up approximately 40 per cent of EOs today. When this additional resource was provided some flexibility to appoint the additional resource to a standard electorate officer position was provided, to accounted for the different needs of individual MPs. As discussed in chapter 3, in subsequent years the distinction between electorate and research officer position titles has faded, necessitated by the growing and diverse needs of MPs.

In 2005 and 2006 respectively, members of the Legislative Assembly ('LA') and Legislative Council ('LC') received an additional 0.6 FTE. This brought the baseline FTE levels for most MPs to 2.0, whilst the Premier, Deputy Premier and Leader of the Opposition offices were brought to 3.0.

Members of Parliament also have access to 150 hours (20 days) relief funding to bring in temporary staff to cover absences and ensure that their offices are continuously manned. Members of Parliament can request an increase in this cap from DPC's PEO Support team. Members of Parliament who are eligible for a second electorate office are not provided with any additional staff and so must split their allocation across their offices.

Whilst specific office holders have received time limited increases in following years, baseline FTE levels have not risen since 2006. The Minister for Health received an additional 1.0 temporary FTE in their electorate office during the COVID-19 pandemic to assist with the increased workload which came from the public reaction to the government's pandemic measures. This resource was time limited and ceased in December 2023.

Following the 2017 State Election, members of the crossbench elected to the LC received additional EO FTE to assist their party with scrutiny of the Government's legislative agenda. Two additional FTE were provided each to support the 4 Greens WA MPs and the 3 One Nation MPs. One additional FTE each was provided to the single MPs from the Liberal Democrats and Shooters, Farmers and Fishers. These resources were provided following representations from crossbench MPs and agreed by the Premier on an annual basis.

However, following the 2021 State Election, additional resources were not provided to the 3 MPs of the crossbench during the 41st Parliament of WA.

The increases to EO FTE over time are illustrated in the diagram below.

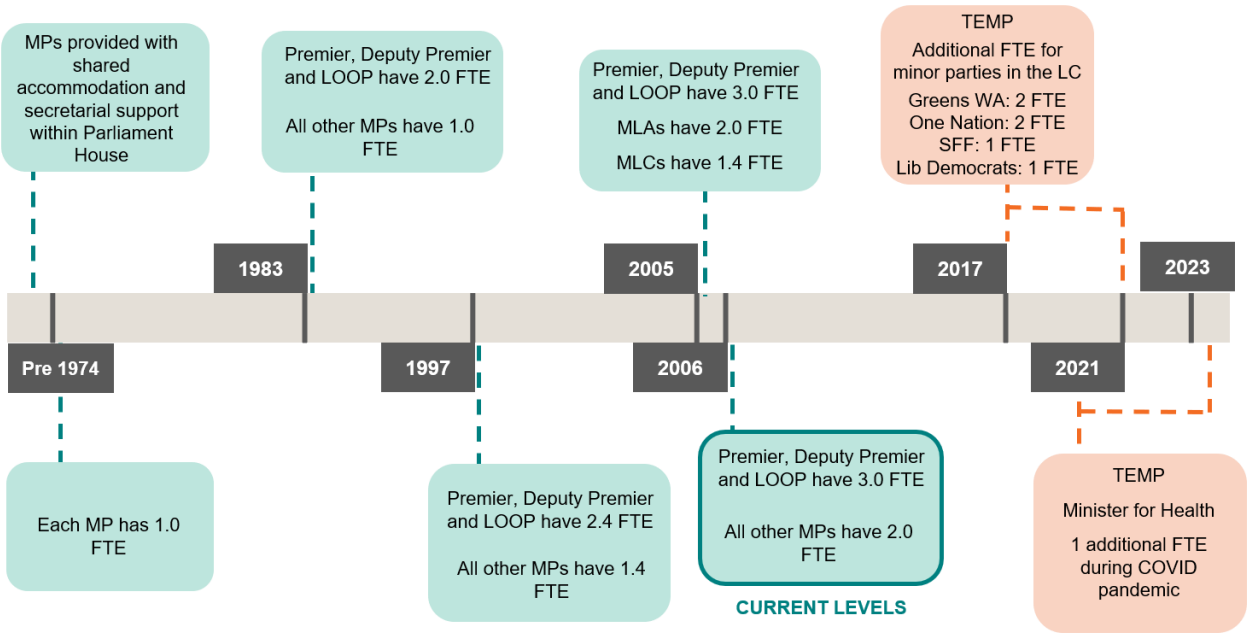

Figure B: ***Increase in EO FTE over time***

In addition to the EO allocation, the *Parliamentary and Electorate Staff (Employment) Act 1992* (WA) ('PESE Act') provides for staff to be available to the secretaries of parliamentary parties. Currently the secretaries of the Liberal Party and the Nationals WA receive 1.0 FTE whilst WA Labor receives 1.5 FTE. An increase of 0.5 was provided to WA Labor in July 2023, in recognition of the large numbers of WA Labor members in the 41st Parliament of Western Australia. These positions are administered by the same DPC team as EOs and are subject to the same industrial agreement. These positions are titled as 'executive officers' but otherwise experience similar conditions to standard EOs.

5.1.2: Electorate officer staffing levels in WA are insufficient to support Members of Parliament to fulfil their duties

Throughout consultations, MPs and EOs from all political parties consistently argued that the number of EOs provided to MPs is not sufficient to support their work. Pressures on the EO workforce have become particularly acute as digital communication has dramatically shifted the volume and nature of constituent correspondence. More so than ever before, any member of the public can contact an MP and expect an immediate response, no matter the time or day of the week.

The environment has changed to such an extent… as the media demands have increased dramatically, we need a third resource to be to be able to engage with our constituents more fulsomely.

– WA Member of Parliament.

MPs and their staff now manage a near-constant flow of emails, phone calls, and digital correspondence from constituents, stakeholders, and organisations. The expectation for immediate or rapid responses has increased dramatically.

– WA Electorate Officer.

Increased online access to our office has significantly enhanced public engagement, resulting in a higher volume of constituent contact. While this accessibility empowers constituents with more information and encourages thoughtful queries, it has also contributed to a rise in misinformation and conspiracy-driven inquiries, making our work increasingly complex and demanding.

– WA Electorate Officer.

A consistent observation from EOs and MPs was that the nature of constituent issues has increased in complexity, due to a combination of increasingly complex socio-economic issues being experienced in the community and the ease with which constituents can now access their MPs. The work required to resolve these issues can be highly time consuming, requiring EOs to work across the government.

We had a constituent come in who had a housing issue, and that crippled our office for the day because the other staffer was out with me.

– WA Member of Parliament.

With growing age of technology, and rising number of issues, I find more people are turning to their local member for support and answers on the current state of the country.

– WA Electorate Officer.

> **I feel there is an increase of complex social issues (homelessness, addiction, domestic violence to name a few) which elevates the pressure and demands of our role as EOs at the coalface.**
>
> – WA Electorate Officer.

These increasing demands are not, in of themselves, a bad thing. They show that members of the public hold a great deal of faith and trust in our democracy and seek support from their MPs to help resolve their concerns. This is sign of a functioning political system and should be encouraged.

> **From my experience, working for MPs who are out in the electorate and constantly engaging with their constituents makes the job more demanding with higher expectations from constituents – which is how it should be.**
> – WA Electorate Officer.

> **We had an MP who worked exceptionally hard for her constituents. Therefore, job became increasingly complex and demanding - which was great - we could help more people.**
>
> – WA Electorate Officer.

Communication between MPs and their electors about public policy issues is an essential part of our democracy. Whilst a simple monthly newsletter may have sufficed in the past, now MPs are expected to be in constant dialogue with their constituents. Each and every day MPs must be sharing their views and positions, as well as responding to issues raised by the public. Ongoing and regular communication between MPs and their constituents should be encouraged and EOs should be supporting this. However, the increasing and ongoing demands of these communications have not been properly accounted for in past decisions relating to the allocation of EOs to MPs.

As discussed in chapters 2 and 3, the work of MPs is not contained to ordinary office hours. The workload can be intense and highly variable. Members of Parliament are expected to engage with their communities outside of office hours during the week, as well as on weekends. There is an increasing need for MPs to be supported by their EOs in line with these irregular work patterns.

> **When I worked as an electorate officer we would very often work 80 hour weeks, let alone the events that happen on the weekend. You don't get involved in politics if you're interested in the certainty and security of a 9 to 5 role.**
>
> – WA Member of Parliament.

At a very basic level, the number of constituents EOs are expected to serve has increased over the 19 years since FTE levels were last raised. The average number of electors[132] in an LA electoral districts in 2025 is 31,677, whilst in 2006 the average for metro and regional districts[133] was 27,469 and 14,076 respectively.

> **Population growth has created more community based issues, increasing the work load in the electorate office.**
>
> – WA Electorate Officer.

> **Busy electorate offices or large electorates should be given more FTE's. FTE staff in an electorate of EO's with more than 30,000 constituents should be given 3 FTE's, 2 isn't enough.**
>
> – WA Electorate Officer.

Following recent electoral reforms, Members of the LC who assumed office from 22 May 2025 now represent WA as a single whole-of-state electorate.[134] This departure from region-based electorates means EOs working for Members of the Legislative Council, previously servicing one of 6 regions, now service the whole state.

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[132] Figures used here refer to the quotient used by the Western Australian Electoral Commission ('WAEC'), WAEC (2006) *Electoral enrolment statistics*, WAEC.

[133] Noting this was prior to the implementation of reforms to the *Electoral Act 1907* (WA) which reversed the malapportionment in favour of regional areas.

[134] *Constitutional and Electoral Legislation Amendment (Electoral Equality) Act 2021* (WA).

> **The role of a Member of the Legislative Council has massively expanded... With the abolition of upper house regions, members are now notionally responsible for the entire state with a staff capacity dwarfed by [federal] senator with the equivalent responsibility, which will necessarily increase the workload demands on staff.**
>
> – WA Electorate Officer.

Together, these factors have led to a strained workforce which relies heavily on the high level of commitment and personal motivation EOs bring to the role. Members of Parliament and EOs argued that additional FTE is required not only from a workload perspective, but also a safety perspective.

> **The violence that is directed to MPs and people in public roles has increased dramatically. If one of our staff is out of office then the other one is left alone there, and that's a big safety issue... Gone are the days where two staff are able to cover the work that you've got to do.**
>
> – WA Member of Parliament.

This Review acknowledges concerns raised in the *Members of Parliament (Staff) Act 1984* Review that increasing staff allocation is a 'blunt and isolated fix' and it needs to be considered in the context of other allowances and support provided to MPs.[135] This Review addresses this concern by considering the issue of EO FTE allocation holistically with a suite of other recommendations in chapter 6.

Finding 48: The current allocation of two full-time equivalent electorate officers to each Members of the Legislative Assembly and Members of the Legislative Council in the WA Parliament is insufficient.

[135] Department of the Prime Minister and Cabinet (DPMC) (2022) *Review of the Members of Parliament (Staff) Act 1984*, DPMC, Canberra ('MOPS Act Review') p 57.

5.1.3: Some electorate offices face particular pressures

While EOs across the workforce are strained, pressures within certain electorate offices are greater due to the demands and requirements of the particular WA MP they serve, especially EOs serving crossbenchers and regional MPs.

Members of major parties are rightly able to share their legislative and policy development responsibilities amongst their party colleagues, as well as to benefit from the staffing resources provided to their leader's office and the secretaries of their parliamentary parties. Crossbenchers do not benefit from this collegiate support when assessing the government's legislative agenda and therefore require additional support in executing their parliamentary duties.

Given WA's voting system, it is more likely that crossbenchers are members of the LC. As at the 2025 State Election, there are no LA crossbenchers. This means that the expansion in scope of MLCs responsibilities caused by the recent electoral reforms is likely to be felt more acutely by crossbench MPs who do not have the support of a major party.

> **The [recent electoral] reforms will put serious strain on minor party Members of Parliament, as well as any Members of the Legislative Council with frontbench responsibilities which come without additional resources i.e. parliamentary secretaries.**
>
> – WA Electorate Officer.

In recognition of the particular challenges they face, members of minor parties in the LC have received additional resources in the past. However, in both of these instances the additional resources were only provided following direct petitioning from crossbench MPs, and was subject to a decision of the Premier. This is not a sustainable or transparent approach to the allocation of resources.

Staffing levels are also an issue in regional areas where the size and location of the electorate presents unavoidable practical challenges. Members of Parliament who are eligible for a second electorate office, in recognition of the demands that regionality presents, do not receive additional FTE. This means they are left to either hire a single EO to service each office on their own, which creates work health and safety challenges, or to divide their FTE across multiple part-time staff. Some WA MPs spoke about using their allowances to cover the cost of additional part-time staff to provide coverage to their multiple offices.

> **Having the same FTE as an MP with just one office and a much smaller electorate is really demanding a lot from the ERO's in this electorate. Another FTE would mean the electorate offices would be open more reliably and the work demands would be somewhat less.**
>
> – WA Electorate Officer.

> **Having just 2 FTE for the two offices also means that in order to keep this office open, I have to take leave so that relief can be organised and renumerated. This means that when I am in Parliament House fulfilling duties like training or meeting with constituents etc, I am essentially on leave which is not really fair.**
>
> – WA Electorate Officer.

Regional MPs also encounter challenges not felt by their counterparts with more urbanised electorates. Regional areas often have more diverse media markets meaning MPs and their staff must maintain engagement across multiple media outlets. Travel to Perth and within the electorate means that much of a regional EOs time will be spend organising travel and accommodation. Rural regional and remote Western Australians, as a result of their distance from the metropolitan area, can face challenges in accessing government services and are more likely to rely on members of parliament for a variety of issues.

Rural, regional and remote Western Australians are disproportionally impacted by poor health and wellbeing outcomes[136], meaning MPs in these areas are more likely to engage with continents facing hardship or struggling to access services which may not be present or difficult to access.

> **My electorate covers a driving range of 12 hours from start to finish, significantly bigger than my colleagues. I have a lot more events that I need to go to, and people that need help. I cannot rely on another colleague that may be 20 minutes down the road to share some of that need.**
>
> – WA regional Member of Parliament.

[136] Department of Health (2019) *State Public Health Plan for Western Australia*, Government of Western Australia, Perth.

Finding 49: There are particular pressures on electorate offices serving cross benchers and regional Members of Parliament and they require further staffing support.

5.1.4: The mechanism for allocating electorate officers in WA

Within WA, responsibility for determining the FTE levels of EOs in any MPs office rests solely with the Premier. There is no formal process or mechanism through which decisions about staffing levels are made. If the Premier determines that it is appropriate for an individual MP, a group of MPs, or indeed the whole of Parliament to receive additional resources, then they are simply able to approve this as a part of DPC's budget.

Whilst this arrangement allows for a level of flexibility to be exercised, it is not transparent. Increases to staffing levels are only publicly reported through DPCs budget, and the only mechanism to keep the Premier's decision-making to account is parliamentary debate. If a group of MPs consider a particular staffing decision to be unfair, their ability to challenge this rests on their influence in parliament.

