

Submission – William Coats

Inquiry into the Conduct of the 2024 House of Assembly General Election and the 2024 Legislative Council Elections

To the secretariat, please find below my submission into the conduct of the 2024 HoA election and the LC election.

This submission is being written in my personal capacity, but for full disclosure I wish to advise that I am a current City of Hobart Councillor and have been a previous federal and state candidate (both for Clark). I therefore have direct experience in elections and campaigns – and some of my commentary and recommendations have been formed having had these experiences. I am willing to speak to and testify to my submission if that is desired. That said, these are my general comments and though I try to be accurate, these are my recollections, and I don't profess to having a perfect memory.

To the members of the committee,

I write this submission with the intention of improving the governance of future elections, and through that, to ultimately increase the confidence in public officeholders and those elected to office.

As a general comment I would say that politics is becoming more partisan and the increased ability to directly campaign upon and influence elections via the use of social media is something which is both providing individuals a greater ability to communicate, but also a greater ability to attack, obfuscate and provide misinformation. It is difficult to write laws to administer and manage the conduct of elections and inevitably there will be trade-offs involved. I hope some of the issues and suggestions I raise are of use for the committee to take on board or to inform further discussion.

- Ability to vote

It is my view that elections are a critically important part of public life. I am in general a supporter of compulsory voting (though if there was a very high turnout I can understand why you wouldn't have compulsory voting), nevertheless it is part and parcel of the Australian political landscape. Implicit in compulsory voting is ensuring that people can vote and don't find themselves unable to.

I do however have concerns with making it too easy for people to vote, voting is a public duty and it should be an important and considered decision, not just an easy one. Ideally the whole state/country should vote on the same day, with access to the same information, to make an informed collective decision. Voting should however be accessible for everyone.

I can understand however why this cannot practically be the case, there is a requirement for mobile teams, for postal votes and for absentee/interstate voting. However I am concerned with the increasing length and proclivity of early voting. The placement of early voting centres in more convenient locations (say Murray street as opposed to the one at the Kingston community centre) seems to disproportionately impact early voting numbers in certain regions, it is clearly no longer used by those who simply cannot vote on the day. I do have concerns that there will be, at the margin, those who are voting out of convenience who then no longer have the ability to change their mind or vote given new information that comes out in the rest of the campaign. There is a benefit to

everyone voting all at once with the same information. At the extreme we have seen circumstances where a significant number of people vote before costings have been made available (or had the chance to be scrutinised). It also influences the campaign and the ability to release and have policy scrutinised. Extensive pre poll periods mean that there is an ever-reducing number of 'active' voters still in the community. At a point in time where people are beginning to focus etc on the election and candidates should be trying to talk and engage as to their candidacy and policies you increasingly spend time talking to those who have already voted.

Following on from this concern is the ability to ensure people do in fact vote, I would note that the fine system is, on the one hand, an efficient and mostly effective means of ensuring compliance (how many wouldn't vote if there was no fine?). However I can accept that it is regressive, and does seem to disproportionately impact those of little means. Increasing the fine to beef compliance would not be an effective avenue. I do believe there should be the possibility for some to be compelled to a day of community service or even a requirement to abide by curfew. I raise these extra options as I would consider changes to compliance enforcement measures to go hand-in-hand to reducing early voting.

Ultimately, I believe we need to strongly move back towards a single 'election day' whereby people can all collectively vote upon the same information. Noting the comments in regards to compliance and access – I would recommend the policies below:

- **Remove pre-poll**
 - **Set election day times slightly longer to allow for more access (and for those on shift work) – election 7.30am-7.30pm**
 - **Allow postal votes as long as they declare they cannot vote in person on the day/overseas pre-poll/interstate pre-poll – genuine 'can't vote on the day' voters**
 - **Move to a "you may be fined, you may have to do community service or you may be given a curfew order" enforcement mechanism. Obviously you only need to use against a small % for the deterrence effect – highly visible campaign election day is X, you MUST vote, there are strong penalties if you do not.**
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- Truth in political advertising/the use of images and names etc of political opponents

Tasmanian politics is relatively unique in regards to the rules about being able to publish the names/faces of candidates without their permission. On the one hand I believe Tasmania has a strong sense of community, and, as a small state where everyone knows everyone there is an inbuilt reluctance to be 'nasty' as inevitably it will upset people you know. On the other there are often very contentious issues that get opened up for public debate (cable cars, forestry, fish farming etc) and this can heighten tensions and lead to a 'win at all costs' mentality.

