Out of the Bear Pit – A Perspective from NSW Jonathan O'Dea MP

Introduction

In the interests of properly functioning democracy, this paper discusses ten ideas for strengthening democratic systems in an Australian and NSW context:

- 1. Fixed election cycles
- 2. Tighter and more consistent donation laws
- 3. Improved parliamentary processes
- 4. A national ICAC
- 5. Federation reform, starting with health and education
- 6. Greater transparency regarding public expenditure
- 7. Empowered regional governments
- 8. Candidate selection by party members
- 9. Banning misleading political advertising
- 10. Better public engagement

Worldwide political environment

Around the world people are losing trust and faith in political systems. Many sense they observe, rather than participate, in their democratic parliamentary systems. Many feel alienated and disillusioned by party systems. The recent Brexit experience, presidential nomination of Donald Trump and Australian federal election result all somewhat reflect this sentiment.

Globalisation, economic pressures, people movements and the effects of the digital age are generating concerns for citizens around the world, especially regarding future employment. They want governments to listen and rule in the best interests of citizens, not the interests of politicians themselves, big business, or special stakeholder interests.

In his book, 'Ruling the Void: The Hollowing of Western Democracy' Irish political scientist Peter Mair said "The age of party democracy has passed. Although the parties themselves remain, they have become so disconnected from the wider society, and pursue a form of competition that is so lacking in meaning, that they no longer seem capable of sustaining democracy in its present form".

Peter Mair cites United Kingdom (UK) examples including the decreasing Tory party membership (from 3 million in the 1950s to barely 100,000) and a sharp fall in recent voter turn-out at elections. He also outlines the role played by the European Union (EU) in bypassing national democracy in Europe.

The UK vote to leave the EU was a vote for greater local democracy. Brexit leavers voted for their Government to have more control over the future of its citizens. Many UK citizens are angry about the negative effects of uncontrolled immigration on employment and wage rates, social cohesion, house prices and the standard of health and education services.

Abraham Lincoln once said, "Public opinion is everything". He believed it was his role as leader to identify what the electorate wanted and, within reason, provide it. People want to feel listened to and responded to in a traditional democratic parliamentary system.

The surprise Trump presidential campaign reflects the electorate's demand for a response to their concerns. Americans want representatives who will prioritise their concerns above those of big business. They want to be heard. Some are middle or working class people who lost their jobs during the Global Economic Collapse of 2007/2008 and never regained them. Others are concerned about their children's futures in an environment where work is becoming increasingly sparse, with US manufacturing increasingly moving to countries such as Mexico or China. They hope Trump can reverse their families' prospects.

These people feel disenfranchised and distant from the Great American Dream. In the quest for cheaper products, many Americans have paid a high price and they want the government to help. These people hope Trump will finally deliver solutions to their problems after sensing little response from traditional Republican and Democrat representatives.

Australian voter disillusionment

People in Australia may feel similarly. While they have not experienced the high job losses of the US or the decreasing autonomy of the UK Government, they are becoming increasingly disillusioned with the democratic parliamentary system.

Reform at all levels of politics in Australia should reflect the electorate's demand for transparency, public engagement and integrity from political leaders and government institutions.

A 2014 study conducted by the Australian National University (ANU) was revealing. Only 56% of voters believed their vote mattered, down from

70% in 1996. Only 43% of voters believed it made a difference when different parties were in power. Satisfaction with democracy was 72%, compared with 86% in 2007.ⁱⁱ

Since the Rudd-Gillard Governments there has been a strong decline in satisfaction with our democracy. Similar polling by the Lowy Institute in 2014 corroborates the ANU results. It shows only 60% of people believe our current democracy is preferable to other types of government.iii When the Lowy Institute asked why the system wasn't working, people supported the statements; "there is no real difference between the politics of the major parties" and "democracy only serves the interests of a few and not the majority of society". Voters are becoming increasingly cynical about the accountability and intent of their elected representatives.