This was the case in 2005 when baseline FTE levels were raised from 1.4 to 2.0 for LA members only. No rationale was provided for why this increase was not extended to MLCs, despite parliamentary questions being posed to the government of the day. This led the LC to pass a unanimous motion described as follows:

> **The motion is that we should request the Premier to give us a detailed explanation of the rationale for and reasoning behind the decision to allocate more resources to members in the lower house than in the upper house. I believe, to be perfectly frank, that he will be very hard pressed to come up with a convincing set of arguments.**
>
> – Hon Paul Llewellyn, WA Legislative Council, 15 September 2005.[137]

The Premier eventually considered the matter, and the following year members of the LC received the same increase in EO FTE received by their colleagues in the LA. Had the LC been unable to reach a unanimous decision to request the Premier to justify the provision,

[137] Western Australian Legislative Council (15 September 2005) *Legislative Assembly Members, Additional Staff Motion* p 8.

or had the Premier simply chosen not to respond to the non-binding motion, there would have been no other avenue for LC members to challenge the decision.

Given the significant role that EOs play in the proper functioning of their MPs duties, it is not appropriate that EO staffing levels can be changed at the discretion of the Premier. This Review has found no evidence of the provision of staff being used as a political tool or to disadvantage one group of parliamentarians over another. However, the current framework creates a risk, whether real or perceived, of this occurring.

Finding 50: The allocation of electorate officers in WA relies on ad hoc decisions by the Premier. There is no oversight or transparency over these decisions.

5.1.5: Conclusion: the provision of electorate officers in WA is due for revaluation

Electorate officers are under significant and growing demands to support their MP, with the current FTE allocation of 2.0 EOs per MP not sufficient to support or alleviate these pressures. Additional FTE is also imperative to ensure the safety of EOs who, at times, may be the only staff member in their electorate office.

The EOs of crossbenchers and regional MPs face particularly acute pressures and should be resourced to appropriately account for these pressures.

The desirability and responsibility of MPs to communicate on a regular basis with their constituents has placed additional demands on electorate offices. These additional demands were not prevalent and were not considered when the current allocation of EOs was determined, but they should be considered as a part of this Review.

As contemplated by this Review, WA EOs are constrained to only support their MPs in constituency matters and not in the full breadth of their duties, if the staff provided to MPs are able to support MPs in an expanded way, then it is reasonable to acknowledge this expansion of their duties with additional resources to support them.

Further, the current mechanism in WA for allocating EOs does not promote transparency. Western Australia should look to other jurisdictions for insights on how best to align the provision of EOs with the needs and demands of MPs, whilst also strengthening flexibility and accountability.

5.2: Allocation of electorate officers in other jurisdictions

Through extensive engagement, this Review heard clearly that electorate offices across the country are strained, and that many of the challenges EOs and MPs are facing in WA are mirrored in other systems. However, some other jurisdictions, notably the Commonwealth, have more mature frameworks which are both more transparent and better resourced. The approaches taken by these systems can inform best practice in a future model in WA.

5.2.1: Electorate officer staffing levels in other jurisdictions

The table below lists the baseline number of EOs provided to MPs across jurisdictions, along with approximate average number of electors in lower house electoral districts for context.

The number of electors per district is of some, but limited, use in assessing the resourcing requirements of MPs. Whilst constituency size may impact the volume of correspondence received, the core duties of an MP remain largely consistent regardless. All MPs must be engaged parliamentarians and are required to review and debate legislation, represent the state at official functions and develop policy ideas for the benefit of their electorate and the whole state. These requirements would exist for an MP regardless of if they had if they had 10,000 or 60,000 constituents. Whilst there should some connection between elector population and staffing levels, it is not the only metric for determining if a group of MPs needs additional resources.

	Number of EOs allocated to non Office holding MPs	Approx. avg. electors per district (LA)
WA	2.0 FTE	31,677
Cth	5.0 FTE	118,806
NSW	3.0 FTE (LA), 1.0 FTE (LC)	59,372
Vic	2.5 FTE	51,842
SA	2.6 (LA), 1.6 (LC)	27,594
Qld	3.0 FTE	40,096
Tas	1.0 FTE	11,511
NT	1.0 FTE	5,961

Figure C: ***the allocation of full-time equivalent EOs in other jurisdictions***

WA's EO FTE levels are lower than all jurisdictions expect Tasmania and the NT, both of which have significantly smaller populations.

South Australia, arguably the most comparable state to WA in terms of population size and distribution, provides 2.6 FTE to members of the SA LA whilst only providing 1.6 FTE to members of the SA LC. This approach of providing less staff to upper house MPs is also found in NSW, where 3.0 and 1.0 FTE are provided to MPs of each house respectively.

This choice is presumably based on a belief that MLCs engage less with their constituents then MLAs, something this Review found no evidence of within WA. On the contrary, WA MLCs and the EOs who serve them spoke at length about the ways they work with constituents and that they saw little difference in the electorate duties of an MLA and an MLC.

> **Advocating for constituents is a central part of my role. Negotiating on behalf of the community, working with groups, dealing with people that come through the door. There are more and more issues relating to domestic violence and emotional personal issues… I deliberately have my office on a busy street and I am known to help people who come to my office or even who are referred to me by assembly members.**
>
> – Member of the WA Legislative Council.

Whilst there are some differences in the parliamentary duties of MLAs and MLCs, both groups fulfill vital roles in our parliamentary process and as such there should be equivalency in the resources provided to them.

FTE levels for lower house MPs in mainland states are between 2.5 and 3.0. This is reflective of the near unanimous view of WA MPs who engaged with this Review, many of whom explicitly requested that the FTE level in their office be raised to at least 3.0. These levels would allow for an officer to accompany the MP to necessary events without compromising coverage within the office.

> **The problem with having 2 staff is that you end up with 1 person in the office alone. You always take someone with you to take photos or videos. 3.0 FTE is the right mix from a safety perspective and to be able to be responsive to constituents.**
>
> – WA Member of Parliament.

The Commonwealth, with their notably more populous electoral districts, has substantially higher staffing levels in electorate offices. In providing an additional EO FTE in 2007, the

Commonwealth acknowledged the 'greater and more complex' workload of senators and members.[138] In July 2023, the Commonwealth again provided another additional EO, bringing the FTE up from 4.0 to 5.0 for MPs with one electorate office and a range of 6.0 to 7.0 FTE EOs for MPs with more than one office.[139] the Commonwealth has remained the most responsive jurisdiction in terms of recognising and addressing the increased demand on MPs and their staff.

> **As you know, we made the decision to increase the staffing levels. I think that was an important decision. It needs to be remembered that since 1984, which was the last time that we increased the number of parliamentarians, the Australian population has grown by 10 million. Of course, one of the reasons why we gave consideration to increasing the staffing was because of the additional responsibilities and workload of electorate staff and Senate officers.**[140]
>
> – Senator the Hon. Don Farrell, Finance and Public Administration Legislation Committee Budget Estimates, 23 May 2023.

As determined by the SMoS, Commonwealth MPs are allocated up to 5 EOs with an additional EO provided if they have a second or third electorate office.[141] This determination also provides that employees must be classified as either EO A, B or C. these classifications are tiered in terms of salary and risibility, with EO C being the most senior and EO A the most junior. [142]

Members of Parliament must choose one of two combinations of positions for their office. The first option is to have 1x EO C, 2x EO B and 2x EO A positions. The second option is 4x EO B and 1x EO A position. Any additional EOs must be an EO B position. This framework creates clear and consistent expectations for EOs, as well as providing an equal

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[138] *Members of Parliament (Staff) Act 1984* (Cth) ('MOPS Act') p 45; Senate Standing Finance and Public Administration Legislation Committee (12 February 2007) *Additional Budget Estimates* p 104-109.

[139] Special Minister of State, *Employment of Electorate Officers* (Determination 2023/09, 1 July 2023). Note: this determination has been replaced by the Members of Parliament (Staff) (Employment Arrangements) Determination 2025 (however, the total FTEs have not changed).

[140] Finance and Public Administration Legislation Committee (23 May 2023) *Estimates* p 11.

[141] *Members of Parliament (Staff) (Employment Arrangements) Determination 2025* (Cth) s 7.

[142] Fair Work Commission, Commonwealth Members of Parliament Staff Enterprise Agreement 2024-27, AE526545, 5 November 2024.

level of resources across MPs. Cruicially, this approach also grants MPs flexibility in structuring their offices, enabling them to create a hierarchy if this suits their needs.

This guidance and flexibility provided through the Commonwealth framework is something WA MPs expressed a need for throughout this Review's consultations.

> **There really needs to be an office manager type position, there's been a shortfall of those more administrative or managerial tasks in my office because everyone is sharing responsibilities… I cannot always be worried about timesheets and administrative tasks, and a lot of EOs don't want to do that work, so if there was a more senior title with a bit more pay that would be helpful.**
>
> – WA Member of Parliament.

Empowering MPs to elevate an EO to a more senior role would be welcomed to help with retainment of talented EOs, and to provide better management as MPs are not always present in their electorate offices. Other MPs also highlighted that flexibility is beneficial as a flat structure can be suitable depending on the needs of the MP and electorate.

Finding 51: The Commonwealth's tiered approach to electorate officer seniority enables flexibility in how MPs structure their offices without compromising fairness across offices.

5.2.2: Additional electorate officers for certain Members of Parliament

Some jurisdictions recognise that particular MPs require additional EOs. In NSW, there are 4 regional MPs who are provided either one or two additional electorate offices.[143] For each electorate office, NSW MPs receive the support of 3 staff.[144]

Similarly, in the Commonwealth and Queensland, there is flexibility built into the frameworks, whereby MPs entitled to additional offices (mostly regional MPs with a certain with an electorate size) receive the support of additional EOs.[145]

NSW also recognises that members of the Legislative Assembly, elected to the cross bench, receive an additional EO. And members of the Legislative Council, elected to the cross bench, receive two additional EOs.[146]

Finding 52: Some jurisdictions provide additional electorate officers for Members of Parliament with a certain electorate size or for Members of Parliament sitting on the crossbench.

5.2.3: A more transparent mechanism for allocating electorate officer staffing levels

The mechanism for allocating EOs in some other jurisdictions is more transparent than the current mechanism in WA.

In the Commonwealth, the Special Minister of State ('SMoS') has the delegated power to determine EO resources for MPs.[147] The SMoS has determined that a 'parliamentarian may

[143] Parliamentary Remuneration Tribunal (2024) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney ('PRT 2024 Report and Determination') p 129.

[144] PRT 2024 Report and Determination p 130.

[145] *Members of Parliament (Staff) (Employment Arrangements) Determination 2025* (Cth) s 7(4).

[146] PRT 2024 Report and Determination p 130.

[147] MOPS Act s 12(2).

employ up to 5 full-time electorate employees.'[148] The Minister's determinations are available publicly on the Federal Register of Legislation website, announced on the Department of Finance website and supported by publicly available Ministerial Circulars.[149] Decisions about the increase in EO staffing allocation, though still a decision of the executive branch of government, sit within a clear and transparent framework.

This same transparency and clarity could also be achieved by specifying staffing levels through regulation rather than determination. Using regulations would provide greater flexibility, enabling changes to be made in special circumstances or in response to unforeseen events, whilst still being fully public and officially enshrined.

Finding 53: By sitting in a legislative framework, the allocation of electorate officers in the Commonwealth is more transparent and accountable than the current process in WA.

5.2.4: Conclusion: WA's future model should be based on best practice from across jurisdictions

Raising the baseline number of EOs provided to WA MPs would bring us in line with the approaches taken by comparable jurisdictions. These staffing levels would account for the increased demands for ongoing and regular communication with constituents, whilst also providing adequate resources to meet any expansion in the permissibility of activities for electorate officers in line with other jurisdictions. Unlike some jurisdictions, WA should not create a discrepancy between the level of resources provided to members of each house of parliament. As evidenced in 2005-2006, such an approach is not compatible with the level of engagement WA MLCs have with their constituents. On a more principled basis, both houses of parliament play important roles in our democracy and should be resourced as such.

WA's approach to the allocation of EOs is currently opaque and inconsistent and could learn from the more definitive and transparent systems used interjurisdictionally. The resources provided to MPs should be tied to their expected duties, so additional resources

[148] *Members of Parliament (Staff) (Employment Arrangements) Determination 2025* (Cth) s 7.

[149] *Members of Parliament (Staff) (Employment Arrangements) Determination 2025* (Cth); Special Minister of State, *Employment of Electorate Officers* (Determination 2023/09, 1 July 2023); Special Minister of State, Determinations to give effect to the additional electorate staff resources and changes to the nominated traveller provision (MIN 2023/05, 1 July 2023).

should be available for those members who have distinctly more complex duties, notably regional MPs and MPs who are not members of major parties. Likewise, in acknowledgment that MPs have different demands from one another, they should be able to have a higher level of control over the seniority and responsibility of staff in their offices. Decisions about staffing levels should be public and open in order to avoid the perception that governments of the day could use staffing levels as a political tool. However, it is reasonable that the power to make these decisions still sit within executive government rather than with an independent body. These decisions would have budgetary consequences and a framework where they are set by regulation would provide the appropriate level of parliamentary oversight over executive decision making to ensure accountability, transparency and fairness are maintained.

5.3: Public resources to support a Member of Parliament's public duties

Members of Parliament require adequate public resources, both in quantum and scope, to effectively carry out their public duties. Public resources are essential to ensure MPs can meet the expectations placed upon them by the public and perform their duties effectively and with integrity and transparency.

This chapter deals specifically with public resources provided to MPs that have a substantial nexus to the operations of their electorate office – for example, those relating to a range of communication, printing, distribution, community engagement and other related activities.

This section is structured as follows:

This Review does not consider travel, accommodation and other public resources that do not carry substantial connection to the day-to-day operations of the electorate office, as those public resources are outside of the scope of this Review.

5.3.1: Why do we publicly fund a Member of Parliament's duties?

Where the public places certain expectations and demands on MPs to perform their public duties, it is reasonable for MPs to receive public resources to perform these duties.[150]

A prime example is communication: the community expects MPs to engage with their electorate throughout their term, sharing information about their plans and achievements. The community also expect their MPs to openly communicate their policy positions and election or budgetary commitments, including those of their affiliated political party, and how they differ from opposing political parties. This communication is beneficial for constituents. By openly and widely discussing their policy positions, MPs empower their electors to

[150] Conde J and Tune D (2016) *An Independent Parliamentary Entitlements System Review*, Commonwealth of Australia, Canberra ('Conde-Tune Review') p 22.

engage with them in a meaningful contest of ideas and to hold them accountable when their perspectives are out of step with the views of their constituents.

An MP's ability to communicate with their constituents is an important facet of our representative democracy. This underscores the importance of MPs receiving adequate resources, both in quantum and scope, to fund activities like communication with their community.[151] This reasoning holds true for the other public activities the community expects of their elected officials that confer a public benefit - such as developing policy, preparing for parliamentary debate and advocating on local issues.

In order for MPs to effectively undertake their public duties and provide positive outcomes for their constituents, they must be appropriately resourced.

5.3.2: Electorate office related resources in WA

The following section considers the Electorate and Parliamentary Expenses ('EPE') allowance, which is provided to MPs in WA for the purpose of their electorate office related duties.

