

**ELECTORAL AMENDMENT BILL 2020**

*Second Reading*

Resumed from 25 June.

**MR Z.R.F. KIRKUP (Dawesville)** [11.23 am]: I rise to speak to the Electoral Amendment Bill 2020. At the outset, I reflect on the fact that I am the lead speaker for the opposition on this bill in the Legislative Assembly, although this is not my portfolio; Hon Simon O'Brien in the other place is the Liberal Party spokesperson for electoral affairs, and I thank him for his guidance throughout this process as we deal with this bill. I would also like to thank the Western Australian Electoral Commission for its continued work, and particularly recognise Robert Kennedy, who has been appointed as Electoral Commissioner. I understand Mr Kennedy was installed as commissioner at the height of the pandemic. I had the good fortune of working with Mr Kennedy in the Department of the Premier and Cabinet when I worked there for Colin Barnett, and he is a man of integrity. He will be a fantastic Electoral Commissioner.

The Western Australian Electoral Commission has operated since 1904; it was called the State Electoral Department until 1987, when the name was changed to the current name. The Western Australian Electoral Commission, as with the Australian Electoral Commission, is a professional and diligent protector of our democracy and plays a very important part in our state elections and the ongoing protection of our democratic system. Obviously, COVID-19 creates a very challenging environment for the commission for the upcoming election, particularly if we are experiencing an outbreak of the pandemic at that time; however, I am sure the WAEC will rise to the challenge. It will be interesting for all political participants.

I note that the government has argued that this bill is somehow urgent. I do not quite understand that. I do not quite understand why, during a state of emergency, the government is seeking to introduce changes to the Electoral Act, which underpins our state's democracy and the way in which we participate in elections. To have the bill declared urgent and without delay between the stages I believe undermines the integrity of our electoral process, to be frank. We could otherwise have important oversight of this very important bill and a fulsome opportunity to interrogate it at every stage. Delays, as they have been called, are in fact important stages during which we deal with legislation in first, second and third readings. They allow members of this place to properly consider legislation when it is brought before the house. There is no more important legislation for this house to contemplate than a bill to amend the Electoral Act, which affects the way in which we do democracy in Western Australia. With more than 50 pieces of government legislation yet to be passed, some of which the government has set for priority, I find it interesting that yet another piece of legislation has been brought before this house this week and declared urgent. That suggests that there is some imperative to it being passed within the day. I do not quite understand that. I am yet to hear from the Attorney General why that should be the case, and I hope we get a greater explanation from him during his reply to the second reading debate about why it is important for this bill to be declared urgent and without delay between the stages.

The reality is that the government should rename this bill the "Supporting Labor's Backroom Union Bosses 2020 Bill", because that is all this bill is seeking to do. That is the true spirit of the legislation that is before this house. The bill is not about enhancing or protecting our state's democracy; instead, it is about trying to enshrine an inherent disadvantage to both the Liberal Party and the Nationals WA. Thankfully, neither of those parties are controlled by backroom union bosses. This bill really exposes the envy of the government and unaligned government members, who know that members on this side of the house have the capacity to think independently and are not drones who are under the control of union bosses, as members of the treasury bench are. This bill seeks to penalise the Liberal and National Parties for not being controlled by the unions; that is all this bill seeks to do. It is nothing more than a blatant attempt by the government to enable the Labor Party to protect its union mates and allow them to bankroll Labor in the upcoming election. It allows the Labor Party to go cap in hand to its union bosses, who installed it in this place in the first instance, and to put the Liberal and National Parties at a deliberate disadvantage.

Typically, changes to the Electoral Act are made in a spirit of bipartisanship and mutual cooperation between the parties. That has not occurred here at all. The Labor Party has ignored longstanding convention by ensuring that it does not need to consult with any political participant other than, of course, itself. That is all the Labor Party has done here; it has consulted only with itself. In office, Labor has ignored the parties in opposition. That is to its detriment and the detriment of the Western Australian democratic system, which we should all hold high and seek to protect. Instead, this bill represents a combination of broken promises, which we will get to later, and is the greatest threat to our democracy and the upcoming election that we have seen in the fortieth Parliament.

This bill has been brought forward by a government that has declared this bill urgent and wants to ensure that it is passed without delay between the stages, but has allowed for no proper oversight and scrutiny. This bill has been brought forward by a government whose leader calls the opposition terrorists and enemies of the state, at a time

when we are in a state of emergency. This is the context in which we are expected to deal with this legislation. The overreach by this government, which is encapsulated in many parts of this bill, cannot be understated. This bill should be held up as a hallmark of this government's overreach and the Labor Party's attempts to steamroll the opposition. It is seeking to, effectively, ensure that the Liberal and National Parties not only tread water but drown in the sea of democracy, while the Labor Party rides high on the SS *McGowan*, powered by backroom union cash.

During the 2017 election, the Labor Party made a series of commitments as part of its policy "Disclosure and Democracy in the Digital Age". That policy was released with some fanfare. It made a number of promises. It states —

**A Labor Government will:**

- **Introduce an online electronic disclosure of donations system.**
- **Reduce public disclosure threshold for donations.**
- **Provide greater transparency around third party fundraising bodies.**
- **Implement election campaign spending caps for candidates and political parties.**
- **Promote a greater civics education in primary and secondary schools.**

When we go through the many promises that the Labor Party made, we find a number of commitments have not been met in this legislation. That represents yet another failure of the McGowan Labor government to fulfil the promises that it made to the electorate prior to the 2017 election. Under the guise of being concerned about protecting our democracy, and in a fomented spirit of care and concern about the foundations of transparency and the way we do business at our elections, Labor has done none of this in the legislation it has brought to this place and has sought to have declared urgent, in a state of emergency, by a government that calls its opposition terrorists and enemies of the state. It is absolutely unacceptable that many of the ideas in this bill that have merit are intertwined with ideas that are fundamentally unacceptable. Many of the concepts that would have been supported find themselves salt and peppered throughout this bill, and are inherently unacceptable to the minor parties that find themselves in opposition, the Liberal Party and the National Party. The Liberal Party and the National Party have been subjugated and oppressed in this legislation, and we now find ourselves at the wrong end of a government that believes it is electorally powerful at this time and seeks to restrict our participation in our state's democracy.

That could not be more obvious than when it comes to the so-called disclosure thresholds. Those disclosure thresholds are undoubtedly in place to support the Labor Party's union bosses and seek to injure the Liberal and National Parties. The Labor Party's policy "Disclosure and Democracy in the Digital Age" also states, under the heading "Reduction in public disclosure threshold for donations" —

WA Labor believes that all organisations and individuals have the right to participate in our democracy, including through the provision of financial support to election candidates and political parties.

Currently, gifts or donation amounts of less than \$2,300 do not need to be disclosed.

WA Labor believes that any contribution greater than \$1,000 is significant.

- **WA Labor will legislate to lower the public disclosure threshold from \$2,300 to \$1,000.**

It goes on to say—this is a very ironic statement in contrast with the bill before us —

It is important that this fundamental right is also as transparent as possible and significant contributions to election candidates and political parties are made public.

