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Second Reading

SPEECH

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Senator LAMBIE (Tasmania) (10:35): I rise to contribute to the debate on the Commonwealth Electoral Amendment Bill 2016. Everyone agrees that the Senate voting system needs to be reformed. I do not argue that point, but I am happy to go to a double-D election on the changes in this bill. My private polling is showing the same results as the Liberals' polling, which means that, in Tasmania alone, we could pick up three and perhaps four Senate seats in a double-D election.

However, the point that many senators are missing in this debate is that these changes could be illegal and in breach of the Australian Constitution and will result in a successful High Court challenge, which will create more political chaos and dysfunction. According to Australia's leading election expert and foremost academic, Malcolm Mackerras, as this legislation stands written, its changes are most likely illegal and in breach of our Australian Constitution. Malcolm Mackerras gave importance evidence to the Senate committee inquiry that examined this legislation—evidence which the government, the Greens and some of our media completely ignored, and I am struggling to understand why. Essentially, Mr Malcolm Mackerras says that our Constitution will be breached and held in contempt if this legislation passes.

I watched Mr Mackerras's give evidence to the Senate committee and then I was lucky enough to meet for a second time personally with Mr Malcolm Mackerras yesterday, when he said:

1. We must bring Senate voting back to the Constitution. However, the Government's legislation (Commonwealth Electoral Amendment) is breathtaking in its contempt for the Constitution.
2. The Government's proposed Senate voting directions on its ballot paper are dishonest.
3. The Government and Greens are not on the high moral ground when it comes to their proposed Senate voting changes.
4. ABC election commentator Anthony Green is wrong. His propaganda is pandering to the powerful.

Mr Malcolm Mackerras's opinion cannot be easily dismissed by the Liberal and Green members of this Senate, who have clearly demonstrated they are in a desperate rush to pass this legislation. The Greens and the Libs want us to ignore Mr Mackerras's expert opinion because he speaks the truth. I will remind the Senate of some of Mr Mackerras's expertise. This information is drawn from the internet, but it has been confirmed by other sources, including Mr Mackerras.

Mr Mackerras is now a visiting fellow in the Public Policy Institute, Australian Catholic University, Canberra Campus. Previously he was an associate professor in political science with the School of Humanities and Social Sciences at the Australian Defence Force Academy in Canberra, in 1999. Mackerras's first published study of Australian politics was *The Australian Senate 1965-1967: Who Held Control?* He followed this with *The 1968 Federal Redistribution*, published in 1969. His first major work was *Australian General Elections*, published in 1972, in which he pioneered the concept of the two-party majority and the two-party swing and introduced 'the pendulum'—a table of federal electorates in order of two-party majority, which is now commonly known as the Mackerras pendulum. He followed this with a series of books before each federal election, such as *Elections 1975*, *Elections 1980*, *The Mackerras 1990 Federal Election Guide* and *The Malcolm Mackerras 1993 Federal Election Guide*.

It is clear that Mr Mackerras, an Order of Australia recipient, is an independent voice of reason and an electoral expert who should not be ignored. Indeed, in his early political days he was a member of the Liberal Party, so when he says that 'the government's proposed Senate voting directions on its ballot paper are dishonest'; that 'the government's legislation (Commonwealth Electoral Amendment) is breathtaking in its contempt for the constitution'; the government and Greens are not on the high moral ground when it comes to their proposed Senate voting changes'; that the 'The ABC election commentator Anthony Green is wrong', and that 'his propaganda is

pandering to the powerful', it is time to pause and listen, and to show some respect. If we fail to listen carefully to independent, wise words then this government and their Greens partners will be responsible for leading us into an expensive constitutional political mess. This mess is avoidable, and it will undermine confidence in Australian business and weaken the job security of ordinary Australian workers.

What a sad day this is for over three million Australian voters when the Liberals, Nationals and Greens go into a room, lock the door and emerge with this constitutionally flawed, secret little deal which they will rush through this Senate. If they were genuine about true Senate reform they would have sat down with the majority of the political representatives of the Australian people and our electoral experts like Mr Mackerras and devised a consensus plan that would have been an improvement on the current system—not come up with a plan that will lead to more economic and political uncertainty and will become a lawyers-fest once it finds its way to the High Court five minutes after the Governor-General signs it into law.

