

Joint Standing Committee on Electoral Matters
Submission No. 114
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Secretary AKS

SUBMISSION NO. 114



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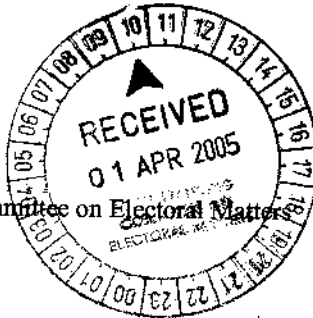
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The Secretary,
Joint Standing Committee on Electoral Matters
Parliament House
Canberra



Please Reply to Tamworth Office

Dear Sir/Madam,

I wish to respond to the invitation for submissions into the conduct of the 2004 Federal Election.

My interest in writing arises, in part, from my position as the unsuccessful (some within this electorate have said, "failed") Nationals Candidate at the last election for the Federal Seat of New England. Nevertheless, this submission is made in my personal capacity, and certainly not as a spokesperson for The Nationals.

There are a number issues I seek to raise.

Firstly, I raise the problem of the availability (or lack there of) of absentee voting facilities in the electorate.

I am sure the members of the Committee are aware that electorates such as New England are large and dispersed. In the case of New England this is an electorate covering approximately 54000 square kilometres.

The electorate stretches from Werris Creek in the south to the Queensland border in the north.

In short, whilst certainly not the largest electorate in New South Wales, New England is a large and disbursed electorate with the population primarily based in a number of large urban centres.

I must concede that I no longer have my diaries recording precise dates however, it is my recollection that, during the 2004 Federal Election, absentee voting became available two weeks prior to polling day in Armidale. Armidale is the second largest centre in the electorate and approximately 110km from the largest Centre, Tamworth.

Armidale is a regional Centre with a population of about 22,000 people.

An absentee voting centre was opened in Tamworth about one week prior to the election. Tamworth has a population of about 33,000 people and lies towards the southern end of the electorate.

The third largest centre in the electorate is Inverell, with a population of 11,000 people. An absentee voting booth did not open in this centre until three days before the election.

Inverell is a centre approximately one and a half hours from Armidale, towards the western boundary of the electorate, and two and a half hour trip (by car) north west of Tamworth.

The northern half of the electorate, from Armidale to the Queensland border (by car a drive of about three and a half to four hours) had no absentee voting booths during the election period.

One of the difficulties that arose as a result of the decisions taken by the AEC was the confusion arising from the date of opening, and location of the absentee polling booths.

I suggest a review of the demographics of this electorate, including income and age distribution, would demonstrate that this electorate is decidedly disadvantaged. In those circumstances, the absence of absentee voting booths is inconsistent with the insistence upon compulsory voting and the concept of the appropriateness of the all qualified persons in the electorate being provided with the opportunity to vote.

Proposal 1

I suggest that at future Federal Election there should be policies and guidelines in place ensuring that absentee polling booths are open two weeks prior to election day, and in rural and regional areas, at locations no more than one hundred kilometres apart.

The inconvenience caused by this lack of availability of absentee voting centres was, naturally, exacerbated by the problems associated with the late distribution of postal ballots.

I feel comfortable that other submissions will deal in detail with this problem, and the need to ensure that it is not repeated at future elections.

Proposal 2

I suggest that it is appropriate for this Inquiry to investigate and report upon all the circumstances leading up to the failure of the AEC to distribute postal ballots in a timely and efficient manner. Thereafter I encourage this Inquiry to make recommendations to avoid a repeat of these problems.

A third issue I wish to raise relates to the current system of electoral public funding.

I wish in that respect to limit my remarks to (what I believe to be) the unintended consequences of the current regime of electoral public funding as it impacts upon the Independent members of the parliament.

Whilst my exposure to party politics has been relatively brief I am fairly comfortable in observing that where a candidate seeks to represent one of the major parties, the electoral public funding flows to the Party and the individual candidate does not receive the benefit of any direct funding.

In my case I am certainly prepared to observe that the election campaign process cost me five months income, together with my costs of fuel, car expenses and accommodation.

Whilst The Nationals provided some limited funding prior to the election, the vast bulk, approximately eighty percent of funds expended, came from donations raised directly by my campaign committee. In short the election process was personally a very expensive and exhausting exercise.

I am confident that the same can be said of the candidates who stood for the Liberals, the Australian Labor Party, and the Greens.

When one looks at the Independents however, their status (as Independents) provides them with a unique opportunity to potentially profit personally from the electoral public funding initiatives.

