

Submission to the Joint Standing Committee on Electoral Matters by Cr Stephen Mayne

Friday, February 26, 2016

My background is as follows:

Journalist and founder of Crikey.com

Chair of the Finance and Governance Committee at the City of Melbourne and well known independent politician in Victoria who campaigns widely for transparency and good governance.

Contested 60 corporate, political and not for profit elections as independent candidate over the past 15 years, including standing as an independent candidate for the Senate at the 2010 Federal election.

I would like to run as an independent for the Senate again at the forthcoming Federal election on a platform of campaign finance reform but the system is so tilted against independent candidates that it won't be worth doing unless the enormous barriers to entry are reduced through this current long overdue reform process. Therefore, this brief two page submission is designed to draw the attention of the committee to the plight of independent candidates and formally request some amendments to the proposed bill.

Request to appear

I will be attending the hearing in Canberra on Tuesday morning after addressing a Parliamentary friendship group on citizen juries the night before and therefore request an opportunity to be heard by the committee on these issues for no more than 15 minutes.

My understanding is that the Greens and Senator Xenophon are comfortable with the idea of lowering barriers to entry for smaller parties and independent candidates but that the government is less inclined to do so. If the Liberal Party is the party of the individual which believes in competition and reducing red tape, then how can the following situation be allowed to stand?:

- An individual Senate candidate must be nominated by 100 electors and pay a \$2000 deposit which is almost certain to be forfeited because their name does not appear above the line, where the vast majority of electors cast their votes. Why can't an individual candidate appear above the line? This explains why no individual Senate candidate has ever reached the 4% primary vote threshold to qualify for public funding. Of the 46 which have nominated since 2007, the best primary vote was just 1.12% in the ACT in 2010.
- Groups of independent candidates are allowed to appear above the line but are given no party branding and will not be able to include logos. If party's are to be allowed logos, then so should independent groups. When I was elected to City of Melbourne in 2012, it was a senate-style proportional representation system in an undivided electorate. Each group was permitted a maximum of 6 words. In my case that was: "Stephen Mayne: Independence, Experience, Transparency, Accountability". The same should apply in the Senate. Parties should be able to include their name, plus a prescribed amount of words to describe their platform, which should also be afforded to independent groups.

- Given the lower quotas, it should be easier for independents to be elected to the Senate but Senator Xenophon is the only person who has pulled it off as an outsider since Group Voting Tickets were introduced in 1984. Senator Harradine was first elected as an independent Tasmanian Senator in 1975 and was re-elected on multiple occasions with the benefit of incumbency. Of the 95 independent groups of individuals which have contested Senate elections, Nick Xenophon is the only one to have qualified for public funding support by polling more than 4% of the primary vote.

Since 2007, the numbers of independent candidates have fallen away as follows:

2007

19 independent groups participated above the line across the 8 jurisdictions, out of a total of 136. This represented 14% of above the line options. Leaving aside Senator Xenophon, the highest primary vote achieved by an independent group was just 0.45% in Tasmania. There were 17 ungrouped independent candidates below the line with the strongest vote recorded was 0.27% in the NT where there was only 5 groups above the line.

2010

There was a total of 134 groups above the line and a healthy 16.4% or 22 were independent groups. However, the best primary vote achieved by an independent group was only 0.29%, aided by the donkey vote in WA. Even Cheryl Kernot only managed 0.11% in NSW, the same as what I received in Victoria. There was 19 independents below the line and the strongest result was 1.12% in the ACT.

2013

The numbers really dropped off as pop up parties exploded. There was 228 groups above the line but only 8 (3.3%) were independents. The best result was just 0.1% in South Australia. There was 10 independent candidates running below the line and the highest primary was 0.21% in the ACT. To only have 18 independent options in the Senate across Australia is a travesty.

Suggested amendments in addition to the proposed reforms

1. If logos are to be permitted above the line, allow independent groups, along with registered parties, to have 6 words to describe their platform.
2. Reduce the threshold for public funding in the Senate from 4% to 0.5%.
3. Reduce the nomination deposit to \$1000 per candidate in both houses.
4. Reduce number of elector signatures supporting independent candidates from 100 to 50.
5. Eliminate requirement for groups to qualify for above the line presence so parties can nominate a single candidate and single independents are not relegated to below the line.
6. If ballot paper size remains a concern after these changes, cap the number of parties or individuals which can appear above the line at 26 (A to Z), with the AEC to determine the scale back if necessary based on criteria such as demonstrated public support, party membership, previous results etc.

Stephen Mayne