




Speech By  
**Hon. Anastacia Palaszcuk**

**MEMBER FOR INALA**

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Record of Proceedings, 21 May 2014

### **ELECTORAL REFORM AMENDMENT BILL**

 **Hon. A PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (6.03 pm): I rise to oppose the Electoral Reform Amendment Bill 2013. This legislation is nothing short of an attack on Queensland's democratic system. This represents the worst of the worst from this arrogant, know-it-all Newman government. This legislation attacks the fundamental democratic rights of everyday Queenslanders, while providing for special concessions to allow the big end of town to gain special influence over the Premier and his cabinet ministers.

This legislation is a blatant attack on transparency and accountability. As the Attorney-General was saying, this is a plan. This is a plan to take Queensland back to a dark past. This is taking us back to a place where Queensland does not want to go but which this government wants us to revisit. This is about attacking accountability and integrity in this state. This is what this legislation is doing. This is about winding back accountability, about winding back integrity. This is taking Queensland backwards, not forwards. In typical manner, the Premier and the Attorney-General are arrogantly ramming through legislation that they did not take to the election, that faces overwhelming objection from the Queensland public and will prove to be a serious risk to open and fair government in this state.

To illustrate the motive and arrogance of this government, it is useful to consider the background to how this legislation has arrived at this current point. The Electoral Reform Amendment Bill 2013 will make significant changes to the electoral process, from the administration of elections to the financial dealings of political parties and donors. In January 2013, the Attorney-General released a discussion paper on electoral reform, to be managed by the Department of Justice and Attorney-General, not through the parliamentary committee system.

It is worth noting that the hundreds of submissions provided to the analysis process overseen by the Attorney-General to this stage that I am aware have not been made public. Instead, the government released the discussion paper only. At the time the departmental discussion paper was announced, the Attorney-General floated a series of red herrings, including suggestions about removing compulsory voting. The opposition suggested at the time that those issues were a distraction from the government's true intentions, which are now evident to see in the contents of this bill.

The department, I understand, outlined that it received around 250 submissions on this issue, and we are still yet to see them. The Electoral Reform Amendment Bill 2013 is supposedly the government's response to the feedback gained through the discussion paper. The legislation includes many seriously detrimental proposals that were foreshadowed by the opposition at the time. Unfortunately, this legislation is proof that the LNP government is as obvious, extreme and partisan as feared.

This legislation proposes a wide variety of changes, some more offensive than others. The proposed changes contained in the bill include changes to the funding arrangements for parties, both

in allocation of funds and thresholds of voting percentage received to gain public funding; changes to donation laws, drastically increasing the level of donations allowed before declaration requirements kick in; and the imposition of voter identification requirements for enrolled Queenslanders trying to exercise their democratic right to vote in elections.

This legislation is a retrograde step that significantly reduces the transparency and accountability of large political donations. This represents a winding back of electoral reform that has been improved and progressed over the last 20 years. The Goss government saw the overhaul of the electoral process in the wake of the Fitzgerald inquiry and the entrenched corruption that pervaded the Queensland political system at that time. Reforms included the overhaul of the weighted vote of the zonal system that drastically skewed true democratic outcomes. The government established the CJC, and later the CMC, and parliamentary oversight through the committee process. Whistleblower protections were introduced and the core principles of an independent Public Service were restored.

At the time of the 20th anniversary of the Fitzgerald inquiry, the Bligh government extended transparency and public accountability. These reforms were welcomed as a positive and important next stage to opening up government and ensuring that the dark days of the past could not be allowed to sneak back in. As the *Courier-Mail* editorial on 5 July 2010 stated—

... irrespective of one's view on Ms Bligh's policies or leadership style, few could seriously challenge her commitment to improving public accountability.

On coming to office in 2007, the new Premier overhauled the Freedom of Information laws and, more recently, banned former government figures from lobbying for two years after separation from public life.

In reference to the capping of political donations at \$1,000, this is what the editorial suggested—

... Ms Bligh is perhaps striking her boldest reform to date—one that, if adopted nationally, will sharply reduce undue political influence in this country.

Let me repeat those last few words: 'will sharply reduce undue political influence in this country'. This is the very point about the Newman government steps to date. Let us look at the reality.

**Mr Johnson** interjected.

**Ms PALASZCZUK:** I thought the honourable member for Gregory would know better. He lived through those years and he remembers it well. We know deep down that he does not want to go back to those dark days. These are very serious issues. I have quoted extensively what the *Courier-Mail* stated about the cap of \$1,000 to sharply reduce undue political influence. Now this LNP government wants to lift it to \$12,400—from \$1,000 to \$12,400.

**Government members** interjected.

**Mr DEPUTY SPEAKER** (Mr Krause): Order! Honourable members!

**Ms PALASZCZUK:** They don't like to hear it, and that is why they are interjecting, because it is the truth and it is a return to the past. The logic is clear and obvious for everyone to see. If, as the *Courier-Mail* pointed out, reducing the cap for the donation threshold will sharply reduce undue political influence in this country, then dramatically increasing the amount that donors can give in secret will sharply increase undue political influence. They are the facts. This legislation to make it easier to make large donations and keep it secret could not have come at a worse time.