In the 2013 Australian federal election about 3 million people opted out of voting by not enrolling, not showing up to vote or voting informally.^{iv} Many do not believe their vote matters. The 2016 election had the largest percentage of people who failed to cast a vote. 1.4 million people did not vote, which was 9% of 15.7 million eligible voters. This was the worst voter turnout since compulsory voting was introduced in Australia in 1925.^v

This voter attitude is more prevalent among young voters, who often do not engage with mainstream politics. High numbers of young people do not enrol to vote and few join political parties. Professor McAllister of ANU believes a healthy democracy depends on the "largest number of people engaging in it and if there's an economic problem or a threat to democracy this can become a real problem". He believes this situation can lead to young people turning to charismatic leaders or protest

parties, rather than major parties who provide the best long term political stability.^{vi}

In a report by the ANZSOG (Australia & New Zealand School of Government) Institute for Governance, 'How Do Australians Imagine Their Democracy? Australian Survey of Political Engagement Findings 2013', the level of disengagement by Australian voters is clear. 9 out of 10 people regard themselves as without influence at the federal level of politics, and 7 out of 10 at other levels of government. The report shows strong support for processes of representative democracy such as consultation, compromise and democratic judgement. Their findings suggest people desire a more inclusive or participatory form of democracy that involves building on citizens' interests.

Party politics in a democracy should be an effective way for citizens' concerns and interests to be represented at every level of government. Parties can combine constituents' interests into policy programs and link governments with these groups. They can also rally support behind legislation supported by these groups to improve the welfare of constituents. Unfortunately, party politics has recently been marred by controversies surrounding fundraising, use of lobbyists and pre-selection squabbles. The support of political parties is integral to the stability of the parliamentary party system.

The NSW 'Bear Pit'

The NSW Parliament is renowned for its combative Legislative Assembly 'Bear Pit'. The Parliament's chamber is widely regarded as a 'make or break' environment for leaders and governments, with a 'winner takes all' focus, rather than as a forum for healthy, open debate. The 'Bear Pit'

has sometimes been a source of amusement for NSW constituents as some procedures appear outdated and political performances fickle.

The 'Bear Pit' team dynamic is distinctly combative and engaging for both sides of politics. Former NSW Labor Premier Kristina Keneally told Sky News in 2010 that it is the 'Bear Pit, not the teddy Bear Pit', alluding to the rough and tumble of politics. She inferred that if you are willing to dish out strong opinions, you must be able to endure the backlash too. However, this unique dynamic should not be used to foster corruption or personal abuse of an opposing party member, nor tolerate unethical behaviour.

Labor held power for 16 years in NSW from 1995 to 2011. There were accusations or instances of corruption, nepotism, incompetence and apathy, particularly in its final term. The controversies involving former Labor powerbroker, Eddie Obeid continue to play out in the courts to this day. Punishment for this politician's betrayal of voters by wilful misconduct in public office for his own personal advantage may include a jail sentence. The initial protection offered by the then Government, added to the NSW public's disillusionment and lack of trust with the party system. Viii

Recommendations for improving democracy

So, how do we deliver the better functioning democracy essential for continued political stability? How do we change public perception and reality? The following ten ideas explore how to strengthen our democratic systems in Australia:

1. Fixed election cycles

Fixed four year terms at federal level would strengthen the Australian parliamentary system. Fixed four year terms better allow elected governments to concentrate on governing rather than being in election mode. The current three-year variable terms can be manipulated for political advantage and do not allow as much time for governments to implement major reforms. Over the last 15 years federal government terms have lasted 2½ years on average. This is not conducive to implement stable, long lasting reform that has been subject to proper review and consultation procedures. Tasmania is now the only Australian state or territory without fixed four year terms.

The UK recently introduced fixed five year terms, beginning after the 2015 election. France and Indonesia have fixed five year terms, whilst the US, New Zealand and German governments all have fixed four year terms. Former NSW Liberal leader John Brogden commented^{ix} that fixed four year terms won't guarantee better government but "will provide the structure for it" and would allow federal governments to make robust long term decisions in the best interests of the nation.

2. Tighter and more consistent donation laws

Large ongoing political donations to representatives, parties or organisations have the potential to create a culture or impression of bribery and corruption. An ethical and democratic system of government should not prioritise donors of monies, whether individual, corporate or union, in the decision-making process over electorate demands.

