



15 February 2019

Submission to Tasmanian Government's Review

I refer to the December 2018 Electoral Act review, interim report. A starting point to comment on the review is that it is limited by the terms of reference. The terms of reference talk of modernization of the Electoral Act, whether there is a need for state-based disclosure rules and, finally, the level of regulation of third parties during election campaigns.

The interim report is hamstrung by the terms of reference because the terms of reference do not identify why the government is conducting this review. Until the government can squarely accept that Tasmania's Electoral system and funding systems and disclosure rules are full of loopholes and ripe for manipulation, the review will achieve little. How can the review provide answers to problems that have not been formally identified?

The Need to Identify the Current Problems

Reform of the electoral system needs to have two principal goals: (1) transparency in dealings between those parties and individuals standing for office and the various corporate interest groups vying for influence and power; and (2) elimination of corporate for-profit enterprises and their front groups from involvement in the electoral system.

A payment of money from corporate entities to political parties can be nothing more than an attempt to buy influence. There is no other explanation as to why a corporation would make payments to a political party.

Revelation of the amounts and timing of such payments to political parties ought not be delayed until 11 months after the election, and disclosed under an alternate system (ie Commonwealth system).

Payments of money to political parties needs to be disclosed in real time under a state based system. That way the public can match up an announcement made by a political party with the receipt of funds from particular donors.

Election campaigns should be publicly funded so as to prevent corporate interest groups managing the political and democratic processes to their own ends.

Achieving these Goals

The most insidious influence in Tasmania is exercised by lobby groups, such as the gaming industry, the firearms lobby, the marine farming lobby and, historically, the forestry lobby.



These and like organizations ought to be banned from contributing money to political parties in Tasmania. The same goes for the alcohol lobby.

In any event, corporations do not vote, and accordingly ought be prohibited from making payments to political parties.

The need for transparency in payments is paramount. The money that the Tasmanian Hospitality Association (THA) expended in the course of the 2018 state election campaign to support the Liberal Government is an example of an industry payment that ought be banned.

The Victorian reforms introduced in the end of 2018 provide a useful model. Donation limits of \$1,000 are appropriate for individuals. As stated above, corporate donations should be banned. Foreign donations should also be banned and there should be immediate disclosure of all donations.

Beyond that, the cap on payments or gifts should not just be for payments of money, but should include and limit non-monetary benefits to political parties. At the very least, this needs to be fully disclosed as it occurs, and for-profit corporations should be prohibited from non-monetary gifts or benefits to political parties or individual candidates.

Put simply, there needs to be public funding of election campaigns to prevent policies being skewed in favor of the interest group that can pay the most money. For-profit corporations should be banned from contributing money or providing in-kind assistance to political parties or candidates.

Elections should be about the vote of the individual and any payments that are going to be made to political parties must come from individuals or through public funding. Offences should be created prohibiting corporate entities from channeling money to political parties and candidates through individuals. This should be regarded for what it is; an attempt to subvert the democratic process.

Disclosure of Policy Positions

The Electoral Act should also be amended to require political parties and candidates to publish their policy positions more than 7 days before the date of the election. The publication should be on the party or individual's website.

A failure to publish policies should be an offence under the Electoral Act, whether committed by the party director, party leader or individual candidate. This would prevent the state of affairs that occurred in the March 2018 election whereby the Liberal government promoted its firearm liberalisation policies to a select group of shooting lobby organizations, but hid these policies from the rest of the community. At one point the

Premier drew attention to the fact that the Liberal Party's policy had been published on the website of the Sporting-Shooters Association (TAS). It is untenable that a government or party's policies are published on an obscure website rather than on the party's website.

Further submissions

This organization is holding a public meeting on 3 March 2019 to seek information about, and public input into, the conduct of the government prior to the March 2018 election. The results of that meeting will be forwarded to the government in due course.

Yours faithfully,



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Director