

8/11/2021

## **Submission to the Inquiry into the Candidate Qualification Checklist**

Dear Inquiry.

This is an important topic. The dual-citizenship saga notably forced many sitting members of Parliament to resign. This brought attention to the public of the provisions of Section 44 of the Constitution, namely that people running for or sitting in Federal Parliament cannot hold a dual citizenship from another country. It is important to have clarity about the eligibility to run for Parliament and for people considering candidacy to be able to consider these. With the examples from the dual-citizenship saga, it can be distressing and disruptive for people to realise they were ineligible - only after being elected and serving in Parliament. Were they to know beforehand, they could potentially take the necessary steps to rectify the situation - or they might reflect on whether they want to run. It can also mean that the people elected are eligible, meaning they can more likely serve their full-term, without needing a by-election or appointment to replace them. Having a checklist can be beneficial to simplify the process of nomination and outline the necessary information that candidates need about their eligibility. In principle, having a candidate qualification checklist can be a good idea.

The proposed checklist requires the date and place of birth for all parents and grandparents of a candidate. Some people would know this information or they can seek the information from their parents (or grandparents). It could be an interesting journey through their family history. However, this can be burdensome and potentially have more concerns for some candidates. It requires candidates being on good terms with their extended family and having the information recorded and

available. This is not always the case as, for whatever reason, people could have issues with their family. Particularly if someone was fleeing domestic abuse or was ostracised from their family, getting in touch with their family could be unsafe (or they could be unhelpful). Family members could be further away, even overseas, and thus more difficult to track down and get the information from. For older candidates, their parents or grandparents may have passed away - also making the process of finding this information more difficult. Hence, there are a variety of circumstances in which requiring specific information on their extended family would restrict candidates trying to have a go in our democracy.

There are broader questions about what *should* be in the Constitution, namely what eligibility requirements there *should* be for Australians to be candidates or serve in Parliament.

At the time of the dual-citizenship saga, there were some debate about whether having a dual-citizenship should have barred those resigning members from being in Parliament. Australia has a society comprised of people from many different ethnic and cultural backgrounds. We celebrate having a multicultural society. Perhaps we want our Parliamentarians to be committed to Australia, including to only hold Australian citizenship. There are good reasons for either side - but there should be consideration of the citizenship rule and whether that could (or should) be changed.

I appreciate the submission of Senator Jacqui Lambie and her arguments about people being restricted from being a candidate when they hold an “office of profit under the crown” - including many public servants. As she notes, this includes “teachers, nurses, police officers and doctors” who represent a diverse range of

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professions involved in the community and who are “exactly the kinds of people who should be politicians in the first place.” Having to resign their job (not being certain whether they would win, or be able to return to their job) can be a prohibitive restriction.

Having a candidate qualification checklist is good so far as it simplifies the process and helps people check their eligibility, but should take care not to be overly burdensome or restrictive on candidates. I also share the contribution of Senator Jacqui Lambie that we should have a referendum to amend the Constitution to expand the eligibility, particularly for public servants to be candidates. Rather, the process should be as open, streamlined and encouraging as people for people to be involved in democracy. It should be as open as possible to all people to be candidates, since everyone has the right to be involved as any other. Moreover, who we vote for as candidates should be up to the people (with knowledge about the profession and citizenship) of our candidates, not determined by arbitrary rules.

Kind Regards,

Benjamin Cronshaw.