**A government member:** For you.

**Ms PALASZCZUK:** They laugh and they heckle, but we have seen from the Sydney hearings of ICAC that even in a modern democracy when donations are kept secret, funnelled through other entities or used by unscrupulous people to gain access to political influence, public policy and proper governance can be put at risk. This is the real threat to democratic integrity in Queensland, not the imagined electoral fraud that this Attorney-General is trying to hoodwink us with.

The revelations down south hit a little close to the bone with some in the government, didn't they? The Premier was all too proud to show what a buddy he was of Mr Nick Di Girolamo, or however you pronounce his name. The Premier knew how to pronounce his name very well, skiting about it in the House. We all know from the ICAC hearings—

**Government members** interjected.

**Ms PALASZCZUK:** They do not want to hear about corruption in New South Wales. They do not want to know the facts. I will put the facts on the table, because they are relevant. They are changing the donation laws when we have just had ICAC hearings in New South Wales. Let me go back to Mr Nick Di Girolamo.

**Ms Trad** interjected.

**Mr Bleijie** interjected.

**Mr DEPUTY SPEAKER:** Order! Attorney-General and member for South Brisbane! The Leader of the Opposition has the call.

**Ms PALASZCZUK:** Let us talk about Mr Di Girolamo. As reported by the *Courier-Mail* on 7 April this year, Mr Nicolaou emailed Mr Di Girolamo in 2007 stating—

The Lord Mayor of Brisbane is happy to see you. The person whom I am liaising with on your behalf would like you to donate the \$5k as soon as possible.

That amount was subsequently paid to Mr Newman's fundraising entity Forward Brisbane Leadership. Again I quote from the *Courier-Mail* report on 6 April—

'There was a price on meeting Campbell Newman,' he put to Mr Nicolaou.

'Yes, if you look at it that way, Mr Nicolaou replied.

He would meet Mr Di Girolamo if Di Girolamo paid \$5,000, correct?' Mr Watson asked.

'Correct,' the witness said.

So we have sworn testimony from those ICAC hearings that a system was allegedly in place for large donations to be solicited as the price for meeting with the then Lord Mayor. Those opposite can carry on, but these are very serious issues. The issue about the alleged \$5,000 would not be declared under the LNP's changes to the electoral laws that we are seeing put to the people tonight at just after six o'clock. The LNP is significantly increasing the threshold for when donations need to be declared—that is, this legislation will allow significantly higher donations to be made without any declaration at all. Setting the mark at \$12,400 means that a company or individual could donate \$12,399 and not have to declare it at all. It will be a secret donation. This measure will open up the political process to potential corruption and undue influence.

Currently, declarations need to be made on a six-monthly basis. The government is claiming that by making that a monthly process it is being more transparent, but in reality under the LNP model it does not matter if declarations are made every month or every six months. The threshold is set so high that the vast majority of donations will never, ever be disclosed. For example, for the six-month period covering the second half of 2012 about 95 per cent of donations would not have been captured under the LNP proposal and would not have been declared at all. Let me put that in context: 95 per cent. Of the donations to the LNP, 337 out of 352 donations were under \$12,400. That means only 15, not 352, donations would be declared. This clearly demonstrates that the new threshold will hide the vast majority of donations. In addition, these figures do not include those who currently do not donate but would if they knew donation will remain secret. Here we have a real question regarding the LNP's changes and intentions. I think a lot of Queenslanders will be rightly asking: why would a company or individual only donate if it is to be kept secret?

We have seen evidence on Channel 7 news this week that the Attorney-General himself was put under questioning for curious interactions between the granting of tenders for boot camps, personal meetings between the Attorney-General and his LNP colleagues, political donations from a tender company and the awarding of a tender to a company that was double the price of the recommended group. The timing of this legislation tonight shows just how arrogant and out of touch this government is. Let me put it in context: we were told that six days after the tender was awarded Beyond Billabong granted—

**Mr BLEIJIE:** Mr Deputy Speaker, I rise to a point of order.

**Mr DEPUTY SPEAKER:** Order! Leader of the Opposition, would you resume your seat? What is your point of order?

**Mr BLEIJIE:** Mr Deputy Speaker, the matters that the opposition leader is raising were raised in question time this morning and are of no relevance to the bill currently before the House.

**Ms PALASZCZUK:** Yes, they are. They are donations.

**Mr BLEIJIE:** A tender process is no relation to the bill before the House, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** Order! Leader of the Opposition, I would ask that you remain relevant to the long title of the bill.

**Ms PALASZCZUK:** Let me be very relevant. This legislation is about changing donations and the LNP got a donation of \$5½ thousand from a company after it was awarded a tender. That is right on topic. That is right on message. That goes to the heart of this matter. That goes to the integrity of

this Attorney-General. I do not know why he is still sitting in this House when he is the first law officer, and he cannot explain to the House how he went outside the tender process. That is a disgrace.

**Mr Bleijie:** You never asked me. You never asked me a question.

**Ms PALASZCZUK:** You could not even answer that question in the House today. You could not even stand on your feet and answer that question.

