



PARLIAMENT OF WESTERN AUSTRALIA

VALEDICTORY SPEECH



Hon Aaron Stonehouse, MLC
(Member for South Metropolitan Region)

Legislative Council

Address-in-Reply

Tuesday, 11 May 2021

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ADDRESS-IN-REPLY

Motion

Resumed from 5 May on the following motion moved by Hon Pierre Yang —

That the following address be presented to His Excellency the Honourable Kim Beazley, Companion of the Order of Australia, Governor in and over the state of Western Australia and its dependencies in the Commonwealth of Australia —

May it please Your Excellency: We, the members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our most gracious sovereign and thank Your Excellency for the speech you have been pleased to deliver to Parliament.

HON AARON STONEHOUSE (South Metropolitan) [7.31 pm]: I rise today to give what may be my last speech in Parliament. I would like to begin by perhaps reflecting on where this all began four years ago when I gave my inaugural speech. I remember when I began that I had absolutely no idea what I was doing. I spent weeks and weeks before I was sworn in stressing about what I would say in my inaugural speech, revising draft after draft, bouncing it around confidants and receiving feedback. Eventually, I ended up with a speech that I was happy with and I read it verbatim with my head down, looking at the lectern. I thought I would do it a little differently for my valedictory. I have a few notes, but I have not prepared anything; nothing is set in stone, so we will see where this leads us.

Some members may not be familiar with the story of how I found myself elected, but it was something of a fluke. I volunteered to be a candidate for my political party when a call went out for willing and able bodies. I remember at the time speaking to then Senator David Leyonhjelm, who was rallying party members and looking for candidates for the 2017 state election. I surveyed the room and saw that a few people were interested but not too many, so I put up my hand. At the time, I was only 26. When I spoke to the then senator, he asked me, “Do you want to run to win or do you just want to be a warm body and run as a paper candidate?” I said, “I don’t know; you tell me. I’m 26 years old; what should I do?” He said, “You’re too young for this; politics will ruin your life. It’s a terrible thing to get into. We’ll put you down as not wanting to win.” That is how he recorded me: “Aaron Stonehouse does not want to win.”

After that, there were some vetting processes, some interviews and some discussions. Eventually, I found myself as the lead candidate for South Metropolitan Region, very much not expecting to win. The party hedged its bets; it was expecting to win in the Agricultural Region and so put its star candidate in the Agricultural Region and put me in South Metro, where I was not expected to win.

I went to bed on the night of the election. I helped out where I could; I volunteered. There was not much for me to do as a paper candidate. I went to bed the night of the election at probably 10.00 pm and I got a call at 11.00 pm from the then party president, Mr Connor Whittle, and he said, “Are you looking at the election results?” I said, “No, I’ve been asleep.” He said, “Well, it looks like you’re probably going to win. The first thing you should do is delete your social media profiles.” I followed his advice and deleted them, but that was not before somebody snagged a picture of me drunk as a skunk at my brother’s wedding, smoking a cigar and probably making some lewd hand gesture.

Nonetheless, I found myself suddenly propelled into a position of being a member-elect of Parliament. It was almost a sinking feeling at first. Damn! I had to quit my job. I had just been offered a promotion. What was I going to do for the next few weeks? I was in a weird transitional period of having quit my job but I was not yet sworn in as a member, so I had no income, and I quickly burnt through what savings I had.

I then found myself here in Parliament. My gosh; it is really a transformational experience! It really changes you quite a lot, and for the better—absolutely. I am a little older, perhaps a little wiser, a little more cynical certainly and a little bit lighter. I think I might have lost 20-odd kilograms over the course of four years, which I am pretty happy with, but there is still a long way to go.

You learn a lot and meet some incredible people. It is a unique experience; there is no other job like it. I was elected by a complete fluke—by chance. By a quirk of the electoral system, my name drew a very good position on the ballot. Not through my own merit, I found myself elected. I would like to think that I have contributed something to the Parliament of Western Australia. I have tried to represent my constituents and the broader state properly and well, and have taken my responsibilities very seriously.

