

# OPEN LETTER ON VICTORIA'S ELECTORAL LAWS

Dear Parliament of Victoria,

## The worst possible way to design electoral laws is in a rush.

Following the High Court's ruling that elements of the state's electoral laws are unconstitutional, Victoria now has no laws governing political finance and transparency.

## The previous laws were vulnerable to constitutional challenge because they were rushed, self-interested and unfair. To introduce new laws with the same defects would repeat this error.

We ask Parliament to prioritise five principles in its new laws:

- 1. Transparency & Disclosure:** The public has a right to know who is funding political campaigns. Transparency provisions should cover the period when the laws were inoperative. In the interim, all parties and candidates should voluntarily disclose their donations.
- 2. Independent & Public Consultation Process:** Electoral laws should be developed carefully, and not be exclusively designed by those with a vested interest in the outcome. An independent review and public consultation process is essential to develop a fair system for the long term.
- 3. Level Playing Field:** Any political finance laws should create a level playing field. Incumbents and political parties must not have an unfair advantage over new entrants or independents.
- 4. System Fairness:** Democracy should not be for sale. Corporations and wealthy donors should not have more influence than ordinary people, or distort elections by donating unlimited amounts of money. Loopholes that allow some political actors to bypass the rules should be closed.
- 5. Freedom of Choice & Expression:** Voters should have a range of choices about who represents them. Reforms should protect the ability of all Victorians and community groups to participate in public debates around elections.

If the Victorian Parliament ignores these principles when making new electoral laws it will further erode public trust and may leave the state open to future constitutional challenges.

## Poorly considered changes to electoral laws will weaken, not strengthen, democracy.