The government cannot demonstrate a pressing need for this legislation. It also cannot explain the rationale for how the figure of \$1 000 was landed on and established. In questions asked by the opposition in briefings, the government could not provide any reason for why \$1 000 rather than \$2 300 was the chosen figure. That was perhaps because the government did not want to admit what we all know to be the truth. That is, that the figure of \$1 000, as arbitrary as it is, seeks to target mum-and-dad donors who might support their local members of Parliament or candidates as part of the political process. If we look at the history of elections, the Liberal and National Parties are more popularly preferred by the people of Western Australia. The Liberal and National Parties have formed government for longer and have been more successful at every single election since the Second World War. We are the parties of the Howard battlers and the quiet Australians. The people who want to support their local member or exceptional local candidate will likely be those quiet, everyday Western Australians who want to chip in a little bit to help support important work in their communities. The Labor Party wants to expose those quiet Western Australians who are committed to the democratic process to subjugation and demonisation by the militant unions and the Labor Party machine. There can be no doubt that the \$1 000 donation threshold is not about targeting the rich or the traditionally influential; it is about trying to restrict those everyday Western Australians who might support their local member or exceptional local candidate. The Labor Party in this part of the bill has blatantly revealed that it wants to try to restrict the small donations—which typically support local campaigns—from people who more often than not are not even members of a particular political party.

The Labor Party can provide no justification or rationale for how that figure of \$1 000 was landed on. The Labor Party will parade those parts of the bill as though it is somehow the defender of our democracy and is trying to protect Western Australia's upcoming election, which is somehow under threat from the everyday mums and dads who might want to support their great local member, like the member for Darling Range, or great local candidates like Liam Staltari in Kalamunda, for example. The Labor Party has brought forward this bill in the full knowledge that unions raise far more money from the dues of their rank-and-file members than the individual contributions of \$1 000 that might be put forward by everyday mums and dads.

**Dr M.D. Nahan:** Without their permission.

**Mr Z.R.F. KIRKUP:** Without their permission, indeed, member for Riverton.

The Labor Party and its union bosses want to see the names of those everyday Western Australians published, when the rank-and-file members who contribute to the union movement, and often contribute more than \$1 000 a year to their union, do not have their names published. The unions then spend that money, not on ensuring that they stand up for their union members, but on bankrolling certain sections of the Labor Party that the union bosses seek to target. The government has brought forward this bill in the full knowledge that the \$1 000 disclosure threshold is more about ensuring that the everyday mums and dads in Western Australia who might seek to support their local member or exceptional local candidate will have their names published, while the bulk of supporters who raise money for the Labor Party will have none of that. The disparity is obvious. The Labor Party is seeking to undermine our state's democracy.

However, it is not all bad news. There is one part of this bill that is an important part of the process, and that is the restriction on allowing foreign donors to contribute to the political process.

**Dr M.D. Nahan:** You can drive a truck through it.

**Mr Z.R.F. KIRKUP:** That is right. However, the intent of restricting foreign donors is meritorious.

**Dr M.D. Nahan:** The reality is something different.

**Mr Z.R.F. KIRKUP:** Yes, the reality is something different.

While the Labor Party is seeking to restrict everyday mums and dads from donating, it is also trying to suggest that it wants to stop foreign donors. That is perhaps the one redeeming concept enshrined in the bill. That ultimately follows the lead of the Liberal and National Parties in the commonwealth Parliament some two years ago when they banned foreign donors. It is important that members of Parliament do not become fully owned and operated subsidiaries of foreign entities, as we have seen with Labor members on the east coast. Therefore, this is an important concept. However, given the nature of the bill, my concern is that the Labor Party has sought to intertwine foreign donors with other measures that we believe seek to support the union moment and restrict the Liberal and National Parties' participation in the democratic system.

It is important that we place restrictions on foreign donors. That is why on 11 August, in the other house, Hon Simon O'Brien gave notice of a motion that at the next sitting of the house, he will move that a bill for an act to amend the Electoral Act 1907 to ban foreign donations be introduced and read a first time. The title of that bill is Electoral Amendment (Banning of Foreign Donations) Bill 2020. The Liberal Party has made a commitment to ensure that there is a real and tangible ban on foreign donations and foreign influence in our elections. That is inherent in the legislation that has been brought forward by the Liberal and National coalition in the commonwealth Parliament. The federal Labor Party did not initially support such a ban when it was introduced in the commonwealth Parliament. The Labor Party in this state has come late to the party on this issue. As the member for Riverton rightly pointed out, the Labor Party in this state has brought forward a flawed bill that seeks to place restrictions on the participation of the Liberal and National Parties in the upcoming state election. It is important that foreign donors do not influence our local elections. It is important that we do not see the foreign influence that we have seen with members of the federal Parliament who have been bought out by foreign entities, such as the likes of former Senator Sam Dastyari, who openly, after being bought out by a foreign entity, acted in a treasonous, if not seditious, manner. That is absolutely unacceptable. We hope that the Labor Party will support our ban in the foreign donations bill that will be introduced in the Legislative Council.

Lastly, I would like to talk about what I believe to be the most heinous affront to Western Australia's democracy that the Labor Party wants to introduce—that is, so-called donation caps. Its policy states —

Political parties gain much of their electoral campaign resources from donations and various fundraising activities. The current system results in massive funding disparity between election candidates and political parties.

Currently the candidates with the most funds available to them has a large advantage.

WA Labor supports change in this area to help reign in escalating costs associated with campaigning and restore balance and fairness to the political process.

- **WA Labor will implement election spending caps for candidates and political parties.**

That was the Labor Party's commitment at the last election. Although the Labor Party claims that this will allow for a more even playing field in our democracy, that is simply not the case. Instead, these amendments seek to inherently subvert our democratic system by holding back the Liberal and National Parties while providing an unfair advantage for the Labor Party and its union mates. We do not know how the expenditure cap was reached. Whilst I was preparing my speech this morning, I appreciated that the Attorney General provided me with some legal advice on how the cap was established. Certainly, it reflects what I believe was a High Court challenge, which suggested that somehow spending caps during elections may impinge on freedom and participation in our nation's democracy. The Labor Party will undoubtedly argue that the spending caps are more generous than what was spent at the last general election. That may be the case if we entirely exclude its union contributions.

If we look at the Darling Range by-election, for example, undoubtedly, the Labor Party outspent the Liberal Party three to one. Although these spending caps were introduced during the general election, and Labor somehow suggests that the lofty figure of \$8.125 million is more generous than what was spent at the 2017 general election, if we look at the individual breakdown of each seat, we find that the Labor Party undoubtedly exceeded the spending of the Liberal Party at the last state by-election. This figure fundamentally undermines our democracy and the implied right of political freedom by restricting the Liberal and National Parties while allowing for militant unions to run rampant.

The Labor Party may say that there is no reason for the opposition to baulk at the caps, because they generously allow for freedom of political participation. Members should not be misled. A key critical element has been omitted from the narrative of this government. Although the spending of political parties is capped, there is also a provision for "other entities" to spend up to \$2 million per election regardless of whether they contest or field a candidate in that election. By extension, we know that some 14 unions are affiliated with the Labor Party in Western Australia. In this case, these 14 other entities, as defined in this bill, could each spend \$2 million in the upcoming general election. Therefore, that means that there is a significant disparity between the political parties in how much they can genuinely spend in the upcoming state election. If we assume that our friends in the Nationals WA, for example, fill every lower house seat that is available to them in the regions and, indeed, win every regional upper house contest, I believe the National Party could spend somewhere around \$2.5 million at the upcoming election. If we assume that the Liberal Party follows what we did in 2017, when we fielded candidates in every one of the 59 Legislative Assembly districts and every one of the Legislative Council regions, the Liberal Party could spend \$8.1 million. If the Labor Party followed suit and received \$2 million from each of its 14 affiliated union bodies, and fielded 59 Legislative Assembly candidates and candidates in every one of the six regions, under this legislation, it would be able to spend \$46.12 million. The Liberal Party would be restricted to \$8 million and the National Party restricted to \$2 million. That is the difference. That is what this legislation seeks to introduce.