What is the EPE?

The SAT, operating under a broad legislative head of power, has determined that WA MPs receive an $88,000 p.a. EPE allowance for electorate office-related expenses.[152] This includes community engagement, constituent support, communication with the electorate, electorate office equipment, Information Communication Technology, general electorate office expenses and other expenses related directly to parliamentary business.[153]

Members must use the EPE allowance for 'parliamentary business'. Members must also adhere to any conditions for using allowances, be prepared to be personally responsible and accountable for the use of allowances, be prepared to publicly justify the use of allowances, act ethically and in good faith when using and accounting for the use of allowances and provide a benefit to the electorate or community in general. [154]

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[151] Conde-Tune Review p 22.

[152] All Members receive $88,000 p.a. and an additional EPE allowance is available to non-metro MPs ranging between $10,400 to $29,000 p.a.

[153] SAT, *Determination for Members of Parliament* (No. 2 of 2024, 9 March 2025) cl 3.1.

[154] SAT, *Determination for Members of Parliament* (No. 2 of 2024, 9 March 2025) cl 1.6.

The term 'parliamentary business' is defined by the SAT as the '*usual activities related to performing the role of a Member of Parliament*', which includes:

- parliamentary duties, comprising activities related directly to a Member's role in parliament or as an Office Holder; and
- electorate duties, comprising activities that support or serve a Member's constituents,

but excludes:

- campaigning, such as attending or organising campaign launches, candidate selection or campaign strategy meetings and general campaigning on behalf of election candidates;
- party political activity, including campaigning for a political Party and organising and sustaining Party branches, such as recruiting members to the Party or undertaking administrative activities to support the Party; and
- the publication, broadcasting, display or distribution of material intended to, calculated or likely to affect voting in an election.

The SAT expressly provides that the EPE may also not be used for the production of material that includes a political party logo, payment of political party levies, union fees and donations to political parties.[155]

This Review heard it is unclear how far the term 'parliamentary business' extends and what exactly this term excludes. This definition only applies to allowances determined by the SAT, and does not apply to an MP's electorate office or staff. Confusion may arise where WA MPs are required to determine what other activities fall within the MP's parliamentary and electorate duties for which they can use their EPE allowance, and what other activities fall within the 'campaigning' and 'party political activity' categories for which they cannot use their EPE allowance. Further, the onus is on the MP to determine what material is intended to, calculated or likely to affect voting in an election. Consequently, WA MPs may be disincentivised, out of fear from acting inappropriately, from undertaking valuable, outward-facing activities that might be entirely *usual*, but where is it unclear whether those activities comfortably sit within parliamentary business under the current framework.

MPs must self-assess appropriate use of the EPE

The SAT does not have the authority to provide advice to WA MPs on the appropriate use of the EPE. To assist with understanding, the SAT aims to include as much explanatory detail as possible within the Determination itself, as well as in the 'EPE Allowance Guide to expenditure categories' document. Where clarification is sought, the SAT's secretariat may

[155] SAT, *Determination for Members of Parliament* (No. 2 of 2024, 9 March 2025) cl 3.1(4).

offer guidance to administering agencies – and occasionally to WA MPs – regarding the interpretation of the determination.

However, ultimately there is no body tasked with advising WA MPs on whether expenditure is appropriate within the bounds of the EPE. Members are left to self-assess and use their judgement and discretion for each item of expenditure. For example, where a WA MP chooses to spend part of the EPE allowance printing letter-drop material, there is no support to confirm whether it accords with the rules for use of the allowance. There is no pre-approval process available to WA MPs.

> **The use of allowances is complex…there is currently no one who can provide advice on what you can do.**
>
> – WA Member of Parliament.

Finding 54: There is a lack of clarity regarding how the Electorate and Parliamentary Expenses ('EPE') allowance may permissibly be used for public duties relating to the electorate office. The term 'parliamentary business', which applies to the EPE, along with other allowances, is unclear. This lack of clarity around the scope of the EPE may disincentivise Members of Parliament from performing the entirety of their public duties, including valuable public-facing work.

The remuneration approach to the EPE allowance in WA

Currently, WA MPs receive the EPE allowance through a 'remuneration' approach. In this way, the EPE is provided to WA MPs on a quarterly basis in their payslip. Members of Parliament are expected to direct the EPE allowance that they receive towards their parliamentary business in accordance with the parameters of the Determination. However, where the EPE allowance is not used for these activities, WA MPs may retain any unspent portion of this allowance as a personal benefit in the form of personal income.

This means that WA MPs are permitted to retain, as personal income, portions of the $88,000 p.a. EPE that is otherwise intended for expenditure on their public duties. Where a WA MP retains a portion of the EPE allowance as personal income, they may avoid PAYG tax by making a deduction against certain other expenditure in accordance with the relevant

ATO tax ruling.[156] This includes expenditure on seminars, training courses, election expenses, and political party membership fees and levies.[157]

The EPE is considered an electorate allowance by the ATO. The ATO taxation ruling relating to allowable taxation deductions on MPs' allowances do not align with the rules determined by the SAT for the provision of this allowance.

Risks of WA's remuneration approach

WA's remuneration approach to the EPE is increasingly outdated and carries growing risks, especially as the value of the EPE continues to grow. Historically, allowances were included as additions to an MP's income; a small sum to offset incidental costs of the role. However, where the demands on MPs have become more acute over time (chapter 2.3.1 refers), the allowances provided to support them, including the EPE allowance, have expanded. The EPE allowance now sits at $88,000 per annum, forming a substantial component of an MP's remunerated income on top of their base salary.[158]

It is problematic for WA MPs to receive such a substantial pool of allowances that may be retained as personal income. Not only does this model create issues for WA MPs' income assessments, it also creates a situation where funds may be privately retained or diverted away from their intended public purposes. This stands in contrast to other more modern non-remuneration frameworks that prioritise dedicated expenditure of allowances for public duties that are discussed at 5.3.3 below.

Further, under this model, the EPE is included as taxable income, which can inflate means testing assessments. It can affect the eligibility of WA MPs for things like childcare subsidies, mortgage eligibility, child support calculations and other financial assessments.

While the SAT determines the salary of, for example, Directors General ('DGs') of Departments, the SAT does not provide public resources to DGs as part of their personal remuneration package to undertake their duties. Appropriately, public resources for printing material, IT infrastructure, surgical supplies, education tools, asphalt for roads, paper and pens are not provided to DGs as an allowance forming part of their total remuneration, where unspent amounts can be retained by DGs as personal income. By a parity of

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[156] Australian Taxation Office, *Income tax and fringe benefits tax: Members of Parliament - allowances, reimbursements, donations and gifts, benefits, deductions and recoupments* (TR 1999/10, 27 June 1999) ('TR 1999/10').

[157] TR 1999/10.

[158] SAT, *Determination for Members of Parliament* (No. 2 of 2024, 9 March 2025) cl 3.2.

reasoning, it is also not appropriate for the SAT to determine the public resources MPs require to carry out their public duties as part of their personal income.

Finding 55: Permitting WA Members of Parliament to receive the entirety of their electorate-related allowance support through a remuneration approach where they can retain unspent portions as personal income is outdated. The conflicting rules between the Salaries and Allowances Tribunal and the Australian Taxation Office result in unnecessary and unintended consequences.

Accountability, transparency & reporting under the remuneration approach

The EPE is provided for under a remuneration approach by an independent remuneration tribunal.

WA is one of the few jurisdictions where electorate office related resources are delivered solely under a remuneration model. This has resulted in a very large quantum of resources being provided in this way. As a result, in an attempt to provide some transparency and accountability, WA MPs must report their use of the EPE allowance to the SAT annually.[159]

In reporting to the SAT, WA MPs must maintain appropriate records of their use of the personal income they receive through the EPE and certify their expenditure conformed to the conditions and principles for use.[160] This requirement places an onerous impost on WA MPs, whose time and resources are already stretched.

The current reporting requirement is a band aid in an attempt to provide transparency on WA MPs' use of the EPE allowance because it has grown so large and tries to do so much.

The SAT does not conduct any audit or assurance function in relation to the EPE allowance.

> **I have no issue with reporting, but it's such a difficult process.**
>
> – WA Member of Parliament.

[159] SAT, *Determination for Members of Parliament* (No. 2 of 2024, 9 March 2025) cl 3.1.

[160] SAT, *Determination for Members of Parliament* (No. 2 of 2024, 9 March 2025) cl 1.7.

> **My office spends three-quarters of their time on allowances on the administrative issues.**
>
> – WA Member of Parliament.

5.3.3: The approach to electorate office related resources in other jurisdictions

Other jurisdictions, such as the Commonwealth, Victoria, NSW and SA have adopted a system where electorate office related resources are provided through:

1. an electorate allowance; and
2. a separate budget for office and communication type expenses.

Rather than relying on a single remunerated electorate allowance, these jurisdictions have split the electorate office related resources provided to MPs into these two categories.

Other jurisdictions, such as Queensland and the NT, are yet to move to a dual system and instead provide this type of resourcing through a single allowance. Queensland does not provide an electorate allowance as part of an MP's remuneration, but rather, MPs are provided with a single Electorate and Communications Allowance that operates on an acquittal basis. The Northern Territory and Tasmania provide a single 'electorate allowance' whereby MPs are required to justify to the ATO the legitimacy of expenditure under that allowance.

The 'electorate allowance'

In the Commonwealth, Victoria, NSW and SA, members receive a remunerated 'electorate allowance'. Like the EPE allowance, these electorate allowances are provided to MPs as a fixed amount, regardless of the actual expenditure incurred, and form part of the MP's total remuneration. The use of these allowances is ultimately a matter for the MP who is subject to the substantiation rules determined by the ATO – where MPs use the allowance for allowable electorate expenses in accordance with relevant taxation ruling, that portion of the allowance is not subject to income tax. Where MPs retain the allowance as personal income, that portion is subject to the same tax rates as the rest of their personal income.

In the Commonwealth, Victoria and SA, the electorate allowance provided to MPs is significantly smaller than the EPE allowance in WA. In this way, the risks of discussed in the context of the EPE allowance are balanced in that those risks are reduced to a smaller quantum.

Members of Parliament in the Commonwealth, Victoria and NSW are not required to account for their use of the electorate allowance to their relevant independent remuneration

tribunal. Instead, compliance is a matter for the ATO. The NSW Parliamentary Remuneration Tribunal observed that NSW MPs are 'not required to account for the use of the Electoral Allowance to the Parliament.'[161] Similarly, the Victorian Independent Remuneration Tribunal is prohibited from making guidelines for or with respect to the use of the Electorate Allowance or any terms or conditions relating to the use of that allowance. In these jurisdictions, the use of this electorate allowance is a matter subject to the substantiation of the relevant rules determined by the ATO. The ATO is responsible for and regularly conducts audits on MPs' compliance with the ATO taxation ruling on electorate allowances provided to MPs in all jurisdictions.

Finding 56: In the Commonwealth, SA and Victoria, the quantum of the 'electorate allowance' is significantly lower than the Electorate and Parliamentary Expenses allowance in WA. This arrangement reduces the risks associated with the resources provided to support Members of Parliament through an allowance of this nature, including risks with retaining allowances as personal income.

The office and communications budget

Members of Parliament in the Commonwealth, Victoria, NSW and SA are also provided with an office and communications type budget.

In the Commonwealth, MPs are provided with an annual budget for office expenses ('Office Expenses Budget') that is much larger than their electorate allowance. This budget is provided through disallowable regulations, which provides more oversight, transparency and accountability around the resources provided to Commonwealth MPs.[162] Members of Parliament can use the Office Expenses Budget to claim certain expenses such as office and stationery supplies, software, mobile office signage and equipment, printing, establishing and maintaining websites and producing electronic material, for the conduct of their parliamentary business.[163] The scope for which this budget can be utilised to support a Commonwealth MP's 'parliamentary business' is determined by disallowable regulations and determinations. As explained in chapter 4.2.2, which discusses the Commonwealth concept of 'parliamentary business', MPs are permitted to use their Office Expenses Budget

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[161] Parliamentary Remuneration Tribunal (2012) *Annual Report and Determination of Additional Entitlements for Members of the Parliament of New South Wales*, NSW Remuneration Tribunals, Sydney p 21.

[162] PBR Act s 32; *Parliamentary Business Resources Regulations 2017* (Cth) ('PBR Regulations') ss 66-67.

[163] PBR Regulations ss 66-67.

to produce, communicate or distribute material that solicits a vote for them self as the MP, but not for any other person.

Victoria also separately provides MPs with an Electorate Office and Communications Budget that is larger than the electorate allowance provided to Victorian MPs. Members of Parliament can use this budget to fund the operating and maintenance costs of their electorate office and to communicate with their electorate in relation to the performance of their public duties (which include committee business, electorate business, Ministerial business and parliamentary business). The operating and maintenance costs that Victorian MPs can use this budget for include computer software and information technology systems, general stationery and photocopier and computer printer consumables. Members can also use this budget for communication costs such as printed and electronic materials, telephone directory listings, Victorian MP's official website, venue hire costs and advertisements.[164]

Members of Parliament in NSW receive a Communications Allowance in the form of an annual budget provided to MPs to meet the costs associated with communicating with their constituents. Members can use this budget for things such as the production and distribution of newsletters and brochures, developing, hosting and maintaining a website or other social media, email distribution services, advertisements and the printing of letterheads and flyers.[165]

In SA, members receive a Global Allowance for funding expenditure incurred in the reasonable discharge of their duties. Examples of expenditure approved for funding against this allowance include advertising, sponsorship, general printing, publication and subscriptions, stationery, newsletters and internet expenses.[166]

Unlike the electorate allowances discussed above, these budgets are not provided to Commonwealth, NSW, Victorian and SA MPs as part of their remuneration. In this way, these MPs are not able to retain any unspent budget as personal income. Rather, to expend from these budgets, these MPs must make a claim for payment or reimbursement. In submitting their claims, members provide supporting information and evidence, such as tax invoices they are required to pay or proof of payment where they are claiming a reimbursement.

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[164] Victorian Independent Remuneration Tribunal, *Members of Parliament (Victoria) Guidelines* (No. 02/2024, 13 September 2024).

[165] Parliamentary Remuneration Tribunal (2024) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney.

[166] Department of Treasury and Finance (2025) *Global Allowance Statement by Quarter*, South Australian Government, Adelaide.

In NSW, MPs are provided a monthly report with claims that have been processed.[167] There, NSW MPs may seek a pre-appraisal with the NSW Department of Parliamentary Services to ensure that proposed expenditure under the Communications Allowance budget complies with relevant guidelines.[168] In the Commonwealth, the Department of Finance Ministerial and Parliamentary Services Division provides optional pre-claim assessments for expenditure under the Office Expenses Budget. The claims approach that is employed under these budgets provides a more clear and transparent process for the use of public resources by a Commonwealth MP in conducting their public duties.

The Independent Parliamentary Expenses Authority ('IPEA') publishes quarterly data on expenditure under the Office Expenses Budget. Commonwealth MPs are allowed to certify expenditure before it is made public, but there is no requirement on MPs to compile expenditure data themselves. Similarly, in SA, members receive a monthly expenditure statement from the Department of Treasury and Finance which they certify as accurate. The Department then publishes quarterly data on expenditure under the Global Allowance.

