

9th January 2013

Electoral reform consultation

I thank the government for the opportunity to contribute to its review of the *Electoral Act 1992*. My responses to the issues raised in the discussion paper are as follows:

Issues for consultation – Political donations

1 Are the existing laws in relation to political donations effective in protecting against the potential for undue influence and corruption?

I do not believe that they are.

2 How can the existing laws in relation to political donations be made more effective? Comment is invited, in particular on:

- **whether political donations should continue to be capped in Queensland (option a);**
- **if so, whether the cap should apply to all donations and not just those intended to be used for campaign purposes (option b);**

I believe the intended use of political donations cannot be ensured. Therefore I believe that caps should apply to all political donations, irrespective of stated intentions.

- **whether political donations should only be able to be made by individuals on the electoral roll (option c);**

As only individuals have the right and responsibility to vote I believe that only individuals should have the right to make donations or otherwise influence the political process.

- **if not, whether there should be additional member/shareholder endorsement requirements for receipt of donations from industrial organisations and corporations (option d);**

I disagree with this proposal for the above reasons.

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- **the treatment of fees for attendance at functions and fundraising activities (option e) and membership fees (option f);**

It is obvious to me that people attend such functions for political purposes; ie 'cash for access' and such fees and contributions should also be listed as political donations.

- **whether additional disclosure requirements should be introduced (option g); and**

I believe that all donations to political organisations or individuals should be disclosed on a continuous and transparent basis.

- **whether there are any opportunities to streamline the existing administrative arrangements (for example by removing the requirement for dedicated campaign accounts (option h)).**

All opportunities to expedite administrative arrangements are laudable, so long as all such arrangement ensure the transparency of the system.

Issues for consultation – Public funding of elections

Are the public funding arrangements in Queensland fair?

I believe they are fair if they provide a level playing field for all registered parties or candidates and reduce the undue influence of political donations.

Comment is invited, in particular on:

- ➔ **whether public funding of political parties and candidates should be on a per vote basis (option (a));**

Yes, as the discussion paper says, this is the practice of most other Australian jurisdictions.

- ➔ **whether a limit on public funding should be introduced that is based on the winning party's entitlement (option b);**
- ➔ **whether a limit on public funding should be introduced that is based on the number of votes received (option c); and**
- ➔ **whether there are any opportunities to streamline the existing administrative arrangements (option d).**

Allowing a candidate to be their own agent, if they so choose, seems reasonable to me.

Issues for consultation – Election campaign expenditure

- 1 Are the existing laws relating to electoral expenditure effective in creating a more level playing field?**

2 How can the existing laws in relation to electoral expenditure be made more effective? Comment is invited, in particular on:

- **whether electoral expenditure should continue to be capped in Queensland (options a and b);**

I agree with the option of continuing to cap electoral expenditure in order to create a level the playing field. This is in line with my recommendation for restricting the amount political parties can collect from political donations.

- **whether the expenditure of a party should be aggregated with the expenditure of its affiliated organisations (option c);**
- **whether the expenditure of affiliated organisations should be aggregated (option d);**

I agree that the expenditure of a party should be aggregated with the expenditure of its affiliated organisations; ie those whose prime purpose is political. I do not agree that other affiliated organisations, like labour organisations, whose prime purpose is not political and who have a separate constituency and interests, should be included in this category. Donations from any organization whose prime purpose is not political are political donations.

- **whether the definition of ‘electoral expenditure’ should be clarified (option e);**

Yes.

- **the treatment of volunteer labour (option f);**

In my opinion, volunteer labour should be considered an in-kind donation and counted and calculated as part of campaign expenditures because the purpose of their labour is political.

- **and whether there are any opportunities to streamline the existing administrative arrangements (option g).**

If possible, yes, but only if it enhances the integrity and transparency of the accounting process.

Issue for consultation – Truth in political advertising

1 Should truth in political advertising legislation be introduced in Queensland?

Since false and misleading electoral advertisements and other statements have the potential to undermine the conduct of fair elections in Queensland I am very much in favour of legislating for truth in political advertising to advance political standards, promote fairness, improve accountability and restore trust in politicians. In my opinion, difficulty in enforcing such legislation should not be a prime determining factor. I believe truth in political advertising is in line with requirement of parliamentarians to be truthful in Parliament.

2 If so, should it extend beyond advertisements to other inaccurate and misleading statements?

Of course.

Issue for consultation – How-to-vote cards

Should how-to-vote cards be subject to increased regulation? If so, how?

Comment is invited, in particular on:

- **Whether how-to-vote cards should be published on the ECQ's website (option a);**
- **Whether the ECQ should have the power to refuse to register a how-to-vote card that is likely to mislead or deceive a voter in casting their vote (option b);**

Option b seems the most efficacious to me.

- **Whether the behaviour of workers how hand out how-to-vote cards should be regulated (option c); and**

Requiring party workers to agree to a code of conduct developed by the AEC seems reasonable to me.

- **Whether how-to-vote cards should be banned (option d).**

Voters are not compelled to accept how-to-vote cards, so I do not think properly regulated cards need to be banned.

Issue for consultation – Proof of identity

Should voters be required to produce proof of their identity on polling day?

Yes, though such a change will probably need to be phased in.

Issues for consultation – Electronic voting

Should electronic voting be introduced in Queensland?

Comment is invited, in particular on:

- **whether Queensland should introduce electronically assisted voting for: blind and vision impaired voters; and voters who require assistance voting because of a disability, motor impairment or insufficient literacy (option a);**

This is appropriate.

- **whether Queensland should introduce electronically assisted voting to voters who will not throughout the hours of polling on polling day be in Queensland and/or who do not reside within 20 kilometres, by the nearest practical route, of a polling place; or**

This is also appropriate, and apparently successful.

- **whether electronically assisted voting should be introduced for all voters in Queensland.**

While there are current technological issues associated with this process, I think it is inevitable in time.

Issues for consultation – Postal voting

Are there any opportunities to improve the postal voting system?

Comment is invited, in particular on:

- **whether the grounds upon which a person can apply for a postal vote should be expanded (option a);**

I agree with the proposal that the eligibility criteria to apply to cast a postal vote should be removed, so that any eligible voter may exercise their right to vote in this way.

- **whether online postal vote applications should be permitted (option b);**

This seems sensible.

- **whether the deadline for lodging a postal vote application should be brought forward by one day (option c).**

This seems sensible.

Issue for consultation – Compulsory voting

Should compulsory voting remain for Queensland State elections?

I agree with all the arguments presented in the discussion part in favour of maintaining compulsory voting.

Issue for consultation – Voting system

Should the voting system used for Queensland State elections be changed?

It seems that the Joint Standing Committee's recommendation for a full preferential voting system with a savings provision is the most reasonable.