Mr Mackerras reminded us that the Greens cannot occupy the high political moral ground and that they cannot be trusted. Tasmanians know just how reckless, harmful and untrustworthy the Greens have been, and how reckless and dangerous some of their policies are. To remind the Senate of the Greens' lack of judgement and policy failures, you will recall that in July last year I released figures obtained by the independent Parliamentary Library research and business owners, which showed that over the last decade the Greens' opposition to development in Tasmania has caused at least a loss of \$5½ billion worth of business and 5½ thousand jobs. The Greens have strangled Tasmania's economy for 10 years. They are responsible for our state suffering the highest unemployment rate in Australia. How can you trust the Greens with the important and fundamental change to our democracy after a decade of mindless, unprincipled knee-jerk development objections totalling \$5½ billion in Tasmania?

The Senate committee hearing I took part in last year was further proof that the Greens do not act in our state's best interests. They are coming after our half-a-billion-dollar-a-year salmon and trout industries and the thousands of direct and indirect jobs attached to Tasmania's aquaculture business. I have not even tried to calculate the financial and social cost of businesses which over the years watched the Greens chaos and found that investing in Tasmania was just too hard, so they left and took their money elsewhere. If those businesses were included in the research, the figures could easily rise to more than \$10 million and 10,000 jobs that would have been lost to Tasmania over a decade, and I wonder why—through the Chair—Senator Abetz has an issue with doing deals with the Greens. He would know, being a Tasmanian. The party has done the deal with the Liberal Party to change our electoral laws and to game our electoral laws. They are directly responsible for Tasmania's youth unemployment rate, which is the highest in Australia, and for all the terrible social problems—the drugs, the crime, the suicides—that come with a dangerous, hopeless unemployment crisis.

I feel very sorry about the children of asylum seekers who are forced behind barbed wire fences, but at the same time I also feel sorry for the tens of thousands of Tasmanian children who have had productive, prosperous working futures stolen from them by poor judgement and extreme Green policies. The Tasmanian children who are victims of the Greens' political policies may not be behind barbed wire, but they are living on the streets or in housing commission homes with no hope of a good job in either mining, forestry, industry or heavy manufacturing for the future. Tasmanians know that the Greens have a long history of acting irresponsibly and recklessly. They even used taxpayers' money to travel overseas and sabotage our economy and kill real jobs in our forest industry, so it should not come as a surprise that they are acting irresponsibly and recklessly with regard to our democracy.

Apart from this legislation, in recent times the Greens have once again demonstrated why they cannot be trusted and that they have become extreme with their call to decriminalise ice. Coming from a doctor who has taken an oath to do no harm, his statement that we should decriminalise ice has absolutely stunned me. It demonstrates that his judgement is flawed and that he would say anything and do any deal, no matter what the damage to the state or national interest, to get more votes. Without going into all the statistics, from personal experience, I know how deadly and dangerous ice is. One hit can hook; one pill can kill. And zero tolerance, early intervention, involuntary detox, more rehab and the \$300 million that you people have promised over there—if you want to pass it out, that would be great—is the only answer to the ice crisis and to tackling it head on.

I have no doubt that this legislation will be passed, and I am proud to be a part of the parliamentary fight against it. However, I am directing my energy into ensuring that the people of Tasmania who want to strengthen their independent voice in this Senate and get more for their state have good candidates to choose from.

While the JLN's No. 1 Senate candidate, Steve Martin, may not be a name recognised in all Australian households just yet, in Tasmania Steve is very well-known and has made a fine reputation as a popular, independent mayor and a respected community leader. Steve topped the polls in the 2009 local government elections, becoming a Devonport alderman. He was elected Devonport mayor in 2011 and was overwhelmingly re-elected as an alderman and as Devonport mayor in 2014.

Steve has mentored young Tasmanians for nearly 23 years, and has just recently celebrated 20 years of community work. Steve and his wife Susanne have also successfully owned and operated two small Tasmanian businesses. So Steve knows that if the Liberal federal and state governments do not take drastic measures to reduce the costs of travel and freight, both north and south across our state border—and treat Bass Strait as part of the National Highway—then our economy and prospects for job growth will always suffer.

Steve understands that I was able to use my Senate influence to force the federal government to increase the Tasmanian Freight Equalisation Scheme by an extra \$200 million, and he wants to help me ensure that in the future that money directly lowers the cost of goods, freight and living for Tasmanian families and businesses.

For the past eight years Steve has led the effort to entice the Australian Masters Games to Tasmania and was successful in attracting the games for 2017. That will bring \$12 million worth of economic benefit to the state of Tasmania.

Steve entered the political arena in 2003, lobbying for the retention of health services in the north-west, specifically at the Mersey Community Hospital. Together we will fight not only for a better public health service for Tasmania's north-west but for the whole of our state.