At the moment, the government is riding a wave of popularity. However, it calls the opposition "terrorists" and seeks to implement very real financial caps on how much the opposition parties can spend in an upcoming election. That is a very real cause for concern, doubled down by the fact that this government seeks to make the legislation urgent. If we have a situation in which the National Party could spend 5.4 per cent and the Liberal Party could spend 17 per cent of what would be available to Labor and the unions, that would be inherently unfair. It would undermine our democratic process and should be rejected by this Parliament. It is absolutely unacceptable that the Labor Party so blatantly seeks to subjugate and oppress the minor opposition parties in this place, which could be significantly outspent. Labor and the unions, \$46 million; the Liberal Party, \$8 million; and the National Party, \$2.5 million. That is completely unacceptable.

This legislation provides an inherent advantage to the Labor Party and its backroom union bosses. We know it does that because the only reason many members find themselves elected to this place is because they are a member of a union. We know that 14 affiliated unions would be captured by this legislation as affiliated entities or other entities that would be able to spend an exceptionally large amount of money in contesting the upcoming general election. That is inherently unacceptable. This aspect in particular should be rejected. I understand the need to provide for a fairer playing field. We understand and appreciate the need for fairness, transparency and accountability. That is what all of us seek to achieve. The Labor Party has not done that. Under the guise of somehow trying to provide for a fairer and transparent democratic system, it has sought to ensure that it ties the hands of the National Party and the Liberal Party behind our backs and that we drown in its so-called sea of democracy while it swims along freely, backed up by its union mates. The bill is inherently unacceptable and unfair, which is one of the reasons the Labor Party will not support the legislation before this house. The Labor Party should not be allowed to run wild in the manner that it does to ensure that its union mates can bankroll it to the tune of \$46 million, while the Liberal Party and our friends in the National Party are restricted even more. That is absolutely unacceptable. I find it inherently unfair that the Labor Party is trying to ram this legislation through without proper scrutiny by declaring it an emergency or urgent bill and expecting that somehow this Parliament will not treat it with the seriousness that it deserves.

The Labor Party has broken many election promises when it comes to introducing this bill before the house. Many commitments in its so-called “Disclosure and Democracy in the Digital Age” election policy of 2017 have not been met. A public inquiry has not taken place, which it said would occur. There has not been the appropriate consultation that it expected to achieve as part of a longstanding convention to work with the major political parties to ensure that we can enhance and protect our state’s democracy. Instead, the Labor Party has been arrogantly overreached by a Premier and a government that believe they are unassailably popular. They are trying their very best in this legislation to ensure that the Liberal and National Parties are at a deliberate disadvantage. I will not stand for that. The Liberal Party will not stand for that. That is why we will not be supporting the Electoral Amendment Bill 2020 either here or in the other place. We urge the government to work with the parties in this Parliament to come up with a more palatable solution that ensures that the Liberal and National Parties are not deliberately undermined but have a fair playing field. The government should not somehow wave this policy about as if it is a bastion that is protecting our democracy when, in fact, it is trying to exploit its popularity in a state of emergency by the Premier calling the opposition parties terrorists and enemies of the state. The Liberal Party does not support this bill.

**MR D.T. REDMAN (Warren–Blackwood)** [11.48 am]: I will be speaking on the Electoral Amendment Bill 2020 on behalf of the Nationals WA. As with the member for Dawesville, I am not the Nationals’ spokesperson on this bill; our lead speaker, Hon Martin Aldridge, is in the Legislative Council. He has taken the briefings and assisted me on our position and a range of issues in this bill. I want to say from the outset—the member for Dawesville provided a similar argument—that the notion of bringing this on as an urgent bill comes as somewhat of a surprise. Yes, a range of COVID-related matters are included and we rightly need to deal with those in an urgent way—the opposition has been very accommodating with that—but that does not mean that the house should not stick to its normal rules.

As has been highlighted, matters as important as electoral reform, which are obviously right at the core, at the heart, of our democracy, should be given the due diligence that they deserve, and that is clearly not what this government is offering. The government has the benefit of numbers in the Legislative Assembly in order to achieve that, but I suspect, as usual, a number of issues will play out on this in the upper house. I think the upper house will be where much of the game will be played.

Coming to some of the matters that sit within the bill, what has been highlighted already, and will no doubt come up in discussion in the consideration in detail stage, is that although the government is trying to achieve a number of objectives with this legislation, as the member for Riverton just interjected, you could drive a bus through this bill. The government is clearly trying to achieve a particular objective but there are simply holes in many of its efforts and, therefore, it will not achieve those outcomes. In principle, the aim of the bill is to achieve three different things. The legislation is trying to deal with some of the disclosure laws around political donations, which I will talk about in a minute; introduce expenditure caps in and around election campaigns for the period 1 October until the election, which is pretty soon; and put bans on political donations. In essence, those are the elements of the legislation. The second part of the bill makes a range of consequential amendments.

As the legislation applies to disclosure laws, parties would be required to disclose on a quarterly basis. It has always been a contention that the public never gets visibility of who makes contributions to various campaigns until well after the election. I think the court of public opinion would say that we need to have some sort of visibility of that, so under this bill there will be quarterly disclosures that will be published online by the Western Australian Electoral Commission. Sitting within this is a range of responsibilities for auditing and accountability that will probably flow back to the commission, and there needs to be appropriate resourcing to achieve that. To this point, there has been no discussion about resourcing, and that will be a consequence of this bill.

There are relationships between the scale of donations. Presently, it is \$2 500 at the state level but, of course, a commonwealth disclosure threshold of \$14 000 applies to parties affiliated at a federal level. If this bill were to succeed in the other place, that principle will be taken away and the threshold will be \$1 000. The member for Dawesville pointed out that there certainly are a lot of donations in that space. I do not get many, mind you, but I know that a lot of people do give donations to support their local member. They probably do not want to have a level of public visibility of that, and I think that will have an impact on their desire to donate to and support a member of Parliament. I do not know how far that will extend. Nevertheless, the government is putting in a much lower threshold with this legislation.

The electoral expenditure and gifts return period following an election will come down to 12 weeks. This bill is pitching some changes in some of the disclosure laws. The expenditure cap for electoral seats and regions will be \$125 000. As the member for Dawesville highlighted, if we multiply that by every seat in Western Australia run in by the two major parties, that is an expenditure cap of just over \$8 million. There are also expenditure caps for by-elections in both districts and regions, independent candidates and others who might contribute to a political campaign who sit outside the candidates and/or the political parties. What has been highlighted, and it certainly is

an issue for the Nationals WA, is: who will be captured by that? In our briefing we received some advice that unions would be exempt from that. We asked twice and they said unions would be exempt. I want to hear that in this chamber. That suggests that the major donors for the Labor Party will be exempt from this \$2 million cap, yet donors for parties on this side of the house who come from the corporate world might have a \$2 million limit on what they might put into a campaign. The National Party is familiar with some of those campaigns. We took a hit at the last election from the campaign run by the Chamber of Minerals and Energy of Western Australia. Putting that aside, if this legislation is about fair play, we need to have fair play for all parties. We have been advised, and the question was asked twice, about whether unions fit into the space defined as corporate, I suppose. The answer was that, no, it does not affect them. That advice is clearly contrary to the advice the Liberal Party is receiving.