In NSW, MPs are required to maintain records that clearly document the costs claimed against the Communications Allowance budget for a minimum period of two years for audit purposes, however, there does not appear to be any requirement on them to report on their use of allowances outside of the claim process.

Finding 57: The Commonwealth, Victoria, NSW and SA have adopted a dual approach to allowances whereby Members of Parliament are provided support through both a remunerated electorate allowance and non-remunerated budget. Expenditure from the budget operates on a claims basis and allows for greater oversight and transparency of the use of public resources by Members of Parliament.

Finding 58: In the Commonwealth, the claims-based system avoids Members of Parliament having to compile evidence of their annual public expenditure as this is done on their behalf by the Independent Parliamentary Expenses Authority on the basis of the claims made throughout the year.

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[167] Department of Parliamentary Services (2024) *Members' Entitlements Handbook*, Parliament of New South Wales, Sydney ('NSW Members' Entitlements Handbook') p 44.

[168] NSW Members' Entitlements Handbook p 44.

5.3.4: The quantum of electorate office related resources in WA and other jurisdictions

Given the dual approach in other jurisdictions, it is appropriate to consider the total quantum of electorate office related resources MPs receive in other jurisdictions. WA's total quantum of electorate office related resources is significantly lower than other jurisdictions.

	Resource	Quantum	Total quantum
WA	Electorate and Parliamentary Expenses Allowance	$88,000 + $10,490 to $23,900 for non-metro Members	$88,000 - $111,900
Cth	Electorate Allowance	$39,700 + $7,500 to $17,400 for members of HoR w/ electorates > 2,000km and 5,000km	$173,070 (Senators) $298,706 - $358,082 (HoR)
	Office Expenses Budget	$133,369.98 (Senators) $166,632.07 + $1.243 for each enrolled voter in electorate (e.g. Tangney total = $319,068) (HoR)	
Vic	Electorate Allowance	$46,643 to $55,875 depending on electorate	$94,680 - $105,100 (MLC) $184,468 - $330,926 (MLA)
	Electorate Office and Communications Budget	$129,500 to $153,505 depending on electorate (MLAs) $131,462 (MLCs)	
NSW	Electoral Allowance	$59,890 to $168,295 depending on electorate + additional $18,075 to $34,845 depending on electorate	$178,105 - $187,337 (MLC) $176,143 - $209,380 (MLA)
	Communications Allowance Budget	$5,505 (MLCs) $106,503 to $123,126 depending on electorate (MLAs)	
SA	Electorate Allowance	$17,815 to $54,416 depending on electorate (MLAs) $24,101 (MLCs)	$95,312.50 - $148,138.69
	Global Allowance	$77,497.50 (Metro members) $81,314.34 (Country members) $93,722.69 (Whips)	
Qld	Electorate and Communication Allowance	$97,136 to $104,208 depending on electorate + $1,500 for members w/ electorates > 100,000km^2	$97,136 - $105,708
NT	Electorate Allowance	$64,000 to $121,000 depending on electorate	$64,000 - $121,000
Tas	Electorate Allowance	$32,394 and $53,992 depending on electorate (MLAs) $32,394 and $51,292 depending on electorate (MLCs)	$42,394 - $61,292 (MLC) $42,394 - $63,992 (MLA)
	Members' Resource Allowance	$10,000	

Figure D: ***A breakdown of electorate office related resources across jurisdictions***

The total quantum of electorate office related resources that MPs in WA receive in the form of the EPE allowance that ranges from $88,000 to $111,900 is relatively low in comparison to other jurisdictions such as the Commonwealth, NSW, Victoria and SA (as above). The quantum of resources provided to MPs can be as much as approximately $250,000 p.a. more in the Commonwealth and as much as approximately $100,000 p.a. more in Victoria.

The average number of electors per electorate in each jurisdiction is relevant, but not determinative, in assessing the appropriate quantum of public resources provided MPs. Whilst constituency size may impact the volume of correspondence received, the core duties of an MP remain largely consistent regardless. All MPs must be engaged and required to review and debate legislation, represent the state at official functions and develop policy ideas for the benefit of their electorate and the whole state. These requirements would exist for an MP regardless of if they had 10,000 or 60,000 constituents. For this reason, the ratio of the quantum of electorate office resources to electors is a limited factor in determining appropriate public resources.

In order for MPs to fulfil their duties effectively, they must be properly resourced. The relatively low level of total resourcing available to MPs in WA creates a barrier to MPs performing their public duties. Members in WA reported the current total quantum is insufficient to adequately carry out their public duties. There is an opportunity for WA to increase the public resources provided to MPs to better align with the quantum of allowances in other leading jurisdictions. Doing so will support MPs to effectively perform their public duties in service of public good.

However, for the reasons above, increasing the existing EPE allowance is not an appropriate solution. Rather, increasing the electorate office related resources for MPs through adopting a dual approach is a more appropriate mechanism.

Finding 59: The total quantum of electorate office related public resources to support the operations of the electorate office in WA is significantly lower than the total quantum Members of Parliament receive in other jurisdictions.

Finding 60: Increasing the existing Electorate and Parliamentary Expenses allowance is not an appropriate solution to increasing the total quantum of electorate office related allowances provided to Members of Parliament.

5.3.5: Compliance and assurance of electorate related resources

Where the system for electorate related resources is well-designed and administered, including with effective post-claim assurance function, MPs can operate with confidence their use of public funds is appropriate and compliant. Such systems promote transparency through post-claim assurance and compliance checks, ensuring expenditure is directed towards recognised public duties and is open to public scrutiny.

A lack of a compliance system for the EPE in WA

The SAT sets the quantum and scope of allowances provided for MPs in WA – including that allowances must be used for 'parliamentary business'. An MP receives their full EPE allowance directly from Parliament House alongside their salary and must self-assess its use against the SAT determination. The SAT does not have the authority or jurisdiction to assess claims by Members – it is not the SAT's responsibility to perform an assurance or compliance function. In WA, there is no department, agency or body checking expenditure of the EPE for compliance before matters could be referred to the CCC.

Finding 61: There is no body formally tasked with assessing a Member of Parliament's use of public resources – including the Electorate and Parliamentary Expenses allowance – for assurance and compliance with the relevant rules.

There is no evidence to imply or suggest there has been any misuse of allowances or other public resources by MPs within the current system. Likewise, the officers of the SAT, Parliament House and DPC appear to be fulfilling their roles efficiently and appropriately. Nevertheless, the current system poses unnecessary difficulties in navigation and does not provide adequate mechanisms to ensure and assist with assurance and compliance. And although there is no suggestion of misuse under the current system, this lack of structure exposes even well-intentioned MPs to the risk of misinterpretation and non-compliance.

Members of Parliament generally do not hold strong views about which entity should provide compliance and assurance advice of the allowances and public resources they receive. Rather, feedback emphasised the need for processes to be streamlined, roles and responsibilities to be clear, and advice to be readily available and reliable.

Compliance and pre-expenditure assessments in the Commonwealth

In 2017, the Commonwealth established IPEA to provide greater accountability and transparency of public resources under the PBR framework.[169] IPEA is an independent statutory authority for compliance and auditing responsibilities, among other supports such as education, advice and reporting. IPEA employs a multi-layered assurance approach to compliance, which includes post-payment checks (regular sampling of transactions), preliminary assessments, targeted audits, systematic reviews of specific expense categories and investigations into potential misuse. In effect, IPEA considers claims before referring potential misuse matters to the National Anti-Corruption Commission or the Australian Federal Police.

IPEA has the responsibility for conducting audits relating to all work expenses claimed under the Office Expenses Budget. IPEA also publishes quarterly reports on MPs work expenses.

This model, which is said to provide a 'one-stop-shop' for MPs to access, is based in-part on the significant reforms which took place in the United Kingdom following the 2009 parliamentary expenses scandal that culminated in the establishment of the Independent Parliamentary Standards Authority (IPSA). Although the IPSA's responsibilities are more far reaching than the IPEA's, it intends to fill the same need.

Both the IPEA and the IPSA are designed to be accessible to MPs, providing clear and plain-English advice on the appropriate use of allowances. These bodies have been purpose-built to verify whether an activity or material is claimable or can be undertaken using public resources. Consultations confirmed that a similar purpose-built body would be welcome in WA.

While there are valuable insights to be drawn from the Commonwealth supports, the infrastructure has been developed over time and is provided by a range of organisations. The support provided by Ministerial and Parliamentary Services, within the Commonwealth Department of Finance, has been discussed in chapter 5.3. In WA there is an opportunity for the administrative infrastructure that supports MPs use of public resources to be consolidated.

Finding 62: In the Commonwealth, the Department of Finance provides optional pre-claim assessments. The Independent Parliamentary Expenses Authority has educational, advisory, reporting, compliance and auditing responsibilities.

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[169] *Independent Parliamentary Expenses Authority Act 2017* (Cth).

5.3.6: Conclusion: the quantum and provision of allowances in WA are outdated

The current approach to allowances in WA is outdated and misaligned with modern principles of public accountability, transparency and support for Members of Parliament. The remuneration-based model, under which the Electorate and Parliamentary Expenses allowance may be retained as part of an MPs' personal income carries risks. These range from unexpended amounts being diverted away from recognised public duties to tax and equity implications.

Other jurisdictions have adopted a more contemporary, dual-stream approach that distinguishes between personal remuneration and non-remunerated allowances. These models are supported by clearer legislative guidance, more transparent claims-based systems and better-defined scopes of permissible use. While the resources in WA should increase, the current remuneration system cannot be relied upon to provide that increase.

The next section explores the provision of electorate offices and other non-allowance public resources. This reaffirms that any future model must be grounded in principles that prioritise transparency, fairness and the effective performance of MPs' public duties.

5.4: Electorate offices

Electorate offices are the primary workplaces for both EOs and MPs. These offices are often the first point of contact for constituents seeking assistance, advice, or advocacy, whether in person, over the phone, or via email. In this way, electorate offices serve as the interface between MPs and the needs and concerns of their communities.

DPC administers the provision and appropriate use of physical electorate offices, including additional electorate offices, through a series of policy instruments, most notably the Parliamentary Electorate Office ('PEO') Handbook.[170] While these policy instruments offer a foundational framework, as with to the allocation of EO FTE in WA, the provision of additional electorate offices is ultimately a decision of the Premier. This centralised discretion introduces a level of subjectivity into the process, which may impact consistency and transparency in the provision of resources across electorates.

5.4.1: The allocation of electorate offices in WA

Under the PEO Handbook, each MP is entitled to one electorate office, either in their electorate or in close proximity to Parliament House.[171]

The sourcing and selection of electorate office locations is conducted by the WA Department of Finance ('DoF') with support from DPC's PEO Support team. Selections are based on a variety of factors including functionality, size and value for money, whilst also considering the preferences of the MP.

Some MPs of the Legislative Assembly who represent geographically large electorates are eligible to receive a secondary electorate office. This is in recognition that it would be impractical for constituents to travel great distances to access their elected representative. The PEO Handbook provides that Members of the Legislative Assembly may apply for a second electorate office if they represent an electoral district larger than 50,000 square kilometres and the electoral district has at least two major centres or townships which are greater than 200 kilometres apart.[172] An MP who is entitled to a secondary electorate office is not entitled to any additional EO FTE outside the current provisions, which for most MPs is 2.0 FTE.

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[170] Department of the Premier and Cabinet (2025) *Parliamentary Electorate Office Handbook,* DPC, Western Australian Government, Perth ('PEO Handbook').

[171] PEO Handbook p 32.

[172] PEO Handbook.

The PEO Handbook provides that all secondary electorate office requests are subject to final approval by the Premier, as are all requests to move location of an MP's primary electorate office. While the policy parameters are a guide, they are not binding or determinative, decisions have been made outside of these policy parameters. There is therefore a lack of transparency in the current arrangements in WA.

Finding 63: While policy guidelines exist, the allocation of secondary electorate offices as well as requests to move electorate offices are ultimately decisions of the Premier and are not part of a transparent framework for the allocation of resources.

5.4.2: The allocation of electorate offices in other jurisdictions

The allocation of electorate offices in the Commonwealth and NSW demonstrate greater transparency.

In the Commonwealth, the responsible Minister determines, by disallowable regulation, the allocation of electorate offices for MPs and the standardised public resources reasonably required for the conduct of an MP's parliamentary business in those offices.[173]

The Commonwealth has 3 brackets to determine the allocation of additional offices. Members of Parliament with electorates less than 25,000 square kilometres receive one office. Those with electorates between 25,000 and 350,000 square kilometres receive two offices. Members of Parliament with electorates larger than 350,000 square kilometres can receive up to 3 offices.[174] Where an MP is entitled to additional electorate offices, they are also entitled to additional EOs to staff those offices.

For MPs in NSW, the Parliamentary Remuneration Tribunal ('PRT') is legislatively empowered to issue public determinations on the allocation of electorate offices.[175] Rather than determining eligibility for additional offices by set requirements of electorate size, the PRT determinations identify which MPs (by seat) shall be provided additional offices.

[173] PBR Act s 33(1); PBR Regulations ss 72-74.

[174] Ministerial and Parliamentary Services (2025) Office types and office resources, Department of Finance.

[175] PRT (2024) *Annual Report and Determination*, NSW Remuneration Tribunals, Sydney p 129; *Parliamentary Remuneration Act 1989* (NSW) s 10(3).

Finding 64: In the Commonwealth and NSW, decisions on the requirements for and allocation of additional electorate offices sit within transparent legislative and determinative frameworks.

5.4.3: Signage of electorate offices in WA and other jurisdictions

Once MPs take up occupancy of an electorate office or additional electorate office, DPC will facilitate the installation of two external signs. One on the façade of the office and one on the front door. The parameters for what can be included on external facia signage are narrow, essentially reduced to the MP's name and electorate, within the standardised template for approved signage. For the external facia signage, MPs may choose from standard colours of black, white or a single solid colour. Members of Parliament have largely chosen to utilise a solid colour consistent with their party affiliation.

Members of Parliament may install signage that varies from the approved template but must adhere to the protocols for signage. The most notable protocol for signage prohibits any reference to the MP's political party, despite that MP being elected having disclosed their political affiliation on the ballot paper. Broadly, no *party-political material* or signs may be displayed in or on any premises or property, including electorate offices. This prohibition applies even if the signage is funded or provided externally from government.

While political party logos are expressly prohibited in WA, they are provided for in the Commonwealth and Tasmania. Commonwealth guidance states that signage is provided to 'assist constituents and visitors to locate, identify and contact your office'.[176] To meet this purpose, signs may include an MP's name, state/territory or electoral division, party affiliation, party logo or the Commonwealth Coat of Arms, photo, office opening hours, and contact details including phone and fax numbers, email address, website and social media sites. This is an important transparency measure that ensures the community are able to correctly locate and identify their offices of their elected officials.

Similarly, under Tasmania's guidelines, the appropriate use of funds includes use of a party logo, which is at the discretion of the MP. With the guiding principle being that an MP 'needs to be open about which party they represent'.[177]

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[176] Ministerial and Parliamentary Services (2025) Office types and office resources, Department of Finance.