If the JLN holds the balance of power in the Senate, we will make it very difficult for the federal government, whether Liberal or Labor, to cut a billion dollars of funding over the next eight years from our public health system and to attack Medicare.

Like all good community leaders, Steve has also devoted a lot of his time to improving educational opportunities for all residents, not just in Devonport but on the north-west coast of Tasmania. For three years he has also been working very hard towards evolving the city of Devonport into a learning community, a place to live and a place to learn. He has said:

Life-long learning will assist us to further enhance our abilities and potential, so that we as a community, region and state can be sustainably resourced and flexible enough to attract and benefit from any and all opportunities that may present. This means jobs and a future.

We have far too many kids absent for far too many days from our schools. Their life potential is under threat. We need to understand why this is happening, where the kids actually are and to better resource our schools to improve and ensure attendance. Better equipping our kids with life tools at an early age is also exceedingly important. Our kids need to gain the ability to not only understand but also be able to cope with and make good decisions about any issue that may confront them.

The JLN also have Rob Waterman, who has spent 30 years in the private sector and the not-for-profit and government health and criminal justice sectors. Rob is currently the CEO of Rural Health Tasmania. If elected to the Senate, Rob would push for a stronger commitment to early intervention and preventative health funding. Rob's experience in the community services industry and in research shows that an early intervention and preventive approach is seven times less expensive than treatment. Over the long term, it reduces health spending and provides a stronger economy. Rob would also continue to fight to reduce unemployment, reduce addiction and domestic violence, and ensure education is more affordable and accessible in rural and regional Australia.

The Liberal government and the Greens think they are being smart by making a deal on this legislation, but it only shows how desperate they are to win this election. What we really have is a deal being done between the party that wants to decriminalise ice and the party that wants to increase the GST, because each thinks it will politically benefit from those changes.

This bill will only cost more for the taxpayer and create uncertainty for the community and business. The Liberals are deliberately picking industrial fights in the construction and maritime sectors. For the short term, they want to bring our economy to its knees, so that there will be a background of economic chaos and industrial unrest in

the lead-up to the federal election in order to justify the inconvenience and expense of a double-D election on the Australian voter—every single one of them. The Liberal government will argue the crossbench has caused chaos and the change in laws and a double-D election are necessary to create order once again. When the history books are written, however, the facts will show that it was the Independent crossbench senators who protected the pensioners, the uni students, the farmers, the diggers, the unemployed, the single parents and the veterans from the Liberal/National horror budget of 2014, and guaranteed community consultation.

An absolute majority in the favour of Liberals will not bring order to the legislative process; it will bring back policies such as Work Choices, policies that benefit the big end of town rather than making decisions in the best interests of the nation. The government's argument of a rogue crossbench or a hostile Senate is severely exaggerated and does not hold up in the face of statistics that show the Senate has so far passed just over 73 per cent of the government's legislation. These changes to Senate voting and the threat of a double-D election is nothing but a distraction from the real issues.

My state is still in the midst of a public health crisis and an energy crisis due to the mismanagement of collective state governments. King Island is faced with shipping issues, youth unemployment rates are sky high, jobs are hard to find in Tasmania and the economy is so sluggish that businesses are shedding jobs. That is the truth that is going on in Tasmania. But in parliament this week, the last sitting week, the only thing the Senate is debating seems to be the Senate voting reforms. If the Prime Minister does indeed call a double dissolution on 11 May then that is five sitting weeks that are sidelined for an election campaign. That is five weeks where the government is not performing its function of legislating to move the nation forward.

In the time I have been a Tasmanian senator, I have not had one person come into my office and ask for a change to the Senate voting system. And I have had thousands and thousands of emails to my office and not one Australian has come to me and told me of their concerns about voting reform in this country. My constituents want positive changes and improvements to our health, education, social services, veterans' affairs and military pay systems.

This proposed change has not been driven by the people; it is driven by the self-interest that is motivating the Liberals and the Greens. We should be discussing the government's plan to cut \$650 million from Medicare bulk-billing. That is the issue which everyone who contacts my office is concerned with today; or the threat of foreign investment, which is driving up the cost of living for Australians and threatening Australian jobs. What about the threat of corruption on our society within government departmental ranks, business, unions and finance sectors? These are issues worthy of our time and debate. Nevertheless, the double-D has been set in motion by a Greens party eager for a ministry. The deal has been settled and we can be sure that they will be preferencing each other in Tasmania. There is no doubt about that.