**Government members** interjected.

**Ms PALASZCZUK:** Let me now put it in context. The donation cap is going to go from \$1,000 to \$12,500. Members, would that \$5,500 from Beyond Billabong to the LNP be declared under these new laws? No, it would not. Absolutely not.

**Mr Holswich:** But it was, wasn't it.

**Ms PALASZCZUK:** But it is not going to be in the future. Under the Labor laws, it was declared; under the LNP laws, it will be secret, secret, secret. Let us look at Barry O'Farrell's \$3,000 bottle of Grange down in New South Wales. Would it be declared under Labor laws? Yes. Would it be declared under LNP laws? No. You could have four bottles of Grange and it would not be declared under the LNP laws. They will be swimming in the grapes; they will be swimming in the Grange. It is absolutely disgusting.

**Mr Johnson** interjected.

**Ms PALASZCZUK:** And the member for Gregory can refer to me by my correct title.

**Government members** interjected.

**Ms PALASZCZUK:** The Attorney-General will be bathing in the Grange; he will be swimming in the Grange. The truth hurts, and this Attorney-General cannot explain the tender process.

**Mr Bleijie:** Refer it to the authorities. You refer it to the authorities.

**Ms PALASZCZUK:** You cannot explain it to your colleagues; you cannot explain it to your cabinet colleagues. You are a sitting duck. Never before have I heard of the first law officer of this state going outside the procurement process in the awarding of a tender.

**Mr DEPUTY SPEAKER:** Order! Leader of the Opposition, I remind you to please direct all of your comments through the chair.

**Ms PALASZCZUK:** Thank you very much, Mr Deputy Speaker, and the member for Gregory can refer to me by my correct title, thank you.

**Mr Bleijie:** That's a reflection on the chair.

**Ms PALASZCZUK:** No, it is a reflection on the member for Gregory.

**Mr DEPUTY SPEAKER:** Leader of the Opposition—

**Mr Johnson:** Mr Deputy Speaker—

**Mr DEPUTY SPEAKER:** Just a moment, member for Gregory. Leader of the Opposition, I am quite capable of determining when members need to be chastised for incorrect behaviour, and thank you for your suggestion. Member for Gregory, did you have a point of order?

**Mr Johnson:** I do apologise, Mr Deputy Speaker, to the honourable Leader of the Opposition for calling her by her first name, and I will never do it again.

**Mr DEPUTY SPEAKER:** Thank you, member for Gregory. Can you take your seat, please.

**Mr Johnson:** Do you want me to sit down now, Mr Deputy Speaker?

**Mr DEPUTY SPEAKER:** Yes, please, member for Gregory. The Leader of the Opposition has the call.

**Ms PALASZCZUK:** Thank you very much. Queenslanders should be concerned after what we have seen emerge this week about what is going to happen in the future. I am very concerned about future donations that could be made to the LNP that will not be on the public record. There will be no transparency; there will be no accountability. It is a backward step of integrity. We have seen it. There is nothing clearer than what we have actually witnessed here this week—with the granting of a tender and then six days later a subsequent donation of \$5,500. In New South Wales, we saw that the nondeclaration of a \$3,000 bottle of Grange brought down the New South Wales Premier, yet the awarding of a \$2 million contract with a subsequent payment to the LNP of \$5,500 has left this Attorney-General standing in this state. This does not appear right and this matter should be investigated. I do not know why the Premier of this state has not taken action. These are serious issues and they should have at least been thoroughly independently investigated or else they should have been referred to the CMC for investigation.

**Mr BERRY:** Mr Deputy Speaker—

**Ms PALASZCZUK:** I come back to the donations.

**Mr DEPUTY SPEAKER:** Member for Ipswich, do you have a point of order?

**Mr BERRY:** I heard the Leader of the Opposition through the television, and I have certainly heard her now, and I am yet to understand—

**Mr DEPUTY SPEAKER:** Do you have a point of order, member for Ipswich?

**Opposition members** interjected.

**Mr BERRY:** I am sorry—

**Mr DEPUTY SPEAKER:** Member for Ipswich, do you have a point of order?

**Mr BERRY:** I do, and there is no relevance at all with what she is talking about in relation to the Electoral Reform Amendment Bill, and if she wishes to continue with it, let her state what the—

**Mr DEPUTY SPEAKER:** Thank you, member for Ipswich. Could you resume your seat, please. Leader of the Opposition, I have been listening to what you have been saying and I ask that you please remain relevant to the long title of the bill as it relates to donations.

**Ms PALASZCZUK:** Sure. I will go back to donations. A donation was made from Beyond Billabong to the LNP for \$5,500. Under the new laws, this would be secret. As I said in relation to what has been happening in ICAC, Premier Barry O'Farrell lost his job for not declaring a \$3,000 bottle of Grange, but they can now donate four bottles of Grange and no-one would be any the wiser. This is about hiding political donations. This is about secrecy. This is about cover-up.