I have personally been subjected to some pretty horrific abuse and outright lies and misinformation – sometimes deliberately weaponised/personalised for political gain and sometimes not (just 'anti liberal/right wing'). Nevertheless it isn't fun and I can see the desire to 'lower the temperature' of political debates. As a recent example of political commentary being weaponised, I recently said at council that I *supported a motion* by the deputy mayor (awareness of breastfeeding) however if it was to be implemented then it needed to go via the healthy Hobart committee to provide feedback

on the implementation (the committee with oversight of health matters for Hobart). My request to do this (it was to defer the motion so the healthy Hobart committee could see it...the committee was due to sit the next week) was defeated. I subsequently voted against the motion as I said I would in the debate on deferral as I had concerns with the governance of the implementation. Social media comments went up saying that I didn't support breastfeeding.

Not behaviour that is the subject of this inquiry, but an interesting anecdote of how social media allows for misinformation/weaponisation to be spread. In a previous era there was a 'journalist' between the story and the news.

Nevertheless I find myself leaning towards the inevitable path of no regulations or laws in this space as it is too difficult for the law to keep up with technology and we will just require society to self-regulate and rely upon the (generally speaking) goodwill of individuals and those who will 'call out' bad behaviour.

That said, if we do have these laws in place, I believe there needs to be a legal understanding around 'informed persons' and 'uninformed persons'.

By this I mean that if someone retweets, shares or in some way disseminates a photo or meme, name or likeness etc then they shouldn't be hauled before a court and made to defend themselves for breaching the law they (in all likelihood) didn't know existed as they are an 'uninformed person'.

Conversely, there are those of us who are deeply involved/across politics who should know better and often could be relied upon to provide 'informed' opinion. These people are often found in public office, in the media or commentariat and are overly relied upon for information and facts in regards to elections.

That this is increasingly becoming the sole or main source of news for voters is an important reason to try to ensure compliance. Social media is for many the only source of news.

As an example, a well-known psephologist in Tasmania could be reasonably relied upon to provide factual (as they saw it) information about an election, candidates, policies or election events and could use names etc as this wasn't 'political advertising' – even if they would otherwise be considered an 'informed person'. If they started to deliberately post material that was intended to sway a voter or provide one sided or misleading information in an attempt to sway a vote then that should be treated as a breach due to them being an 'informed person'. They should know better and be reasonably expected to be across the law.

In the most recent election there were a few instances where outright misinformation/lies were peddled in a clear attempt to sway the election which flagrantly went against the policy intent of truth in political advertising/reporting.

Example A – is Bec Thomas a member of the liberal party?

Bec Thomas was a candidate for Elwick, as mayor of Glenorchy she was well placed to be a strong candidate in what is a traditionally left wing/strongly labor area.

Her website noted that she was 'not party aligned' and under the details section it said specifically that she had never been a member of a political party. Nevertheless, in a clear (in my view) attempt to sway votes who would normally never support a liberal/right wing candidate – comments were made that 'Bec Thomas is a liberal'. I even had the bizarre online argument where I pointed out that

she wasn't a member of the liberal party (as a party member of many years standing I knew I had never come across her), but even if she was, she had the right to keep that secret (it is an unfortunate truth that many liberal party members choose to keep their membership 'silent/secret' due to abuse or impact on business or trade), and that in any event her own website said that she wasn't.

The issue at hand was that the ones who did this commentary would, to the normal person on the street, be trusted as they held prominent roles in publications (columnist at the mercury) or elected office (a fellow hobart city councillor) and be expected to be across political events. Very much 'informed person(s)'.

I rarely post using my twitter account (I use it to follow news, and generally technology based news, I'm an IT consultant) but I do occasionally respond/post to correct misinformation or if I think something is funny. I have included screenshots where I felt compelled to respond to people who were blatantly (in my view) trying to convince voters that candidates held political views that they did not or were members of parties that they were not. In this exchange we had Councillor Ben Lohberger (~2k followers) and Greg Barnes (~18k followers) post information that was patently false via a very quick search and read of the candidates website. This information was then shared around frequently.

For the vast majority of voters who don't take particular interest in an election knowing the 'colour' of a candidate can mean a huge difference to their support or not. By deliberately misinforming about someone's political party membership is in my view very dishonest and trying to trick voters into making a misinformed vote.

