



DAVID MORRIS MP

**Member for Mornington
Shadow Parliamentary Secretary for Environment
Shadow Parliamentary Secretary for Local Government**

Politics Labor Style: ‘A Debasing of the Political Process’

Legislative Assembly 5th May 2010

Mr MORRIS (Mornington) — The integrity of our electoral processes is a matter that goes to the heart of our democratic system. It is central to the legitimacy of any government elected under those processes.

That is the issue I want to talk about this afternoon. It arises from the inquiry of the Electoral Matters Committee into the provisions of the Electoral Act 2002 relating to misleading and deceptive advertising. That inquiry came from the events that surrounded the Kororoit by-election. The report was tabled on 11 March 2010 following a reference from the Legislative Council.

The Victorian Electoral Commission reported on the by-election as it normally would. The commissioner suggested that the matters that are the subject of the report might well be addressed by the Parliament. That suggestion was ignored by the government and it took the Legislative Council to take up and deal with the issue.

The substantive issue is, as I have said, misleading or deceptive political advertising. Misleading or deceptive behaviour in the commercial world has long been considered totally unacceptable. We have extensive consumer protection legislation. The maxim ‘caveat emptor’ has long ago given way to a community expectation that traders will follow legitimate practices, they will charge fair prices, they will honour sale prices, they will honour warranties and so on.

Clearly it is important that consumers are not ripped off. That is why legislation governing that area was introduced and why it has been strengthened over the years. But it appears that the government members of this committee — this government-dominated committee — seem to think it is okay to rip off the voters. That is the inescapable conclusion from this report.

In making the report the government majority has chosen to hide behind the claimed complexity of the problem and to do nothing.

The majority of members sought to confuse two entirely separate issues: on the one hand freedom of expression and political communication and, on the other, misleading and deceptive conduct. Politics is indeed a contest of ideas. Freedom of expression, freedom of communication and a free exchange of ideas are all essential parts of our political process. Misleading and deceptive advertising, or telling lies, is not.

In the case of the Kororoit by-election the issue revolved around an ALP claim that a vote for Les Twentyman was a vote for the Liberals. That claim was made in a widely circulated document. The secretary of the ALP at the time of the election said in evidence he believed the claim was an absolute statement of fact. He said:

In our view there was clearly an arrangement between the Liberal Party and Les Twentyman.

In other words, if you form a totally unsubstantiated view without a skerrick of evidence — and there was no evidence because there was no deal and no arrangement — then you can go out and claim it to be a fact. That is the logical conclusion of the evidence given there. Fortunately the Victorian Electoral Commission has exposed the true motivation of this unconscionable behaviour, indicating:

Such statements, that a vote for one candidate or party is a vote for someone else, are effectively exploiting community misunderstanding of how preferential voting works.

That is what was done here. The Premier subsequently commented and made it clear that in the future the views of the Victorian Electoral Commission needed to be taken on board. The Electoral Matters Committee's minority report concluded:

We hold the view that under our terms of reference, the position adopted by the ALP could be categorised as at best tending to confuse, and at worst, in the words of a campaign worker for Les Twentyman 'a debasement of the political process'.

Unless the Premier accepts that this committee report is a whitewash that needs to be rejected, and unless the Premier accepts that change is needed to prevent this type of behaviour and legislates accordingly, that will be the ultimate outcome — the debasement of the political process in Victoria.

I guess that is politics Labor style: dirty one day, corrupt the next.