It took me a little while to find my feet, maybe a few months, but then I really hit the ground running and I dived into committee work. I served on a couple of standing committees and several select committees. I was co-opted onto other standing committees. In fact, I think some of my committee colleagues probably wanted to throttle me at the end of it, because I was creating more and more work for the various standing committees. I found myself co-opted onto the Standing Committee on Legislation, for instance, on a motion of my own to refer a bill to it, which it otherwise would not have looked at. The members probably thought they had better things to do. But I was glad to do that kind of work, even though it filled up my calendar pretty quickly.

I would like to reflect on some of the things I was able to achieve over the last four years. Something to bear in mind is that as a member of the crossbench, you are in a unique position. You are not in government; you cannot really effect the kind of change you want to. You come to Parliament with bright ideas, with your own agenda and your own policies perhaps, but you are not in a position to enact them. Nor are you in the opposition; you are unable to take a message to the electorate that says, “If you vote for me, this is what I will implement.” You can to an extent, but you do not really have that same legitimacy or authority that the opposition parties have, so you are sort of stuck in the middle. You have to take the wins where you can get them. You have to navigate, horsetrade and wheel and deal a little bit to try to eke out a little of your agenda where you can.

I quite often found myself representing unpopular characters. I found myself on the side of ticket scalpers, wheel clampers, gamblers, tobacconists, unpopular mining billionaires, shooters, and all manner of misfits and unpopular folk. It sometimes felt like I was the member for vice! I am glad I had a chance to represent those people because I firmly believe that everybody, even those who are unpopular, deserve political representation. They deserve to have their voice heard, they deserve to have a fair go and they deserve justice. I am glad I was able to do that. Although I may not have always won, I was at least able to give those people a voice at times when they needed it.

Not alone, but through some pretty rigorous lobbying, I was able to get the Attorney General to agree to a desktop review of the criminal property confiscation regime that we have here in Western Australia. That is probably one of the things I am most proud of. Members may have heard me talk about it before. We have a criminal property confiscation scheme in this state whereby people convicted of certain crimes can have their property confiscated. This is not necessarily for proceeds of crime—we have that too. Property that they already own that was legitimately bought can be confiscated if they commit certain types of crimes. That may be

reasonable in certain circumstances, but it is unreasonable if quite often innocent third parties get caught up in that scheme. The estranged spouse of a convicted criminal may find their share of their home forfeited because of the crimes of their estranged husband or wife. It leads to some serious injustice that would require only a few small changes to the Criminal Property Confiscation Act and the Misuse of Drugs Act to remedy. I introduced my own private member's bill to try to address some of these issues but, of course, being a member of the crossbench, private members' bills do not go far. However, I was able to get the Attorney General to agree to a desktop review conducted by Wayne Martin, who produced a report that made some recommendations that could help alleviate some of the unintended consequences of the criminal property confiscation scheme. My regret is that I will not be here long enough to see some of those recommendations implemented. I really hope that a future government will pick up those recommendations and implement them to address that injustice.

I also had the privilege of working on the Select Committee into Alternate Approaches to Reducing Illicit Drug Use and its Effects on the Community. That was chaired by Hon Alison Xamon and comprised members of the Liberal Party, the Nationals WA, the Greens and the Labor Party and me. We had a fantastic opportunity to look at illicit drugs and drug control regimes of various countries and around the state. The committee came up with some fantastic recommendations with bipartisan or cross-party support. I really hope that we have the opportunity to deliver some of those changes. I really am no bleeding heart, but when we see some of the harm being caused around Western Australia, particularly in regional communities and we see that there are alternative ways to approach this issue to reduce the harm and, in the end, the use of illicit drugs, I think that committee did fantastic work. I hope a future government looks at some of those recommendations.

I also had the opportunity to chair the Select Committee on Personal Choice and Community Safety, which looked at some very wideranging and interesting issues such as bike helmets and the like. It also made some very interesting findings around responsible regulation and holding bureaucratic agencies to account for the red tape and regulations that they impose on the rest of society, and had some fantastic ideas about introducing a regime of regulatory responsibility, similar to what New Zealand and New South Wales have. We are told that Treasury is working on that. I hope, when I am long gone, we might see it implemented in Western Australia. It might help reduce the burden of red tape.

I also had the opportunity to advance a motion for self-defence for vulnerable people—women, the elderly and those with disabilities—and that motion was agreed to. That was around ensuring that vulnerable people who carry pepper spray, for instance, do not find themselves on the receiving end of a fine from the police. The motion was successful and the house supported it unanimously, but unfortunately it did not get too much further than the Minister for Police.

