### A Presentation on Australians for Better Government



https://www.australiansforbetter.com/

Kevin Loughrey – Co-founder "Australians for Better Government" - Slide 1 of 35

Splash Screen

### The 1999 Referendum Results should Australia be a Republic

Choice	Votes	%
<b>✓</b> Yes	5,273,024	45.13%
<b>X</b> No	6,410,787	54.87%
Valid votes	11,683,811	99.14%
Invalid or blank votes	101,189	0.86%
Total votes <sup>[2]</sup>	11,785,000	100.00%
Registered voters/turnout	12,392,040	95.1%

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I've put this up simply to grab your attention.

In 1999 Australia voted on whether it should become a Republic.

The idea was that the President would be selected by a 2/3rds vote of the Parliament.

This proposition was, in my opinion, deliberately meant to fail yet it came within 5% of succeeding!

I mention this to get you excited. What I am about to show you tonight is a plan that I believe Australians would embrace. But for that to happen it has to be a complete plan and it has to be the result of the participation of the majority of Australians in its formulation. I hope I have got you excited to learn what follows!

### Something is badly wrong!

- \$1.3 trillion public debt and nothing to show for it.
- Electricity now many times more expensive in real terms than it was in 2007 before "renewables"
- COVID mismanagement and excess mortality.
- Housing & rentals unaffordable
- De-industrialised and not self sufficient in liquid fuels

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Every thinking person, I'm sure, can point to a number of things that cause them unease with the way we are presently governed. The handling of COVID-19 most likely sits prominently in the minds of many or maybe you are worried Australia only has 24 days of liquid fuel, or the fact that manufacturing has just about been extinguished, or maybe you are concerned at the size of your quarterly electricity bill. Maybe it's men in women's sports and dressing rooms or the promotion of sexually explicit themes in primary schools. It could be a raft of many things. All political parties have played a role in this. This is a non-partisan matter.

If we try to address <u>all</u> of the issues that confront "we, the people", we will be spread so thinly that we will not be effective in correcting <u>any</u>. Possibly that is the intention of the progenitors of our concerns.

### The Root Cause for the Mediocre Performance of Australia's Government

Australia is on a dangerous path and this is directly the result of:

- 1. poor quality candidates being selected to stand for election, combined with;
- 2. poorly conducted elections, leading to;
- 3. poor quality parliamentarians, who have;
- 4. far too much power, because of;
- an inadequate separation between the Legislature, Judiciary and Executive Branches of Government such that too much power is concentrated into the hands of a few; and
- 6. deficiencies in all Constitutions throughout the Commonwealth such that they fail to protect the rights of the citizens and restrict the power of Governments to do long-lasting harm.

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Although these issues need to be contained, in other words we can't ignore them, it would make sense that we should try to identify the root cause of why this unsatisfactory state of affairs have been able to manifest to the extent it has. I suggest to you the problem lies in a hopelessly defective system of democracy.

Indeed, I think it is obvious to most sensible people that... (read the slide)

### That's what gave birth to Australians for Better Government

To fix that which is decidedly deficient, namely our present system of democracy, we must reform three things, namely:

- how elections are conducted (this includes such things as candidate selection);
- 2. the structure of Government to ensure there is a proper separation of its 3 Branches which, in turn, provides some check against capricious and precipitate legislation becoming law and some surety public funds will be spent wisely to the benefit of all; and
- 3. the Constitutions at all levels of Government within the Commonwealth of Australia to ensure the Government is the servant of "The People", <u>not</u> "The People" are the subjects of the Government.

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In summary...(read the slide)

To deal with each of these three points in detail would require 3 longish presentations.

We don't have time for that so I'm going to give you a top level view which I'm sure you will find both interesting and intellectually stimulating.

So let's look at item 1 which requires we improve the quality of candidates and the conduct of elections.

### How to Improve the Quality of Parliamentarians

To have high quality parliamentarians, you need:

- High quality candidates, and
- Electors who are informed casting a considered vote.

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I think any reasonable Australian would wish to have people of the highest calibre in our various Parliaments. This is self evident.. isn't it? If you want high quality people in parliament, two conditions must be met.

One is high quality candidates

The other is having voters who are <u>informed</u> and who make a <u>considered decision</u> regarding who would be the best person to have in Parliament.