[177] Department of Premier and Cabinet (2021) Members Handbook Appendices, Department of Premier and Cabinet, Tasmanian Government p 3.

This Review also heard that in NSW, MPs can display standard party logos on their offices.

The approaches in the Commonwealth, NSW and Tasmania recognise that an MPs political affiliation is important, serving as an indicator of values, ideology, commitments and objectives. Transparently displaying and communicating this affiliation on their electorate office enables the public to better identify, understand and engage with their local representatives.

Finding 65: The signage rules for electorate offices are narrow in WA, prohibiting any reference to a Member of Parliament's political party. The approach of the Commonwealth, NSW and Tasmania, acknowledge the practical transparency benefits of communicating political party affiliation on electorate offices and broadly on other material.

5.4.4: The purposes for which electorate offices may be used in WA and other jurisdictions

The PEO Handbook states that electorate offices are provided to MPs for 'the purpose of conducting their parliamentary and electorate duties.'[178] Much like the discussion in chapter 5.3.2, it is unclear what these terms contemplate, and whether they are expansive enough to capture the reality of work undertaken in modern electorate offices.

The PEO Handbook also outlines the prohibited uses of electorate offices, as follows.

> [Electorate offices] are not to be used as an election campaign base or headquarters for *activities associated with political parties* such as branch meetings. Similarly, electorate offices, equipment and phones must not be used for *election campaigning* for either a State by-election or State General Election.

Again, these prohibitions rely on undefined terms, with it being left to EOs and MPs to delineate their regular electorate, parliamentary and party-political work from 'activities associated with political parties' and 'election campaigning'. As discussed at length in chapter 4, these are not straightforward distinctions.

Electorate offices are regularly used for meetings of local community groups that fulfil an important role in that MP's community, such as local rotary clubs and lions clubs. However,

[178] PEO Handbook p 32.

meetings of the MP's own political party are treated inappropriately like an outlawed prohibited organisation under these rules.

Finding 66: The purpose for which electorate offices may be used in WA, including permissible and prohibited activities, lacks clarity.

The PBR framework provides that an MP must not use electorate offices provided by the Commonwealth other than for the purpose of conducting the member's parliamentary business and cannot use these offices for commercial purposes.[179] In this way, the Commonwealth's PBR framework provides more clarity on what electorate offices may and may not be used for.

5.4.5: Conclusion: modernising the framework for electorate offices

This section has shown that while electorate offices are essential infrastructure for MPs to engage with their communities and perform their public duties, the current framework governing their allocation and use in WA lacks transparency, consistency and clarity.

Centralised ad hoc discretion of the Premier, even where policy guidance exists, introduces a lack of transparency and consistency regarding the provision of electorate offices. The signage and usage rules for electorate offices in WA are also ambiguous. Taken together, these findings point to the need for a more modern, transparent and principled approach to the provision and use of electorate offices in WA – one that better reflects the realities of the contemporary work of MPs and EOs.

[179] PBR Act ss 26(3)-(4).

5.5: Information Technology

DPC provides Information Technology ('IT') equipment and support for electorate offices, with computing support and inquiries directed to DPC's IT Helpdesk. The WA Parliamentary Services Department ('PSD') provides IT hardware and software for MP to use within their Parliament House offices.

The equipment and services of WA PSD and DPC are provided separately and not always compatible or integrated with each other. The most frequently discussed instance of this was MPs' inability to connect their DPC-provided laptop to the Wi-Fi within Parliament House.

MPs also expressed some confusion about the entity responsible for the provision of particular services and support. They also suggested that the scope and standard of IT equipment provided to electorate offices would benefit from review.

Trust in the privacy and confidentiality of an electorate office's IT communications and data is crucial. MPs from across the political spectrum raised concerns about the provision of IT services for MPs being provided by DPC. While stakeholders emphasised that DPC has always provided IT services in an appropriate manner, they cited the potential for perception risks.

Within the Commonwealth system, IT hardware, software and related services and support is provided by the Commonwealth Department of Parliamentary Services ('DPS')[180]. This includes connection to the 'Australian Parliament House Network'. Commonwealth DPS operates the provision of IT equipment, phones and phone plans, video-conferencing technology and training in the use of IT technology. This means that Commonwealth MPs and their staff have a single point of contact for all their IT needs, which is independent from the Prime Minister and executive arm of government.

[180] Ministerial and Parliamentary Services (2025) Furniture, equipment and office ICT, Australian Government.

5.6: Staff training

DPC provides initial training to all EOs via an induction program at the commencement of their employment, with EOs provided access to DPC's online learning management system. Individual parliamentary parties also conduct some training activities for EOs.

Chapter 3 demonstrated that EOs deal with complex and emotionally charged issues, often brought by distressed constituents. EOs, however, do so without training on how to defuse these situations effectively. Both MPs and EOs raised concerns about the impact of this lack of training on EOs' physical and psychosocial wellbeing.

> **We are support workers and counsellors…and there hasn't been sufficient training for that.**
>
> – WA Electorate Officer.

The Review heard that some training functions should be delivered centrally and agnostic of party affiliations, including inductions and training on foundational knowledge relevant to all EOs such as parliamentary procedures. MPs and EOs both expressed a desire for EOs to be provided third party technical training in software, photography and other specific skills relevant to the role of an EO.

It also heard that there is a legitimate role for parliamentary parties to provide training and support to EOs. In practice, electorate offices within a particular party often rely on the same systems and aligned practices. MPs suggested that given parties have specific approaches for engaging with constituents, and tools for doing so, this type of training would be most appropriately delivered by parliamentary parties.

Further, the majority of EOs surveyed stated that they prefer workplace training to be delivered with separate sessions held for EOs within each party. This approach was supported by MPs. Given EOs within a particular affiliation share the same values, EOs and MPs noted that training delivered within a party group created a more comfortable and secure environment, with EOs more likely to engage openly and benefit from the content.

Regardless of which entity is providing the training, there was support across all stakeholders that, where training relates to supporting an MP in their parliamentary duties, EOs should be able to attend during paid work hours.

EOs should not attend or be provided training as part of undertaking their duties on activities that are outside the public duties of an MP. The CCC Report correctly made the assessment that, during office hours, these activities should not form part of an EO's duties. This means, training should not be provided to EOs during work hours where it relates to activities that: directly solicit a vote for any person or party; directly solicit subscriptions or other financial or non-financial support for a Member, political party or candidate; directly

solicit political party membership; relate to administering or managing a political party or relate to personal or commercial activities.

5.7: Staff travel

While MPs are provided support for travel, no such provision is made available to EOs to travel with their MP in support of their public duties. This particularly impacts Members of the Legislative Council (whose electorate covers the entire state) and other MPs with large electorates, who currently fund any staff travel requirements out of their EPE.

> **As the leader of a political party, it is not realistic to expect me to travel to visit constituents without some kind of staffing support. If I'm flying to Broome to engage with a range of constituent groups, I will need someone to do the administrative tasks, record minutes and take photos.**
>
> – WA Member of Parliament.

5.8: Conclusion

The current resourcing framework for MPs in WA is outdated, fragmented and insufficient. The allocation of EOs, the structure of allowances and the provision and use of electorate offices all reflect a system that requires change.

Western Australian MPs are supported by fewer EOs than their counterparts in most other jurisdictions. The current allocation of 2.0 FTE per MP also does not account for unique pressures faced by crossbenchers, regional MPs and those with multiple offices. Moreover, the ad hoc discretion of the Premier to determine additional electorate offices undermines transparency and accountability.

Similarly, the framework for the EPE in WA is misaligned with contemporary standards. The total quantum of public resources to support MPs is insufficient, but it is inappropriate to increase the EPE under WA's remuneration model. This model, which allows MPs to retain unspent public funds as personal income, lacks the safeguards and transparency of the dual-stream systems used in other jurisdictions.

The provision and governance of electorate offices also lack transparency and consistency. Decisions about secondary offices are subject to discretionary approval, signage protocols are narrow and the rules governing office use are ambiguous, leaving MPs and their staff uncertain about compliance.

Together, these findings point to a clear need for reform. WA must modernise its approach to MP resourcing by adopting best practices from other jurisdictions that prioritise transparency, fairness and flexibility. This will ensure MPs and EOs are properly supported to confidently serve their constituents and democracy.

Chapter 6: Recommendations for a new Members of Parliament Resources and Transparency Framework

This chapter introduces a comprehensive framework for the provision, administration, transparency and accountability of resources provided to Members of Parliament ('MPs'). The framework, termed the 'Members of Parliament Resources and Transparency' ('MPRT') framework, will ensure public funds better support MPs to undertake their role.

The MPRT is a clear, principles-based framework that reflects the modern demands, expectations and public duties of MPs and their electorate officers ('EOs'). By defining MPs' 'public duties', the MPRT framework provides clarity around which duties MPs and their EOs can receive public resources to undertake. The MPRT framework also outlines activities that are strictly of a private nature and for which MPs and EOs cannot receive public funding to undertake.

The MPRT framework also ensures MPs and EOs receive appropriate levels of resources and supports to carry out their public duties in service of public good. This includes an appropriate quantum of allowances, additional EO full-time equivalent support and transparency over circumstances where an additional electorate office may be provided.

The transparency inherent in the legislative nature of this framework will also ensure public trust in the allocation of public resources provided to our elected officials. This chapter contains recommendations for the framework (section 6.1), EO staffing resources (section 6.2), non-staffing resources (section 6.3) and implementation recommendations (section 6.4).

6.1: A new framework for the provision, administration, transparency and accountability of resources provided to Members of Parliament

To govern the use of public resources by MPs a new framework should be established. It is clear the current system in WA is outdated and is not providing the transparency expected by the public or the clarity required for MPs to confidently use the public resources provided to them. Rather than amending the existing system, a new framework, established through a singular Act, can take a principles-based approach and adopt best practices as demonstrated in other jurisdictions.

A new framework will provide much needed clarity and transparency for MPs, their EOs, administrators and the general public. The employment of EOs will be covered by this new framework, as a public resource provided to MPs. This will ensure that MPs, with the support of their EOs, can fulfil their duties to provide a public good.

Through establishing a new framework, the rules applying to different resource types, such as EOs, allowances and electorate offices can be consistent.

Consequential amendments to existing legislation will be required to provide for other groups of employees that are currently covered by the *Parliamentary and Electorate Staff (Employment) Act 1992* (WA) ('PESE Act'), so that their employment arrangements are not materially affected by the introduction of the MPRT framework and Act.

Recommendation 1: A new singular Act is introduced that governs the use of public resources, including electorate officers, by Members of the Western Australian Parliament, called the Members of Parliament Resources and Transparency ('MPRT') Act. The MPRT Act provides for a set of regulations that sits within the Member of Parliament Resources and Transparency framework. All consequential amendments to existing legislation needed to facilitate the MPRT framework are made.

While intended to guide the use of the Electorate and Parliamentary Expenses ('EPE') allowance, the current Salaries and Allowances Tribunal ('SAT') definition of 'parliamentary business' remains broad and imprecise, leaving MPs responsible for self-assessing whether a given activity is in or out of scope. This definition relates only to allowances determined by the SAT and does not assist with the understanding of what is permissible for the electorate office or staff activities. This contributes to uncertainty about what constitutes a permissible use of public funds, which undermines accountability and creates avoidable risks for MPs and those who support them.

To address this, introduction of the concept of 'public duties' in the MPRT Act provides a transparent and functional standard. Public duties are those activities that deliver a broad public benefit and fall within 3 categories – electorate, parliamentary and party-political duties. Under the proposed framework, public resources can be used to support MPs in the performance of their public duties. By explicitly defining the categories of public duties through regulation, the framework ensures MPs have a clear, legally supported understanding of what constitutes an appropriate use of public resources across a number of resource types.

This approach will also make clear what is not considered a public duty. Activities that directly solicit votes or political party membership, provide instructions on how to complete a ballot paper, relate to managing a political party, or are for personal or commercial activities, fall outside the scope of public duties. These exclusions provide practical boundaries that support public confidence in the integrity of MP's use of publicly funded support.

The Crime and Corruption Commission ('CCC') raised the issue of equity between candidates and incumbents. It is unavoidable that the activities of an MP over their term will no doubt contribute to their re-election and public resources shouldn't be denied from these

activities as a result where that is a product of performing the appropriate role in our democracy. As explained in chapter 4, the Commonwealth framework allows MPs to use work expenses to solicit a vote in support of the MP's own re-election. Where this constitutes parliamentary business of the MP, EOs may be directed to support, assist or facilitate the MP. In considering the CCC's concerns about the inequity that can exist between incumbents and non-incumbents, I've decided to provide for further exclusions over and above what would be provided in the Commonwealth system to prevent EOs and resources from being used in activities that directly solicit a vote.

Under the recommended MPRT framework for WA, activities such as the production, communication and distribution of material that directly solicits a vote for any person or party or provides instruction on how to complete a ballot paper (e.g. 'how to vote' cards) would not form part of an MP's public duties. Consequently, an MP would not be authorised to use public resources for these activities or to direct an EO to support, assist or facilitate the MP with these activities.

Activities such as communicating election policies, achievements, plans, political affiliation and priorities should constitute 'public duties' under the new MPRT framework, provided that they do not directly solicit a vote or otherwise fall within a category listed in recommendation 2(b).

The new framework is further strengthened by a set of core principles that must underpin any expenditure or use of public resources. These include ensuring that expenditure represents value for money and is proportional and reasonable, that activity is conducted ethically and that the MP is willing to demonstrate personal responsibility and accountability. These principles provide an objective foundation for both decision-making and oversight.

Finally, the framework confirms that EOs may be directed by MPs to carry out activities that support, assist or facilitate the performance of their 'public duties' as defined under the MPRT Act. This aligns staff with the same standard applied to other public resources and ensures that their work is focused on delivering broad public benefit. By linking the use of EOs to the definition of public duties, the framework provides clarity and consistency around how staff can be used, reinforcing their role as a legitimate resource for supporting MPs in the effective execution of their responsibilities.

Recommendation 2: The MPRT Act provides that Members can use public resources for activities that are for the purpose of their 'public duties', which are those duties that have a broad public benefit. Three categories of which are defined by regulations.

a) 'Public duties' means any of the following:

- **Electorate duties** undertaken in the Member's capacity as their constituents' elected representative, for example:

- Participating in debate, discussion, a meeting, an event or function, or undertaking research relating to matters of importance or interest to constituents.
- Communicating with constituents about approaches to public policy issues (including communicating policies and positions of their political party and approach of other political parties, including in the context of a State Election).
- Otherwise communicating with or representing the views and interests of constituents.
- Supports constituents and local organisations to navigate government systems or to overcome issues.