**Mr BERRY:** Mr Deputy Speaker, the CMC bill has already been—

**Mr DEPUTY SPEAKER:** Member for Ipswich, do you have a point of order?

**Mr BERRY:** It is still irrelevant. She must explain. It is irrelevant.

**Mr DEPUTY SPEAKER:** Take your seat please, member for Ipswich. I ask the Leader of the Opposition to please remain relevant to the bill.

**Ms PALASZCZUK:** Thank you. Let me go on about donations. As I have said very clearly, 95 per cent of the LNP's present donations will become secret in the eyes of the public, so I want to know how this is going to enhance transparency in this state. How is this going to enhance accountability in this state, when we will not know who is giving money and who is being awarded the contracts?

**Mr BERRY:** I rise to a point of order, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** Leader of the Opposition, will you resume your seat.

**Mr BERRY:** Repetition. This is probably the fourth to sixth time this one point has been mentioned.

**Mrs Miller** interjected.

**Mr BERRY:** Repetition is not part of the debate in this House, as far as I am aware. Under Labor it may have been but not under this government.

**Mr DEPUTY SPEAKER:** Member for Ipswich, can you resume your seat please. Leader of the Opposition, the member for Ipswich has made a point of order concerning your repetition and I ask that you adhere to the standing orders. We have heard a number of points a number of times and I ask for you to carry on with your address.

**Ms PALASZCZUK:** The heart of this legislation is about donations. It is about lifting the donations that currently stand at \$1,000, and they are going to make it now \$12,400. Donations will be made—

**Government members** interjected.

**Ms PALASZCZUK:** It would be lovely to be able to finish a point but I keep getting so rudely interrupted by those opposite.

**Mrs Miller:** Because they don't want to hear the truth, Leader of the Opposition.

**Ms PALASZCZUK:** That is right. I now move on to removing—

**Mr Berry:** Oh! Move on! Well done!

**Mr DEPUTY SPEAKER:** Order! Member for Ipswich!

**Mr Berry:** Sorry, I just couldn't contain myself.

**Ms PALASZCZUK:** It is all right. He will be moving on after the next election, Mr Deputy Speaker.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** The Leader of the Opposition has the call.

**Ms PALASZCZUK:** The legislation also removes the \$50,000 caps on spending for each electorate. This is a clear indication that the LNP is intent on trying to buy victories. This move creates legitimate public anxiety that elections are there to be bought. Combined with the changes to donation requirements, the government's changes will mean that the LNP can encourage their business mates to donate thousands of dollars, keep those donations secret and then spend as much as they can to try to buy victories in the electoral contests right across the state.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order! I want to be able to hear the Leader of the Opposition.

**Ms PALASZCZUK:** They have only got a few more minutes until the dinner break. The legal affairs committee was presented with overwhelming evidence from experts in electoral funding and electoral law reform. In typical fashion, it appears that the Premier and the Attorney-General are determined to ignore evidence and refuse to acknowledge the experts with whom the Premier promised they would consult. So I would like to place some of their evidence on the record to remind the LNP that they are thumbing their collective nose at the experts in this field. Graeme Orr, professor of law at the University of Queensland, put it very clearly. He said—

Removing donation and expenditure limits is retrograde. It is a backward step for the key goals of political integrity and equality. The common law democracies we benchmark with have such limits: the UK and New Zealand limit campaign expenditure; Canada limits both expenditure and donations. Even the US limits donations to parties and candidates. Queensland in 2011, along with NSW and the ACT, pioneered such limits in Australia.

Professor Orr then went on to explain the very real dangers in removing caps to donations. He said—

Unlimited donations risk political integrity. They allow wealth to buy an unequal share of political influence and voice.



**Hon. A PALASZCZUK** (Inala—ALP) (Leader of the Opposition) (9.35 pm), continuing: Before we adjourned for the dinner break I was in the middle of quoting Professor Orr about the dangers of removing caps to donations, so I will start from where I left off. He said—

Unlimited donations risk political integrity. They allow wealth to buy an unequal share of political influence and voice. Democracy and the universal franchise are meant to make all citizens equal in political worth. Unlimited donations skew money to the governing party of the day (or, occasionally, to an opposition on the brink of power), because private donations follow power.

What has been telling throughout the committee process on this legislation is the absolute hypocrisy from the LNP when it comes to free speech and the fundamental rights in modern democracy. In previous debates we have seen—and I suspect we will see it again in this debate—that many LNP members love to rail on and on about freedom and protecting universal rights in a democracy, but when you break it down it becomes very clear that the LNP's love of freedom is restricted to very specific circumstances.

The LNP believes that the ability for an individual or a private organisation to donate very large sums of money to a political party is an important element of free speech—that is, the LNP believes that enabling large secret donations is a legitimate and important part of the democratic right to free speech—yet at the same time it is imposing requirements on voter ID that could be described politely as excessive red tape and more accurately as a malicious tool to directly prevent people from exercising their fundamental right to vote. The LNP will happily carry on about liberty yet sit quiet or actually backup moves to directly attack the right of the individual Queenslanders to exercise their fundamental right to vote. Of course when it comes to free speech and contributing to public discussion on important matters of public interest, the LNP is not so strident in its passionate defence of the right to free speech if the organisation represents the collective interests of workers.