NSW already has strict donations laws^x whereby:

- Individual donors must be on the electoral roll to make a political donation. Non-individual donors need to possess either an ACN (Australian Company Number) or ABN (Australian Business Number) to make political donations. This precludes foreign entities.
- The financial year donation cap for combined political donations to, or for the benefit of, a registered political party is currently \$5,800 and \$2,500 for individual candidates.
- Prohibited donors cannot make political donations eg. property developers, the tobacco industry and liquor or gaming industries.
- Annual donations over \$1,000 must be declared with the Election Funding Authority.
- There are relevant expenditure caps for election campaign purposes.

Similar laws could be replicated around Australia and at Commonwealth level to deliver legislative consistency. Currently there are ways state laws can be bypassed at a federal level, leading to public cynicism about the sincerity of legislative changes made at state and local council level.

In 2016 the NSW Parliament passed the Local Government and Elections Legislation Amendment (Integrity) Act 2016. Provisions were introduced to curb the actions of dishonest councillors, tighten donation laws and restore community confidence in local government.

As a backbencher in 2009, Malcolm Turnbull indicated that he believed caps on individual political donations should be introduced. In March 2016 NSW Premier Mike Baird unsuccessfully requested the issue of national donation reform be placed on the Council of Australian Governments (COAG) meeting agenda. The Schott Report on donation

reform recommended that COAG consider existing reforms and those proposed for NSW as the basis for national donation laws.xi

Turnbull has remarked that it is difficult to design donation laws that stop donors 'playing' the system by using third party entities to fund election campaigns. However, the NSW Liberal Government faced the same dilemma, setting a precedent for tighter restrictions on political donations. xii

While NSW laws only allow donations from people on the electoral roll or companies with an ACN or ABN, Federal laws allow donations from overseas entities, with amounts over \$13,200 to be disclosed. The ABC revealed that between 2013 and 2015, people and companies linked to China made donations to both Labor and Liberal parties of more than \$5.5 million.xiii

Some of these overseas donors do not disclose donations to the Australian Electoral Commission where legally required. A spokesman from the AEC said even though they "seek compliance, overseas donors cannot be compelled to comply with Australian law when they are not in Australia".xiv Professor George Williams from the University of New South Wales Law School said the current system is "open to the possibility of undue influence and of determining outcomes that aren't in the best interests of the community."xv 114 countries have banned foreign donations to political parties. It is in Australia's best interests to join them.xvi

Any federal donation law reform also needs to address union funding of the Labor Party. If Australia is serious about improving democracy, with more transparency and accountability, nationwide donation laws need to be tightened and made consistent.

3. Improved parliamentary processes

Following its election to government in 2011, the NSW Liberal-Nationals introduced a number of changes to parliamentary procedures to help bolster a sense of trust and integrity in the NSW Parliament. These included: an improved question time every sitting day; a reformed prorogation provision; and a legislative amendment to ensure the pecuniary interests of politicians could be examined by the NSW ICAC on request.

Another important initiative was encouraging citizens to voice their concerns using petitions^{xvii}. Petitions with more than 10,000 signatures are now tabled for discussion within the NSW Parliament and those with 500 or more signatures receive a public response from the relevant Minister within 35 calendar days of receipt^{xviii}.

Neither the NSW Parliament nor the Federal Parliament accept petitions in electronic form. Petitions are required to have original signatures on them. In light of online democratic engagement through platforms such as GetUp! and Change.org, perhaps Parliaments should consider allowing formal recognition of online petitions with e-signatures^{xix}.

This change would empower the Australian public, especially young constituents to communicate with their representatives and strengthen accessibility to political decision-making. Citizens' petitions are an important component of true participatory democracy as they enable citizens to directly engage with policy matters that shape their lives.

Citizens perceive an artificial separation between representative and participatory democracy. All democracy should be participatory. However many believe our form of democracy, the Westminster System (representative democracy) is not. Representative democracy is often viewed as producing professional politicians beholden to those who finance their election campaigns.