- **Parliamentary duties** undertaken in a Member's capacity as a Member of the Parliament, for example:
  - Preparing for, participating in and attending to business arising from proceedings of the parliament.
  - Developing, reviewing or amending legislation.
  - Developing and reviewing positions on public policy and legislation, and other matters of national or state importance, including through their political party processes and through consideration of the views of the wider Western Australian community.
  - Undertaking research, communication or administration connected with the business of the parliament, parliamentary committee work, the Member's public policy interests, or their role as a Member of Parliament.
  - Exercising the powers or functions, or performing the duties, of the Member's office.
  - Attending an event to which the Member has been invited in their capacity as a Member of Parliament.
  - Engaging and speaking with organisations, including their own political party, on public policy or legislative matters.
- **Party-political duties** undertaken in a Member's capacity as a member of a political party, or in collaboration with another group of members of a political party or independents, for example:
  - Attending a national or state conference of a political party.
  - Developing policies, proposals and plans, and engaging in related activities including when these may be used by the Member or a Member's political party in the context of a State General Election.

b) The MPRT framework only provides public resources (including electorate officers) or work expenses to support Members of Parliament in their public duties. The MPRT framework provides that certain activities, to be determined by regulation, are not part of a Member of Parliament's public duties. The regulations provide that an activity is not part of a Member of Parliament's public duties where it:

    i. Directly solicits any of the following:

        1. A vote for any person or party, using phrases such as 'vote', 'vote 1', 'vote for' or 'support at this election';
        2. Subscriptions or other financial or non-financial support (other than volunteering) for a Member, political party or candidate;
        3. Applications for or renewals of membership in a political party (including for pre-selection);

    ii. Provides instruction on how to complete a ballot paper;

    iii. Otherwise relates to administering or managing a political party, including managing its property or its compliance with applicable legal or regulatory requirements (for example, those arising under electoral law); or

    iv. Is for personal or commercial activities.

c) The MPRT Act specifies that public resources, including electorate staff, provided to Members of Parliament to support them in their public duties can only be used where they are consistent with the following principles for expenditure, to be specified by regulation:

    i. Expenditure represents value for money;

    ii. Activity is conducted ethically and in good faith;

    iii. Member is willing to demonstrate personal responsibility and accountability; and

    iv. Expenditure is proportional and reasonable.

d) The MPRT Act confirms that electorate officers may be directed by their employing Member of Parliament to undertake activities that support, assist or facilitate the Member in conducting their 'public duties'.

As discussed above, the MPRT framework will enable transparency and accountability of MP's use of public resources, including EOs. The framework should empower MPs and EOs to act with confidence and undertake activities that contribute to the public good. However, MPs and EOs may still be concerned that their actions are judged against a different set of rules or standards applicable to public sector employees.

To address this concern, the Commonwealth includes explicit clarification for staff and administrators acting in accordance with the *Parliamentary Business Resources Act 2017* (Cth) ('PBR Act') and *Members of Parliament (Staff) Act 1984* (Cth) ('MOPS Act'), within anti-corruption legislation. This approach should be reflected in WA's respective legislation, to provide certainty that permissible actions under the MPRT framework cannot be found in contention.

Recommendation 3: For the avoidance of doubt, the *Corruption, Crime and Misconduct Act 2003* (WA) is amended to clarify that the use by a public officer of public resources to conduct public duties in accordance with the MPRT Act does not constitute corrupt conduct, mirroring section 8(11) of the *National Anti-Corruption Commission Act 2022* (Cth).

In WA, a large pool of public resources is provided to MPs as part of their personal remuneration, as determined by the SAT. For the reasons discussed in Chapter 5.3.5, this is inappropriate.

The MPRT framework will empower the responsible Minister to prescribe the type and quantum of work expenses and other public resources provided to Members of Parliament for the purpose of their public duties. Providing for these through regulation will enable clarity, transparency and parliamentary oversight of the public resources provided to MPs for their public duties.

While the allocation of portfolio responsibilities sits with, and remains the prerogative of, the Premier, consideration should be given to the MPRT framework being within the responsibilities of the Minister responsible for Electoral Affairs or Finance.

The SAT should maintain responsibility for setting MP salaries and other public resources that appropriately form part of their personal remuneration, or public resources currently determined by the SAT that sit outside the scope of this Review.

Recommendation 4: The MPRT Act empowers the responsible Minister to prescribe, by regulation, the type and quantum of work expenses and other public resources provided to Members of Parliament for the purpose of their public duties. The Salaries and Allowances Tribunal maintains responsibility for setting the quantum of Members of Parliament salaries, other allowances that form part of their total remuneration as well as travel and accommodation arrangements.

The MPRT Act embeds transparency in the framework, by requiring the responsible Minister to table reports on the use of work expenses and other public resources.

Recommendation 5: The MPRT Act requires the Minister responsible for administering the MPRT framework to table in parliament reports on the usage of resources by Members. The timing and style of the reports are set by regulation.

Western Australia is at a critical juncture in terms of determining the most appropriate employment model for EOs. The CCC has correctly observed that the formal employer must exercise greater supervision of EOs' day to day tasks to effectively meet its employment obligations and reduce oversight challenges.

As outlined in chapter 4, one option is for the Presiding Officers and/or DPC to assume more responsibility for directing individual EOs' work tasks and managing their performance. This, however, would inappropriately embed these entities in the daily activities of MPs and their electorate offices.

A more appropriate and sustainable approach is to designate the current functional employer, the MP, as the formal employer on behalf of the State. This employment framework currently operates in the Commonwealth and NSW where the MP employs EOs on behalf of the Commonwealth/State.

This change to the employer will require structured training and support for MPs to equip them to manage employer responsibilities, including handling complaints that arise in the employment relationship, and compliance with industrial obligations.

Irrespective of any structural changes, MPs already require more support than is currently provided to effectively fulfil their responsibilities as functional employer, such as staff supervision, performance management and ensuring a safe workplace.

As noted in chapter 4, while EOs serve the public in the course of their duties, they are not legally public servants. Electorate officers should remain separate to the public service and broader public sector given the unique political context in which they operate. Like in most jurisdictions, EOs should be explicitly excluded from the *Public Sector Management Act 1994* (WA) to make this unequivocally clear.

In line with this, EOs should continue to be governed by a dedicated code of conduct for EOs rather than the WA Public Sector Code of Ethics. This distinction – already present in WA and the Commonwealth – ensures behavioural standards are tailored to the specific nature and context of the EO role while maintaining expectations around integrity and accountability. In future, the EO code of conduct should be established via regulation by the responsible minister, ensuring both flexibility and appropriate ministerial oversight.

When establishing MPs as the formal employers of EOs, some functions must remain centrally coordinated to ensure consistency across the occupational group. Industrial agreement bargaining should remain centralised, with the responsible minister retaining

authority to represent the employer for the purposes of enterprise bargaining. This will ensure consistent pay and condition outcomes for EOs across the State.

A standardised early dispute resolution process should also be introduced to allow employment disputes to be addressed promptly at the local level. For situations where disputes are not resolved in this way, it is appropriate that EOs maintain access to the WA Industrial Relations Commission. Members of Parliament should have access to appropriate representation in Commission matters – potentially through the authority responsible for supporting MPs in their duties, the State Solicitor's Office or, where endorsed by Government, Government Sector Labour Relations.

Under the new framework, it remains appropriate for the Civil Service Association of WA to continue representing the EO workforce. This reflects EOs' role in delivering public services, as well as the union's established coverage of EOs and other occupational groups employed by the State of Western Australia.

Recommendation 6: In regard to the employment of electorate officers:

a) The MPRT Act recognises the Member of Parliament, on behalf of the State, as the employer of electorate officers within their office.

b) Members of Parliament are provided with appropriate training and support to undertake their role as employer.

c) The Minister responsible for administering the MPRT framework, by regulation, sets a revised Code of Conduct for electorate officers.

d) The MPRT Act expressly recognises that staff are not public sector employees under the *Public Sector Management Act 1994* (WA), in the same way the *Corruption, Crime and Misconduct Act 2003* (WA) excludes their employees from the public service.

e) The Minister responsible for administering the MPRT framework is responsible for representing Members of Parliament in industrial agreement bargaining.

f) Under the MPRT Act, electorate officers retain access to the Western Australian Industrial Relations Commission with early dispute resolution procedures established to mediate disputes and achieve local and timely resolution.

g) Where industrial matters are heard in the Western Australian Industrial Relations Commission, the Member of Parliament is represented by the authority tasked with supporting Members with their public duties or other relevant authority as appropriate.

While the MPRT framework promotes clarity and transparency, administrative support is imperative to its success. Members of Parliament and EOs require human resources and other support in navigating the formalised employment relationship. They also require support in complying with the permissible use of work expenses and other public resources under the MPRT framework. Independence is important in managing the provision, administration, transparency and compliance with the MPRT framework, including human resources advice.

Recommendation 7: The MPRT Act establishes an Independent Parliamentary Resourcing Agency to manage the provision, administration, transparency and compliance with the MPRT framework. The new agency would be responsible to a 3-to-5 member board, appointed by the relevant Minister, but which is independent from government. The board will provide advice to the responsible Minister on the operation of the MPRT framework and provide compliance assessments within the MPRT framework to Members of Parliament on the permissible use of public resources.

Note: should the Government decide not to establish an independent agency, consideration should be given to establishing an agency of government to manage the provision, administration, transparency and compliance with the MPRT framework. A 3-to-5 member panel within the agency could provide advice to the responsible Minister on the operation of the framework and provide compliance assessments within the MPRT framework to MPs on the permissible use of public resources.

6.2: Staffing resources

It's clear that staffing resource levels in electorate offices are no longer sufficient – the Review heard this clearly and consistently across all participant groups. As discussed in chapter 5, baseline staffing levels (set at two full-time equivalent EOs per MP) have not been increased since 2006. In the nearly two decades since, workloads have grown significantly, driven by rising community expectations, increased constituent engagement on complex matters and the shift to digital platforms that create an expectation MPs are constantly available. At the same time, electorates have grown as a result of population growth and electoral reform.

Western Australia's EO staffing levels are now lower than those in every other Australian jurisdiction except Tasmania and the NT, both of which have significantly smaller populations.

With the increasing level and expectations for public engagement with MPs, the support provided to MPs must keep pace. The Review heard clearly that the current staffing model has resulted in an EO workforce under increasing strain.

There is also a safety imperative. With only two FTE per electorate office and the inherently mobile nature of MPs' work, it is common for EOs to be working alone. This creates risks for their safety and wellbeing, which additional staff resourcing would help to address.

In addition, this Review recommends expanding the scope of EO responsibilities to better reflect the practical support MPs require. While appropriate, this expansion will increase workloads, underscoring the importance of increased resourcing.

The Review finds that the additional staffing needs fall between 0.7 and 1.0 FTE per electorate office. For ease of administration and future proofing, on balance, I consider the need for an additional 1.0 FTE for each office. With this additional allocation, existing relief staffing arrangements should be discontinued, except where required for long term leave or exceptional circumstances. Short term leave arrangements of EOs can be managed within the increased staffing allocation.

As office sizes grow, operational structures must also evolve. The Review heard that should an MP have 3 or more staff (spread across the FTE allocation) it can trigger the need for one EO to take on a more senior or supervisory role. The current industrial agreement classifies EOs based on years of service, with no formal mechanism to recognise differences in seniority or responsibility within an office. Some electorate offices already operate with informal internal hierarchies to manage workflow and delegate responsibilities, yet there is no formal structure to reflect or support this in classification or pay. Introducing optional seniority levels would allow MPs to recognise and structure hierarchies within their office, while retaining flexibility for those who prefer a flat structure. This would align the employment framework with the operational diversity of electorate offices and support retention and progression within the EO workforce.

Throughout the Review, it became clear that the role of an EO is no longer confined to standard business hours. As discussed in chapter 3, increasing workload pressures, limited resourcing and rising community expectations often mean that tasks are completed out of hours. In addition, because EOs work directly to the MP, their schedules are frequently shaped by the demands of parliamentary and community life, including early morning, evening and weekend engagements. Electorate officers are self-motivated or requested to support these commitments, particularly where community facing events are involved. While the current industrial agreement provides some flexibility around hours of work, it does not adequately address the regular and ongoing nature of duties performed outside standard hours. A more structured approach is needed to recognise these patterns of work and support the sustainability of the EO workforce.

While not a legal requirement, Job Description Forms ('JDFs') are best practice. They should accurately reflect the role an EO is expected to perform and clearly define the activities permitted and not permitted in the role. As discussed in chapter 4, currently, JDFs align with the PESE Act's definition of the EO role, being constrained to constituency matters.

Under the MPRT framework, with an expanded scope and new classification levels for EOs, new JDFs will be required that encompass these changes and empower MPs to structure their office according to their needs, and the needs of the electorate. A suite of JDF templates should meet these requirements, providing structure and guidance for MPs and EOs.

Recommendation 8:

a) The Minister responsible for administering the MPRT framework, by regulation, sets the base staffing allocation for Members of Parliament to 3 full-time equivalent electorate officers. The relief resources currently provided would cease to be made available under this arrangement, with appropriate exceptions to account for periods of long-term leave.

b) The Minister responsible for administering the MPRT framework, by regulation and inclusion in the next replacement industrial agreement, sets 3 levels of seniority of electorate officers – levels A, B and C. Members of Parliament are permitted, when structuring or restructuring their office, to have either 3 electorate officers at level B or one electorate officer at each level.

c) In the next industrial agreement negotiations, consideration is given to implementing a similar scheme to the federal Electorate Staff Allowance, under which, limited units of the allowance would be available to Members of Parliament to allocate to electorate officers, on an ongoing basis, in recognition of duties regularly performed out of ordinary working hours.

d) Members of Parliament provide Job Description Forms for each EO role within their office, which reinforce what is and what is not considered permitted activity, and form part of the employment contract. To support this, a suite of template Job Description Forms are made available to Members of Parliament to tailor and apply to their office, which are aligned to the classification levels under the industrial agreement.

While workloads across electorate offices are high, pressures and demands on certain types of offices are more pronounced. As discussed in chapter 5, this is evident for MPs allocated an additional electorate office and MPs not elected as members of a party which holds at least 5 seats in the Legislative Assembly.

For MPs with an additional office, including regional MPs with large electorates, the task of staffing two offices and servicing two separate communities can be a significant challenge. Currently, MPs receive no additional FTE allocation, resulting in one EO responsible for each office. This leaves regional communities, who already experience relatively reduced access to services and supports, at risk of being further under serviced. For EOs, the current FTE allocation increases the likelihood of burnout and creates isolated workplaces which has implications for safety and job satisfaction.

Members of Parliament not elected as members of a party that holds at least 5 seats in the Legislative Assembly do not experience the collegiate support in assessing the government's legislative agenda or in developing policy. In this Review's consultations with the WA crossbench, the pressures across electorate, parliamentary and party-political

duties was evident. These MPs and their EOs manage significant workloads without the additional resources of a leader's office, or the support major political party organisations provide. The lack of support may result in reduced engagement with legislation and parliamentary processes, and constituents receiving less engagement.

The inadequate EO resourcing of these two groups needs to be addressed to support both democratic outcomes and for communities to be properly serviced. To enable accountability and transparency, this should be enabled through regulation removing the need for ad hoc decisions which are vulnerable to politicisation.

Where additional resources are provided to members of the crossbench, they should only be provided to those elected as such. Additional resources shouldn't provide an incentive or benefit to those departing from the political affiliation they had disclosed to the community when seeking election.