**Mr Z.R.F. Kirkup:** Either way, it's more concerning.

**Mr D.T. REDMAN:** It is much more concerning because it lifts the caps that the member for Dawesville was talking about into the ether. What about groups like Getup! or unincorporated groups? Are they captured by this legislation? What is the line in the sand for organisations? I am not responsible for going over the bill, but when I read the bill it was pretty hard to find where it talks about those limits. Page 15 of the bill refers to expenditure caps for a person being \$2 million; it does not refer to corporations. I do not know what provision of the bill draws a line in the sand on which outside groups can contribute and, indeed, what the definition of one of those groups is. If a number of those groups that each have a \$2 million cap run campaigns that are very similar in nature, will they be treated as one group or as being separate? What are the rules around that? Once again, there seem to be a lot of holes in this legislation that have not been accounted for. If the government is genuine about trying to level the playing field for all parties, which should be appropriate for our democracy, there should be clarity around how these issues will be managed.

The National Party is onside on foreign political donations. We do not want someone from another country having influence on Western Australian politics. It is interesting that the threshold is that a person has to be a citizen and/or a resident of Western Australia or Australia. If it is a corporate body, it has to have an ABN. I do not get many donations so it is not necessarily something that I have a big issue with, but presumably if someone does, they would have to get a certificate of authenticity from the person who is making the donation to say that they are an Australian citizen.

**Dr M.D. Nahan:** Member, it's a piece of cake to get an ABN. All you have to do is promise that you'll undertake activity in Australia, and you can ship it in. It takes you five minutes.

**Mr D.T. REDMAN:** The member for Riverton has highlighted that no matter who a person is, it will not be hard to get the right to make a donation to a political party in Western Australia. The objective is sound, but this is clearly a big hole that a bus can drive through.

There are a number of issues with this legislation. I want to touch on some of the flaws in the bill that go to the fact that the National Party will not be supporting clause 15. There is an effort with that clause to put a \$125 000 cap on each candidate for each seat.

**Mr T.J. Healy:** That's plenty.

**Mr D.T. REDMAN:** That is plenty, yes. Okay, consider the seat of Albany, which the Labor Party would like to retain after the resignation of the good member for Albany. Does the member consider that the Labor Party will spend only \$125 000 in Albany? Is that the answer?

**Mr T. Healy** interjected.

**Mr D.T. REDMAN:** Does this legislation say that the Labor Party can spend only \$125 000? That is not the case. I am sure the Labor Party will pull a bit of funding out of the seat of Rockingham to stick in Albany, because with the Premier running at 89 per cent popularity, he will probably do okay. What happens with that? The Labor Party will get an increased amount of money to spend in the seat of Albany, so what is the point of having a cap? Members opposite can choose; they will have \$8.1 million across a campaign in Western Australia to spend—almost as much as they like in one seat by taking that cap from another seat and the member for Southern River knows that.

**The ACTING SPEAKER:** Thank you.

Several members interjected.

**Mr D.T. REDMAN:** Is he telling me that he cannot?

**Mr T.J. Healy:** There is more than enough money there in Albany.

**Mr D.T. REDMAN:** Is the member telling me he cannot?

The government's objective is to level the playing field and say "Righto, what we can spend on a seat is capped." That is a sound objective; it fits democracy as I see it, but that will not be achieved by what the government is putting up here.

**Mr T.J. Healy** interjected.

**Mr D.T. REDMAN:** If he were to say —

*Point of Order*

**Mr R.S. LOVE:** I am very interested in the contribution from the member for Warren–Blackwood. I am not at all interested in hearing from the member for Southern River.

*Debate Resumed*

**Mr D.T. REDMAN:** The very clear point I am making is that it sounds nice when running a public line that all we can spend is \$125 000 on a seat. However, this legislation does not achieve that because candidates can choose to pull money from another seat. I think the Labor Party spent just over \$4 million in the last election. The Liberal Party spend something like \$4.1 million and the Nationals spent \$2.5 million, well below that threshold. It therefore means that we can pretty much pull as much money as we want to put into a seat. It will not achieve the objective of levelling out how much can be spent on a seat. Straightaway, that is a hole a bus can drive through.

There is the issue of who is in and who is out. Some of the advice Hon Martin Aldridge got was that if a number of private groups are outside running a very similar campaign, they will be pulled up and told that collectively they could not spend more than \$2 million. How the hell will that work? How do we measure that? Who will make the call that whatever is run by this group over here is different from whatever is run by this group compared with the one over the back that is running a campaign? Collectively, they will be very similar campaigns, so I am sure that will stack up! Once again there is a massive hole in this.

As I highlighted earlier, there is an issue about the resources that need to go to the WA Electoral Commission to support this. There will be a significant amount of increased monitoring because the consequences of not meeting the objectives are substantial, including jail terms, as I understand. As a result, there must be a level of rigour to support campaigns, political parties and candidates to meet those objectives. That might be fine for the Liberal Party, the Labor Party and the National Party, but think about Independent candidates. Where is the level playing field in this bill for an Independent who will have a cap of \$125 000 on their seat, because that will be the only seat they will run in in Western Australia?

**Mr C.J. Tallentire:** Are you thinking about leaving the party?

**Mr D.T. REDMAN:** There will be \$125 000 for an independent running in one seat.

Several members interjected.

**The ACTING SPEAKER:** Thank you, members.

**Mr D.T. REDMAN:** The Labor Party can pull some of the cap out of the seats of Rockingham or the seat of Mindarie and put it in the seat of Albany, but an Independent candidate running for the seat of Albany will be able to spend only \$125 000. Where is the fairness in that?

**Mr C.J. Tallentire:** It is money that's spent on election campaigns.

Several members interjected.

**Mr D.T. REDMAN:** I would have thought the member for Thornlie, of all people, would want an Independent to run. A principal of our democracy is that anyone who sits in the community can try to win a seat in Parliament to represent the people in their district. That is a basic principle of democracy. The member is saying that an Independent candidate who wants to do that, will have a cap of \$125 000 on what they can spend. However, a member of the Labor Party will not only have a limit of \$8.1 million on the caps on all the seats they are running in, but also a big string of unions can spend \$2 million each to run a campaign. That is not fair.

**Mr C.J. Tallentire** interjected.

**Mr D.T. REDMAN:** The member for Thornlie is supporting a position that is not fair and that is why the National Party does not support clause 15.

We will also start to see ghost candidates. Someone can sign up in another seat with the intention of not running and spend \$10 to do so and be able to pick up some cap for another seat to spend in the seat they might choose to run for. Once again, the objectives look fine in principle, but we could drive a bus right through them. That is the issue and if the Labor Party thinks for a minute that it will achieve its outcome, it will not do that.

Of course, the two basic principles are lost on this: firstly, trying to limit the input from external parties is one of the objectives that will not be achieved; secondly, in trying to even the playing field for all parties, think about

what constraints will be put on a single Independent trying to run for a seat. That also will not be achieved because we can drive a bus through some of the rules.