Many others have commented on this, but I had an opportunity to contribute to the voluntary assisted dying debate. The Voluntary Assisted Dying Bill 2019 was a pretty significant piece of legislation that saw us sitting here all hours of the night and for very extended periods of time. In the passage of that bill we were able to make a few changes that tightened up some of the controls to try to prevent, for instance, beneficiaries of wills from signing off on the paperwork required for voluntary assisted dying. There were a couple of things lacking in that bill. There were some issues with reporting obligations that I am disappointed were not addressed in the debate and the legislation was not amended when we dealt with it. The legislation also had inadequate protections for conscientious objectors, and that remains a concern for me. I have used my platform in Parliament to fight for the right of conscientious objectors at every opportunity, and I am disappointed that the voluntary assisted dying regime does not include protections for those people. I hope that any future review of the voluntary assisted dying legislation looks at the lack of protections for conscientious objectors and whether there are any unintended consequences from it, as I predict there might be.

I also had the opportunity to advocate for the protection of Western Australia's heritage, history and culture. In particular, I have taken up the cause of a small ragtag group of activists who are trying to prevent the destruction of family headstones at Perth's premier cemetery, Karrakatta. For members who are not aware, renewal at the cemetery is ongoing, which essentially means that headstones are removed and new plots are dug in between the existing plots. The argument will be made that these are old gravesites that nobody visits anymore and, therefore, we need to make room for new gravesites. The problem is it seems—certainly the activists I have spoken to are concerned—that headstones are being removed without family members being reached; the efforts to contact family members are insufficient; and the threshold for what is deemed to be a historically significant site that should be protected and not have its headstone removed is too high. Therefore, sites that mark the graves of Western Australia's war heroes or its pioneers or people who built this state are being removed because they do not quite meet the standard of the panel that decides whether they are historically significant.

I have been advocating for a review into that matter. I am glad that a review was announced prior to the election. We will wait to see what the outcome of that review is. That is an example of one of the kinds of issues that is often ignored by major parties in government or opposition. This is a very difficult issue to address. Sometimes opposition spokespeople for local government will say they are happy to review the situation and put an end to renewal, but once they find themselves in the seat of a minister, it all becomes too difficult and too hard. The former Minister for Local Government, David Templeman, said he would review it, then when he was the minister said he would not. He then announced a review, but now we have a new minister. We will see how that goes. I will be watching keenly from outside Parliament.

Ultimately, I wish I had more time. There were so many issues and so many constituents who deserved to have their concerns heard that I simply did not have the time for. I did not have the time in Parliament to advance their issues or perhaps I learnt about their issues too late in the game to formulate some policy or strategy to help them genuinely. For instance, I think of those people who have been affected by criminal property confiscation—innocent parties who have lost their house or will lose their house because the Director of Public Prosecutions has gone after their property for the crimes of their estranged spouse. Those are people who I cannot help anymore. Even if I were still in Parliament, they would probably still lose their houses due to the independence of the DPP, but they desperately need some help and need Parliament to listen to their concerns and pass legislation to address that injustice. A lot of people out there like that need help; they often slip through the gaps. Maybe they are not as popular or maybe they are not as numerous for major parties to pay attention to, but they still need representation. My regret is that I have not had enough time and I will not have the opportunity to help those people from Parliament anymore.

I would like to move on to giving some recognition and thanks to various people who have helped me along the way. But first, I thank the President of the Legislative Council, Hon Kate Doust, for her exemplary work in defending and preserving the institution of Parliament and of the Legislative Council more specifically. I think she has done a tremendous job and she has done it in the face of criticism from everyone—from her own side to the media to political pundits far and wide. She has done an absolutely remarkable job. For those who are unfamiliar and who may be reading or listening to this speech, Hon Kate Doust finds herself facing legal action for carrying out what I, and I think a lot of members, regard as her duty as the President of the Legislative Council. That is quite a remarkable situation to find ourselves in. The Supreme Court will litigate that action and we will learn the outcome of that in due course, but really something quite important hangs in the balance and that is the institution of parliamentary privilege, which underpins everything that Parliament does. It is an incredibly important institution. It allows us to say what we like in here and to criticise the government without fear of prosecution from the police or some other agency and without fear of retribution from an angry executive government.