Recommendation 9: The Minister responsible for administering the MPRT framework, by regulation, provides one additional full-time equivalent electorate officer, at Level B, for those Members of Parliament that are eligible for an additional electorate office, as outlined in regulation (see recommendation 13).

Recommendation 10: The Minister responsible for administering the MPRT framework, by regulation, provides for an additional allocation of 0.5 full-time equivalent electorate officers, at Level B, for those Members of Parliament who were elected as members of a party which does not hold 5 seats in the Legislative Assembly.

While increasing staffing resources for MPs is required, this must be partnered with accountability and transparency to maintain and improve public trust. Further, the standards around who is employed as an EO must be maintained. Currently, within the PEO Handbook, there is a prohibition on MPs employing family members. This prohibition aligns with public expectations and should be strengthened through inclusion in regulation.

Recommendation 11: The Minister responsible for administering the MPRT framework, by regulation, maintains the prohibition on Members of Parliament employing family members.

6.3: Non-staffing resources

Office

The current process for determining whether an MP is entitled to a second electorate office, or indeed relocation of the first, relies heavily on the personal discretion of the Premier. This system lacks transparency and does not provide Members, or the public, with a clear rationale for why additional offices are granted. In practice, this creates the perception that resource allocation may be influenced by political considerations rather than objective need. While this Review heard no evidence of any past decision having been made on this basis, this concern should be addressed by introducing a consistent and transparent method for allocating electorate offices, based on clear and measurable criteria.

Under the proposed framework, the Minister responsible would, by regulation, prescribe a primary electorate office for each MP and establish eligibility for any additional offices. The regulation would set objective thresholds, particularly for Members of the Legislative Assembly representing electorates that exceed a defined geographical size. These criteria would be more targeted and inclusive than the current informal benchmarks, enabling fairer distribution of resources, especially to rural and remote MPs who face greater logistical challenges in servicing their electorates. Responsibility for the actual provision of offices would be formally transferred to the Independent Parliamentary Resourcing Agency, further removing perceived political discretion and ensuring the integrity of the process.

Recommendation 12: The Minister responsible for administering the MPRT framework, by regulation, prescribes a primary electorate office and any additional electorate offices to each Member of Parliament. The regulation sets criteria for eligibility for a second electorate office to those Members of the Legislative Assembly who represent geographically large electorates, removing the requirement for individual approval from the Premier.

At present, the fit-out, equipment and ongoing services provided to electorate offices are broadly guided by the Parliamentary Electorate Office ('PEO') Handbook, a document with limited legal authority and which is ultimately subject to executive discretion. This could lead to inconsistencies in the resourcing of electorate offices across the state, with some Members experiencing delays, inequities, or inadequate facilities. Whilst this review has encountered no evidence of this, the risk of this perception arising is reason enough to move away from decision making which hinges on opaque or informal processes. To promote equity, efficiency and professionalism, this recommendation proposes that the essential specifications for electorate offices be enshrined in regulation, rather than being left to administrative policy.

The Minister would, by regulation, determine not only the size and type of office accommodation Members are entitled to—whether primary or additional—but also define

the standard inclusions such as furniture, communications systems, security arrangements and ongoing building services. By codifying these elements, Members will be able to rely on a consistent and enforceable baseline standard, regardless of political affiliation or the particularities of their electorate. The regulation will also ensure the Independent Parliamentary Resources Agency ('IPRA') or Parliamentary Services Department ('PSD') is empowered to deliver these office resources equitably, reducing reliance on informal discretion and strengthening the accountability of public resource allocation.

Recommendation 13: The Minister responsible for administering the MPRT framework, by regulation, determines the size and style of the primary electorate office, and any additional electorate offices, to be provided to Members of Parliament. The regulation sets the building services, security and standard equipment provided to support the office/s.

Members of Parliament should be provided an equality of resourcing with regards to their physical electorate offices and related services, regardless of geographical location of their electorate. The cost of providing these resources is likely to vary across regions and locations. On this basis, the cost of providing individual electorate offices and related services should not be disclosed on an individual basis.

Recommendation 14: Members of Parliament are provided the same standard of electorate office and related services, regardless of location, and costs for each office are not reported on an individual basis.

As discussed in chapter 2, MPs are almost always elected due to their political party affiliation and not as individuals. This party affiliation is disclosed on the ballot paper, and constituents expect MPs to act as members of their party, including those who did not vote for them. The party affiliation serves as an indicator of values, ideology and objectives, and helps set community expectations on the policy positions and issues the MP is likely to support.

Currently, as discussed in chapter 5, WA MPs are not permitted from identifying themselves as a member of their political party on their office or in their publications. These measures are not necessary and do not strengthen our democratic system. Other jurisdictions recognise the practical benefits of communicating a party-political affiliation, as MPs identifying themselves as a member of their own political party, or as independent, is an act of transparency and aids community understanding of their local representatives.

Should MPs wish to identify their political affiliation on their office or in their publications they should be permitted that choice.

Recommendation 15: The Minister responsible for administering the MPRT framework, by regulation, determines the template external signage to be provided as part of the electorate office and permit signage variations funded by individual Members of Parliament. The regulation contains the signage protocols and allows for identification of the Member's political affiliation including the limited use of the logo of the party with whom the Member is affiliated or the word 'independent' for those Members with no political affiliation.

Information Technology

The Information Technology ('IT') equipment and services provided to MPs must be fit-for-purpose.

All MPs require trust in the confidentiality and privacy in their IT communications and data. Members of Parliament, including government MPs, expressed a discomfort with these resources being provided by a government department that also serves the executive. There is no suggestion confidentiality has been breached or that the IT services provided by the Department of the Premier and Cabinet ('DPC') have been delivered inappropriately. Nevertheless, there are perception risks with the current system, similar to those associated with the ad hoc provision of additional EOs and electorate offices.

Responsibility for the provision of IT services and equipment should be relocated to the Parliamentary Services Department, to remove any risk, real or perceived, of politicisation. This transition also provides an opportunity to evaluate the equipment and services provided, and to ensure modern work practices and EO job sharing can be accommodated.

Recommendation 16: The Parliamentary Services Department is responsible for the provision of electorate offices', Parliament House's and mobile information technology equipment, hosting data and support for Members of Parliament, the Leader of the Opposition and the Leaders of Minor Parties.

Information Technology equipment provided recognises modern work practices, such as laptops with office docking equipment replacing desktop computing and meeting rooms with teleconference facilities. In recognition that some full-time equivalent electorate officer positions are shared, resources are available for a maximum of 6 part time staff.

Recommendation 17: The Parliamentary Services Department prepare a resourcing and transfer plan for consideration by Government with an expected transfer of responsibility in the second half of 2026.

Allowances and electorate office

The total quantum of public resources provided to support the electorate office in WA is insufficient, both in absolute terms and relative to other jurisdictions (see chapter 5.3).

The total quantum of electorate office related resources that MPs receive in WA comprises a single remunerated electorate allowance ranging between $88,000 to $111,900. This is relatively low in comparison to other jurisdictions such as the Commonwealth, NSW, Victoria and SA, where the total quantum of electorate office related resources can be as much as approximately $45,000 - $250,000 p.a. greater.

For MPs to fulfil their duties effectively, they must be properly resourced. There is an opportunity for WA to increase the total quantum of electorate office related public resources provided to MPs to better align with the total quantum of resources provided in other jurisdictions and to support MPs in efficiently and effectively undertaking their duties. This is particularly necessary in recognition of the recommended additional FTE electorate officers and the increased communication demands.

Recommendation 18: The available resources provided to Members of Parliament to support their office and their communication with their electorate is increased, relative to other jurisdictions to recognise additional full-time equivalent electorate officers and communication demands.

It is inappropriate, however, to achieve an increase in electorate office related public resources by increasing the existing EPE allowance further. This is because this current approach carries a number of risks, including that MPs may retain unspent portions of the EPE allowance as personal income, with those portions of the EPE allowance being diverted away from public duties.

The practical reality of this ‘remuneration approach’ is that there are effectively two rules governing the use of this single allowance – that is, the SAT Determination and the relevant ATO ruling – with these conflicting rules resulting in unnecessary and unintended consequences.

The current approach whereby the total quantum of electorate office related resources is provided to MPs through a single allowance that they may retain as personal income is outdated and carries growing risks.

Recommendation 19: The remuneration system is no longer solely relied upon for the provision of work expenses and public resources to support Members of Parliament in the conduct of their public duties.

Much like other jurisdictions, WA should adopt a dual-stream model that includes the following.

- A smaller Electorate Allowance that forms part of the MP's total remuneration, the quantum of which is determined by the SAT.
- A larger non-remunerated Electorate Office and Communication ('EOC') Budget that is provided to MPs on claims basis. The responsible Minister provides for the quantum and scope of the EOC Budget under the MPRT framework.

The EOC Budget is not to be provided as part of the MP's remuneration. Instead, the EOC Budget should be provided on a claims-basis. Unspent portions of the Budget would be forfeited at the end of each financial year and not form part of the MP's personal income.

WA requires a transparent legislative framework setting out the quantum and scope of the EOC Budget. The EOC Budget is to support the MP in their 'public duties' as defined by the MPRT regulation (refer to Recommendation 2). In providing for the scope of the activities permitted under the EOC Budget, the MPRT regulations cannot go outside of 'public duties'. The permissible activities under similar office and communication budgets in the Commonwealth, NSW, Victoria and SA should be considered in developing the scope of the EOC Budget (refer to discussion in chapter 5.3.3).

The quantum of the EOC Budget should be established in the MPRT Act and fixed to the Consumer Price Index. Members of Parliament who are provided with an additional electorate office in line with recommendation 14 of this Review, should be provided with a slightly higher EOC Budget. This seeks to promote equity where greater resources are required to service multiple electorate offices.

I have determined that the Minister responsible for administering the MPRT framework should consider a range from $80,000 to $110,000 for the initial EOC Budget and that the budget be increased in line with CPI on an annual basis without the need to reissue regulations.

The responsible Minister should prescribe, through the MPRT regulations, the items MPs are permitted to claim. This will ensure the scope of claimable expenses under the EOC Budget are clear, transparent and consistent for all MPs.

Recommendation 20: The Minister responsible for administering the MPRT framework, by regulation, establishes an Electorate Office and Communication Budget that is drawn down on by Members of Parliament on a claim basis. These regulations establish the expenditure items permitted to be claimed under the Electorate Office and Communication Budget for a Member of Parliament's 'public duties'. Any unspent amounts are forfeited, rather than becoming part of the Member's remuneration as per the existing single allowance.

Members of Parliament require support in making claims under the EOC Budget. The IPRA - provided for under recommendation 7 to manage the provision, administration, transparency and compliance with the MPRT framework - should provide advice on permissible expense claims under the EOC Budget. IPRA will enable MPs to seek pre-claim assessments on proposed expenses. This will support MPs in ensuring their expenditure under the EOC Budget is compliant with the MPRT framework.

Recommendation 21: The Independent Parliamentary Resourcing Agency provides advice on material and items that can be funded under the Electorate Office and Communication Budget and can provide pre-approval when requested on proposed expenditure.

The smaller Electorate Allowance, the quantum of which should be set by the SAT, should be considered a supplement to the MP's personal income and forms part of their total remuneration.

The scope of the Electorate Allowance is provided for by the appropriate Australian Taxation Office ruling and compliance responsibility would rest with the Australian Taxation Office. I would envisage that the SAT would consider a range between $35,000 and $45,000 when reducing the base electorate allowance on commencement of the EOC Budget.

Consistent with other jurisdictions that adopt a dual approach to electorate office related resources, the Electorate Allowance no longer requires post-expenditure reporting to the Salaries and Allowances Tribunal. Similar reporting provisions of the current EPE would be applied to the new and more significant Electorate Office and Communication Budget.

Recommendation 22: Given the establishment of the Electorate Office and Communication Budget, the Salaries and Allowances Tribunal sets a significantly reduced Electorate Allowance that forms part of the Member of Parliament's total remuneration.

To remove the duplication and overlap, consistent with other jurisdictions, claims against this allowance are determined by the appropriate Australian Taxation Office ruling and compliance responsibility would rest with the Australian Taxation Office.

The Commonwealth's Independent Parliamentary Expenses Authority ('IPEA') publishes data on Members' expenditure under the Office Expenses Budget. In order to ensure transparency and oversight surrounding the use of the EOC Budget, a similar approach should be adopted in WA whereby the expenditure under this budget is made publicly available.

Recommendation 23: The Minister responsible for administering the MPRT framework, by regulation, is required to table in parliament, within 3 months of the end of each financial year, the total claims made under the Electorate Office and Communication Budget by each Member of Parliament for the preceding financial year. The claims can be grouped into a set number of expenditure categories to provide additional transparency.

Staff travel

Electorate officers should be able to support their MP in the community, including being able to travel with the MP. Currently there is no dedicated resourcing provided to support staff travel. This is particularly impactful for Legislative Council Members whose electorate covers the entire state and MPs who represent large electorates.

Any such new resource provided should consider both any limits on the quantum of resource and the transparency arrangements required.

Recommendation 24: The Minister responsible for administering the MPRT framework, by regulation, establishes an annual capped staff travel allocation for Legislative Council Members and Members of Parliament who meet the criteria for an additional electorate office.

Recommendation 25: The Minister responsible for administering the MPRT framework, by regulation, is required to table in parliament, within 3 months of the end of each financial year the total claims made under the Electorate Staff Travel Allocation by each Member for the preceding financial year.

Staff training

The MPRT framework will empower EOs to support their employing MPs across the breadth of their public duties. As a result, EOs will require further access to training, to provide this greater level of support. Training required may depend on the unique needs of their MP and electorate, and on the existing skills within the electorate office.

Technical training to suit individual needs of office and EOs should be available, such as speech writing, crisis management, relevant software and photography courses.

Recommendation 26: The Independent Parliamentary Resourcing Agency provides to all electorate officers greater opportunities for training and professional development, including external third-party technical training courses.

It is a practical reality that EOs work collegiately with other EOs who work for MPs of the same political affiliation. Additional, non-EO, staffing resources are already provided to the offices of the leaders of major parliamentary parties. These staff often play a coordination and support function amongst EOs serving MPs from their party. This is natural given that some of the work of an electorate office will, in line with the duties of the MP, be party-political in nature.

Support and training can be provided best by someone who understands the party-political demands and pressures that EOs will encounter. An additional EO provided to the Secretary of each Parliamentary Party would be able to effectively provide support, training and stewardship to their peers in an environment which can be tailored to meet the particularities of that political party. EOs naturally mirror the competitive relationship that occurs between MPs of different parties, so it would be naïve to assume that training provided in a mixed-party environment would be productive.

All training undertaken by EOs during working hours must relate to activities that can receive public resources as part of public duties, as defined by the MPRT framework. As outlined in recommendation 2, this framework will make clear that public resources shouldn't be provided to support MPs activities that are not a part of a 'public duty'. Therefore, it is inappropriate for EOs to receive training on activities that public resources are not permitted for like fundraising, election day activity and in activities that directly solicit a vote.