The issue for the National Party is clause 15. We will not support clause 15 when we debate this in consideration in detail. I suspect some pretty strong games will be played around this in the upper house. Although the Labor Party has the numbers down here, that is where the final decisions will be made about what happens with this. The National Party is not happy about this being an urgent bill. We think it contains significant flaws. Although we support many aspects of the bill, clause 15 is our big issue. That will play out on this floor, but more important, it will play out on the floor of the Legislative Council.

**DR D.J. HONEY (Cottesloe)** [12.07 pm]: I, too, rise to speak to the Electoral Amendment Bill 2020. As has been questioned, I think in good detail and very well by the member for Dawesville: why is this bill coming on as an urgent bill under the COVID provisions? This is nothing to do with COVID. We agreed to those provisions in good faith when we came in here, and supported the government lock step to implement important legislation that is genuinely to do with COVID.

**Mr T.J. Healy** interjected.

**Dr D.J. HONEY:** Lock step, member, we supported the government on legislation —

**Mr T.J. Healy** interjected.

**The ACTING SPEAKER:** Member for Southern River.

**Dr D.J. HONEY:** — that is genuinely meant to deal with the COVID issue; however, we are seeing a continuing stretching of the boundaries and gaming of the system, which is not in good faith. Nothing speaks more to the poor faith of this bill coming forward than the fact there was no discussion with the opposition whatsoever before this bill came into the chamber. Again, as the member for Dawesville elegantly pointed out in his speech to this house, it is custom and practice whenever we bring electoral reform bills to this Parliament that they be bipartisan. This is not bipartisan. No effort was made whatsoever to communicate with the opposition—the Liberal Party or the Nationals WA—on this bill. What does that speak to? It speaks to the fact that this is partisan legislation. This legislation is aimed precisely at trying to cripple the ability of the Liberal Party and the National Party and any other parties in this Parliament, collectively, from competing on a level playing field.

**Mr T.J. Healy** interjected.

**The ACTING SPEAKER:** Member for Southern River; the member is not taking interjections.

**Dr D.J. HONEY:** I am not interested in any interjections, member. In his second reading speech, the Attorney General says that this government promised fairness across the entire political system; no single entity is being targeted; these rules are for everyone and this bill is about transparency, integrity and accountability. As has been elegantly pointed out by the member for Warren–Blackwood and the member for Dawesville, this bill achieves anything but that. I will go through that in a little detail.

We have heard that in any coming election, the cap on the National Party will be \$2.5 million and the cap on the Liberal Party will be \$8 million. However, the Labor Party, through the party itself and its 14 affiliated unions, will have a cap of \$46 million. How can the Attorney General bring a bill before this place and talk about a level playing field and transparency is absolutely beyond me. When it comes to transparency, we see in this bill that there is transparency for one side. The Labor Party knows that the overwhelming number of donations and the amount collected falls within that few thousand gap. We know from history that when people's names are revealed in the press in certain areas, those people are victimised and vilified. Some of those people might be from small businesses in Labor electorates. We saw this happen in Kwinana. The owner of a particular bottle shop was a supporter of the Liberal Party and had made donations. That was found out. The unions advertised that and then the unions implemented a boycott of that business that crippled it. In fact, that businessperson had to withdraw from making donations because they were being victimised to the point that their business was going to collapse. That is what the Electoral Amendment Bill enables. Again, as has been said before, the Liberal Party overwhelmingly relies on mum-and-dad donors, small business people, sole operators and the smaller end of town to contribute to our campaigns; that is what this bill targets. It provides no transparency on union donations.

I had a lot to do with unions in my life before I came into this place. As I have said in this place, I have good regard for the unions that I dealt with, but in terms of those unions, its members have no choice about donations to the Labor Party. They are unions that are affiliated with the Labor Party and they donate significant funds, despite the fact that a large percentage of those members may be Liberal Party or Nationals WA supporters. They might even be Clive Palmer supporters—shock, horror, members on the other side! Those members have no choice. Not only is there is no transparency for those members, but also there is no transparency of those donations going in on an individual basis; it simply goes in as a union donation. This is not a fair bill. It does not create a level playing field. This bill squarely targets the Liberal and National Parties' donor base to cripple our ability to run a campaign. One thing we do know is that since the Labor Party was elected, it has been assiduous in raising funds and using

ministerial offices, or at least ministerial imprimatur, to raise funds. We have seen the notices from certain ministers talking about their portfolios stating: “If you want to talk to the minister, come to a \$3 000-a-head fundraising dinner.” The Labor Party has been out there raising funds and, with this legislation, it is secure in the knowledge that it has many millions of dollars coming from the union movements for which, in effect, there will be no accountability. This bill is about entrenching the electoral dominance of the Labor Party in future elections. It provides no transparency and no level playing field. This is a harsh partisan bill designed to cripple the ability of any party other than the Labor Party to effectively compete in an election. If we go through the bill —

**Mr T. Healy** interjected.

**Dr D.J. HONEY:** As I said, I am not so fussed about the member’s interjections.

Clause 13 of the bills deals with foreign donors. As has already been pointed out, we are concerned about the ability of foreign entities to influence elections in Western Australia. Certainly, we are very keen to ensure that that is not able to happen. There was a mention of loopholes, but there is foreign influence in this state. We have different foreign groups in this state such as Pew Charitable Trusts that has many millions of dollars coming in from America. It then makes donations to groups like the Australian Conservation Foundation and others that are left-leaning groups and typically support the Labor Party—in fact, I would say that they universally support the Labor Party. There is no transparency on that under this legislation—none whatsoever. Under this legislation there is no transparency of a group like the Pew foundation, which is predominantly left leaning and donates to other activist groups in this state that support the Labor Party, yet during elections those groups are very actively engaged in political campaigns. As I said, they are overwhelmingly in support of the Labor Party, and sometimes they may be in support of the Greens, but this bill provides no transparency on that. That foreign influence in our state will continue. But as I say, we oppose that direct influence of foreign donors and, as already been indicated, an amendment has been submitted in the upper house.

With regard to caps on electoral allowances, I do not think it will add much to the debate for me to go through that in detail because that has been done well. The problem with this bill is that it does not create a level playing field. It does not introduce fairness and transparency in any way other than a way that will harm the electoral ability of the Liberal and National Parties in this place. I am really disturbed by the political environment at the moment. This government is acting as though this is a one-party state. A bill was introduced into Parliament under which the Premier would be able to change any law or regulation with the stroke of a pen. Fortunately, and only because we have an upper house that could block it, it was withdrawn. But that is the mindset of this government. We are a one-party state with state-controlled press, as we are seeing at the moment. This bill is not about a level playing field; it is about entrenching the ability of the Labor Party and its 14 affiliated unions to utterly control and utterly dominate elections in this state. This bill will entrench the victimisation —

**Mr P. Papalia** interjected.

**The ACTING SPEAKER (Ms S.E. Winton):** Minister for Tourism! Member for Cottesloe, are you accepting interjections?

**Dr D.J. HONEY:** I am not accepting interjections.

**The ACTING SPEAKER:** Minister for Tourism, the member has indicated that he will not be accepting interjections.

**Mr D.R. Michael** interjected.

**The ACTING SPEAKER:** Member for Balcatta! The member for Cottesloe has indicated that he will not be accepting interjections, so be quiet.

