

## **Electoral Act Interim Report Review**

### **Response to Interim Report by the Jacqui Lambie Network**

The list of recommendations is routine, but for the two contentious and challenging issues: Political donations/ expenditure caps and the types of advertising and mass market promotion which require bigger amounts of funding every election.

The Jacqui Lambie Network agrees with most of the suggested changes where general range of recommendations are about housekeeping and updating, such as for digitisation.

### **The rot of cash and spending must stop in Tasmania**

Other states are in another universe compared to us when it comes to the double trouble problems of donation disclosure and '*outspend the others*' advertising expenditure.

It is fair to say that Tasmania's professional politicians don't have their own money to fund big budget campaigns that cross all media, which is needed to 'match the other side' like an arms race. Worse still for them, they live in a small state where there are fewer constituents for each politician than elsewhere. Tasmania is the least wealthy State in the country, with mean household net worth at 60% of the Australian figure, (Household Income and Wealth, Australia: Summary of Results, 2015-16)

In these circumstances, key donations from interest groups and vested interests can be a life saver. This is more likely to occur where an election issue threatens commercial interests, such as Tasmania's Pokie Election of 2018. It is not just about commerce, in the past, environmental issues raised similar questions, and where interstate green cash bankrolled green groups and politicians.

The Jacqui Lambie network is well ahead of other political parties on disclosure, with real time transparency as donations are published within 14 days of receipt. The JLN depends on old fashioned politicking, activity on traditional media, getting out and meeting the people and building relationships, not mass market saturation. The JLN can not be bought by special interests, that is because we have our own \$10,000 limit on accepting donations from any one source.

This is an altruistic approach but when all politicians like to talk about integrity, for others the integrity stops when the big donation cheque is cashed.

Tasmania has an unorthodox Parliament, with an upper house that never faces a one off popular vote and where strict limits on spending compel choice at the grass roots level.

It is pure hypocrisy to say that freedom justifies limitless and secret donations to fund untapped spending in the House of Assembly when the Upper House has a limit on advertising that 2019 is only \$17,000. It is rising to \$19,000 by 2023.

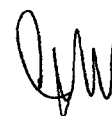
This cash amount is not much more in proportion to the cash amount to trigger open disclosure under the Federal Electoral laws, which is \$13,800 in 2018/2019.



Those who argue that donation secrecy and limitless spending is about freedom in a democracy need to look at the way in which our democracy has very happily coexisted with very low levels of spending for generations in our own Legislative Council.

### Response to the consultation paper issues

1. **Authorisation of electoral material.** This should be in line with federal requirements. Social media is a huge part of political promotion for both paid advertising and for support and criticism. There are real risks with parties trolling other candidates and using hate speech to attack. [REDACTED]  
[REDACTED] This is a real threat to the system but obviously it is hard to stop when people will take advantage of anonymity. It also shows the culture of our established parties, where individuals will stoop to low levels to bring down the opponent.
2. **How to vote cards and use of photographs.** There should be NO change. Use of images is an essential component of attack ads. Attack ads are a key form of mass market bombardment in the modern era, fine tuned in The US and which have spread over the western world like a plague. Attack ads are the very definition of **Outgun, Outspend, Outlast** politics that hoovers up huge quantities of cash. Attack ads benefit the party left standing with the most money. Let's look back at Tasmania in 2018! Attack ads too are a significant barrier to encouraging community wide involvement in elections as candidates. The JLN is opposed to attack ads. **How to vote** cards have never featured in Tasmania. We can do without them. Not only are how to vote cards clearly not needed to help Tasmanians to vote, they would be yet another step towards even bigger election spending, benefiting the wealthy parties and disadvantaging the poorer parties and independents.
3. **Polling day ads.** No change is required. The reasons are similar to the need to continue to stop attack ads and how to vote cards. The curfew has no impact on choice or freedoms of expression, and the curfew could be extended to the Wednesday prior, to let people make up their own minds. Polling days advertising advantages the parties and candidates who do have the financial power of larger parties.
4. Due to the number of the population especially the elderly who may not have digital literacy, the **publication of announcements** in newspapers should run alongside digital announcements, both on websites and on social media platforms.
5. **Registration processes** for parties should stay the same.
6. **Disclosure.** As has been said already, disclosure should be strict and timely. The lack of transparency raises serious questions of influence. [REDACTED]  
[REDACTED] the missing millions that are untraced and untraceable. Real time disclosure will stop the purchase of seats in the parliament. 77% of donations will never be revealed and this is only because of the application of Federal Laws



7. **Expenditure Caps are a good thing.** If they are good enough for local government, the Legislative Council and other states, they are good enough for the House of Assembly. The JLN supports a cap on donations at \$10,000 from any one source (broadly defined). This will eliminate the occurrence of the buying of seats in the Tasmanian parliament.

**Caps on donations apply interstate.** The *Weakest* provisions are found in Tasmania every time. And yet the Legislative Council has one of the most restrictive caps and an annual voting system.

8. **Third parties should be treated the same as political parties.** All should be same as political parties. No overseas donations should be allowed or possible whatsoever and only real time disclosure will show that as sources can be investigated and traced.
9. **There is no audit of donations.** Federally, over \$250 can no longer be anonymous but who polices that? If it is an open donation then it must be disclosed. Labor could have stepped up years ago. Labor was in power in 2004. Both big parties are as bad as each other. **94% of Tasmanians want the laws changed.** Democracy is up for sale every 4 years to the highest bidder. Incumbency brings with it the cheque books. It's a loss of democracy. Snuffed out. The change can be made effective immediately.

### **Conclusion**

These reforms are not hard. There are plenty of examples to follow. Much does not need to change at all. Tasmania can have a bright, free and participatory future, or it can stay on the path of seats for sale and mass market propaganda.

Parliament can make the vote for democratic change at its next sitting. Bring it on!

Dated this 18<sup>th</sup> February 2019

Jacqui Lambie and Glynn Williams

Jacqui Lambie Network

C/- 70 Alexandra Road Ulverstone 7315