As pointed out by the Queensland Council of Unions in Mr Martin's evidence to the committee hearing, this legislation making it easier for private companies or individuals to donate more than \$12,400 in secret is completely at odds with the LNP's attack last year on the ability of unions to participate in public debate. Mr Martin said plainly—

... I would have to suggest that the two policy propositions are completely inconsistent. That would indicate to me that one or both of them are designed for political partisan purposes.

Not even limited to political donations, this government attacked the very right of industrial organisations to use that organisation's own money collected through voluntary membership and administered by democratically elected officials in the pursuit of representing the collective interests of hardworking Queenslanders. This legislation represents the absolute hypocrisy of those opposite when it comes to transparency, free speech and democratic rights.

**Mr Newman** interjected.

**Ms PALASZCZUK:** I am quite sure the Premier can put his name on the speaking list if he wishes to participate and I look forward to listening to his contribution in this evening's debate. I now turn to a very important issue contained in this bill, and that is about the voter ID requirements.

**Mr Bleijie:** You haven't mentioned the \$24 billion you gave yourself.

**Ms PALASZCZUK:** I take objection to that. You are deliberately misleading the House.

**Mr Bleijie:** You passed the legislation!

**Ms PALASZCZUK:** You are deliberately misleading the House.

**Madam DEPUTY SPEAKER** (Miss Barton): Leader of the Opposition, I would ask that you direct your comments through the chair, please.

**Ms PALASZCZUK:** Thank you, Madam Deputy Speaker, and perhaps the Attorney-General could do the same. I am very concerned about the restrictions that this government now wants to put in place for people to go and exercise their fundamental right to vote in Queensland elections. I think it is completely missing the boat, because a large number of people living in their electorates pop into a polling booth on the way home from driving the kids from a sporting event or taking their children to ballet or—

**Government members** interjected.

**Ms PALASZCZUK:** The other issue is that I know a lot of pensioners in my electorate—and it would be the same in other electorates—freely wander up to vote. They do not carry with them their wallets.

**Mr Crandon** interjected.

**Mr DEPUTY SPEAKER:** Member for Coomera.

**Ms PALASZCZUK:** I believe that this legislation is curtailing their fundamental right to vote.

**Government members** interjected.

**Ms PALASZCZUK:** Yes, it is. It absolutely is. Madam Deputy Speaker, there is plenty of opportunity for people to put their concerns and participate in this debate.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Leader of the Opposition, you have taken interjections.

**Ms PALASZCZUK:** Madam Deputy Speaker, I am not taking their interjections, with all due respect. I am not taking their interjections.

**Madam DEPUTY SPEAKER:** Leader of the Opposition, you have taken interjections.

**Ms PALASZCZUK:** I have not taken interjections.

**Madam DEPUTY SPEAKER:** I think it is only fair that you allow some interjections. You cannot choose to take some and not others.

**Ms PALASZCZUK:** Sure, and it is okay to have 20 people interjecting on me.

**Madam DEPUTY SPEAKER:** Leader of the Opposition, as I have just said, you have chosen to take interjections. It then opens the floor for interjections to come across the chamber. You have the right to continue to make your contribution. If I feel that it is getting too loud, I will step in.

**Ms PALASZCZUK:** Right. Madam Deputy Speaker, thank you very much. These proposed photo ID requirements are a barrier to people exercising their fundamental right to vote. The government is making these changes under the guise of protecting against electoral fraud, but there is absolutely no evidence that I can see of electoral fraud in the current system. The Attorney-General's own discussion paper states—

There is no specific evidence of electoral fraud.

The intention is to target voters who are marginalised and vulnerable. Historically, it has been the Australian Labor Party which has proudly stood up for the vulnerable in our community and those vulnerable Queenslanders now being punished for daring to associate with Labor and voting for a

candidate who cares about fairness and social justice. These Queenslanders are being cunningly targeted by the Premier and the Attorney-General for the very practical and real reason that they traditionally have been aligned with the Labor Party and its decent social justice policies. Those most affected include Indigenous people, recent migrants, people with English as a second language, the homeless or those at risk of homelessness, young people and the elderly. People within these groups in our community are less likely to have formal ID and are less likely to handle paperwork well, which is why this government is seeking to skew the democratic electoral system.

It is telling that not a single organisation or individual who appeared at the committee's public hearings supported the imposition of voter ID requirements. Queensland's Anti-Discrimination Commissioner, Mr Kevin Cocks AM, made a very powerful and insightful submission in testimony to the committee. He made it clear that there were serious concerns about the voter ID requirements being considered. He submitted the following to the committee—

In relation to the provision of the bill requiring an elector to provide an issuing officer with proof of the elector's identity in order to cast a vote, the ADCQ has concern. Firstly, very little evidence has been put forward by the Department of Justice and Attorney-General or the Electoral Commission of the lack of integrity of the existing voting system to justify the introduction of this new provision.

