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19 January 2020

Committee Secretary
Economics and Governance Committee
Parliament House
George Street
Brisbane Qld 4000

Email: egc@parliament.qld.gov.au

Dear Secretary

Subject: Inquiry into the feasibility of introducing expenditure caps for Queensland local government elections

The QLGRA (Queensland Local Government Reform Alliance) is a peak body representing resident and community organisations in Queensland. We are a non-partisan and not-for-profit incorporated association.

Please find our responses to the recently released *Issues Paper* from your Committee.

We would appreciate the opportunity to appear before the Committee at the Public Hearing to be held in February 2020. To expedite the Committee's procedures, we are happy to be included in any combined community presentation from peak resident and community organisations that the Committee may offer.

We wish the Committee well in its deliberations.

Yours sincerely

Jannean Dean
Vice President

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Issues for consideration

1 **What are the primary campaign expenses for candidates, groups of candidates, political parties and third party groups for local government elections?**

Campaign expenses include, but are not limited to:

Flyers, social media advertisements, fuel, graphic design, website costs, corflutes, how to vote cards, television and radio advertisements, stalls at markets, billboards and printing, provision of water, chairs, marquees, sunscreen, food for supporters at polling booths.

Other costs are those associated with polling booths and attendance at polling booths. Such costs associated with "being known" (e.g. 10 x 6 Metre billboards) to the public should be subject to expenditure cap limits.

For councillors, grass roots techniques such as door-knocking, attendance at public forums, involvement with local residents' and community groups do not need to be expensive and local media offers plenty of opportunity for exposure if a candidate engages with the media.

We concede that mayoral candidates in mid to large councils and even councillor candidates in undivided councils would find it harder to rely on grass roots campaigning alone.

2 **What types of expenses should be included in any expenditure cap, and what should be excluded?**

Included: Billboards, sign wrapped cars and vehicles, vehicles (including those specifically purchased for election purposes), rentals and donations in kind which should be costed out on a full commercial value of the service/goods supplied, payments to booth workers, TV and media advertisements, all printing, on-line marketing, web hosting and web page development.

Excluded: Fuel for personal vehicles, meal costs (cafés etc) during the campaign, food, water and shade etc for booth workers and donations to community groups.

3 **For how long do candidates, parties and third parties campaign for local government elections?**

For most candidates with limited funds available typically it might be 4-6 weeks maximum with pre-polling for just 1 week. For independent local candidates it is impossible for them to have booth workers at pre-poll for 2 – 3 weeks; this results in a lack of balance in democracy at the local level.

4 **From what period should expenditure caps apply?**

As is currently set, in the time period since last election for sitting and previous candidates and for a period from 20 January on the year of the election for new candidates or from their first public announcement.

5 **How much are local government candidates spending on their campaigns, and how does spending vary across local government areas, and for new or incumbent candidates?**

We are not in a position to know this across the state.

Even a cap set at \$0.50 per registered voter for both councillor and mayoral candidates above a minimum threshold, will result in the potential for large amounts being expended.

Note: At this stage we are not supporting a particular model of expenditure cap figures. We believe the amounts may fall in the range suggested by the DLGRMA and the LGAQ early 2019 but we would like to see more discussion on this issue once the EGC has reported on its inquiry.

6 How much are mayoral candidates spending on their campaigns, and how does this vary across different local government areas?

Again, we are not in a position to know this across the state.

One of our members who has previously stood in elections for Mayor (in a LGA with over 110,000 electors) has spent about \$15,000, but it has depended on number of candidates and the "flow" of the election.

If your opponent is spending \$200,000 to \$300,000 (and we believe that expenditure of that order was incurred in mayoral elections in some of the larger SE Queensland LGAs in 2016) there is no way to match this when self-funded. To quote our member "so you try to spend less so as to not just throw money away, hoping people vote for your personal qualities and your policies"!

Interestingly, in the Ipswich 2017 Mayoral by-election if there was a cap of \$0.50 per voter, with 11 candidates and approximately 110,000 voters a collective spend during the election of \$605,000 could have been potentially incurred just to entice people to decide on a new Mayor.

Another member who has previously stood for election as a mayoral candidate in another, and smaller LGA with approximately 75,000 electors, spent \$13,000 (2018 by-election, 7 candidates) and \$20,000 (2016 Council elections, 6 candidates).

7 How much are groups of candidates, parties, and third parties spending on campaigns, and how does this vary across different local government areas?

This has never been publicly known in the past as this is one source of "unreported" money that has been and will continue to be expended unless effective expenditure cap legislation is enacted.

8 What factors should be used to determine variation in the applicable expenditure cap? For example, should caps vary according to:

a. the number of electors within the local government area

Yes.

b. whether the council is a metropolitan or non-metropolitan council

No.

c. the different categories of council identified by the Local Government Remuneration Commission, or

No.

d. some other variable?

No. The number of electors should be the sole criterion.

9 Should there be any difference in the applicable cap depending on whether the candidate is independent or endorsed by a party?

A political party should have to declare all costs.

For instance, where a political party is conducting polling for a potential candidate prior to them nominating (and we are aware that this is currently happening in at least one LGA), this should be a declared cost and included under the applicable expenditure cap.

10 Should higher caps be set for mayoral candidates, and if so, how should they be calculated?

Yes. For example, mayors have to have booth workers at 50 – 60 polling booths unlike divisional candidates who may only need to cover a handful of booths; this is made worse by the continuing growth in pre-polling.

11 What caps should apply for groups of candidates and political parties? Should some form of aggregation be employed to calculate these spending caps?

Yes, but we are uncertain how this would happen.

We are aware of booth workers getting paid by political parties and possibly even genuinely independent candidates and this is currently undeclared election expenditure that should be part of any expenditure cap.

12 What caps should apply for third party groups?

Use the same formula for individuals, and apply it across the group as not all groups will have the same number of candidates. This is unlike the situation in the Brisbane City Council, for example, where there is an endorsed party candidate for each ward to the best of our knowledge.

13 Should different caps be set for by-elections than for general elections?

No.

14 What penalties should apply in relation to expenditure in excess of a cap and/or efforts to circumvent an applicable expenditure cap?

Dismissal of any successful candidate who is shown after an election to have exceeded the applicable expenditure cap. Unsuccessful candidates found to be in breach of the expenditure cap should be disqualified for standing at the next local government election at least.

15 Are any additional powers or supporting provisions required to aid the Electoral Commission of Queensland in monitoring and investigating the accuracy of reported expenditure?

Yes, appropriate powers and proper jurisdiction support for the ECQ to manage complaints relating to expenditure cap breaches must be in place.

16 What resources or training may need to be provided to candidates and other election participants to ensure they understand their requirements with respect to any expenditure caps?

Extensive resources need to be available on both the ECQ and DLGRMA websites (both organisations have shown that they are capable of creating very useful fact sheets etc on other areas of governance).

Once expenditure caps are in place this should be included in future mandatory training that incumbent and new candidates are now required to undertake prior to nominating for mayoral or councillor elections. The option of on-line training and face-to-face training should remain.