




Speech By
Tim Nicholls

MEMBER FOR CLAYFIELD

Record of Proceedings, 4 February 2020

ELECTORAL LEGISLATION (POLITICAL DONATIONS) AMENDMENT BILL

 **Mr NICHOLLS** (Clayfield—LNP) (6.31 pm): I am happy to oppose this most appalling intrusion into the democratic rights of people who live, build businesses, create wealth, pay taxes and generally support the Australian economy and the Australian community introduced by the member for Maiwar. The member for Maiwar, no doubt lamenting the Greens' appalling performance over the last two years, believes that money is the root of all evil. He particularly believes that private money earned by private investment—by private risk-taking and private initiative—ought to be banned from being donated to political parties by the people who take that risk, who employ it and who have the initiative to do so.

I would suggest that the member for Maiwar may want to look to his own party for their own failure. If you look at some of the recent reviews into the performance of the Greens in Victoria, they lost a number of seats, their own internal review described a culture of misogyny, a failure to vet candidates properly, bullying and intimidation. A number of candidates and members quit the Greens party. Do you think that could be a reason people have lost faith in politics?

In the case of the Greens in New South Wales, of course their poster child is Lee Rhiannon. We all remember Lee Rhiannon, the senator who effectively wants to ban Israel. That might be another reason the Greens are not doing so well. In relation to the Greens down in New South Wales they talk about the left faction and the right faction. I would dearly love to see the right faction in the Greens. They would be the standouts. They would probably still vote against electric vehicles, but would have them in preference to riding around on bicycles. That would be the way Greens factions would break up in New South Wales.

A government member interjected.

Mr NICHOLLS: I am doing the Labor Party's job for them here, Mr Speaker. It has been my gross misfortune to be in this place long enough and to listen to them for so many years that I have picked up their rhetoric against the Greens, their mortal enemies, with respect to that.

A government member interjected.

Mr NICHOLLS: I blame a lot of members over there for that. In any event, more than anything this legislation is an attempt to hobble the free exercise by genuine businesspeople of their democratic right to support the political party of their choice. No-one is suggesting that money is being paid for people to go and stuff ballot boxes on election day. There is no evidence of that whatsoever, and the CCC has made that abundantly clear. In fact, the response of this Labor government in 2017 in relation to Operation Belcarra was to overstep what the Belcarra report said.

In evidence given to the committee in relation to legislation that the Labor Party introduced in order to hobble the LNP back in 2017, Mr MacSporran did not recommend that those prohibitions be made with respect to state elections because he had no evidence of it. Evidence based policymaking flew out the window that day in favour of purely partisan political advantage. With no recommendation and no evidence, in 2017 the Labor Party decided to ban developer donations to political parties knowing the impact it would have because they know that people in the property development industry on a broad scale do not support the policies of the Labor Party, and why would they?

They regard the member for Sandgate as someone who slipped through into the Property Council back in his consultant days. They are not quite sure how he got through the vetting program, but he got there anyway. Then he got caught up in the Rainbow Beach developments and those sorts of things as well. The Labor Party introduced that legislation to hobble the LNP. The LNP complied with that legislation, and it complied with that legislation to the tune of almost half a million dollars in developer donations that were returned to those developers in order to comply with the law. The LNP complies with the law.

An opposition member: Even the retrospectivity laws.

Mr NICHOLLS: Even the retrospective law. Despite all the comments and all the claims, there is no evidence of any wrongdoing by the LNP in relation to the receipt of donations from any party. You may argue that you do not like the source of them. We do not like the source of the CFMMEU donations. With over 80 convictions for breaking Australia's industrial laws, their money is still accepted by the ALP. They have the worst history of law-breaking by a union in this country and the ALP still takes their money. We do not like it. We can have the argument in here about it, and you are right.

I know the High Court decision in the Unions v. New South Wales case, and it is the law. There is no argument about that. It is the law of the land, but it is not the law of the land that what the member for Maiwar proposes ought to be accepted or should be accepted. In fact, I would argue that it is completely contrary to the law of the land and the decisions of the High Court, particularly in the Unions v. New South Wales case. The response must be proportionate and it must be based on evidence, and there is no evidence.

What the member for Maiwar says in the explanatory notes is unsupported by evidence. The opening paragraph of the explanatory notes state—

... to eliminate the actual and widely perceived risk of corruption within Queensland's democratic—

I think he must mean democratic process—

as a consequence of corporate donations to politicians, candidates and political parties.

Where is the actual corruption within Queensland's democratic process, and where is it particularly at state level? I challenge the member for Maiwar to say where that has happened and, more importantly, where it has happened and where it has not been found out.

We have had instances of it. The former member for Sandgate, Mr Nuttall, was discovered, prosecuted and went to prison for his crimes and misdemeanours. He was also prosecuted by the Ethics Committee of this House. Just so that I am not accused of just picking out one member, I will also mention that we had the former member for Redcliffe in the 2012 to 2015 parliament who was also discovered and prosecuted for doing that.

As we all know, the level of scrutiny on MPs and political parties and by us on ourselves and each other is intense. In no case has it been able to be shown that a political donation—other than those that I have mentioned—has led to an outcome that is not a policy outcome supported with a policy rationale and a policy background. What the member for Maiwar seeks to do here is to deny people who have a legitimate interest in politics and a legitimate interest in supporting the political party of their choice—whether it be the LNP, the ALP or the Greens party, as it was with the founder of Wotif who wrote out a couple of hundred thousand dollars in cheques to them. That was never handed back, as far as I can recall.

Those people have shown initiative, have shown enterprise, have been successful, have employed people and have paid taxes. They have sought a profit, as if seeking a profit is a bad thing. The last time I checked the profit motive was a pretty important and pretty good thing. It developed most of the businesses in this country, starting from BHP down to Charlie who runs Greens & Grains in a little shop next door to me. They should be able to donate to whom they want without let or hindrance.

There should be laws around disclosure; I fully support that. There should be real-time disclosure; I fully support that. People are entitled to see the source of the funds and where they come from; I fully support that. People should be happy to say, 'I am proud to support this party' or 'I am prepared to put my money behind this party,' but you should not be stopped from exercising that fundamental political choice you have as an Australian citizen or as a company registered in Australia with an Australian business number that carries out business in this country. That is what the member for Maiwar's bill seeks to achieve.

He seeks to gain for the Greens party an advantage that he cannot get by getting out in the marketplace of ideas and selling his ideas and policies out there in the corporate world because he knows that the corporate world will reject his policies. The corporate world will reject the Greens policies as loopy, as out of touch, as unsustainable, as destructive of the Australian way of life—as is the entire Greens party.