Another area where parliaments could better represent the electorate is at the parliamentary committee level. Parliamentary select committees are important forums for examining policies and might benefit from representation by relevant policy experts or lay citizens.

A citizen's or expert's perspective on public policy making could be especially valuable at the local level when considering the provision of frontline services such as health, education and policing. Representatives could be randomly selected from the electoral roll to sit on the committees, similar to jury duty selection.

During 2011 and 2012 the NSW Public Accounts Committee conducted an inquiry into the Economics of Energy Generation. The Committee collaborated with the NewDemocracy Foundation to run citizens' policy juries comprising randomly selected voters. They heard evidence from experts, deliberated and made findings, which were incorporated into the Committee's final report to Parliament.

The citizen jury reports valuably informed the Committee of the educated views of the public on different types of energy generation and other aspects of managing electricity, including demand management initiatives. Other parliamentary committees could incorporate this type of

deliberative process into future inquiries and encourage citizens to be more active in the committee decision-making process.

4. A national ICAC

Another area where citizens expect greater scrutiny relates to corruption. NSW already has an Independent Commission Against Corruption (ICAC), Victoria has the Independent Broad-based Anti-Corruption Commission (IBAC), Tasmania has the Integrity Commission, South Australia has the Independent Commissioner Against Corruption and Western Australia has the Corruption and Crime Commission.

Introducing a federal corruption body would enable more thorough scrutiny of parliamentarians and affiliated interests at a national level and strongly reflect public sentiment. Though Australia is not seen as a highly corrupt country, it fell in Transparency International's corruption trust index from 7th in 2012 to 13th in 2015.

There may be more scope for corruption at state and council level, associated with areas such as planning and licensing. However, the Accountability Round Table, a group of citizens concerned with the perceived erosion of integrity and honesty in our democracy, believes more needs to be done at the federal level. As reasons, it points to: an increase in the privatisation of federal services, the growth of direct federal funding for many programs, the authority of ministerial political staffers over public servants and the power of lobbyists.*x

Transparency International believes it is time for a stronger federal approach to corruption. It suggests the use of private investigations, aimed at prosecuting criminal behaviour, rather than public hearings that

fuel media activity.*xi Graeme Samuel, a former chairman of the ACCC, recently told Fairfax Media that it was time for a national anti-corruption body and that investigations should preferably be private.*xii

A federal ICAC may have helped with past cases of government bribery and fraud including: the Australian Wheat Board scandal in Iraq where there were allegations of kickbacks but no investigative action was taken; the Securency Pty Ltd and Note Printing Australia bribery charges; and the bugging of the East Timor cabinet room by Australian security agencies following negotiations by the Howard Government and East Timor regarding East Timor Sea oil and gas revenue. Having a federal ICAC to investigate cases like these should instil more confidence in the public about the integrity of their government.

5. Federation reform, starting with health and education

Corruption and donation laws are not the only areas where federal and state boundaries become blurred. In the areas of education and health, many citizens are confused about what levels of government are responsible for funding and delivering frontline services. This lack of accountability and transparency leads the public to feeling disempowered and frustrated.

This continued uncertainty about funding and the public's high expectations of both the education and health sectors creates a dilemma for state governments. There is a need for greater clarity regarding funding areas of responsibility in delivering on public expectations of quality health care and education.

To simplify funding models, cut duplication and render processes and funding more transparent to citizens, why not simply assign one level of government responsibility for funding each of these functional areas? Given the Commonwealth Government already operates Medicare, private health insurance rebates, aged care and pharmaceutical benefits, it makes sense for them to fund (but not actually deliver) all health expenditure.

If the states then funded all education it would result in a simpler, more efficient and transparent funding model. The states currently have primary responsibility for education and there is a good case for the Commonwealth Government to vacate this space. The current education funding model is complicated and difficult to understand, with various monies from state and commonwealth governments allocated to independent and government schools based on various factors.

This type of reform would attack duplication, increase efficiency and reduce the scope for conflict between different levels of government. It would also be far simpler for people to understand, ensuring the public is better informed. Education and health are the two main areas people rely on for high standards of service delivery. They want these basic services to be accountable and efficient, which is difficult when funding responsibilities are unclear.