He went on to state—

Secondly, though the documents that are proposed to be listed in the regulation to establish a person's identity are broad, some members of the disadvantaged groups I mentioned earlier will have difficulty in providing these identification documents on election day. A much higher percentage of Indigenous people than other voters do not have driver's licences. People from some of these disadvantaged groups experience a higher degree of homelessness than the general population and may not have a fixed address at which they receive correspondence and also may have difficulty in maintaining identity documents. For a range of reasons they will not have the necessary documentation to prove their identity at the time they present to vote. These provisions have the potential to make it more difficult for people from these groups to exercise or prevent them from exercising their fundamental human right to participate in the political process.

Thirdly, there is also a potential for voter confusion. If Queensland takes this option up there is no need federally for ID. There could be more inconvenience and delay at the voting booths. Any slight benefit in the new requirements in improving voting integrity we believe is outweighed by the potential for voting disfranchisement, extra administrative costs and inconvenience with regard to the new system. For these reasons we suggest the committee recommend the proof of identity requirement be removed from the bill.

When asked to confirm the position of the Anti-Discrimination Commission Queensland, Mr Cocks made it clear that it was not a matter of fiddling with the edges of these changes but rather that the imposition of voter ID requirements should be removed completely.

The member for Nicklin asked—

Commissioner, on the issue of proof of identity, your submission that clause 9 be removed from the bill in its entirety is a powerful statement. So you are adamant that that is your position. The reason I raise it now is so that it is made crystal clear to the government and the Attorney-General that that is your position? It is not an if, but or maybe; it is a pretty definite position. Is that right?

Mr Cocks said—

That is right, yes.

Unfortunately, it is obvious that the very powerful evidence of the commissioner is being ignored by the LNP members of the committee and it is being ignored by the Attorney-General and the Premier.

The Queensland Council for Civil Liberties outlined in its submission how this legislation had the balance very, very wrong and stated the following—

Voting rights involve two competing interests. On the one hand is the fundamental right to vote which in our submission the State is required not only to protect but to facilitate. The other and competing interest is that the government must play an active role in the regulation and management of elections to ensure that they are fair and honest. As a consequence election laws will invariably impose some burden upon individual voters.

In accordance with its framework for analysis the first question that the QCCL asks of any law which seeks to place a burden on a recognised civil liberty or right is whether it is necessary.

The Queensland Council for Civil Liberties went on to state in its submission—

Not one jot of evidence is produced to show that this is a serious problem in Queensland. The government's own discussion paper notes that, 'There is no specific evidence of electoral fraud in this area.'

This submission makes the important point that, in a free and fair democratic system, the state has an important role to play in regulating elections and ensuring that democratic principles are upheld and maintained. But that responsibility should not be used as a distraction for disenfranchising voters, which amounts to taking away people's fundamental democratic right to vote under the guise of protecting democracy.

The Queensland Association of Independent Legal Services and the Aboriginal and Torres Strait Islander Legal Service also made some very clear submissions in relation to how this legislation



will affect members of their community. The member for Mulgrave and the shadow Treasurer will go into a bit more detail in relation to those specific matters.

In its submission the Human Rights Law Centre stated the following—

A human rights approach requires that any limitation on the right to vote must be necessary and proportionate. We believe that the voter ID requirement is not a necessary or proportionate limitation for the following reasons:

- There is no evidence of significant voter fraud in Queensland.
- There is a risk that voter ID laws will disproportionately and negatively impact already marginalised and disadvantaged groups in society.
- The voter ID requirements will impose a further barrier to participation in elections at a time when that participation is declining.

For these reasons, the HRLC opposes the introduction of voter ID requirements on the basis that they are an unnecessary infringement on the right to vote. There is simply no need for voter ID requirements to be introduced in Queensland and too great a risk that they will unnecessarily stop people who are eligible to vote from casting their ballot.

Even organisations that support particular elements of the bill, such as the genuine and impressive testimony provided by Vision Australia, advocating on behalf of Queensland's vision impaired community, also associated themselves with the many other organisations that expressed concern about the impositions of voter ID requirements and, in particular, the impact on vulnerable Queenslanders.

There is simply no community support for this LNP attack on the electoral system in Queensland. Here we have clear evidence from respected professionals who devote their working lives to standing up for vulnerable Queenslanders providing evidence that on a daily basis they see the impact that imposing something like voter ID requirements will have on vulnerable communities. But the government turns its back on them. The LNP pretend not to hear or simply gloss over the evidence as if they know better than the professionals who work daily in this field. The truth is, of course, that the LNP pretend not to hear because they know what the truth is. They know full well that vulnerable people will be disproportionately affected by this legislation. The fact is, of course, that it is not an accidental side effect of this legislation; it is the very purpose of this legislation. The Premier, Attorney-General, those LNP members on the Legal Affairs and Community Safety Committee who went along with it and all the LNP members about to vote for these changes should be ashamed.