That might sound far-fetched; we might think nothing like that could possibly happen in a liberal democracy like ours here in Western Australia. But it is an important institution and it is there because human nature is human nature. Power corrupts, and absolute power corrupts absolutely. We have to have those checks and balances in place. The executive government as an institution is not inherently corrupt, necessarily, but people are always corruptible. People are always prey to their weaknesses—to look at things they perhaps should not look at or to pry into things that they perhaps should not pry into. People can be petty, nasty, jealous and vindictive; that is human nature, so it is important to have an institution like parliamentary privilege to ensure that the Parliament can do its job and hold the government to account without fear of retribution from the executive government or agents acting on its behalf.

Hon Kate Doust, the President of the Legislative Council, has done a fantastic job of upholding those values and protecting that institution. I have to say that I really think it is a shame that she will not continue in that role. She has set an excellent example for all of us and she has hopefully set an excellent example for whoever will take her place in the next Parliament. I hope that those who follow after her in Parliaments to come will look back to the example she set and the examples that previous Presiding Officers have set on the importance of protecting that institution; to protect not just the functions of the Legislative Council but also the relevance of this chamber.

While we are on the topic of accountability and protecting institutions, I might touch briefly on the question of electoral reform. It is something that I have spoken about previously when the topic has come up for debate on private members' bills or on other occasions. There is an argument around the suitability of group voting tickets. I will not talk about that today; I have spoken about that before.

What is perhaps more contentious right now is the question of one vote, one value, and the malapportionment of votes to country regions. There is an argument that country representation should be lowered to increase representation of the metropolitan regions. The argument goes that it is unfair that a handful of people in the country should be represented by the same number of MPs as many hundreds of thousands of people in a metropolitan district. I think there is a real danger in accepting those assumptions at face value. The Attorney General, in his role as Minister for Electoral Affairs, has made the very emotive argument that it is unfair for country people to be over-represented and that metro people should be under-represented. We have to keep in mind that a system like that is put in place for very specific reasons: to ensure that we do not have centralised control of the entire state merely in highly populated areas. It is to ensure that we do not have a tyranny of the majority.

If we did away with the current regions of the upper house and had perhaps an open ticket or only a handful of country members elected to each country region, with more members elected to the metro regions, country regions would perhaps be more fairly represented in terms of total population, but they would have very little say in the affairs of the state. We would find ourselves in the situation of Perth dictating to the rest of the state. There would be very little reason to campaign in country regions, to ensure that country regions get what they need, to ensure that vital infrastructure is built out there or to ensure that constituents out there are looked after. A party would merely need to campaign and pick up enough seats in metro regions and it could control the rest of the state. It would also control the house of review, denying people in country regions a fair say in what happens.

The Attorney General and others would argue that it should be set out in the terms of reference for the expert ministerial review panel that representation should be equal and that we should be moving towards something that more reflects a direct democracy. I do not necessarily think that direct democracy is a good thing. There are different forms of democracy: representative democracy, trustee delegate models and direct democracy.

We live in a representative democracy in which geographical regions vote for a member to represent their interests for four years. We do not have a direct democracy in this state. The Constitution does not lay out a direct democracy. There is nothing that really informs the value of a direct democracy over any other model. At least the current system that we have, with its malapportionment of votes, ensures that country regions are represented, that they cannot be dictated to by the city and that more voices are represented. If we are going to go down the route of direct democracy, with a handful of people not being allowed to elect one MP, that really flies in the face of ideals of diversity in Parliament.

Quite often the same people will argue that we need diversity in Parliament: that we need people from different ethnic groups, people of different genders and people from different religions represented in Parliament. If that were the case, any group or any demographic that was less than three per cent of the population would not be represented in Parliament. We would likely never have someone who was born in India represented in Parliament if that were the case. We may have one Aboriginal representative because about three per cent of the population of Western Australia is Aboriginal. But we would not have any group that is smaller than that demographic represented in Parliament. It would be a shame if we moved towards some kind of model of direct democracy in which the number of a population makes up their parliamentary representation automatically rather than perhaps the merit of their ideas or their values, whether they are a good person, whether they are intelligent or whether they care for their constituents. I would really be cautious of any electoral reform that is proposed.