**Dr D.J. HONEY:** This bill absolutely entrenches the ability of the Labor Party and its 14 affiliated unions to utterly financially dominate any future election in this state with no transparency at all on the donations behind the unions. As I said, it entrenches victimisation of small, mum-and-dad owners who want to support the political process—an inevitable consequence of the publication of the names of those small donors. We are not talking about some megalomaniac coming in and influencing the election; we are talking about ordinary citizens and households making a contribution to support a particular candidate. This bill provides no transparency on union donors and no fairness. This bill is not an urgent COVID bill. It is an absolute disgrace and misuse of Parliament and this bill should not be before this place. If the Labor Party wants to bring forward a bill that entrenches transparency and fairness and prevents one side of this place utterly financially dominating the opposition, then bring it forward.

Several members interjected.

**The ACTING SPEAKER:** The member has already indicated that he wants to be heard in silence, so can we please respect that.

**Dr D.J. HONEY:** This bill does nothing for transparency, nothing for fairness and nothing for a level playing field. It simply entrenches this government's political advantage. The Electoral Amendment Bill 2020 should not be passed.

**MR C.J. TALLENTIRE (Thornlie — Parliamentary Secretary)** [12.18 pm]: I rise to offer my wholehearted support for the Electoral Amendment Bill 2020. It is much needed because money is not the answer to our democracy. Money is in fact a big problem in our democracy. We only have to look at the problems in the United States with a money-dominated political process and an appalling democratic result. That situation is exactly what we want to avoid. We want a political and a democratic process that is based on ideas, good policy and commitment to things that will make people's lives better. The idea that a party can win an election just by throwing massive amounts of money at it is completely wrong, yet members opposite seem to have this idea that massive amounts of money will win an election; that is false. That is why it is a very sensible idea to have a cap. If a Legislative Assembly candidate cannot win a seat on a budget of \$125 000, I do not think that they would be worth their place in this chamber. That is a fact. How many members opposite have spent more than \$125 000 on their individual campaign? If they have spent that amount, what have they spent it on? Have they spent it on heaps of television advertising?

**Mr D.T. Redman** interjected

**Mr C.J. TALLENTIRE:** Yes, and look at the result. If too much money is spent on a campaign —  
Several members interjected.

**Mr C.J. TALLENTIRE:** Can I have some protection, please, Madam Acting Speaker?

**The ACTING SPEAKER (Ms L. Mettam):** The member for Thornlie has indicated that he would like to be heard in silence so can we respect that, please?

**Mr C.J. TALLENTIRE:** All members need to accept that the spending of ridiculous amounts of money on a campaign annoys the voter—that is the end result. They see the wastage so a cap of \$125 000 per electorate is entirely reasonable. People are appalled —

**Mr D.T. Redman:** That is the point; it's actually not a cap, member.

**Mr C.J. TALLENTIRE:** Yes. During his second reading contribution, the member for Warren–Blackwood touched on the point that we can shift from a relatively safe seat to another seat, which expands the capacity somewhat. Pouring more money into an electorate is a reasonable tactical ploy that a party office can make. It is my view that over time, once we accept this notion of a cap, that amount will come down. That is my hope. I think that that is the expectation of voters.

**Mr A. Krsticevic** interjected.

**The ACTING SPEAKER:** Member for Thornlie, are you accepting interjections?

**Mr C.J. TALLENTIRE:** Not just at the moment, thank you.

**Mr A. Krsticevic:** He picks and chooses.

**Mr C.J. TALLENTIRE:** I will come to the member for Carine's interjection. I am sure it will be a worthwhile one.

I recently held a fundraiser at the Royal Aero Club of Western Australia in Jandakot, to which humble Labor voters came along. Most of them paid \$50, and some paid \$30, to attend. Our voter base is not as cashed up as that of the Liberal Party—that is a reality. The fact is that fundraisers are good events because they bring together the troops. People like the social aspect of them. Indeed, for most of us at the fundraiser, it was one of the biggest social gatherings we have attended since the COVID-19 restrictions were lifted. To say that we should be pouring energy into fundraiser events is something that again the voting public is appalled by. Our equivalents in the United States are told to spend between 60 per cent and 70 per cent of their time on fundraising. That is an appalling state of affairs. Can members imagine? They are told, "Don't waste your time working on policies, talking to constituents or working on legislation. Spend your time fundraising." That is the way we are going. We could end up going the way of the United States. We do not want to end up like that. We want our politics to be based on talking to voters, talking about ideas, working up good legislation, critiquing legislation and having good sensible debate. We do not want our political system to be dominated by the raising of money, which is where we are headed at the moment and why the cap is a fantastic concept and so needed. Moreover, it is the expectation of the Western Australian public. The Western Australian public is appalled by the wastage of funds.

I want to get on to one other issue. We all know that Mr Palmer spent more than \$70 million during the last federal election campaign. The money he poured into that election campaign is more than anyone has spent in the history of Australian politics. It was perfectly legal for him to pour that money in, but what an appalling waste. I think the general view of the Australian public being against Clive Palmer is added to by his ability to waste money. We do not want that sort of influence on our politics. The Liberal and National Parties should watch this if they are not

prepared to not bring in a cap and if they are prepared to allow someone like Clive Palmer to throw \$70 million at a federal election campaign, because he could go further than that. We all know that he has deeper pockets than \$70 million and he could go a whole lot further. We do not want that situation exacerbated at all. Members opposite should talk to their constituents because there is a really strong groundswell of support for this legislation. People want to see us out there talking to voters, not wasting money on all sorts of posters everywhere that clutter up our neighbourhoods and adverts that people do not read in community newspapers. People want to see us talking to voters. I offer my full support for this legislation.

**DR M.D. NAHAN (Riverton)** [12.25 pm]: That was very entertaining. The Labor Party has solidly booked and purchased every advertising spot in my two local newspapers through to the next election. The member for Thornlie, who just said that the public does not want to see that, is one of the purchasers. The Electoral Amendment Bill 2020 is an attempt by the Labor Party to gain electoral power under the banner of COVID-19 and advantage itself financially. Let us be honest—that is what it is doing. The cap is not a cap. The cap is a cap for us, but it is not a cap for the Labor Party. The disclosure is not a disclosure for the Labor Party, but it is for us. Most of the Labor Party's money comes from the union movement. Most union members, of course, generally have no say in whether their union donates to the Labor Party—their contribution is forced on them even if they do not want it—and the contribution through the union movement is not disclosed on an individual basis. The Labor Party has a large number of political entities, such as the unions, on which the government has put a cap of \$2 million each. If we add that up, they can spend pushing \$50 million during the next election campaign. The cap applies only to the candidates in each seat. The cap for political entities is not apportioned over the seats. The union movement can directly run a parallel campaign on a statewide basis but concentrate it in a specific electorate, but that is not included in the cap. The government is rigging the system and it is trying to hide that rigging under the banner of COVID-19. People want us to work together and if it is hidden under the banner of COVID-19, it can say that it is an emergency bill and that the parties are working together. This bill will undermine people's support of the political process. The government is specifically undermining it. This action is excessive. The government is trying to rig the political system to the advantage of the Labor Party and the union movement—make no bones about it, that is what this bill will do.

The member for Southern River said that \$125 000 is enough. If that is the case, the government should take all the money spent by the Labor Party, apportion it across all the electorates and cap the total at \$125 000, including all those political entities, such as the union movement. The government should take \$125 000 and times it by 59 and that should be the total limit that can be spent holus-bolus by political candidates and by the Labor Party and all its associated entities. Of course, that will not cover the whole amount, because this bill does not include a whole range of things, including payment in kind, parallel campaigns and all sorts of other stuff.

