

ELECTORAL MATTERS COMMITTEE

Inquiry into voter participation and informal voting

Inquiry into political donations and disclosure

Melbourne — 23 July 2008

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Mr P. Stevens, Victorian state officer, Family Voice Australia.

The CHAIR — Peter, welcome to the public hearings of the Electoral Matters Committee’s inquiry into political donations and disclosure, and the inquiry into voter participation and informal voting. All evidence taken at this hearing is protected by parliamentary privilege as provided by the Constitution Act 1975 and further subject to the provisions of the Parliamentary Committees Act 2003, the Defamation Act 2005 and, where applicable, the provisions of reciprocal legislation in other Australian states and territories. I also wish to advise witnesses that any comments they make outside the hearing may not be afforded such privilege. I take it you have read the ‘Guide to giving evidence at public hearings’ pamphlet?

Mr STEVENS — Yes.

The CHAIR — Please state your full name and business address.

Mr STEVENS — My name is Peter James Stevens, and I work from home, 59 Grevillea Crescent, Hoppers Crossing.

The CHAIR — Are you attending in a private capacity or representing an organisation?

Mr STEVENS — An organisation.

The CHAIR — What is your position in that organisation?

Mr STEVENS — I am the Victorian state officer with Family Voice Australia, which was Festival of Light Australia until 1 July. After 35 years we have changed our name.

The CHAIR — Your evidence will be taken down and become public evidence in due course. I invite you now to make a submission, and after your submission the committee will ask questions.

Mr STEVENS — I would like to give my apologies on behalf of our president, Dr David Phillips, who is unavailable to attend — he is in South Australia and tied up today. I also apologise for our national policy officer, Richard Egan, who is in the United States. I am no 3 on the list so I am putting in my apologies early.

I represent Family Voice Australia. We research areas of Australian family life like the sanctity of life, marriage, parenthood, Australia’s heritage and limited government — that is, checks and balances in government, so this is a subject that interests us. Today I want to run through our submission briefly. I feel that it covers three main subjects which are: freedom of Australian citizens, promotion of representative democracy, and safeguarding the integrity of the electoral process. You may not be able to follow me when you are going through. I am just going to touch on a few bits and pieces throughout the submission. I will give you the number that I am up to but I may not be able to give you the exact line. Is that all right?

The CHAIR — That is fine.

Mr STEVENS — In point 2 of our submission we say that the funding of political candidates and parties in elections is a vital part of the democratic system of government. We believe that election funding laws should assist this process of democracy. Also in point 2 we point out that the core idea of the Australian system of government is recognition of the right of a citizen to freedom under the law, so this is an area under the category of freedom. Freedom of Australians includes freedom to stand for an election, freedom to vote and freedom to use their own financial resources to further their political objectives. We believe very much in the freedom of individuals.

In point 2.2, headed ‘Freedom of association’, we point out that, as you know, people are relational and they join together in groups. One of these groups is political parties. We believe in the freedom of people to form, join or promote their choice of a political party and be involved in that political party.

Regarding civil societies, in point 2.3 of our submission, another area of freedom is freedom of association, and this forms the basis of our civil society. Near the bottom of that passage it says:

Civil society organisations facilitate better awareness and a more informed citizenry, who make better voting choices, participate in politics, and hold government more accountable as a result. Such organisations also accustom participants to the processes of democratic decision-making.

Consequently, the decisions that you are making on these laws should facilitate, not hinder, organisations which constitute civil society.

Just over the page in point 2.4 we say:

Representative democracy works best when elected representatives maintain a close relationship with their constituents.

Our submission goes into briefly discussing the different forms of democracy, and we have in Australia a representative democracy, as you know. Our submission states:

While not being bound by their electorate, representatives are then able to take the views of the electorate into consideration when decisions are made in Parliament.

I have a little bit of additional information which came from one of our other submissions. It says it is generally agreed that there has been a marked decline in membership numbers of political parties and that researchers from the Australian National University examined the available evidence for the Democratic Audit of Australia and concluded:

In total, we estimate that membership of all Liberal, National, Labor and Democratic Labor Party in the 1960s and the Democrats since 1977 has declined, from 4 per cent of the electorate in the 1960s to less than 2 per cent in the late 1990s.

A halving of public participation in political parties over a 30-year period is not a positive development in a representative democracy.

So we believe that as we are adjusting our laws, we should once again encourage Australian individuals to take part in the political process, rather than our trying to exclude them.

Disclosure of political donations — point 3 in our submission — is where we come into the area of safeguarding the integrity of the election. Mandatory public disclosure of financial contributions is an important safeguard against inappropriate influence on the political system. These disclosure thresholds should be set in order to achieve an appropriate balance between encouraging participation and giving the public knowledge of the source of political donations, especially larger donations. The major factor that should limit this threshold is enabling the public to be aware of the major supporters of political parties. This threshold should be set at a level that allows the public knowledge of the source of the larger donations to political parties.

There follows a little bit of a discussion about the Rudd government's proposal, which I am sure you are very well aware of. The Rudd government has announced that it will seek to amend the Electoral Act 1918 to drop the disclosure threshold from its current level of \$10 000 down to \$1000, and additional returns from political parties would be required every six months. Family Voice Australia believes that the proposed commonwealth threshold of just \$1000 seems too low. We believe it would be best for Victoria to set its own threshold, and the discussion that we have given there shows that \$4000 may be a reasonable amount to set that threshold at. The first set of returns after an election could then be analysed and changed if necessary.

