

(a) reforms to political donation laws, particularly the applicability of 'real-time' disclosure and a reduction of the disclosure threshold to a fixed \$1,000;

This is a good idea, although there has seemingly been minimal impact at a state level where similar reforms have been implemented. In part, this might be because donors have directed their money to the federal parties or through jurisdictions that do not have thresholds in order to get around such rules.

The Federal Parliament should implement these reforms and the Government should seek to make the nationally consistent across jurisdictions.

The main reason for these reforms is presumably to lessen the potential capacity of donors to influence politicians and their decision making, or at least make such influence transparent. Therefore, it should be considered if there also needs to be limitations on how much organisations, or even individuals, can spend on elections – particularly political advertising.

SuperPACs in the United States are having an incredibly corrosive impact on their politics and subverting laws designed to make the influence of donors more transparent. In Australia, we have seen wealthy individuals spend large amounts of money in order to sway elections.

Capping donations may lead to perverse incentives where money that otherwise would have been donated directly to a party or politician are instead spent in less transparent ways, but still ultimately having the effect of supporting the election of that party or politician and potentially influencing them.

(b) potential reforms to funding of elections, particularly regarding electoral expenditure caps and public funding of parties and candidates;

Such reforms would need to strike the right balance between incumbent MPs and candidates, “major” parties and “minor” parties, and the cost-benefit to voters.

Expenditure caps for candidates would potentially limit their capacity to win an election. Incumbent MPs can usually rely on a base vote from their party plus 1-2% for their own name recognition (or at least for the resources that come with being an incumbent). This is a large hurdle for a candidate to overcome and limiting their expenditure might compound the advantage of incumbency. If donations are capped, then the amount of money a candidate can raise is a reasonable reflection of the support they have, because it would come from many individuals rather than a limited number of sources potentially hoping to influence their decision making.

Public funding might help level the playing field, but certainly benefits incumbents and candidates that have run in a previous election above those nominating for the first time. Potentially new candidates could access public funding by having a certain number of electors sign a petition asking for them to receive public funding. But this threshold would need to be high enough that not everyone who nominated could receive it, because then there would be an incentive for people to nominate with no intention of being elected but instead hoping to “pocket the money”. Such a high threshold might not be attainable given the relatively short timelines in Australian elections.

The current model of public funding has certainly been exploited by some for profiteering purposes. Without addressing this exploitation, public funding might replace one form of corruption, buying influence through donations, with another, routing public funds.

Presumably the benefit of public funding is that it reduces the influence of donors by making politicians less reliant on donors. It may also risk politicians being less connected to voters and party membership if they do not feel pressure to prove themselves to earn donations.

A donation cap and an electoral expenditure cap on third parties is likely to strike the best balance. Some limited form of public funding may add some benefit if it is properly structured.

There should be some consideration to extending current limitations on what parties and politicians can spend their money on. Currently there are limitations like the media blackout period that limits political ads in the days immediately prior to an election. In some jurisdictions, across Australia and the world, there are limitations on political signage and electioneering around polling booths.

Both media and polling booth electioneering are significant costs for parties and politicians. But their value is questionable. Even if their value is not proven, if one party or politician is investing heavily in them, that incentivises all the others to invest in a similar way. This creates a large cost for all the parties, and therefore a need to chase donations.

Extending limitations on this type of expenditure would arguably reduce the influence of donations by reducing the overall cost of elections. It could also be argued that it would improve the quality of public discourse during an election.

It could be considered if the media blackout should begin as soon as writs are issued. This blackout could also be extended to social media, robocalls, and text messages, all of which have increasingly become battle grounds for expenditure.

Poll booth electioneering is potentially the most bizarre form of electoral expenditure. Huge amounts of money go into incredibly unsustainable decorations. The amount of plastic that is used just for election day and then discarded to the tip is obscene. It is also unlikely to have any real impact on results in situations where all the candidates with a realistic chance have similar amounts of decorations at polling booths.

It should be considered that electioneering within a certain distance of a polling booth (maybe 200m) should be banned. This would include decorations and volunteers or employees handing out political information. This would drastically reduce the cost of elections, and therefore the incentive to chase donations.

It should also be considered if the Robson Rotation should be introduced for Federal elections. It has been used in Tasmania and the ACT, examples which should allow for a good model for Federal elections to be designed. Beyond other considerations, it would reduce the impact of how-to-vote cards and the cost associated with funding the printing and distribution of them.

After each election, the type of expenditure limitations should be reviewed to examine what parties and politicians are spending on, and whether that spending improves the quality of public discourse during elections or not. Spending that creates an arms race of expenditure without tangible benefits to public discourse should be limited.

(c) the potential for 'truth in political advertising' laws to enhance the integrity and transparency of the electoral system;

This should be incredibly limited in scope. While we have seen examples of deceptive advertising in Australia and across the world that were obviously false and misleading, there is a very large grey area around what is true in public discourse and the point of a Westminster democracy should be to allow those grey areas to be contested by politicians and decided by voters.

(d) encouraging increased electoral participation and lifting enfranchisement of First Nations People;

Aboriginal and/or Torres Strait Islander peoples should be empowered to decide what systems and structures will best enfranchise their people.

(e) the potential for the creation of a single national electoral roll capable of being used for all federal, state and territory elections in Australia;

The goal of electoral rolls should be to enfranchise as many people as possible. A single national electoral roll should only be enacted if it can demonstrably improve enfranchisement. Many states currently have provisions where certain government agencies can share your data with the electoral commission to update your details. These provisions should not be limited by a single national electoral roll.

Potentially a trial period can be established for a decade, with state and territory governments having the option to opt out at the end of the trial period.

(f) encouraging increased electoral participation and supporting enfranchisement generally, and specifically in relation to:

i. accessibility of enrolment and voting for persons with a disability;

People living with a disability should design systems and structures that enfranchise them.

ii. voting rights of Australians abroad;

No view.

iii. Australian permanent residents and new Australian citizens; and

No view.

iv. New Zealand citizens residing in Australia; and

No view.

(g) proportional representation of the states and territories in the Parliament, in the context of the democratic principle of 'one vote, one value'.

State quotas in the Senate should be abolished and the Senate should be a proportional national vote.

Ideally, the lower of representatives would also be proportional, using the same system as Italian local government elections. In these elections, the party that receives 50% of the vote or more gets 60% of the seats, with the remaining 40% being distributed amongst the other candidates proportionally. If no party gets to 50%, there is a run-off election. This system would make voting simple and enfranchise more voters as it would simply be marking your preferred party or candidate.

The Senate would be purely proportional, again allowing for a simple vote 1 ballot. However, the distribution of seats would be done through a simple proportional system.

In this system, the house of representatives could have a reduced number of seats and the senate could become the larger house.