



29 March 2021

Review of the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Act 2018

Opening remarks by Kasy Chambers, Anglicare Australia

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Thank you for the opportunity to give evidence at this hearing.

Anglicare Australia was active in debates surrounding the most recent amendments to the Electoral Act, and from the outset, our priority has been ensuring that the Act allows charities to fund and participate in issues-based advocacy.

Advocacy is essential for charities and not-for-profits to take part in public debate. Advocacy leads to better Government policy, and evidence-based policy. And as we all know, the periods before elections are a crucial opportunity to influence the direction of these policies. This is why advocacy is such an important tool for so many charities to advance their charitable purpose – and to meet the expectations of our supporters and donors, who expect us to advocate in support of our mission.

If charities and not-for-profits are scared away from advocacy, the voices of those who cannot speak for themselves will be lost from public debate. Instead policy will be shaped by self-interested advocacy from business, industry groups, and other third-parties.

That is why this Act is so crucial to our democracy.

After much debate and work on the latest version of the Act, we believe the current thresholds and definitions are striking the right balance, achieving transparency without stifling advocacy. The current Act offers a clear distinction between issues-based advocacy and politically partisan electioneering. This was a key concern in the last set of amendments. The Act provides a clear regime that is not ambiguous.

We ask the Committee to retain the current definition of 'Electoral Matter.' A great deal of work was done before the last election to ensure a definition that is consistent with the Charities Act, which recognises that charities can advance their purpose through advocacy. While campaigning for any party or candidate is rightly barred, charitable organisations are permitted to compare or rank the policies of both parties and candidates. The current Act respects this right.

We also ask the Committee to keep the current thresholds, which are helping to ensure that charities and not-for-profits don't face a greater compliance burden than they do currently do. The current thresholds also mean that charities are not subject to more limitations to participate in the political process than other third parties, such as businesses and industry associations.

Finally, Anglicare Australia is a member of Hands Off Our Charities Alliance and we support their call to rename the 'political campaigner' category to 'large third party.' Classifying charities, not-for-profits, and community groups as political campaigners will prevent many from participating in public debate for fear of attracting this label. Given the tendency of some commentators to cast legitimate advocacy as electioneering, formally labelling charities as 'political campaigners' would be especially harmful.

More broadly, we hope the Committee will use this Inquiry as an opportunity to focus on empowering citizens and community groups to take part in public debate. Political activity should be more inclusive, rather than being reserved for political parties, well-funded lobby groups, and industry advocates.

Thank you for your time.