The LNP do not have to believe us, they can simply listen to the Antidiscrimination Commissioner, the Queensland Council for Civil Liberties, the independent legal services and countless other Queenslanders who submitted their very real concerns that this legislation will disenfranchise vulnerable voters. There is no excuse for LNP members. This offensive legislation is on their shoulders. The blatant political motivation behind the LNP imposing these voter ID requirements is revealed by the huge elephant in the room. While the LNP government tries to impose these regressive changes under the guise of fighting electoral fraud, they simply have nothing to offer when faced with the clear evidence that there is no coordinated, organised or widespread electoral fraud in Queensland. As I outlined earlier, even the Attorney-General's own discussion paper had to admit there is no specific evidence of electoral fraud. At the public hearing the independent Acting Commissioner of the Electoral Commission of Queensland stated that after the 2012 state election, with millions of people voting, there was only one referral for prosecution of electoral fraud. That is one single solitary referral. At the public hearing ECQ Acting Commissioner Mr van der Merwe confirmed his testimony to estimates last year by saying—

I am on record as stating at the estimates that at the last state election I referred one person to the Queensland Police Service for multivoting. It is very much a policy issue in terms of why you want to bring it in et cetera.

The Acting Commissioner confirmed that there is not an actual problem with electoral reform, rather the changes are about, I suggest, the imposition of the LNP government's own ideological pursuits or, as the independent Acting Commissioner diplomatically put it, it is very much a policy issue as to why you would bring it in. When pressed on the issue of whether electoral fraud existed or how widespread it might be, the Acting Commissioner said—

Like I said, I referred one for the last state election.

This blunt advice confirms that there is no problem with the current system where Queensland enjoys free and fair elections administered in good faith and with independence through the ECQ. It confirms that these changes represent nothing but an attack by the Premier, the Attorney-General and the whole LNP on the democratic rights of decent, hardworking Queensland voters. I challenge those opposite. It has been confirmed that there is no real existing problem with electoral fraud so I say to the members opposite if experts in the field and the legal community, distinguished

representatives of the antidiscrimination community and the independent ECQ cannot find any evidence of fraud, then the burden lies with the Premier and this Attorney-General to show us the evidence. I challenge the Premier and the Attorney-General to come into this place with all the responsibilities that speaking in parliament brings with it and present evidence that electoral fraud exists in any way that would threaten our current system. I look forward to them doing so. I also challenge the Attorney-General. I specifically ask him to respond in his reply to this point. I know the Attorney has many ministerial staff and departmental officers listening to this parliamentary debate to make sure they take down any questions or issues that need to be answered for his response. I therefore ask the Attorney-General to provide what evidence he has of any electoral fraud in Queensland that justifies this legislation. If the Attorney-General fails to provide such evidence it will be further confirmation of what we already know, what the opposition knows, what experts in the law and human rights arena know, what Queenslanders know and what the people who work in the Attorney-General's department who have to try to provide actual facts in their briefings already know: that this legislation is not about combatting fraud, it is not about confronting a real problem in our democratic system, instead it is simply an ideological attack on vulnerable people taken straight out of the conservative playbook of the southern United States. We will wait and see if the Attorney-General has the decency to admit it or will he continue to make inaccurate claims that there is widespread fraud threatening the very foundations of our electoral system.

The legislation also poses significant challenges for the proper running of polling booths. The government is claiming that the ID requirements will not affect the administration of voting and claims the cost of implementing the other reforms introduced by the bill will be met from within existing budget allocations. That is clearly illogical if you have even a basic understanding of how polling booths work on the day. It will obviously take more time for ECQ officials to process people at the booth when they need to check people's ID. The government defends its policy saying that if people cannot produce their ID on the day they can vote by declaration vote and if they provide ID within several days their votes will be counted. That is more difficult and burdensome for those voters and will mean people are less likely to actually have their vote counted. In addition, the time it takes to complete the paperwork for a declaration vote is far greater than a normal vote yet there is no provision of extra resources or personnel to support this change. The Newman government is risking polling booths becoming a farce.

As indicated in the submission from the Queensland Law Society, the Attorney-General put out a media release accompanying the electoral regulation in relation to what types of identification documents could be provided to show that the person is who they say they are when voting in a specific election. They included a current driver's licence, a current Australian passport, a voter identification letter issued by the ECQ, a recent account or notice issued by a public utility or an identification card issued by the Commonwealth or state, et cetera, such as a Seniors Health Card or a Medicare card. I know that these regulations will be brought in as part of this bill later on, but in relation to a recent account or notice issued by a public utility, might I urge Queenslanders that if this comes into place they should in fact take along their electricity bill when they go to vote. Why do I say they should take along their electricity bill? Because they can blame this LNP government for the massive increase. This LNP government promised to lower their cost of living and they have seen their electricity bill rise through the roof. I say to Queenslanders, 'Take in your electricity bill so that you can be reminded of what the LNP has done to you'. That is my message to Queenslanders. Take in that electricity bill. Let it be a reminder that electricity has gone up 20 per cent under this government. Let it be a reminder of a broken promise. This government was going to lower the cost of living.

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Leader of the Opposition, I fail to see how electricity pricing is relevant to the Electoral Reform Bill.

**Ms PALASZCZUK:** It is very clear. It is in the Queensland Law Society submission quoting from the explanatory notes. It is very clear. The amount of times this Attorney-General has gone off topic is absolutely ridiculous.

