




Speech By
Ray Stevens

MEMBER FOR MERMAID BEACH

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ELECTORAL LEGISLATION (POLITICAL DONATIONS) AMENDMENT BILL

 **Mr STEVENS** (Mermaid Beach—LNP) (6.10 pm): I rise to speak against the Electoral Legislation (Political Donations) Amendment Bill 2018 introduced into the parliament in May 2018 by the member for Maiwar. This legislation smells to high heaven of grandstanding and political hypocrisy in relation to what the member for Maiwar has tried to put into effect in law through this House. I am told that the member for Maiwar is a lawyer and I believe that a lawyer would be able to read or understand a High Court ruling, even if he read it very slowly. This matter has been to the High Court. In fact, legislation that has been passed through this House on political donations has been challenged in the High Court and clear definitions have been made by the High Court in terms of interest and outcome and who can and who cannot.

For the member for Maiwar to bring in this legislation, which he would know is unenforceable through the High Court, tells me that we are on a journey of political grandstanding to say that the Greens are good fellows and are not corruptible like all of the other parties, yet that is quite clearly not the case if we look at all of the donations they have received in \$10,000 lots from 41 Brazilia Drive in Glen Waverley in Victoria funding campaigns across Australia. Then there is the \$1.6 million that the shadow Attorney-General referred to from a corporate boss. A corporate boss made a donation of \$1.6 million to the Greens, but that is okay because he gave it to the Greens, according to the member for Maiwar, and of course they only take it on good conditions, according to the member for Maiwar. Here again we have the ultimate hypocrisy in terms of the member for Maiwar bringing this legislation into the House to make it law in Queensland when he knows through the High Court that it cannot be made as law in Queensland.

The Belcarra bill brought into effect prohibition on political donations from property developers and relevant industry organisations. Even the Crime and Corruption Commission itself made it clear in its submission that it is not aware of, and does not believe it holds, sufficient evidence of corruption arising from corporate donations at a state or local level. We have an inference from the member for Maiwar that it is out there, it is terrible and it has influenced decision-making through this House and the only incorruptible ones are the Greens. I draw the analogy of the Greens using their influence in the LGAQ. With apologies to Greg Hallam, the LGAQ is the Labor-Greens alliance of Queensland. With the 10 per cent of the vote that the Greens command throughout Queensland, Labor cannot govern without the Greens. Labor cannot govern without Greens preferences under the compulsory preferential voting system. Do members not think that the Greens have some influence on our friends in government in the Labor Party?

Mr DEPUTY SPEAKER (Mr Whiting): Order! Member for Mermaid Beach, as I have said to the last two speakers, be aware of relevance. I am giving you a bit of latitude, but I bring you back to the long title of the bill.

Mr STEVENS: Thank you, Mr Deputy Speaker. The nexus that I was drawing in terms of the Labor-Greens alliance of Queensland and corporate donations is the fact that the member is suggesting that the corporate donations are not about too much influence. People such as the union movement

have philosophical views in supporting the interests of the Labor Party. It is the arm—the wing—of the union movement as those people see it and the people in the Labor Party should follow union direction. Just the same, people in this country have the right, as the High Court has said, to have a philosophical leaning. I am sure that members will find that the mining industry and Adani people, for instance, do not believe that the Greens are in their best interests with the black-throated finch and all of the problems there. Philosophically, why can they not support a party that supports their vision and their modus operandi of doing business just as the Greens, philosophically, see the Labor Party rather than the LNP as their way of getting matters achieved through their influence in the Labor Party with the 10 per cent vote?

I am equating the influence that is given through the preferential voting system to the fact that they are entitled to do that. No-one is saying that Clive Palmer cannot put his preferences wherever he wants, and the Greens are entitled to do that as well. Rather, what they are saying is that philosophically the corporate bodies cannot support those groups that are in their interests. It is a lot of rubbish. As I said at the portfolio committee meetings, I raised a matter with regard to not-for-profit organisations and their interests. They obviously can support who they want in terms of reaching an outcome. For instance, I believe the Rugby Union is looking for some money from the federal government to be in terms of development, which probably will not happen because they will not get into power.

Everyone has a right via the High Court decision as long as there is not corrupt influence. The member for Maiwar has made no identification of corruption; he just believes that there is a perception. The fact of the matter is the Crime and Corruption Commission boss himself has said that there is no corruption out there to be identified by corporations and this bill by the Greens, with a maximum of 10 per cent of the vote, is designed to bring everyone back to their level and leverage their vote in the community because most corporates see the Greens as the vandals, given the damage that they do right throughout Queensland. I say to the tourism minister opposite that if we did not have the Greens there would be a wonderful tourism cable car attraction on the Gold Coast.

Getting back to the bill, the bill restricts political communication. With regard to the bill before us tonight, as the committee explored in its report, there is an implied right of political communication within our country's Constitution, as acknowledged in *Lange v ABC* in 1997. It naturally follows that a law which restricts this right to an impermissible extent is invalidated. In determining whether a law is invalid, we apply the *Lange* test, which asks, firstly, whether the law burdens political communication and, secondly, whether it is appropriate and consistent with the system of government established by our Constitution. During the inquiry I raised the fact that we have a ruling by the High Court—the ultimate decision-maker relating to Australia's direction under the rule of law—that, unless there are sound evidentiary connections between a donation and a particular outcome, political donations should be allowed.

Given the lack of evidence provided to us in our examination of the bill, we cannot be satisfied that this legislation would pass the relevant test. As the committee concluded in its report, it is not clear that the proposed law would be justified as a proportionate means of achieving its purpose. Put simply, it is my belief that this bill, if passed, would attack the right and freedom of Queenslanders to be part of the political process.

The CCC indicated that, should corporations be banned from making political donations owing to this bill, they will simply find another medium to get their message out—in other words, through third-party advertising from organisations such as GetUp! and the rest of the crew as we have seen during the current federal election campaign. As the committee discussed, the US has seen a movement towards third-party political community campaigns. Should corporate donations to political parties be banned in Queensland, it seems reasonable to assume that third-party campaigns would similarly become prevalent here. Not only is the bill unfounded but also it is ill thought out and, if passed, would be ineffective.

I reiterate that there is no justification for the proposed legislation. The CCC was unable to find sufficient evidence of this supposed corruption bemoaned by the member for Maiwar. We can only conclude that this bill is a transparent attempt by the Greens to scramble for some importance in this state which, thankfully, overwhelmingly recognises their irrelevance.