Lastly, I would note that we need to be very respectful of the right to political affiliation. This right does go both ways, to accuse someone of being a member of a party when they are not is highly damaging to both the party and the individual.

If you have laws in this area, it needs to be sure to capture people who are in a position to make 'informed opinions'.

Example B – Juice Media

Lastly I would comment quickly upon the 'juice media' video. This video was clearly satirical. The TEC (my understanding) received backlash for requesting they take it down as it included the image of a candidate. I don't believe there is a desire in the community to prevent videos such as these from being produced, however if you do seek to regulate the use of candidate images etc then it probably does need to be very broad.

If in any doubt absolutely whatsoever then don't use someone's likeness. I also believe that a candidate should have the right to request an image be taken down etc if they believe it negatively influences a vote (it can hardly be up to the TEC to be judge and jury).

It is very difficult to try and draw a line and say this is humour, this is not, this might be hilarious, but it does nevertheless influence a vote etc. If no-one is allowed to publish an unauthorised picture and people have a right to request it be removed then that is a better model (if you choose to regulate this area).

Recommendation (in the event you want to regulate in this space):

(if you seek to regulate commentary/advertising) Those who are politically informed need to have truth in political advertising applied.

Only images which are authorised by a candidate can be used and they have a right to request a takedown (can't use images and argue it wasn't intended to sway a vote). News reporters will just need to seek permission (I suspect major papers etc would be given approval).

- Labor election day tactics

I have no doubt you will receive lots of comments on this, but on election day, labor operatives deliberately placed corflutes and signage in multiple places on property that wasn't allowed.

This sort of blatant campaigning activity that clearly goes against the intent of laws just undermines the trust in the system and the electoral process. The book needs to be thrown at anyone who would do such things deliberately and clearly pre-planned.

Tasmania is a small state and margins can be very tight. It is simply not good enough for political groups to even *consider* such tactics and if they do then the laws and penalties are not tight enough. I would go so far as to suggest the people behind such a move ought to be in gaol.

- Electorate sizes

This was the first election under the 7 member system. I don't believe 7 member electorates are good. For the vast majority of voters it simply means it is impossible to make a reliably informed vote – there are simply too many candidates to be able to understand or meet with them and, for those candidates, too many people/regions in an electorate to have to cover. There are other perverse outcomes as well, with smaller margins and a higher number of candidates/columns on the ballot paper it can become important simply where you are drawn on the ballot paper (luckily the margin in Braddon wasn't quite this close that it probably mattered...but on reading Kevin Bonhams analysis it wasn't out of the range of possibilities).

Though this isn't in regards to the election itself, I would suggest that it is a good thing for elected representatives to have to 'represent' their whole electorate (including those that didn't vote for them). In a very fragmented system of 7-the tendency will be to stick to 'your voters'. It is also confusing for community events etc to have 7 people turn up etc.

This is a novel idea, but I would suggest that the geographical 'community of interest' test is outdated and was written for a time when everyone could only talk to those in their local community. I would love to explore a model of moving back to 5 electorates of 5 then having 10 seats based on demographics (we know exact age). It would approximately mean a seat for those aged 18-30 etc. Statewide a lot more community of interest between a 25 year old in Hobart and Burnie etc then a 25 year old in Burnie and an 80 year old. I would go so far as to say to be eligible for your 'age band' seat you must be that age at election day! Imagine the policy debates on housing, health etc when those most impacted have the clear representatives. Most policy is not geographically influenced. (though some is...e.g cable car)

Anyhow, I hope this quick paper outlining a few thoughts/ideas is of use to the committee.

10:06



Post



Councillor Ben Lohberger
@BenGlenHuon



Honest question: who are the non-“publicly identified” Liberal Party Mayors in Tas?
[@BarnsGreg](#) thinks indie Elwick candidate [@BecThomasTas](#) is one of them. Thomas says she’s not party aligned, but ‘aligned’ is an interesting word to use. Is she a current or former member? [#politas](#)

Members want mayor to stay

Sue Bailey

The Liberal Party is remaining tight-lipped about whether it will overturn its decision to expel Clarence mayor Brendan Blomeley after a special meeting of 85 members unanimously supported him.

Party state director Peter Coulson said on Friday: “The Liberal Party does not comment on internal matters.”

A motion was carried at the meeting on Thursday night calling on party president Michael McKenna to reinstate Mr Blomeley as a member and chair of the Franklin electorate committee, by 5pm Friday.

