



Hon John Carey MLA
Minister for Housing; Lands; Homelessness; Local Government

Our Ref: 78-10690
 Your Ref: SJ1369-14:E22/15389

Cr Michelle Rich
 Shire President
 Shire of Serpentine Jarrahdale
 6 Paterson Street
 MUNDIJONG WA 6123

Dear President Rich

Thank you for your letter received on 5 January 2023 regarding the Shire of Serpentine Jarrahdale (the Shire) Council's resolution of 28 November 2022 in relation to electoral reform.

As you know, section 4.81 of the *Local Government Act 1995* (the Act) provides that the power to determine an invalidity complaint is only granted to a Magistrates Court acting as a Court of Disputed Returns.

Additionally, Part 4, Division 11 of the Act also establishes offences in relation to conduct in elections, including avenues for their investigation and prosecution.

As you know, the State Government is working to deliver the largest package of local government reforms in more than 25 years. The reforms have been developed based on a wide range of previous research and consultation and have been designed to strengthen local democracy and community engagement, including through a range of significant electoral reforms.

However, the existing provisions related to invalidity complaints and offenses related to elections do provide for dealing with allegations of misconduct or fraud in local government elections. The findings of the Courts in relation to the Shire's 2021 Ordinary Elections demonstrates that these existing provisions can be used to deal with such allegations.

While I am open to considering further reforms about any specific issues related to electoral conduct, I am confident that both the existing provisions and the reforms that are already in progress provide a strong basis for local government elections which are fair, transparent, and inclusive.

Yours sincerely

HON JOHN CAREY MLA
MINISTER FOR LOCAL GOVERNMENT

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BY: