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To: Electoral Reform
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Electoral Reform
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Response to the Discussion Paper 'Electoral Reform'

Part A - Political Donations, Public Funding and Election Campaign Expenditure

I note that, in the opinion of the current Attorney-General, the *Electoral Reform and Accountability Act 2011* 'introduced new burdensome administrative requirements for political parties, candidates and others involved in the political process.' but also states 'A key element in protecting against the risk of improper influence is the treatment of political donations to political parties, candidates and third parties in the political process.' In my opinion, a clear system of accountability by all involved is a necessary condition for all who engage in the public political arena, even though some may see the requirements as burdensome.

Issues for consultation:

A1. Political Donations

The existing laws in relation to political donations are effective in protecting against the potential for undue influence and corruption. They may be strengthened by:

- a) Political donations should continue to be capped.
- b) The cap should apply to all donations.
- c) If there is transparency in the process, corporations (e.g. mining interests) and other entities (e.g. trade unions) should not be barred from contributing to political parties.
- d) The practicalities of securing agreement from industrial corporations or unions for making donations to political parties may be similar to the practice in the UK.
- e & f) Closely related matters may be termed 'cash for access'. This practice should be banned.
- g) Existing disclosure requirements may be strengthened as suggested.
- h) The argument that 'the requirement to maintain State campaign accounts is too onerous' is no excuse because those who receive and use the money are trustees of public money, and as such must be accountable.

A2. Public funding for elections

The relationship between capping donations and public funding is noted.

Option (c), 'a limit ... that is based on the number of votes received.' would seem a reasonable basis on which public funding is based.

A3. Election campaign expenditure

- a) Retaining current caps on electoral expenditure is the preferred, and simplest option.

A problem with (c) and (d) is defining which are 'affiliated organisations'. For example, a union may be an affiliated organisation, whereas a mining company or a body which represents the interests of many mining companies (e.g. the Mining Council) may not be legally 'affiliated' with a political party. If election expenditure was aggregated, would advertising by, say a union against the government be regarded as advertising in favour of the opposition, or advertising by mining interests against one party be considered as advertising in favour of the other party?

Part B - Other Options for Improvement and Change

B1 - Truth in political advertising.

In principle I support both options 1 and 2.

B2 - How-to-vote cards

Options (a) and (b), where the Electoral Commission has oversight of the content of How-to- vote cards and can publish approved

cards on their website, are sufficient safeguard in this area. There is obviously a link between B1, Truth in political advertising, and B2.

d) Banning How-to-vote cards at polling booths has merit, as in Tasmania. This can be justified on environmental grounds as well as saving additional expenditure. Many other options exist for advertising candidates and suggested preferences, such as in the media, and direct mailing. Voters need to take some responsibility in choosing their voting preferences and can do so prior to voting day.

B3 - Proof of identity requirements

Voters should NOT be required to produce proof of their identity on polling day.

As there is no standard 'Proof of Identity' or 'unique identifier' in Australia, (as noted in B5 (c)) what would be used? A prior question is whether there is a problem with voter impersonation. If voter impersonation does occur, what statistical difference does it make to the results of the ballot? At present there is no suggestion of widespread vote rigging, (and hopefully there never will be in Australia). There may be greater potential for voter impersonation in a situation where there is not compulsory voting. (see B7 below)

B4 - Enrolment on polling day

Voters should NOT be permitted to enrol on polling day.

The Electoral Commission advertises widely in various media encouraging eligible people to enrol prior to polling day. This process involves some safeguards which would be difficult to enforce where a person wanted to enrol on polling day.

B5 - Electronic voting

At this stage electronic voting does not appear secure or practical. Other options exist (e.g. Postal or absentee voting) to cater for voters who may require assistance or who live at a distance from a polling booth.

B6 - Postal voting

The three options are reasonable.

B7 - Compulsory voting

Compulsory voting SHOULD remain for Queensland elections.

Attorney-General's foreword to the Discussion Paper states in part that the aim is to have '... an electoral system that meets high standards of integrity and accountability, with fair and effective electoral laws that promote participation in our democracy through political representation and voting.' Compulsory voting is the best way to meet this goal.

Compulsory voting for all citizens was a hard won right in Australia. I agree with the arguments in favour of compulsory voting as listed in the Discussion Paper. Having lived in England for two years, and being eligible to vote in both the British and European elections, I found that, because voting was not compulsory there was little engagement or interest in the political process. By contrast my observation is that most Australians are aware of political issues and are pleased to be able to participate in the political process. It also means that politicians should be aware of the whole electorate rather than those who vote for them.

Listed among the arguments against compulsory voting it says that 'resources must be allocated to determine whether those who failed to vote have "valid and sufficient" reasons' for not having done so. There is no argument against compulsory voting because of costs. If something is worthwhile it must be funded. Democracy has a price worth paying. These same resources may be used to monitor identity issues and any multiple voting irregularities.

As noted above, there may be more scope for voter impersonation where there is not compulsory voting.

The statement about voter confusion if there are different expectations for different elections may also be a factor to have uniformity of practice for federal, state and local elections.

B8 - Voting system

8.1 A similar argument, about uniformity of practice at federal, state and local government elections, applies to the voting system. I would therefore opt for full preferential voting.

The 'savings provision' as described in the discussion paper, which allows for a valid vote, up to the point where the numbering error occurred, would be a worthwhile change to consider.

The argument, that optional preferential voting potentially reduces error-induced informal voting, most likely applies to ballots for the federal Senate where there may be 50 or more candidates. Errors are less likely to occur where there are a smaller number of candidates. A question: how does the practice of 'above the line' voting, where the preferences are then distributed as nominated by the party, apply to the different options?

I strongly agree with the statement in the Discussion Paper that any *de facto* 'first-past-the-post' system leaves a voter unrepresented if they vote for a candidate who achieves only a small proportion of the votes cast and I therefore support the full preferential voting system.

B9 - Any other matter

I suggest that an Upper House be reintroduced into the Queensland state parliament. While this would incur considerable costs, the benefits of a house of review outweigh any other consideration.

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