




Speech By
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MEMBER FOR TOOWOOMBA SOUTH

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ELECTORAL LEGISLATION (POLITICAL DONATIONS) AMENDMENT BILL

 **Mr JANETZKI** (Toowoomba South—LNP) (5.51 pm): I will enjoy the lover's tiff tonight between the Greens and the Labor Party in relation to donations. I expect that by Saturday all will be forgiven. I reckon the Greens will be preferencing Labor and Labor will be preferencing the Greens. Normal service will be resumed. The normal love affair will continue.

Mr DEPUTY SPEAKER (Mr Whiting): Order! Member for Toowoomba South, please remember to stick to the long title of the bill. I will give you some latitude.

Mr JANETZKI: Thank you, Mr Deputy Speaker. Ahead of the election on Saturday and potentially a Labor-Greens alliance of some kind, bills such as this should alarm all Australians because they highlight the ideological irrationality of what is on display. If they felt so strongly about these issues, would the Greens contemplate refunding the \$1.6 million donation from Wotif founder Graeme Wood? If it were that heartfelt, would the Greens contemplate that? At the 2016 federal election there was another \$600,000 donation from Graeme Wood. When that first \$1.6 million donation was presented to the Greens, I recall Bob Brown saying that he would be forever grateful for the donation. When the Greens say that the objective of this bill is to eliminate the alleged, actual or widely perceived risk of corruption impacting Queensland democracy, would they contemplate the potential refunding of those donations?

The member for Maiwar noted that the object of the bill is to prohibit the making of political donations. The Attorney-General spoke about that. The member for Maiwar noted the stakeholder and community feedback and that there was widespread understanding within the Queensland community that political donations increase both the actual and the perceived risk of corruption.

A whole range of donations were rattled off by the member for Maiwar but, as the Attorney-General said, the problem is that there is no evidence. Later I will turn to what the High Court said, but no evidence has been tendered. The transcript from the committee hearing showed that. Notably, the only other people to attend with the member for Maiwar were from the Environmental Defenders Office in talking about these laws. However, no evidence was tendered at that committee as to the alleged corrupting influence of corporate donations.

As the Attorney-General said, High Court decisions in *Lange*, *Unions NSW*, *McCloy* and even the recent High Court decision involving Gary Spence have given guidance on these matters. It has been established that it is lawful to prohibit donations from certain categories of donors, including property developers, and in New South Wales for example the tobacco, liquor or gambling industries, and of course foreign donations. As I said, for a party that alleges it relies on evidence based decision-making, the Greens offered truly nothing in respect of this bill in terms of evidence. We heard donations being rattled off and about projects, but there is no link between the two.

The member for Maiwar said that the risk of corruption has been repeatedly examined in major inquiries in Queensland and Australia over the last 25 years, highlighting the inherent potential of donations to lead to perceptions of corruption. The only evidence that was really tendered concerned

the inherent potential of perceptions of corruption or a widespread understanding. This is evidence that just simply does not stack up. There has been no proven evidence and, as we know, the High Court has made decisions. There must be a true link to some corrupting activity, and only limitations that have a legitimate aim are justified.

Let me turn to two words that neither the Labor Party nor the Greens mentioned tonight and that were not mentioned during testimony in committee proceedings. During the hearings I believe the member for Mermaid Beach went down this path. Two words missing from this bill are 'trade unions'. Clause 6 of the bill states that 'a company registered under the Corporations Act is a prohibited donor'. Expressly excluded are organisations registered as an organisation under the Industrial Relations Act 2016. There was no mention tonight, there was no mention at the hearings or there is barely a mention in the explanatory notes of why that would be justified in the circumstances that we see right throughout Australia. Who can participate in the democratic process and exercise their freedom of political communication, and who cannot? Who is in and who is not? We know who is not.

The small pharmacy or small family business employing local people is out, but who is in? It is the Plumbers Union, whose constructive relationship with Labor sees only licensed plumbers installing water meters. A small business such as a mechanic who services all the local vehicles and who employs a couple of people is out. Under this bill they cannot exercise their political rights, but who is in? It is the RTBU that runs the railways to the detriment of Queensland transport users and calls the shots on how staff are employed. Family owned corner stores that are the heartbeat of their community and want to exercise their concerns maybe on trading hours are out, but who is in? It is Simmo and the ETU, back-channelling with the member for Miller, calling the shots on board appointments and policy direction of the Labor Party. Agtech businesses, start-ups concerned about the direction of agriculture in Queensland, are out, but who is in? It is AWU branch secretary Steve Baker, who at the start of this year could not explain \$50,000 of spending on his AWU credit card.

This is a personal favourite of mine. In the political donations landscape of today, Clive Berghofer, perhaps Queensland's greatest philanthropist, who legitimately donated tens of millions of dollars to medical research and to community-building infrastructure right throughout Queensland, especially in Toowoomba, is out, but who is in? It is Dave Hanna and the CFMMEU—guilty of rape, guilty of destroying documents that were headed for the royal commission. Last year alone in Queensland the CFMMEU was fined \$432,000 and nine individual officials were fined a total of \$90,000. The same CFMMEU and nearly 80 of its officials across Australia were charged in court over \$13 million of fines amid \$2.5 million donated to the Australian Labor Party over the last three years.

Bill Shorten shows up at their rallies. Bill Shorten lets them determine preselections. Bill Shorten lets them determine policy settings. Bill Shorten lets them call the shots, lets them call for the overturning of industrial relations laws introduced by Labor but added to by the coalition. It is Bill Shorten who is brokering deals with the CFMMEU. Bob Hawke has said that if he was in charge of the Labor Party he would kick this union out.

Tonight there has been a lot of talk about evidence as to corrupting influence. I turn to the Federal Court, where a lot of evidence is tendered. In 2016 a Federal Court judge said—

The CFMEU's record of non-compliance with legislation of this kind has now become notorious ...

He also said—

Has there ever been a worse recidivist in the history of the common law?

Judge White said—

It bespeaks an attitude by the CFMEU of ignoring, if not defying, the law and a willingness to contravene it as and when it chooses.

Judge Burnett said—

The only reasonable conclusion to be drawn is that the organisation either does not understand or does not care for the legal restrictions on industrial activity imposed by the legislature and the courts.

This bill has again proven the ideological irrationality of the Greens. It is bills of this nature that should concern all Australians at the prospect of a Shorten led Labor government in alliance with the Greens from this Saturday. It is that which should concern the Australian people. It is that which should alarm this House. That is why this bill cannot be supported by the opposition and should be rejected by the entire House.