So our first recommendation is that the Electoral Act 2002 should be amended to require returns from all political parties active in Victoria. These returns should disclose all donations received above a certain threshold, to be set initially at \$4000 and reconsidered after the next state election, and the possibility of six-monthly returns considered.

Point 4 of the submission deals with limits and prohibitions on public funding, once again safeguarding the integrity of the process. Given the particular nature of the gaming industry and its already disproportionate influence on government in Victoria due to the size of its net contribution to revenue, the existing limitation, we believe, is appropriate and should be maintained, and that is our second recommendation.

Lastly, point 5 of the submission states that proposals to set upper limits on donations are often linked with increased demand for public funding of political parties.

Such demands presume that government rather than civil society is responsible for ensuring that parties and candidates are adequately funded. This well-intentioned presumption has the potential to undermine the strength of political parties by reducing their dependence on supporters. Once again we are trying to encourage the association between political parties and individual citizens rather than undermine that relationship.

The notion that candidates should be entitled to public funding might be expected in a top–down, totalitarian democracy but not in a bottom–up, representative democracy. So the last recommendation is, in order to avoid undermining the important relationships between citizens and political candidates, public funding of political parties and candidates in elections should be discontinued. This is a little bit in variance with the previous speaker.

Just a very brief summary: the three subjects that I believe that we are trying to promote are, firstly, freedom of Australian citizens by not imposing excessive restraints and by encouraging involvement by individuals, personally and financially. Secondly, promotion of representative democracy, which has served us very well over the years by encouraging organisations to form and be involved in the election process, encouraging links between representatives and their constituents, and by removing public funding of political parties and candidates. Lastly, the safeguarding of integrity by enabling the public to be aware of the source of donations, especially larger ones, and continuing to limit donations from the gaming industry. Thanks, Chair. Sorry if that was a bit long.

The CHAIR — No, that was good.

Mr SCOTT — What is your attitude to donations made by corporations as opposed to natural persons? Do you draw a distinction between the two?

Mr STEVENS — I will probably have to get back to you on some of these questions, because I am really only pretty well informed on our submission. It is not a subject that I have much of a background in. I will try to answer questions but if I cannot — —

Mr SCOTT — I am sure the Chair will indulge that.

The CHAIR — That is fine.

Mr STEVENS — That would be one that I would probably like to get back to you on. I do not want to give you information that is wrong, by having a stab at it.

Ms CAMPBELL — Your suggestion about involvement of citizens in the political process has great personal appeal. In terms of your own organisation, how many candidates did you run in the last state election and how was it funded?

Mr STEVENS — We are non-party political so we do not run any candidates in any elections. I probably did not explain that very well at the start.

Ms CAMPBELL — I thought Fred Nile was Festival of Light.

Mr STEVENS — He was. We were formed in 1973 and Fred was the first president of Festival of Light, but since he took a political direction we have separated from Fred.

Ms CAMPBELL — Okay. That is my mistake. Sorry.

Mr STEVENS — No, that's all right. A lot of people associate Festival of Light with Fred Nile but he is not a part of Family Voice Australia.

Ms CAMPBELL — My apologies. Then I do not have a question.

Mr STEVENS — Thank you; at least I was able to answer that one.

The CHAIR — What do you say to those who argue that the current system alienates voters and that it is perceived that the current governments only govern for the wealthy due to political donations from major corporations?

Mr STEVENS — Once again I would probably rather not make a statement on it until I have a careful look into it.

The CHAIR — In that case, I will not ask the next question. Do you think there is a trade-off between individual freedom and equity?

Mr STEVENS — Can you just say that one again?

The CHAIR — Sorry. A trade-off between individual freedom and equity?

Mr STEVENS — Once again I am a little bit stumped. Sorry.

The CHAIR — That's fine. I understand.

Mr STEVENS — My background is in plastering and the building industry so I am still trying to catch up with all the information that you guys have.

Mr O'BRIEN — Thank you, Peter, for your submission. In your submission you make reference to the current limitations on donations to political parties from companies in the gaming industry. I think at the moment this basically applies to Crown Casino, Tattersall's and Tabcorp as the operators of pokies in Victoria. The government is introducing a new system of pokies from 2012, which is basically going to cut out Tattersall's and Tabcorp, and poker machines will be directly owned and operated by pubs and clubs. Given that we are moving to that new system, what is your organisation's view on whether those limitations on donations from gambling entities need to be reviewed or amended to take account of the fact that it is now going to be clubs and pubs that own the pokies and not Tattersall's and Tabcorp?

Mr STEVENS — Once again I would probably need to look into that. I believe that we would want to be involved in the review of that process and I cannot really say what levels. I would not really want to say because I do not want to give you a wrong impression of what our final opinion might be.

Mr O'BRIEN — You will take it on notice? That is fine.

Mr STEVENS — Sorry about that, Michael. I would love to be able to help you but once again we want to be very careful that we represent our organisation accurately, and I am probably not senior enough in the organisation to give you a direct answer.

Mr O'BRIEN — We appreciate your candour, Peter.

Mr STEVENS — Sorry, I am not much help to you on that.

The CHAIR — Thank you very much for your time.

Mr STEVENS — Thank you so much for that. Once again, my apologies for not being able to direct you a little more.

The CHAIR — We understand the issue. You will receive a copy of the transcript in about a fortnight. Typing errors may be corrected but not matters of substance. If there is any follow up in relation to questions we have asked, you are welcome to submit it.

Mr STEVENS — Thanks, and thanks to all of you for this opportunity to meet you and I hope I have been of some assistance.

Witness withdrew.