For example, at the recent federal election in the seat of Lindsay, apparently the most important issue for voters was the state of the emergency ward at Nepean Hospital. Voters believed it was the Federal (rather than State) Government's call to allocate funds for its upgrade. They punished the Federal Government for not actioning something for which it was not responsible.xxiii So federation reform, beginning with the

health and education sectors, is vital for improving the efficacy of parliamentary democratic systems in Australia.

6. Greater transparency of public expenditure

Governments once actually provided the services they were responsible for delivering. Government departments now increasingly rely heavily on contractors, non-government organisations and private enterprise to provide these services. However, governments are still accountable to the general public and should ensure good value for money. Service delivery should be transparent, effective and accountable.

In 2013 the NSW Public Accounts Committee recommended the NSW Government amend the *Public Finance and Audit Act 1983* to provide an increased scope of legislative authority for the NSW Audit Office to 'follow the dollar'. 'Follow the dollar' powers would enable the Auditor General to track the use of public monies allocated to non-government organisations to deliver public outcomes on behalf of the State. These powers were recently introduced into the Victorian Parliament and exist to varying degrees in the Northern Territory, Queensland, Tasmania and Western Australia.xxiv The Australian National Audit Office (ANAO) received 'follow the dollar' powers in 2012.

The NSW Auditor-General does not currently have the capacity to examine performance outcomes from state funding of the private and non-government sector. She should be able to audit the performance of non-government organisations on behalf of government departments, to increase transparency and accountability. Expenditure of NSW taxpayer funds, from appropriation to final expenditure, should be subject to potential monitoring by an independent agency.

The NSW Parliament recently passed legislation that concentrates on fiscal accountability at local council level. The Local Government Amendment (Governance and Planning) Bill 2016 introduced reforms which include improving the financial management of councils by making the NSW Auditor-General the auditor of all councils.

Under this reform, councils need to establish an internal audit function to make them subject to oversight by the Auditor-General for their general audits. This should subsequently deliver improved council performances across the state and ensure that reliable financial information is available to assess and benchmark councils' performances, while also supporting financial transparency of councils.

Related amendments sought increased democratic effectiveness by improving local councillors' understanding of their ethical obligations and prioritising community engagement in decision-making processes.

7. Empowered regional governments

If people are able to be part of local political decision-making, they feel more involved in the democratic process, strengthening the community and social fabric. This includes decisions affecting local amenities, such as schools, hospitals, planning and policing. It is vital to develop integrated, inclusive and responsive local structures where people can participate.

In states where amalgamated council structures have been facilitated in recent years (NSW, Victoria and Queensland), this new structure could be further developed to empower local governments to make more frontline service delivery decisions at a more regional level.

State and council boundaries could be aligned so council and state representatives are elected at the same time from relevant areas. State representatives may even be elected by the democratically elected regional bodies. The 'state' representatives would consider matters that could not be addressed at the regional level. The NSW Government would become largely subservient to the more local entities, with a drastically reduced central bureaucracy.

8. Candidate selection by party members

Australia has one of the lowest levels of political party membership in the developed world. In most democracies, 5% of voters are party members. In Australia that figure is approximately 2%, albeit of a higher percentage of the population that votes, given Australia's compulsory voting laws.**xv

If people perceive party membership as having some intrinsic value to local representation, they are more likely to join. The methods currently used by the parties to pre-select party representatives can unfortunately deter well-qualified potential candidates.

In the NSW Liberal Party, for example, pre-selection participation could be broadened for all lower house seats, so all local party members of two years standing have one vote in selecting candidates. State-wide plebiscites might similarly be held for all Senate and Upper House candidate selection.

NSW Premier Mike Baird has backed plebiscite trials to allow more party members more power to vote on pre-selections. This follows consensus that the party needs to be more democratic. The candidate for his state seat of Manly, for example, would be decided by the 550 party members in the electorate, rather than 70 hand-picked preselectors.xxvi

Former Prime Minister John Howard warned against the growth of factions as "preferment co-operatives" that discourage "talented outsiders" from seeking nomination from the Liberal Party.xxvii He also commented on the number of people on both sides of politics whose only life experience was from within the confines of the Liberal Party and in political combat. With this structural change, the parties are likely to attract more active and 'well rounded' members. Greater opportunities for external candidates should lead to a broader cross-section of elected representatives at all levels of government. This would bolster our democracy and encapsulate its true essence.