I believe this "unintended consequence" is most glaringly demonstrated by the electoral public funding of the Senate candidate, Ms. Pauline Hanson. She received \$199,886.77 of public election funding, according to AEC records.

In her case we are not assisted as to her campaign expenses as she has lodged a "Nil Return" however, anecdotally, it would seem her costs in running for the Senate reflected her efforts, that is to say, minimal.

This Inquiry is therefore entitled to assume that Ms Hanson has received a significant windfall from simply standing (unsuccessfully) for election.

If we then turn to the House of Representatives, there were three successful Independent candidates for election, they being,

- a) Antony Windsor MP, member for New England
- b) Peter Andren MP, Member for Calare
- c) Robert Katter MP, Member for Kennedy.

Each of these candidates also received election public funding.

By way of a little background, one can have reference to the 2001 Election, and the effect of public election funding upon their respective positions.

Set out below is a table which shows the net benefit to each candidate.

2001 Election Public Funding Outcome

Name & Electorate	A Disclosed Election Expenditure (Items I) to vi)	B Total Donations Disclosed Item 2	C Election Public Funding received	D Net benefit (B +C-A=D) benefit in each case
Antony Windsor New England	\$115,519.00	\$91,900.00	\$64,435.04	\$40,816.04
Peter Andren Calare	\$40,460.81	\$2,200.00	\$73,017.54	\$34,756.73
Robert Katter Kennedy	\$40,121.00	\$45,297.00	\$63,652.69	\$68,828.69

The average benefit to the candidates at this election was therefore \$48,1333.82

he figures quoted in this table are obtained from publicly available information obtained from the Australian Electoral Commission website, including the members' Candidate Returns.

I readily acknowledge however that the raw figures contained in those Returns then required me to manipulate a calculator.

If the same exercise is undertaken with respect to the 2004 Federal Election then the following results are obtained:

2004 Election Public Funding Outcome

Name & Electorate	A Disclosed Election Expenditure (Items I) to vi)	B Total Donations Disclosed Item 2	C Election Public Funding received	D Net benefit/Loss (B +C-A=D)
Antony Windsor New England	\$76,828.00	\$56,121.00	\$89,562.59	\$68,855.59
Peter Andren Calare	\$28,104.67	\$950.00	\$79,413.12	\$52,258.45
Robert Katter Kennedy	\$67,348.24	\$34,002.00	\$63,544.49	\$30,198.25

The average benefit to the candidates at this election was therefore \$50,437.43

It is submitted this demonstrates an outcome that was not anticipated by the Parliament when the relevant legislation came before the Parliament.

It can also be said that the 2004 Federal Election results were not abhorrent. From the perspective on the Independent members at the (likely) 2007 election (in the above three seats) I suggest they can safely assume that they will again receive a 'windfall' of between \$20,000 and \$50,000, even if they are unsuccessful at that election.

It can be said this "windfall" is a positive disincentive for any of the established Independents to retire "gracefully". Plainly, financially, it would be better to "go down fighting" than to "leave quietly".

In short, unlike members of one of the established parties, for Independents, the electoral public funding can be seen to be an additional benefit they receive over and above their salary, benefits and superannuation.

I should acknowledge that it is my understanding that following the 2001 Federal Election the Member for Calare donated most, if not all, of his "benefit" to charities. If I am correct in this understanding then Peter Andren MP is to be congratulated for his generosity.

It is, however, not clear to me that the other Independents were equally "generous".

I should add, that even if the other two Independents profess to have been equally "charitable" there is no mechanism in place to verify any assertions that the Member may make in that respect.

I contend that the intention of the Parliament was to lessen the dependence of candidates, and particularly the Parties, on political donations from interest groups.

I do not believe it was ever the intention of the Parliament to see a personal benefit to individual candidate or member.

It may be that the application of any excess funds to charitable purposes may well be outside the intention of the Legislature. Nevertheless this Inquiry may consider that the application of "excess funds" to charities within the electorate may be considered appropriate, and that a member should be entitled to apply funds (such as these), publicly, to such ends.

Proposal 3

I encourage this Inquiry to examine ways of ensuring that Independent Members and Candidates should only be entitled to receive electoral public funding up to that amount required to see their campaign costs covered.

Proposal 4

Beyond that commitment, I submit any excess should only be available to the candidate or member for donation to registered charities within their electorate.

Proposal 5

Further I suggest, there should be a mechanism for the annual reporting of such donations by the member.

Yours faithfully
EGAN MURPHY

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