

Submission regarding Electoral Reform Discussion Paper, January 2013.
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To whom it may concern,

I write as a concerned Queensland resident and enrolled voter to address the paper listed above.

In his foreword, the Attorney-General Jarrod Bleijie describes the Queensland Government as being committed to providing an electoral process that is fair, accountable, representative and holds integrity. Below are my numbered responses to the paper's contents, which I believe are important factors if we are to move toward true democracy and a government that is representative of the people it serves.

Part A1 – Political donations.

a) The changes made to political donation limits with the *Electoral Reform and Accountability Amendment Act 2011* (Qld) (2011 Act) are important changes which enable automatic accountability for democratic behaviour from parties, free of the influence of minorities, interest groups or individuals who seek to exploit a privileged financial position for political gain that may or may not benefit the community and the people (voters) whom the government is intended to serve.

Relying purely on transparency assumes that all concerned citizens are in a place to seek and understand information regarding political donations and the motives behind them, which is not realistic in a diverse society and places the onus of a party's authenticity and accountability unjustly on the people.

The idea that these caps may impinge on freedom of speech is not logical – this would suggest that a person's right to freedom of speech is scaled by the size of their bank account. It implies that a person with money is more entitled to participate in the political process than one who is devoid of such financial assets. It is not democratic.

The changes introduced by the 2011 Act should remain in order to protect against the potential for undue influence and corruption.

Political donations should continue to be capped.

b) I believe that additional caps (such as those in NSW) to address donations intended for use outside of election campaigns would also prove to reduce the incidence of undue influence by removing the motives for political parties to gain allies for purely financial reasons (which is not conducive to true democratic process).

Once again, these limits would not impinge on freedom of speech because freedom of speech should not be influenced by the exchange of money or other resources.

I recommend the installation of additional caps to donations intended for use outside of election campaigns in order to protect against the potential for undue influence and corruption.

c) Corporations and other entities are not people and so are not entitled to participate in the democratic process. The interests of a corporation or other entity do not necessarily represent the interests of the people who the government is intended to serve. If those interests are representative, the people will move in their favour. If they are not representative, these interests should not be given weight against the interests of the people simply due to financial resource. Allowing corporations and other entities to participate so strongly in the electoral process is not democratic. The NSW Government is correct in stating that a ban on such donations is required for the public to have confidence in the electoral system.

Bans on donations from corporations and other entities should be introduced. Donations should only be made by individuals on the electoral role.

d) I do not believe that requiring corporations and other entities to hold votes/ballots is an effective way of avoiding undue influence or lack of transparency/accountability in the electoral system. It is not possible for a corporation or other entity to truly represent the political interests of its various shareholders or members unless its sole purpose is to do so (such as in an industry union).

This option is not appropriate for the democratic process.

e) I do not believe the issue of fees for attendance to fundraisers requires attention.

f) The current system for handling membership subscription fees paid to political parties in Qld is appropriate and does not require alteration. The NSW system is also acceptable.

g) Disclosure should be as transparent and readily available as reasonably possible. Continuous disclosure is desirable.

Part A2 – Public funding for elections

c) A limit to public funding based on votes received in the hybrid arrangement outlined in option c) is fair and equitable.

Part A3 – Election campaign expenditure

a) Because the process of democratic election should not be hindered by the availability of resources, in order to create an environment of equal representation it is essential to **retain current caps on campaign expenditure.**

b) The caps on expenditure do not impinge on political freedom, because they allow for political freedom to be available to all parties who choose to participate in this process without discriminating financially. Removing the caps would create an unrepresentative political environment. **Caps must not be removed from campaign expenditure.**

c) For reasons discussed in part A1, **the expenditure of a party and its affiliated organisations should be aggregated** to avoid undue influence on the electoral process and to ensure that the interests of the people are being served by the government.

d) I do not believe the integrity of the scheme requires aggregation of affiliated organisations' expenditure.

e) The definition of electoral expenditure should be extended to include items listed in the NSW 1981 Act. A provision such as the 1981 Act's section 87(4) should be included so as not to obstruct academic and journalistic research.

f) Individuals should continue to be granted the right to volunteer their time as individuals without adding to campaign expenditure.

Part B1 – Truth in political advertising

It is important for the public to have confidence in their political parties and members of parliament. For this reason, it is imperative that legislation provides for the regulation of truth and falsehoods within the campaign process. The criteria outlined by the *Electoral Act 1995* (SA) are suitable but should extend to cover media appearances as well as advertising. The enforcement of such legislation undoubtedly presents challenges and how this process will be implemented requires thorough scrutiny before the legislation can be introduced.

It should be an offence to provide untrue or misleading information to the public during the electoral process.

Part B2 – How-to-vote cards

a) **How-to-vote cards should be published on the ECQ website to allow electronic availability and pre-polling day perusal for voters.**

b) **The ECQ should be required to refuse to register misleading or deceptive how-to-vote cards.**

c) **There is no need to regulate the behaviour of workers who hand out how-to-vote cards.**

d) **How-to-vote cards should not be banned at this stage. However, the 6m ban on workers handing out how-to-vote cards should be extended to at least 10m.**

Part B3 – Proof of identity

Voters should not be required to provide proof of identity to vote. The potential discrimination against voters who either have no photo identification or are unable to provide it at the time of voting will far outweigh any fraud prevention.

Part B4 – Enrolment on polling day

Voters should be permitted to enrol on polling day, provided they are able to present photo identification and address confirmation as well as having their votes quarantined until confirmed by the ECQ to prevent voter fraud.

Part B5 – Electronic voting

a) **Electronic voting should be made available to the disabled and vision impaired ONLY.**

b), c) **Electronic voting should NOT be made available to anyone else.** This opens too much potential for fraud. This system has seen to be vulnerable to corruption when implemented in some other nations. Postal voting is a suitable alternative option which is already available.

Part B6 – Postal voting

- a) The ground on which a person can cast a postal vote should be expanded to be available to all eligible voters. This would increase voter participation.**
- b) Online postal vote applications should not be permitted without the applicant's signature. This will prevent voter fraud.**
- c) The deadline for lodging a postal vote application should be brought forward one by as per the AEC recommendations.**

Part B7 – Compulsory voting

Voting should remain compulsory for Queensland State elections.

Part B8 – Voting system

The voting system used for Queensland state elections should not be changed. Optional preferential voting results in fewer invalid votes than full preferential voting.