The Greens are committed to such grassroots democracy. With their preselection process, all members are entitled to a vote by postal ballot and every member's vote counts equally. This system encourages party membership, involves members in decision-making and reduces factional fighting and favouritism in pre-selection decisions.

The Labor Party caucus recently adopted a more inclusive method for electing their leader. Labor Party members and MPs now vote, with equal weighting for each group. While ultimately the party leader needs support and respect from their colleagues to govern with authority, the change is generally seen as a positive step.

9. Banning misleading political advertising

According to the Advertising Standards Bureauxxviii there is currently no legal requirement for the content of political advertising to be factually

correct. Complainants are told to raise concerns directly with the advertiser or contact their local member of parliament.

Exemptions afforded politicians and political parties regarding false and misleading advertising should be removed so the public receives accurate information. In a post-election poll, the Australia Institute found that 87.7% of Australian voters wanted the Senate to pass 'truth in political advertising legislation' so political parties and candidates could be fined for false and misleading advertising^{xxix}, similar to corporations. In a healthy democracy, no government or political party should deliberately tell lies to the electorate.

Limited provisions currently exist at the state level in two jurisdictions, South Australia and Tasmania. Section 113 of the South Australian Electoral Act 1985 prohibits materially misleading statements of fact in electoral advertisements of any means. The Electoral Commissioner may request an advertiser withdraw the advertisement and/or publish a specified retraction, alongside maximum penalties of \$5,000 for a natural person and \$25,000 for a body corporatexxx. Similar laws apply in Tasmania, where permission must be sought to use the name, photograph or likeness of candidates in political advertising during electionsxxxi. In NSW, the Parliamentary Electorates and Elections Amendment (Truth in Advertising) Bill 2007 was introduced by the NSW O'Farrell Opposition, but did not receive Labor Government support in the Legislative Assembly.

In the case of the recent federal election campaign, where Labor initiated a Medicare scare campaign using factually incorrect information, the deficiencies with the law were evident. False text messages were apparently sent to targeted electorates, apparently from

Medicare. After investigation by the AFP, no Commonwealth offences were identified and the matter was considered finalised. xxxiii

10. Better public engagement

As levels of party membership drop, many citizens are looking for other ways to participate in democracy. Politicians need to engage these voters. Facebook updates and Twitter feeds are particularly important for young voters who respond to the use of new technologies. Older voters may be more responsive to other methodologies such as citizen assemblies.

Former Prime Minister Kevin Rudd's 'Australia 2020 Summit' aimed to develop polices for Australia's future challenges. The Summit gathered 1,000 people from business, universities, community groups and unions. The forum focused on long term goals, and brought achievers who were outside politics into decision-making and policy processes.

The previously mentioned 'NewDemocracy' is an independent and non-partisan organisation that aims to identify ways to improve democratic processes. It supports a deliberative jury model, where citizens are randomly selected into groups. The groups receive expert evidence before drafting recommendations, with past subjects covering transport networks, energy generation, obesity and managing the nightlife of Adelaide and Sydney.

With its participation in the NSW Parliamentary Public Accounts Committee inquiry into energy generation, NewDemocracy organised two citizen juries in country and metropolitan NSW. The feedback from the juries was constructive and the Committee received many informative and innovative ideas. NewDemocracy is currently offering a donation of up to \$5 million to initiate a citizens' convention of 350 people to debate and discuss, "How can we do democracy better?"xxxiv

The Australian Constitutional Convention in 1998 under the Howard Government discussed whether Australia should become a republic. Of the 152 delegates from all states and territories, half were elected by voluntary postal vote and half appointed by the Federal Government. It concluded there was general support for a republic, although the republican model then put to a referendum in 1999 was ultimately rejected by the Australian public.

