Panel of Experts – Political Donations

Submitted by The Honourable Peter R. Graham Q.C.

Date: 4 September 2014
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As a student of the political process in Australia for over 50 years, having advised political parties, appeared for them in Court proceedings, worked for them and their candidates, made donations to them and scrutineered for them, I am concerned to see a sensible and fair resolution of the current issues in relation to Political Donations. I am not and have not been a member of a political party for almost 10 years now.

I am familiar with the Panel of Experts’ Issues Paper and the Discussion Points referred to therein.

In my respectful opinion:

- there should be no public funding of political parties, whatsoever. It is an affront to freedom of speech to have a system that compels the individual taxpayer to support political parties with whose policies (if they happen to have any) that individual may have violent disagreement. Furthermore, the system should not lead to the entrenchment of the status quo- no political party has the right to maintain its existence in perpetuity at the taxpayers’ expense.

- Individuals should have the liberty of making donations in such amounts and to such political parties as they see fit. Institutions, such as companies and unions, should refrain from making donations to political parties unless the donations are made strictly in accordance with the expressed wishes of their members. Companies and unions should be required, periodically, to ascertain, by secret ballot, the wishes of their members, to determine the political parties, if any, that their members wish to support. In the case of companies, their members’ wishes should be counted pro rata according to their individual shareholdings.

- There should be no restraints imposed upon anyone, perhaps other than a foreigner or a foreign country, who wishes to provide funding for political parties.

- There should be mandatory public disclosure of the sources of all political funding where the amount involved exceeds (say) $1,000.

A fundamental right of an individual is to use that individual’s own money to campaign for a point of view or to support the policies of a political party or a third party.

Our democratic process will be stultified if individuals are deprived of the opportunity to dig deep into their own pockets to ensure that policies, which they espouse or with which they agree, are supported and that policies with which they disagree, are opposed.

Voluntary donations are the surest way to secure the will of the people.

Whilst the recent federal election for the Senate produced a farcical result, the major parties have been hoist with their own petard. The sooner the possibility of “Above the Line” voting for the Senate is abolished, the sooner will candidates emerge who express policies upon which the electorate may make sound judgments at the Ballot Box. The stupidity of having the electorate vote blind, by allowing voting above the line, needs urgent attention. This has nothing directly to do with the funding of political parties for State elections, but indirectly it does, because it highlights the impropriety of having publicly funded elections.

Peter R. Graham