



13th June 2018

The Premier

The Hon. Will Hodgman MHA
Parliament House,
Hobart,
Tasmania 7000

Dear Premier,

Re: Important Questions for the March 3rd Tasmanian Election

The March 2018 Tasmanian State Election was extraordinary for a number of reasons, the most spectacular of which was the intervention by Federal Hotels and the Tasmanian hospitality industry to ensure a Liberal success. There were many factors at play, and the end result was a tainted election outcome which fostered a sense of grievance in the broader community.

Other instances of deception, questionable activities and misconduct arise out of the following.

- Two days before the election was called the Deputy Premier approved an exploration permit for the summit of Mt Wellington. This was to facilitate the proposal for a cable car to the summit of Mt Wellington. This highly contentious project has been the subject of considerable community debate for decades now, and the actions of the Deputy Premier was revealed to the wider community only as a right-to-information application was pressed by members of the community. The government's actions were secretive and misleading by omission to inform the community in a timely manner of what had been approved.
- Macquarie Harbour has been the subject of significant community debate because of the failure of the regulation of marine farming and its impact on the harbour as a whole, including part of the Tasmanian Wilderness World Heritage Area. By any standard the fish farms have been over-stocked. Stocking levels have been a matter of considerable public interest and have been ventilated in a Four Corners program. Litigation has been commenced in the Federal Court and the Supreme Court to challenge decisions as to stocking levels. Yet, despite considerable public interest and public concern about stocking levels, the Environmental Protection Agency withheld its plans to change stocking levels until two days after the election. The community will not accept this to be a coincidence. Again, we have been misled by omission.
- On Thursday 28 February 2018, two days before the election, *The Australian* newspaper published details of the Government's policy proposals on firearms. Again, this was highly contentious legislation because it involved numerous breaches of the National Firearms Agreement and included proposals for watering down the National Firearms Agreement. The proposals were so contentious that they were condemned by the current Prime Minister Malcolm Turnbull, former Premier Tony Rundle, the opposition leader Bill Shorten. It was also condemned by various survivors of the Port Arthur Massacres and many others in



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the community. Yet this proposal had been kept secret. When the proposal came to light just before the election as a result of release by a whistleblower, the government had two responses. Firstly, the government denied it was in breach of the National Firearms Agreement. This was a disingenuous statement by you and patently incorrect and misleading. Secondly, the government said it had many other policies that were only released to interest groups, and these policies numbered in the hundreds.

- Lastly, and most significantly, the Liberal party's election campaign was supported by the resources of the Federal group and the Tasmanian Hospitality Association ("THA"). There was tight coordination of campaigns that ensured massive resources directed to supporting one party to the election. Six days after the election it emerged that the government had agreed – prior to the election - to triple the THA's funding, providing \$6.8 million over 4 years. This grant to the THA was not revealed in the Liberal Party's hospitality policy released before the election. And given the THA ploughed a large amount of money into supporting the re-election of the Liberal government, it appears the taxpayer has bankrolled the THA to support the Liberal Party.

It is often being said that information is the currency of democracy. In the context of elections, information about policies on firearms, fish-farm stocking levels, grants to interest groups and arrangements to facilitate the proposed cable car have been withheld from the community. The situation has been made worse because explanations for those misleading actions have also been misleading. The information that is the currency of democracy must not be intentionally misleading information.

The universal standard by which the quality of elections are judged, according to the Universal Declaration on Democracy, is that elections are free and fair so as to enable the people's will to be expressed. The above are very significant instances of how the Liberal Party and Liberal Government have deprived Tasmanians of a free and fair election.

Mr Premier, we do not see that the March 2018 election has been free, because Tasmanian electors have been deprived of a significant opportunity to evaluate the policies and actions of your government. Releasing a major firearms policy two days before the election does not facilitate free expression of opinion in an informed manner. Withholding information about the Government's facilitation of the proposed cable car and withholding information about contentious changes to stocking levels of salmon in Macquarie Harbour are deceptive and are not consistent with informing voters so that they can freely exercise their will. Withholding details of a highly contentious plan to breach the National Firearms Agreement is also deceptive and misleading, as is concealing an arrangement to provide funding of \$6.8 million to an interest group.

Further, an election that is dominated by a huge national corporation (Federal Hotels) pouring large amounts of money in support of one party so as to simply maintain that company's dominant position on vehicles of social misery is not a fair election.

In Australia, these are not abstract entitlements. In a series of cases looking at the implied constitutional protection of freedom of speech on government and political matters, the High Court has recognised time and time again that the exercise of a free vote in a democracy requires that that vote be an informed one. Consequently, the High Court has ruled invalid legislation at both State



and Commonwealth levels that has impinged on the ability of people to communicate in an informed way on government and political matters in the context of election campaigns.

In light of the above, very serious questions arise in relation to the conduct of the Tasmanian 2018 election.

We, the signatories to this letter, want to know why the democratic process has been subverted and, more importantly, who has subverted it. We believe strongly in the right to free and fair elections. We do not want Tasmania to be – or become - a third-world democratic system.

In raising the above issues and in demanding answers to the questions below, we know the government has touted a review into political donations, which may take 12 months. We are not prepared to wait 12 months. The community wants answers now to understand what transpired before the election, and to enable trust in democracy to be restored. We want to know now what donations of money or in kind support was provided to the Liberal Party – directly or indirectly – from those lobby groups or corporate entities associated with the following:

- Poker machine policy
- Mt Wellington Cable Car proposal
- Salmon farming in Macquarie Harbour
- The push to weaken Tasmania's gun laws

Accordingly, we demand answers to the following questions:

1. What communication, meetings and agreements were made between the Government, the Liberal Party, political staffers candidates and MPs, on the one hand, and Federal Hotels on the other, for Federal Hotels to support the Liberal Government's re-election by providing funding or in kind support or through a third party campaign supporting a Liberal party re-election?
2. What communication, meetings and agreements were made between the Government the Liberal Party, political staffers candidates and MPs, on the one hand, and the Tasmanian Hospitality Association, on the other, for the Tasmanian Hospitality Association to support the Liberal Government's re-election by providing funding directly to the Liberal Party or its candidates or through a third party campaign supporting a Liberal party re-election?
3. Why was the Tasmanian Government's Firearms policy not publicly released until Friday 1 March 2018?
4. What discussions occurred between members of the Liberal Party or the Government's employed advisors, on the one hand, and the proponents of the proposed cable car on Mt Wellington that led to the cable-car proponent cancelling community consultation meetings planned for February 2018 and saw the Deputy-Premier sign off on an exploration licence immediately prior to the election. What was the hurry?



5. What discussions took place between members of the Liberal Party, the State Government or its employees, on the one hand, and the Director of the Environment Protection Authority, on the other, that saw the Authority hold off from an announcement of a change to stocking limits in Macquarie Harbour until two days after the state election had been held?

6. What were the hundreds of other policies referred to by the Premier which were released only to interest groups just before the election? Which interest groups were contacted and consulted and what financial or funding promises were made in secret?

Premier, you must not underestimate our determination to uncover the truth surrounding the March 2018 election. We call on you to provide answers in writing to these questions and to publish those answers on your website within fourteen days of the date of this letter in order to inform the entire community.

Yours faithfully,

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