Citizens' assemblies are gaining popularity around the world, including in Canada, the Netherlands and Ireland. Canada used one in 2004 to discuss electoral reform. Ireland held a constitutional convention in 2012 to review their government, with two thirds of delegates randomly selected. A similar model to citizens' juries has been used in the UK to examine specific issues, such as devolution or decentralisation. Such citizens' assemblies help to decentralise power and incorporate local viewpoints into policies and service delivery.

More can always be done to improve public engagement. Avenues exist for better empowering citizens to participate in, and take ownership of, the democracies in which they live. Current examples include the proposed referendum regarding Aboriginal recognition in the Australian Constitution and a plebiscite on same-sex marriage. Such measures generate greater credibility and confidence in democratic processes. A healthy democracy is the reward of an engaged electorate.

Conclusion

Like any other political system, democracy will never be perfect. However, we should heed Lincoln's reminder that "Democracy is the government of the people, by the people, for the people". This paper has suggested serious consideration of 10 ideas for strengthening and restoring a greater sense of faith and trust in our political system. We can do better.

ENDNOTES

¹ Mair, Peter 'Ruling the Void: The Hollowing-Out of Western Democracy', Verso 2013, pg 1

ii O'Neill, Margaret 'Poll data reveals Australia's waning interest in politics, decline in support for democracy', www.abc.net.au/news/2014-08-11/poll-data-reveals-waning-interest-in-politics/5662568

iii '2014 Lowy Institute Poll confirms Australian's ambivalence about democracy', www.lowyinstitute.org/news-and-media/press-releases/2014-lowy-institute-poll-confirms-australians-ambivalence-about-democracy

iv O'Neill, Margaret 'Poll data reveals Australia's waning interest in politics, decline in support for democracy', www.abc.net.au/news/2014-08-11/poll-data-reveals-waning-interest-in-politics/5662568

^v Hasham, Nicole SMH 16/08/2016, 'Election 2016: Voter turnout lowest since compulsory voting began in 1925', www.smh.com.au/federal-politics/political-news/election-2016-voter-turnout-lowest-since-compulsory-voting-began-in-1925-20160808-gqnij2.html

vi O'Neill, Margaret 'Poll data reveals Australia's waning interest in politics, decline in support for democracy', www.abc.net.au/news/2014-08-11/poll-data-reveals-waning-interest-in-politics/5662568

vii Evans M, Stoker G, Nasir J, 'How do Australian imagine their democracy', Australian Survey of Political Engagement Findings 2013, ANZSOG Institute for Governance, June 2013 www.governanceinstitute.edu.au/magma/media/upload/ckeditor/files/DEMOCRACY%20REPORT-%20UPDATED%20VERSION-27-6-13.pdf

viii 'Obeid Verdict a Victory for Voters and the ICAC', SMH Comment 29/06/2016, www.smh.com.au/comment/smh-editorial/obeid-verdict-a-victory-for-voters-and-the-icac-20160628

ix 'Prime ministers shouldn't get to set the election date' SMH Comment 9/05/2016, www.smh.com.au/comment/prime-ministers-shouldnt-get-to-set-the-election-date-20160508-gop39k.html

^{*} Electoral Commission NSW, Prohibited Donors, www.elections.nsw.gov.au/__data/assets/pdf_file/0006/129750/EF_00-0077_FactSheet-Prohibited_Donors.pdf

xi Nicholls, Sean SMH 'Malcolm Turnbull's \$2m donation exposes him as a hypocrite', 5/08/2016, www.smh.com.au/comment/malcolm-turnbulls-2m-donation-exposes-him-as-a-hypocrite-20160803-gqkms3.html

