

To the Joint Standing Committee on Electoral Matters,

Submission to the Inquiry into the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017*

I am greatly concerned that the impetus to seek election funding, whether or not this is beyond the government's provision of electoral funding, in order to gain electoral advantage, is corrupting our political system. I believe it has led to an "arms race" where no amount of funding is enough, with all political parties and election candidates knowing the others may get more. I acknowledge that not all parties and candidates choose to participate equally in this arms race.

I would like the *Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017* to include the following provisions:

1) A dollar cap on the total amount spent on election advertising spent by each political party and election candidate, whether or not the amount spent receives electoral funding. This would consist of one total amount to cover any and all types advertising, as each political party and election candidate so chooses, e.g. via: internet, television, radio, print media, letterboxed material, street advertising, etc.

2) Non-dollar caps on election advertising for each political party and election candidate. This would include separate caps for the amount of advertising via:

- * Internet, e.g. maximum number of postings.
- * Television, e.g. maximum number of minutes.
- * Radio, e.g. maximum number of minutes.
- * Print media, e.g. maximum number of ads, perhaps reflecting the relevant circulation size.
- * Letterboxed material, e.g. maximum number of leaflets.
- * Street advertising, e.g. separate maxima for number of billboards and corflute signs.

I would like this cap to apply to each political party and election candidate, regardless of who pays for this advertising. For instance, I would like to avoid the situation where, for example, a corporation, a union or a not-for-profit could still "buy" political influence by paying for election advertising which promotes a particular political party or election candidate, thus avoiding making a direct donation to that political party or election candidate.

3) Immediate and "live" internet updates of all donations (not just dollar amounts) to all political parties and election candidates, including:

- * Details of the donor, including name of the individual, legal name of any entity they represent, type of legal entity, contact details of individual any relevant entity.
- * Details of the donation (not just dollar amounts), including what it consists of, the amount received, date of donation, details/method of transaction.
- * Details of the recipient, including name of the individual, the name of the party they represent if relevant, contact details of the individual.

4) Immediate and "live" internet updates of all money spent on advertising by political parties and election candidates, at least including all the types of advertising listed in point 2) above, and the quantities of each type of advertising paid for.

5) A dollar cap on donations from any one individual or other entity, e.g. a corporation, a union, a not-for-profit.

6) A ban on donations from non-Australian citizens and non-Australian entities, e.g. foreign corporations.

As examples of circumstances I would like to avoid occurring in the future, two examples of past political donation "scandals" follow:

Re. Senator Sam Dastyari in 2017, quoting from <http://www.smh.com.au/nsw/sam-dastyaris-fall-highlights-wider-problem-of-donor-influence-in-big-money-politics-20171212-h0395z.html>

“... the company [Yuhu Group] had been donating hundreds of thousands of dollars to the NSW ALP (and the Liberal party), while Senator Dastyari was NSW Labor general secretary – the top fundraising job at Sussex Street. The root of Senator Dastyari's undoing was arguably accepting Mr Huang's offer to pay a \$5000 personal debt incurred while general secretary. It was exacerbated by his decision, while a Senator, to approach another Chinese businessman-donor to cover a \$1600 over spend on his travel budget. The "transactions" show Mr Dastyari was wont to treat donors like a personal ATM – likely a hangover from his days as general secretary soliciting much larger amounts from all manner of business people. But more importantly they give credence to later claims that he acted the way he did – speaking against ALP policy on the South China sea and allegedly tipping off Mr Huang to possible Australian intelligence agency surveillance – because he owed them. Not because of the relatively paltry sums settling personal debts, but due to the enormous donations to the NSW ALP that allowed him as general secretary to fight election campaigns.”

Re. Senator Arthur Sinodinos in 2014, quoting from

<https://www.theguardian.com/world/2014/apr/03/arthur-sinodinos-denies-knowledge-of-74000-awh-donation-to-nsw-lib>

“Arthur Sinodinos has denied knowing the company he was deputy chairman of donated about \$74,000 to the New South Wales Liberal party he was treasurer of, saying he cannot recall being aware of it and did not know “precise” details. Sinodinos took the stand at the Independent Commission Against Corruption hearing on Thursday as the state watchdog investigates Australian Water Holdings. It has heard AWH was pursuing a lucrative public-private partnership with the NSW government that would have made Sinodinos between \$10m and \$20m and the Obeid family about \$100m.”

Thank you for the opportunity to make a submission.

Kind regards,
Daniel Hirschfeld