During the last state election, members of the union movement were campaigning outside my electorate office or in my electorate on a weekly basis. The Missos army was out there. It did not spend any money but its members' wages were paid while they campaigned. That is not included in the bill. Payment in kind and parallel campaigns are not included in the bill. The structure of the union movement and its ownership of the Labor Party is an advantage. Now the government is trying to rig it again. If the government had said that a political party and its associated entities could spend no more than \$125 000 on average and that would be aggregated over the whole state electorate, we would have accepted it, but the government is not doing that. We run campaigns largely by individual candidates raising money for themselves. The Labor Party gets most of its money from the union movement—aggregated to trades hall and directly to the Labor Party. The government is trying to rig this for its advantage. That is why we are not going to support this bill. One of the previous speakers said that people are sick of the amount of money spent on, and the aggressiveness of, election campaigns, and they are. So why is the government doing this? Without a shadow of doubt, in this next campaign we will see the Labor Party spend not only more than the Liberal Party, the Nationals WA and the rest of the other parties put together, but also more than it has ever spent at a state election. There is absolutely no doubt. The union movement will come out in full force. We will see a tsunami of money spent directly by candidates, but, more importantly, through the Labor Party. This bill tries to facilitate that.

I turn to a couple of things. I would like to talk about foreign donors. This is a Clayton's attempt to restrict foreign donors. All that someone needs is an Australian business number or a number registered with the Australian Securities and Investments Commission or one of the company regulators, and, if they do that, they are a local. What is stopping a person from overseas from coming in and setting up a little business called Consulting.org, getting an ABN and taking the money in full from overseas? Nothing. We know that foreign donations are one of the real crucial issues in our elections. I cannot say that about Western Australia, but look at New South Wales. It is not just foreign corporate entities; it is entities associated with foreign governments that are often not democratic and clearly interfering in not just the political wellbeing, but the democracy, of our nation. This safeguard is totally inadequate. It is a Clayton's attempt. It is an attempt to say that we are doing it when we are not.

I think the previous speaker had it right. The real weakness of this bill is that people are sick of the amount of money spent on elections, but we know that politics is an aggressive business, things are costly and if people do not have the money, they cannot get their voices out there, particularly in the noise that is out there.

**Mr T.J. Healy:** Just do the work.

**Dr M.D. NAHAN:** Do not lecture me about doing the work.

**Mr T.J. Healy:** Didn't you used to work for a conservative think tank?

**Dr M.D. NAHAN:** Yes.

**Mr T.J. Healy:** Were they funded by overseas and different things?

**Dr M.D. NAHAN:** No, it was mostly funded by individuals—Australians.

**Mr T.J. Healy:** Did they support your election?

**Dr M.D. NAHAN:** No, of course not.

**Mr P.A. Katsambanis:** They are actually not able to.

**Dr M.D. NAHAN:** It is not able to.

**Mr Z.R.F. Kirkup** interjected.

**Dr M.D. NAHAN:** It is every group.

This displays the member's character. He thought we would do that, because he would. He would use any means, fair or foul, to advance himself. That is the problem. We have to go into politics to go to the lowest common denominator, member for Southern River, and there have to be safeguards. This bill does not have them. It frees them up. It frees up foreign interests, property developers and unions to flood money into the Labor government. That is what this bill is for. Make no bones about it, that is what it is for. We will see the result of the flood of money coming in. The government is trying to rig the system under the aegis of COVID-19. Give us a break! This is not the first bill the government is trying to do that with; there is a whole raft of them.

**Mr D.R. Michael:** It is not a COVID-19 bill; that is not correct.

**Dr M.D. NAHAN:** The government attempted to do it.

There is a whole range of other issues that this bill does not deal with. In other states, particularly New South Wales and Queensland, there have been a number of major reviews into election funding. In those states they have caps and greater transparency, and my colleagues have addressed some of the pitfalls that will arise with us, because our individual donors have been and will be targeted by union people, particularly if they are a business that unions can have leverage over, to stop them donating to the Liberal Party. That will happen without doubt. That is the nature of the Labor Party and its union affiliates. There is a whole range of things not considered by the bill, such as payment in kind, parallel campaigns, property developers, and tobacco companies.

**Mr D.R. Michael:** What party do they still donate to?

**Dr M.D. NAHAN:** Not ours.

The government could have banned tobacco companies, but it did not. New South Wales did and Queensland did. Another really interesting thing the government could have explored, but I know it would not, is liquor companies. That is banned. Liquor outlets, distributors and producers are banned in New South Wales. Why did the government not consider those? That would be a legitimate debate. The government should have done that through the bill. If the objective is to take the heat out of this system, ensure that the lowest common denominator does not drive it, and, indeed, limit the amount of resources pumped into elections, the government would have said that this had to be done collectively through all the parties, and it would have put together an independent group, as was done in New South Wales and Queensland, to outline all the issues for discussion and then bring them forward. The government did not do that. It did not do that, because it did not want to. The Labor government wants to rig the system to its advantage. My colleagues, I will not be here, but remember this.

I would like to outline some reforms that I would like a future Liberal government to bring in. The first relates to payment in kind. We all know that the union movement pays money directly to the Labor Party, and that is disclosed. It gives money to many associated entities under the act, and it also gives it to trades hall, which is an associated entity under the act, and I assume that most of that is disclosed. The union movement also runs all sorts of parallel campaigns under various names unrelated to union names, or under fake community groups.

**Mr D.R. Michael:** Name one.

**Dr M.D. NAHAN:** I do not need to. There was one to save Western Power. Its members wore yellow and black and walked around my electorate. That, of course, was fully funded and staffed, and with material distributed, by union people. We all saw them at the booths.

**Mr P.A. Katsambanis:** They bragged about being on the payroll.

**Dr M.D. NAHAN:** Yes. I sat down and had a chat with them, some were friendly, and they said that they were on the payroll.

**Mr T.J. Healy:** Should we include victory life church?

**Dr M.D. NAHAN:** I do not even know what victory life church is, mate.

**Mr T.J. Healy:** The one next to your electorate.

**Dr M.D. NAHAN:** Which one?

**Mr T.J. Healy:** On Ranford Road.

**Dr M.D. NAHAN:** Yes, the one that is shut down right now.

**Mr T.J. Healy:** They have affiliates. I know they employ a lot of people. They work. They employ a lot of chaplains and youth workers—great people. Do they?

**Dr M.D. NAHAN:** Are you accusing victory life church of donating to me?

**Mr T.J. Healy:** It is a great church. I think it is a fantastic church, but would you include it?

**Dr M.D. NAHAN:** Here we go. The member brings it. The member specifies a certain church.

**Mr T.J. Healy:** But they run the campaigns.

**Dr M.D. NAHAN:** No, no. The union movement ran a campaign on us.

**Mr T.J. Healy:** They letterbox, they work and they do all that. Would that be in-kind support? That is all I am asking.

**Dr M.D. NAHAN:** If the church ran a parallel campaign for the member or me, yes, but it does not.

**Mr T.J. Healy:** Not for the member this time around.

**Dr M.D. NAHAN:** No, it never did. It did not exist in my electorate last time—actually, it did have a little church.

**Mr T.J. Healy:** It had a big Joe Francis sign out the front.

**Dr M.D. NAHAN:** No.

**Mr T.J. Healy:** It did.

**Dr M.D. NAHAN:** Was it in my electorate?

**Mr T.J. Healy:** I think you have said yes. You have answered my question.

**Dr M.D. NAHAN:** No, if a church or any other entity runs a parallel campaign at a district level or higher—because some of these campaigns are state-based, some are local-based and some are region-based—and it is clear that they are running a campaign during an election, it should be included.