Members of the new Parliament and members who are continuing into the next Parliament will find themselves in an interesting position of having to balance not only their duty to their political party, their constituents and their electorate, but also their duty to the wider state. They cannot simply toe the party line and do what is only good for their constituents within their electorate. Sometimes they will have to think about that. Members continuing into the next Parliament and members-elect will find themselves in that situation. When they approach questions of electoral reform or any further attacks on the institution of Parliament or parliamentary privilege, I hope they will be thinking about the bigger picture, not just their party, not just their constituents in their electorate or what is good for the state as a whole.

Finally, I will get back to those people that I would like to thank, in no particular order. I would like to thank Hon Peter Collier, whom I have had the absolute privilege of working alongside these last four years in his capacity as Leader of the Opposition. He often worked pretty closely with us on the crossbench. It was an unruly bunch at times but we have worked collegiately; we have worked really well together.

I would also like to thank my colleagues on the crossbench, whom I have worked with very closely. We are not a party; we do not caucus. But when you are not in a party—when you are on your own as a single MP—it can certainly get lonely, so it is nice to have friends along the way, whom, despite our political differences at times, we can work with and have a chat with.

I would also like to thank Hon Simon O'Brien, who is away on urgent parliamentary business. When I first started, I had no idea what I was doing. Hon Simon O'Brien reached out to me. He was the only MP to do it at the time. He invited me to lunch at Parliament House. It was an act of kindness that has stayed with me this whole time. He is a very nice man and he took the time to make sure that I had some encouragement and a friendly face in Parliament to show me around and to help me find my way when I began. For that, I am thankful.

I would also like to thank the Clerk, the Deputy Clerk and all the staff of the Legislative Council. I would also like to thank the committee staff, who put up with me and my select committees and inquiries and all the extra work I created for them. They really did a fantastic job.

I would also like to thank all the staff of Parliament House, including the Parliamentary Services team. In particular, I would like to thank Deb. Deb is an institution in herself. She is fantastic.

Every day she prepares a lovely afternoon tea for us. I mentioned Hon Peter Collier earlier. Hon Peter Collier has a ritual. Every single day at afternoon tea, he goes up to Deb and gets a cup of coffee. When he has had it, he goes back to her and gives her back his cup and says, "Deb, that is the best cup of coffee I have ever had." He says it every single day. I think he genuinely means it; he is that kind of guy.

I would also like to thank my electorate staff, who have done a fantastic job. Everything that I have done over the last four years has been achieved through their hard work. The life of an electorate staffer is a thankless job at times. They work behind the scenes; they are unknown. Nobody knows who they are and nobody sees them, but they are busy writing press releases, organising things and making your member of Parliament look good. Again, in no particular order I would like to thank Nikola Kaurin, Kate Fantinel, Craig Buchanan and Jack Taylor. They have been working very hard in my office, making my life easier and making me look good.

I would also like to thank those who have volunteered for me, especially during the election campaign. We put together a fantastic team and we worked really, really hard. There are too many people for me to be able to mention tonight, but I would like to acknowledge at the very least Matthew Thomson, who stepped up to a leadership position within my party and helped me along the way. A lot of the work we did over the last few months would not have been possible without the hard work and leadership of Matthew Thomson. Thank you, Matthew.

I would also like to thank someone without whom I could not do any of what I do, probably the most important person in life, my girlfriend Emma, now my fiancée Emma, as of last night.

[Applause.]

Hon AARON STONEHOUSE: She does a fantastic job of supporting and encouraging me. I am not a particularly outgoing or social person, but she does a good job of dragging me out of my shell and encouraging me to be a better person every day.

Mr Acting President, I would like to think that I have really grown throughout my time in Parliament. I have changed my outlook on a lot of things. I have thoroughly enjoyed the experience. It is a once-in-a-lifetime opportunity. I am sad to not be here for another four years, but so it is. I will go on to the next chapter. If I were ever lucky enough to be here again, I certainly would not waste any time picking up those issues that I left off with and was not able to finish.

I am truly, truly thankful for the opportunity to have served the people of Western Australia for the last four years. Thank you.

[Applause.]