- xii Chan G, 'Turnbull reinstates belief in donations cap but does not commit to act', The Guardian, 3/06/2016, www.theguardian.com/australia-news/2016/jun/03/turnbull-restates-belief-in-donations-cap-but-does-not-commit-to-act
- ^{xiii} Uhlmann C, 'Chinese donors to Australian political parties: who gave how much?' ABC News, 21/06/2016 www.abc.net.au/news/2016-08-21/china-australia-political-donations/7766654
- xiv McColl G & Wen P, 'Foreign Minister Julie Bishop's links to Chinese political donors', SMH 26/08/2016 www.smh.com.au/federal-politics/political-news/foreign-minister-julie-bishops-links-to-chinese-political-donors-20160823-gqzauy.html
- xv Greene A & Uhlmann, 'Foreign donations could be 'skewing' Australia's democracy after China payments, politicians warn', ABC News, 23/08/2016, www.abc.net.au/news/2016-08-22/foreign-donations-could-skew-australias-democracy-politicans/7775060
- xvi Greene A & Uhlmann, 'Foreign donations could be 'skewing' Australia's democracy after China payments, politicians warn', ABC News, 23/08/2016, www.abc.net.au/news/2016-08-22/foreign-donations-could-skew-australias-democracy-politicans/7775060
- xvii www.parliament.nsw.gov.au/Hansard/Pages/HansardResult.aspx#/docid/HANSARD-1323879322-50566
- xviii O'Dea Jonathan, Hansard, NSW Parliament 24/10/2012, www.parliament.nsw.gov.au/la/petitions/Pages/About-petitions.aspx
- xix Bourke, L 'Parliament left behind as online petitions drive civic engagement', SMH 4/06/2016, www.smh.com.au/federal-politics/political-news/parliament-left-behind-as-online-petitions-drive-civic-engagement-20160530-gp7nx3.html
- xx Millar, Royce 'After Securency: RBA whistleblower case highlights calls for federal ICAC', SMH 25/06/2016, www.smh.com.au/federal-politics/political-news/after-securency-rba-whistleblower-case-highlights-calls-for-federal-icac-20160624-gpr019.html
- xxi Merritt, C 'Warning against a federal ICAC', The Australian, 29/04/2016 www.theaustralian.com.au/business/legal-affairs/warning-against-a-federal-icac/news-story/ef85a06c27453b596cd90b5af7a8891e
- xxii Millar, Royce 'Business Leaders and politicans call for national action on corruption' SMH 25/06/2016, www.smh.com.au/federal-politics/political-news/business-leaders-and-politicians-call-for-national-action-on-corruption-20160624-gpr6qt.html
- xxiii Morrison, James 'The Key to Labor's Success will have Baird worried', SMH 8/7/2016, pg 16
- xxiv Cook, Henrietta "Follow the dollar' powers urged', The Age, 4/10/2012, www.theage.com.au/victoria/follow-dollar-powers-urged-20121003-26zt3.html?logout=true
- xxx Reece, N 'How Australia's cartel-like political parties drag down democracy' SMH 10/08/2015, www.smh.com.au/comment/cartellike-political-parties-resist-change-20150809-giuywk.html?logout=true
- xxvi Patterson R Baird happy to trial new Libs reforms', Manly Daily 16/7/2016, pg 7
- xxvii Gordon M, 'John Howard rebukes Tony Abbott over fairness', SMH 5/06/2016 www.smh.com.au/federal-politics/political-news/john-howard-rebukes-tony-abbott-over-fairness-20140604-39jgi.html
- xxviii Advertising Standards Bureau, 'Political and election advertising', https://adstandards.com.au/products-issues/political-and-election-advertising

xxix The Australia Institute, 'Truth in political advertising' 10/7/2016 www.tai.org.au/content/truth-political-advertising

xxx South Australian Electoral Act 1985, subsections 113 (2) and (4)

xxxi Tasmanian Electoral Act 2004, sections 196 and 197

xxxii Doran M & Patel U, "Mediscare' text message investigation dropped by Australian Federal Police' ABC News 3/08/2016, www.abc.net.au/news/2016-08-02/mediscare-text-message-investigation-dropped-by-afp/7683390

^{xxxiii} Chalmers P, 'People trying to save democracy from itself' The Guardian, 2/07/216 www.theguardian.com/world/2016/jul/02/democracy-tarnished-brand-desperate-need-reinvention

xxxiv Belgiorno-Nettis L, 'Democracy needs our help to thrive' SMH 2/07/2016, www.smh.com.au/comment/democracy-needs-our-help-to-thrive-20160630-gpvvvp.html