Recommendation 27: The Minister responsible for administering the MPRT framework, by regulation, provides for an additional electorate officer to the Secretary of each parliamentary Party to be a senior mentor, support person and trainer for electorate officers of Members of Parliament within that parliamentary party.

6.4: Implementation

This Review has taken a holistic, first principles based, approach when considering how WA MPs are resourced to execute their responsibilities.

The Review has encountered broad conscious from MPs on its key findings, particularly with regard to the roles of MPs and EOs.

It is recommended that government consider the findings of this review in full when developing any legislative and administrative changes to the current framework.

Recommendation 28: The drafting of the legislation, regulations and future administration of the framework for the provision of resources to Members of Parliament recognise and reflect the findings throughout this report.

A staged approach, as outlined, would enable the most acute shortfalls to be addressed immediately within the current framework, whilst progressing the planning needed to roll out more enduring changes.

As such, the implementation of this Review's recommendations should be rolled out in line with schedule contained at chapter 7.

Recommendation 29: Recommendations are actioned in accordance with the implementation timeline presented in this report to ensure timely and coordinated delivery of outcomes

While this Review has been deliberately limited to examining the employment arrangements of electorate officers, as outlined in the terms of reference, it is evident that certain adjacent areas, such as the travel and accommodation entitlements of MPs, intersect with the broader principles of transparency, consistency and accountability. Although these matters fall outside the current scope of the Review, it would be appropriate for government to consider, at a future time, whether such arrangements should be brought within the purview of the MPRT framework.

In the interim, the Review supports continued oversight of the travel and accommodation entitlements by the Salaries and Allowances Tribunal.

This review was limited in scope to matters relating to EOs and did not seek to understand or make recommendations on the employment framework of Ministerial Officers ('MOs'), nor to the resourcing of offices for Ministers and Leaders of recognised parties, including the Leader of the Opposition.

In unpacking the employment framework of EOs, some high-level investigation of the employment framework of MOs was conducted. Unlike EOs, MOs are employed under the *Public Sector Management Act 1994* (WA) and nothing suggests, other than a carve-out under the *Equal Opportunity Act 1984* (WA), that these staff are not subject to the same standards and code of conduct that apply to all other public sector employees employed.

The ambiguity around these employment arrangements creates the same risks that this review has attempted to resolve for EOs. The framework recommended in this Review may provide a suitable platform to address potential issues in the employment framework for MOs and the resourcing of Ministerial Offices.

Before considering such an approach, the Government should consider approaches in other jurisdictions and better understand the current framework in WA.

Recommendation 30: Government commission an independent review into the employment framework for Ministerial Officers and the allocation of resources to Ministerial and other Party Leaders' offices.

To ensure the ongoing effectiveness, relevance and integrity of the MPRT framework, it is important that the framework be subject to regular, structured review. A statutory review every 5 years will provide an opportunity to assess whether the framework continues to meet its objectives and responds appropriately to the evolving needs of MPs and EOs, and the expectations of the broader public.

This periodic review process will complement the continuous, independent advice provided by the Independent Parliamentary Resourcing Agency to the responsible Minister, helping to maintain a robust and contemporary system.

To ensure the review process is as impartial and productive as possible, the timing of the 5-year statutory review should be carefully considered within the parliamentary term. Conducting the review in the mid-term period, rather than near the beginning or end of a parliamentary cycle, will help ensure that it does not interfere with the demands of an election campaign or the immediate aftermath of a State Election.

Recommendation 31: A statutory review of the MPRT Act is undertaken every 5 years, noting the Independent Parliamentary Resourcing Agency's role in providing ongoing advice and feedback to the responsible Minister on the operation of the framework.

Chapter 7: Implementation plan for this Review's recommendations

The recommendations of this review should be implemented by mid-2027.

A staged approach is proposed in recognition that some aspects of the Members of Parliament Resources and Transparency ('MPRT') framework will require significant time to implement, notably the drafting of legislation and reforms to government entities. However, the complexity of these longer-term reforms should not unnecessarily delay the implementation of more immediate and pressing recommendations.

Milestones for implementation as soon as possible and complete no later than 1 January 2026:

The most acute staffing shortfalls addressed. Members of Parliament who currently have a second electorate office should receive an additional 1.0 FTE to ensure there is appropriate coverage across their two offices.

Crossbench MPs (MPs who were not elected as members of a party with at least 5 members in the Legislative Assembly) should receive an additional 0.5 FTE each in addition to their base allocation. This provision should be consistent across members of minor parties.

In recognition of the role that political parties play in the work and coordination of EOs, 1.0 FTE should be provided to the secretary of each major parliamentary party (those with at least 5 members in the Legislative Assembly) to provide training and guidance to EOs working for members of their political party. These roles will enable training and support to be delivered in an appropriate way, whilst also serving as a conduit between EOs and government throughout the implementation of the MPRT framework.

Signage protocols to be updated. As an immediate first step, the signage protocols contained in the Parliamentary Electorate Office ('PEO') Handbook should be amended to allow for the identification of the MP's political affiliation, including limited use of the logo associated with their political party. Guidance is to be provided about the appropriate size and prominence of the logo.

Milestones to be completed by 1 July 2026

Passage of the MPRT Bill by parliament. Drafting of the corresponding regulations and proposed changes to related legislation, including the current *Parliamentary and Electorate Staff (Employment) Act 1992* (WA), would ideally occur concurrently to the drafting of the MPRT Bill to support reforms being able to commence as soon as possible after the passage of legislation.

Actions to commence 1 July 2026

Establishment of the Independent Parliamentary Resources Agency ('IPRA'). Subject to the passage of the MPRT Act and any related legislation and regulations, IPRA should be established. Relevant funding proposals and transition plans should be prepared prior to passage of the MPRT Act, to ensure a seamless transition once the new legislation comes into effect. There may be a progressive transition of responsibilities to IPRA over time.

Commencement of the Electorate Office and Communications ('EOC') budget. Subject to the passage of the MPRT Act and any related legislation and regulations, the Electorate Office and Communications budget comes into existence.

Salaries and Allowances Tribunal ('SAT') reduce Electorate allowance. Subject to the commencement of the Electorate Office and Communications budget the SAT reduces the Electorate and Parliamentary Expenses allowance.

Alignment with financial year. Noting that the proposed changes to allowances included in the MPRT Act will impact MPs' personal taxation processes, the establishment of the EOC budget and the reduction of the Electorate and Parliamentary Expenses allowance would ideally be aligned with the beginning of a financial year. If the legislation is not able to be enacted prior to 1 July 2026, the changes to expense budgets and allowances would ideally not come into effect until 1 July 2027. All other aspects of the MPRT framework can commence immediately following passage of legislation.

Milestones to be completed by 1 December 2026

Transfer of Information Technology service provision to PSD. Responsibility for providing information technology services to electorate offices should be transferred from DPC to the Parliamentary Services Department ('PSD').

Negotiation of a replacement industrial agreement. Negotiation with the Civil Service Association of WA should commence immediately following passage of the MPRT Act. These negotiations should acknowledge the changes in role responsibilities being provided to EOs, as well as the additional support provided to each office, which should reduce excessive working hours.

Actions to commence 1 July 2027

Commencement of the new industrial agreement. Once the replacement agreement has been finalised, new employment contracts, in line with the MPRT framework's classification system, should be issued to all EOs.

Commencement of additional 1.0 FTE to each electorate office. The Minister responsible for the MPRT framework should issue a regulation that increases the staffing provided to each MP by 1.0 FTE. This would bring the baseline provision to MPs of 3.0 FTE.

Appendix A: Terms of Reference

Background

On 11 November 2024, the Corruption and Crime Commission (CCC) tabled its report on 'Significant misconduct risks to good government'. One of the allegations of possible serious misconduct considered in the report related to the use of electorate officers (EOs) for party political purposes.

Sections 4(1)(b) and section 4(2)(b) of the *Parliamentary and Electorate Staff (Employment) Act 1992* (WA) describe the employment arrangements for EOs, who are appointed to assist Members of Parliament in dealing with constituency matters. The term EOs includes all people appointed under these provisions, including those with the job title 'research officer'.

The CCC report identifies that the existing employment arrangements for EOs are complex and present unique challenges for oversight and accountability mechanisms. This includes:

- EOs are employed by the Speaker of the Legislative Assembly or President of the Legislative Council, as 'Presiding Officers'.
- The Presiding Officers have issued a delegation to the Director General of the Department of the Premier and Cabinet (DPC) of all their functions and duties in relation to those officers.
- Members of Parliament are responsible for the day-to-day management of the EOs in their office, however the administration of EOs' leave entitlements and salaries is undertaken by DPC.

The WA Government therefore intends to undertake an independent review to explore the role, responsibilities and employment arrangements for EOs in WA. In the interim, and in accordance with existing employment arrangements, DPC will consider and respond to the CCC report's recommendations.

Purpose

The purpose of the review is to explore the employment frameworks for EOs in WA, including the legislative underpinnings. This may include identifying possible options to reform underlying legislative and policy frameworks to provide better clarity around the authorising and oversight of these officers.

Scope

- Consider options and identify a preferred model for the employment arrangements of EOs, drawing on insights from a scan of models in other jurisdictions and targeted consultation with relevant stakeholders.
- Consider amendments that would need to be made to relevant legislation, policies, and guidelines to implement the options identified through the review.
- Identify the critical enablers required to implement the recommendations of the review, such as stakeholder buy-in, communication and change management, and any funding implications.
- In considering a preferred employment model, the Review may also give consideration to the role and responsibilities of EOs.
- Provide advice regarding the appropriate level of EO resourcing provided to MPs.

Process

The review will be led by an independent reviewer and supported by a Secretariat based in the Department of the Premier and Cabinet.

The review will undertake targeted consultations with relevant stakeholders as appropriate, including but not limited to Presiding Officers, Members of Parliament and their staff, the Department of the Premier and Cabinet, the Public Sector Commissioner, the CCC, the Department of Parliamentary Services and the Department of Energy, Mines, Industry Regulation and Safety (Government Sector Labour Relations), and relevant stakeholders in other jurisdictions.

There will not be a public engagement or submission process undertaken for the review.

Reporting

The reviewer is to prepare a report to Cabinet on the outcomes of the review for its consideration.

A final report with the findings and recommendations of the review will be provided to Cabinet within 6 months of the commencement of the review.

Appendix B: List of Contributors

This Review would not have been possible without the time, contribution and insights of those who engage with us throughout this process. This Review would like to sincerely thank the following individuals and organisations for their generosity in sharing their expertise:

Eighty-two electorate officers across WA, including representatives from the Joint Consultative Committee.

Members of the WA Parliament:

- **Hon Rod Caddies MLC** – (One Nation)
- **Hon Dan Caddy MLC** – (WA Labor)
- **Hon Alanna Clohesy MLC** – (WA Labor)
- **Ms Caitlin Collins MLA** – (WA Labor)
- **Hon Amanda Dorn MLC** – (Animal Justice)
- **Hon Kate Doust MLC -** (WA Labor)
- **Mr Mark Folkard MLA** – (WA Labor)
- **Hon Nick Goiran MLC** – (Liberal Party)
- **Hon Maryka Groenewald MLC** (Australian Christians)
- **Mr Adam Hort MLA** – (Liberal Party)
- **Mr Jonathan Huston MLA** – Member for Nedlands; Shadow Minister for Deregulation; Small Business; Public Sector Reform; Veterans (Liberal Party)
- **Ms Ali Kent MLA** – (WA Labor)
- **Mr Shane Love MLA** – Member for Mid-West (The Nationals WA)
- **Hon Dr Brad Pettitt MLC** – Member for South Metropolitan Region (Greens WA)
- **Mr Stephen Pratt MLA** – (WA Labor)
- **Hon Jessica Stojkovski MLA** – Member for Kingsley; Minister for Child Protection; Prevention of Family and Domestic Violence; Assisting the Minister for Transport; Peel (WA Labor)
- **Hon Michelle Roberts MLA** – Member for Midland; Speaker of the Legislative Assembly (2021–2025) (WA Labor)
- **Hon Samantha Rowe MLC** – (WA Labor)
- **Mr Peter Rundle MLA** – (The Nationals WA)
- **Mr David Scaife MLA** – (WA Labor)
- **Hon Philip Scott MLC -** (One Nation)
- **Mr Liam Staltari MLA** – Member for Carine; Shadow Minister for Education; Early Childhood; Disability Services; Heritage (Liberal Party)
- **Hon Neil Thompson MLC** – (Liberal Party)

Senior level officials:

- **Mr Mat Bates** – Clerk of the Legislative Council, Parliament of Western Australia
- **The Hon Justice Paul Brereton AM RFD SC** – Commissioner, National Anti-Corruption Commission
- **Mr Glenn Casson** – Deputy Secretary, Commonwealth Department of Finance
- **Mr Kane Chapman** – Office of the Victorian Premier
- **The Hon John Day AM** – Member, Salaries and Allowances Tribunal
- **Mr Kieran Douglas** – Office of the Queensland Premier
- **Senator the Hon Don Farrell** – Special Minister of State
- **Ms Stephanie Foster PSM** – Secretary, Department of Home Affairs
- **Ms Christina Grant** – CEO, Independent Parliamentary Standards Authority
- **His Excellency the Hon Gary Gray AO** – Former Special Minister of State
- **Mr Sam Hastings** – Clerk of the Legislative Assembly, Parliament of Western Australia
- **Mr Rob Hunter** – Executive Manager, Parliament of Western Australia
- **Ms Carol Jones** – Tasmanian Premier's Office
- **Mr Peter Kennedy OAM** – Political journalist
- **Mr Robert Kennedy** – Western Australian Electoral Commissioner
- **Ms Clare Keyes-Liley** – Office of the Victorian Premier
- **Mr Peter McHugh** – Former Clerk of the Legislative Assembly, Parliament of Western Australia
- **Ms Leonie McGregor** – CEO, Parliamentary Workplace Support Service
- **Mr Simon Morgan** – State Director, Liberal Party of Western Australia
- **Ms Sharyn O'Neill PSM** – Public Sector Commissioner, Western Australian Public Sector Commission
- **Mr Ben Rillo** – Chief of Staff to the Special Minister of State
- **Dr Michael Schaper** – Member, Salaries and Allowances Tribunal
- **Emeritus Professor Margaret Seares AO** – Chair, Salaries and Allowances Tribunal
- **Senator Ellie Whiteaker** – Senator for Western Australia; contributing in their capacity as State Secretary, Australian Labor Party (WA Branch)

Officials from:

- The Community and Public Sector Union Civil Service Association of Western Australia
- Government Sector Labour Relations (WA)
- The Commonwealth Department of Finance
- The Department of the Premier and Cabinet (WA)
- The Department of the Prime Minister and Cabinet
- The Independent Parliamentary Standards Authority
- The National Anti-Corruption Commission
- The New South Wales Department of Parliamentary Services
- The Northern Territory Parliament
- The Parliamentary Workplace Support Service
- The Queensland Parliamentary Service
- The South Australian Department of Treasury and Finance
- The Victorian Department of Parliamentary Services
- The Tasmanian Legislative Council
- The Tasmanian Department of the Premier and Cabinet
- The Western Australian Corruption and Crime Commission
- The Western Australian Salaries and Allowances Tribunal

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