**Mr Bleijie:** That is not your call, it is the Deputy Speaker's call.

**Ms PALASZCZUK:** We have to sit here and listen to your rubbish.

**Madam DEPUTY SPEAKER:** Leader of the Opposition, I would ask you to direct your comments through the chair.

**Ms PALASZCZUK:** It is very clear. It is in the Queensland Law Society's submission in relation to voter ID. Voter ID is the core of this bill. How the voter is going to present that ID is the core of the bill. One of the suggestions is an electricity bill. That is what it says about voter ID.

**Madam DEPUTY SPEAKER:** Leader of the Opposition, I was not making reference to using correspondence as identification, it was the further commentary with regard to cost-of-living pressures. I would ask you to return to the bill.

**Ms PALASZCZUK:** As I was very clearly saying, that is one piece of voter ID that it is suggested can be brought along to a polling booth and I think it is a great suggestion so that people can be reminded of the broken promises of this LNP government. I move on.

**Mr Bleijie:** Move on to the end.

**Ms PALASZCZUK:** I will come to you in a minute.

**Mr Bleijie:** End the pain. End your misery. Where's your backup?

**Ms PALASZCZUK:** The Premier could end your pain after your—

**Madam DEPUTY SPEAKER** (Miss Barton): Order! Leader of the Opposition, this is the third time that I have asked you to direct your comments through the chair, not across the chamber.

**Ms PALASZCZUK:** Madam Deputy Speaker, I am taking the interjections as you said previously I am allowed to do—

**Mr Bleijie:** Through the chair.

**Ms PALASZCZUK:**—through the chair, from the Attorney-General. I will go on. As it stands, the legislation seeks to increase the threshold to 10 per cent of formal votes in an electorate to qualify for public funding. The amendment introduced this afternoon puts that figure at six per cent. That is an increase from four per cent as it currently operates. While I welcome the amendment accepting the recommendation of the committee, it does not change the underlying attack that that section aims to make. This change should also be seen in the proper context: the committee refused to make any substantial recommendations about the core elements that most witnesses and submissions dealt with. The changes from the Attorney-General are just a tokenistic effort so that they can crow that they like to listen and consult, when in fact they have stuck by the core elements of this bill that received the greatest criticism.

As pointed out in Professor Orr's submissions to the committee, the government seems eager to try to justify changes with analogies to interstate or national figures when it comes to massively increasing the threshold for donation disclosure, yet without explanation or justification it seeks to change the threshold for public funding in contravention of well-established national conventions. Professor Orr stated—

The Explanatory Memorandum at various points (especially in reducing donation disclosure) makes a virtue out of harmonising Queensland with national law. Why not harmonise our public funding regime with the national system?

There are a number of administrative elements of the bill dealing with how public funding is allocated that the opposition does not oppose. Efforts to make it easier for people with vision difficulties also appear to be well intentioned and the opposition will look forward to working on the implementation of those proposals. Unfortunately, the overwhelming thrust of this legislation is an attack on the very core of Queensland's democratic electoral system and simply cannot be supported. The legislation provides for the trial of electronic voting to enable people with visual impairment to be able to vote independently. As I said, the opposition supports this particular move and it is a real shame that the government mixed up what could have been a bipartisan meaningful change with such partisan repressive measures. It is quite disrespectful to the genuine work of the vision impaired community and their advocates that what should have been welcome initiatives are tarnished by being included in a retrograde antidemocratic piece of legislation. Despite the value of these particular proposals, the vast majority of other elements of this bill are so abhorrent that the legislation as a whole must be opposed.

On issues brought forward from the ECQ report, we reserve our right to analyse the government's response and ongoing work in this area. The Attorney-General mentioned that a second phase of amendments will come in as a response to the investigation that was carried out following the Redcliffe by-election. We will look at those recommendations in close detail at that time.

In summary, this bill represents another broken promise from the Premier. He claimed he would listen to Queenslanders and consult more, yet here we are and the Premier is refusing to even acknowledge that the imposition of voter ID requirements for people to exercise their fundamental democratic right is not supported by anyone. I conclude with a quote on the issue of the fundamental right of Queenslanders to vote. It states—

An unfettered right to vote is a hallmark of all liberal democracies. There is no greater symbol of our freedoms than citizens being able to cast a vote free from coercion or intimidation. There is no greater threat to our democracy and its institutions than the threat imposed by those who seek to limit the right of citizens to cast a free vote.

That is not a quote from a civil libertarian; that is a quote from March 4 this year by the Attorney-General himself. He said that in a ministerial statement just a few months ago. My question to the Attorney-General is this: if, in fact, there is a no greater threat to our democracy and its institutions than the threat imposed by those who seek to limit the right of citizens to cast a free vote, why is this government doing exactly that? Why is it limiting the rights of citizens to cast a free vote by imposing unfair and un-needed hurdles to Queenslanders exercising their fundamental right to vote? Are the Attorney-General and this government so arrogant that they will try to justify this blatant hypocrisy? Is the Premier genuine about listening to Queenslanders or is he all about political spin?

The Labor opposition strongly opposes this extreme and damaging legislation and I urge the LNP backbenchers to actually think about what they are doing in supporting it. Once again, they will find themselves on the wrong side of history.