Members said they would declare “no confidence in the President unless he withdraws his interpretation of the constitution which saw the expulsion of Mayor Blomeley, by close of business (5pm) tomorrow (12th April 2024).”

The deadline passed with no word on whether Mr Blomeley had been reinstated.

It is believed the party’s state executive met last week and backed the decision.



Brendan Blomeley

rule out running as an independent at the state election.

After his expulsion Mr McKenna emailed members saying: “I acknowledge that Mr Blomeley has been a long-time servant of the party, and it is important to note that under Clause 33 b) he may at any time apply to the state executive to re-join the party.”

At Thursday night’s meeting the motion expressed full confidence in Mr Blomeley, a party member for more than 30 years, and rejected his expulsion.

The motion said at “no time” did he “announce” a nomination and that an “automatic expulsion is of immediate effect and cannot be deferred and then backdated.”

It noted that the Liberals “suffered a massive loss” of more than 12 per cent of its membership at the March election.

Thomas (apparently independent candidate for Elwick, but often seen in Lib Gov promos) a free plug in connection with major breast cancer awareness event. Ugly mixture of politics with a critical health issue in the so called “news”. [#politas](#)

4 4 20 1.6K



Greg Barns SC
@BarnsGreg



• I am not party aligned and never have been. If elected, I will use my seat to ensure the people of Elwick’s best interests are served at every point, and no party should

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10:06

Post



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William Coats @William6882... · 21/4/2024 ···

I've been a card carrying lib member for over 10 years -to my knowledge she's never been a member and I've never seen her at a branch meeting, think it's GB trying to "cast" her as one in an electorate where libs poll badly.

2 1 2 311



Councillor Ben Lohberger @... · 21/4/2024 ···

Thanks Will - as a voter I'm quite interested in this

1 1 326



William Coats @William6882... · 21/4/2024 ···

Yep - I'd also note, people have a right to privacy and we (as a society) should encourage people to be involved in civic/ political life. Some members of parties are open about it (e.g me) but others do like to keep it secret (often due to jobs/business pressure etc).

1 1 199



Councillor Ben Lohberger @... · 21/4/2024 ···

I strongly believe that if you're standing for politics then the voters deserve to know if you're in a political party before the election is held. Transparency is important, especially if the candidate is claiming to be 'independent'

2 1 8 252

Post your reply



10:07



William Coats @William6882... · 21/4/2024 · · ·

Luckily in this instance a quick one minute search on Bec Thomas' website will show that she has stated she isn't a member of a political party nor has ever been.

members of Parliament, staff within the bureaucracy of Government, industry representatives and the not-for-profit sector and have a solid history of forming and maintaining respectful and positive relationships with stakeholders.

I pride myself on being approachable and respectful of all beliefs and views and I am committed to listening and seeking to understand the views of others. I am not a member of or aligned with any political party, and never have been. I truly believe good relationships are the key to achieving outcomes, you simply can't make things happen without them.

B U S I N E S S



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Councillor Ben Lohberger @... · 21/4/2024 · · ·

Yes, that's good, and a lot clearer than the other section of her website where she wrote this.

Post your reply



10:07

Post



Councillor Ben Lohberger @... · 21/4/2024 · ...

Yes, that's good, and a lot clearer than the other section of her website where she wrote this:

becthomas.com.au — Private

- I am not party aligned and never have been. If elected, I will use my seat to ensure the people of Elwick's best interests are served at every point, and no party should take my vote for granted.

1



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William Coats @William6882... · 21/4/2024 · ...

Maybe it's a genuine difference of how you read it, imho that's implying that not only is she not a member "no party can take my vote for granted" but she isn't even aligned (I.e probably a swing voter) as opposed to say right wing but not a nats member or left wing/ not a green

3



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William Coats @William6882... · 21/4/2024 · ...

It's hard when Greg Barnes is out there saying she's a liberal - means when read it's within a different context. Similar to when he wrote an

Post your reply





Post



Linda Poulton @poulton_linda · 16h



Southern Cross News (Ch. 7) gives Bec Thomas (apparently independent candidate for Elwick, but often seen in Lib Gov promos) a free plug in connection with major breast cancer awareness event. Ugly mixture of politics with a critical health issue in the so called "news". [#politas](#)



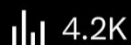
Greg Barns SC



@BarnsGreg

[@BecThomasTas](#) is a Liberal

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