**Ms R. Saffioti** interjected.

**Dr M.D. NAHAN:** Yes, and also if people are paid to hand out how-to-votes, that should be declared in the process.

**Ms R. Saffioti** interjected.

**Dr M.D. NAHAN:** No. If my neighbour agrees to hand out how-to-votes for the Labor Party, that is an individual.

**Ms R. Saffioti:** If a local pastor tells someone to hand out how-to-votes and the church community does that as part of that organisation, would you include that as in-kind contributions?

**Dr M.D. NAHAN:** As long as the union does, too.

**Ms R. Saffioti:** Okay, so you believe that should happen?

**Dr M.D. NAHAN:** Yes, if it can be proved that the pastor said, “Go out there and do it”, yes. We need —

**Mr T.J. Healy:** I think you should check with Goiran about this.

**Dr M.D. NAHAN:** I do not need to talk to Hon Nick Goiran about this. All I say is: the government is worried about the churches —

Several members interjected.

**Dr M.D. NAHAN:** Yes, it is. I have great affiliations, but I can assure members opposite that the churches are not behind me or behind the Liberal Party to a significant degree in my electorate. Anyway, they do not go out and run parallel campaigns like the union movement and the Labor Party’s associated bodies do, on a regular basis. We can see it. At each campaign, the unions come up with some fictitious campaign, masquerading as a community group, and they run that. That is one issue. Another issue we need to tackle is to make sure that people who donate to parties do so in full knowledge that they are doing so, and willingly. A large amount of union funds that are

paid primarily to the Labor Party are paid without the knowledge of union members, or under coercion. Now that the Labor Party has set up a process in which the government of the day can unilaterally change the electoral funding rules to disadvantage others, we should ensure that union members have to tick off on all contributions to the Labor Party.

**Mr T.J. Healy:** So if BHP gives you money, all shareholders should tick off?

**Dr M.D. NAHAN:** BHP and all the corporations have to disclose to shareholders their donations to political parties. By the way, to my knowledge BHP stopped donating to political parties some years ago. But there is a policy for corporations to declare in full, and it is secured transparently, and they disclose to their shareholders their donations across the board. Unions take money from individuals and do not ask their permission; nor do they go to their members and say, “Members, do you willingly want us to take a share of your contribution and give it to the Labor Party?”

[Member’s time extended.]

**Dr M.D. NAHAN:** One of the key issues we have is further tightening the foreign involvement policies. This is a really serious issue.

**Mr W.J. Johnston** interjected.

**Dr M.D. NAHAN:** No, the minister was not here, and I will go through —

**Mr W.J. Johnston** interjected.

**Dr M.D. NAHAN:** Yes, foreign entities.

**Mr W.J. Johnston** interjected.

**Dr M.D. NAHAN:** Then why does this bill seek to stop foreign donations?

**Mr W.J. Johnston:** Because there are some parties that are not currently covered by the provisions—those that are registered only in the state system.

**Dr M.D. NAHAN:** Yes. One of the issues I raised is that this restriction says that a party cannot have foreign donations, and if an entity has an Australian ABN or an equivalent registration with one of the corporate regulators, it is defined under this bill as a local entity, and can give donations.

**Mr W.J. Johnston:** Sure, but your party and my party are also regulated by the federal system, so we still have to comply with the federal rules. This is about: how do you practically get the state Electoral Commission to do the review of those parties? What is the mechanism that you use to find the disclosure?

**Dr M.D. NAHAN:** Where the funds come from.

**Mr W.J. Johnston:** That’s correct, so it has to be an enforceable arrangement. Unless you are going to give tens of millions of dollars to the commission for it to do company searches and detailed analyses, it’s just —

**Dr M.D. NAHAN:** The minister was not here when I started. My point is to indicate further areas of reform.

**Mr W.J. Johnston** interjected.

**Dr M.D. NAHAN:** That is the minister’s view.

**Mr W.J. Johnston** interjected.

**The ACTING SPEAKER (Ms L. Mettam):** Member for Riverton, are you accepting interjections?

**Dr M.D. NAHAN:** No, not any more.

We should approach this in a bipartisan way. If the issue is: let us take some of the lowest common denominators and the tricks out of it, take away the extent of resources pumped into campaigning and get back to local, grassroots issues, we need to act collectively and agree collectively, to the extent that we can. That is not what is being done here; that is my point. The government has set new standards of debasement through a unilateral bill that was not discussed with us and that seeks to advantage the Labor Party over everyone else. My point is that a future Liberal government, whenever that may be, must re-base this legislation to take away some of the advantages that the future Labor Party will have inherited because of its relationship with the union movement, and some of the advantages that it is giving itself through this legislation. We also have to look at the range of non-profit organisations springing up—this is not just the Labor Party—that have political motives and that campaign.

**Dr A.D. Buti:** What about tobacco companies? Do you take any sponsorship from tobacco companies? You don’t anymore, but when was that —

**The ACTING SPEAKER:** Member for Armadale, the member for Riverton has already stated that he is not taking interjections.

**Dr M.D. NAHAN:** I might add that it is worth considering what New South Wales has done, which is to ban money from certain types of entities—I mentioned this; I am not sure if a member for Armadale was here—including tobacco companies. I also think it would be a legitimate debating point to include property developers, liquor outlets and perhaps even gambling outfits. We would have to define those more widely; I am not going to ban someone who owns a bottle shop from making a donation, but there is an issue when parties take donations from a body whose wealth is primarily gleaned from government activity. We all know that that is an issue. New South Wales conducted an expert review in 2017 that canvassed all those issues. It also looked at local government funding, which is relevant, and put those issues to a bipartisan body that made some decisions. It approved some of it, and put in bans on property developers, tobacco and, to some extent, alcohol producers. We should consider something like that if we want to safeguard the independence of our political system.

I am not in a position to suggest that right now; I have not gone through all the issues. When bans like that are put in place, they can be driven around and therefore it is futile. The US is always coming up with these types of restrictions and people can get around them. But those are the things we actually did. The member for Gosnells is right: people are sick of the amount of money being spent.

Another issue raised is: money ain't everything. The Darling Range by-election showed that. The government spent three times what we did, and that was an advantage to us; the member for Gosnells was right. The government flooded the newspaper and pestered the hell out of people —

**Dr A.D. Buti** interjected.

**Dr M.D. NAHAN:** Everybody is being bugged every night by someone calling. Nearly \$400 000 was spent on that by-election, and we had a 9.3 per cent swing.

**Ms R. Saffioti** interjected.

**Dr M.D. NAHAN:** The reason for that was local actions, such as doorknocking —

**Ms R. Saffioti** interjected

**The ACTING SPEAKER:** Minister for Transport, the member for Riverton has asked for no interjections.

Several members interjected.

**Dr M.D. NAHAN:** There is a noise at the back.

**The ACTING SPEAKER:** The member for Riverton has indicated that he wants to be heard in silence.

**Dr M.D. NAHAN:** I want to step back from partisan stuff. We all know the threats to our democracy.

Debate interrupted, pursuant to standing orders.

[Continued on page 5005.]