### How to obtain High Quality Candidates

- Reduce the obstacles "normal" people face when running for office – the greater the number of people seeking office, the better the chances of finding a high quality Parliamentarian.
- Reduce the influence of external entities such as:
  - cliques(factions) in political parties,
  - Money (wealthy individuals or organisations),
  - foreign powers.

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The more people you have running for office, the greater are the chances that some will be exceptional.

So let's look at the obstacles obstructing or deterring "normal" people from running for public office.

Let's also try to reduce the influence of external entities that may wish to put a person into Parliament so that they can control that person for their own benefit. Should they be successful in this, then the elected representative will serve the entity that got them elected and not their constituents. That entity, by the way, could simply be a political party or a wealthy individual or, indeed, a foreign intelligence service.

# Actions needed to achieve High Quality Candidates

- Require all members in a party to vote during preselection
- Expand role of Electoral Commissions

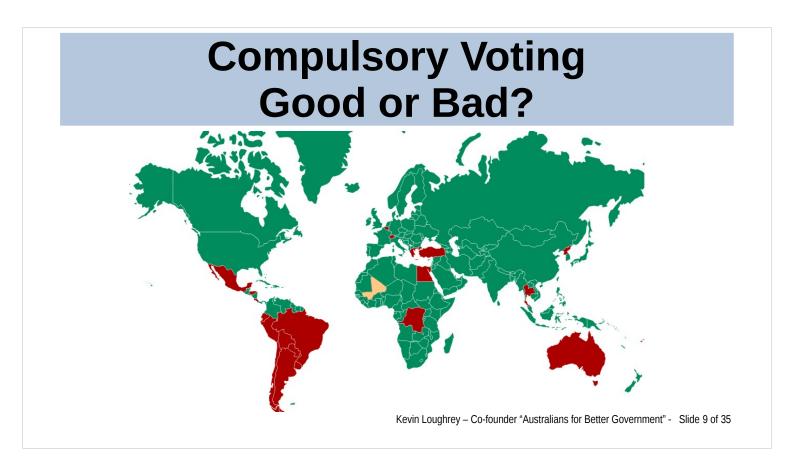
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To ensure that the preselected candidate is a faithful representation of the wishes of a branch, it should be mandatory that all party members in that branch vote in a preselection.

When running for public office the biggest challenge is that of being known by the electorate. Associated with this is the time it takes to meet people, attend meetings, manage electoral administration and generally campaign.

So we expand the role of electoral commissions where they help candidates become known to their electorate. They do this by providing a website that features in a user friendly manner all candidates with 250 words next to their photos plus a link to that candidate's webpage if the elector wishes to know more about them.

I will elaborate more on the expanded role of the electoral commission later in this presentation.



The most outstanding feature of elections in Australia is that voting is compulsory. Australia is one of 22 nations out of a total of 234 in the world that compel their citizens to vote.

By the way, Australia was the first nation in the world to vote by secret ballot. It was once referred to as "The Australian Ballot". So it is quite possible what I am suggesting here, if it has merit, could once again cause Australia to be a standard-setter amongst the democracies of the world.

Over the years there has been some debate about whether compulsory voting is a good or bad thing. Some have suggested voters should have to take an intelligence test, pay tax, own property or hold a certain level of education before being allowed to vote.

### Compulsory Voting The Good Points

- Money plays less of a role in the outcome.
- Greater participation improves public awareness.
- A moderating effect.

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When voting is compulsory money plays <u>less of a</u> <u>role</u> in the outcome. This is good because it reduces the ability of a monied elite controlling government to benefit themselves at the expense of the people.

Compulsory voting by its very nature, ensures greater participation by the public in politics which improves the chances of the government serving the interests of the majority rather than a privileged few.

When voting is voluntary, a greater percentage of the people who vote will be those who feel strongly about an issue. Compulsory voting, therefore, may have a moderating effect on the complexion of the Government; hopefully averting wild swings in the nature of the policies imposed upon the nation and its people.

### Compulsory Voting The Bad!

- The uninterested voter (~ 20 → 50% of the electors) presently plays a significant role in the outcome of any election in Australia.
- So the challenge is to nullify the effect of the uninterested voter! And that is what we shall now expand upon.

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Without doubt, the uninterested, ignorant and indoctrinated voter is the greatest danger to good governance when one has compulsory voting. Uninterested and ignorant go together but so does indoctrinated and ignorant. If people are uninterested they will not seek out the facts and so are easy victims of a dishonest media owned by wealthy elites.

Mark Twain famously quipped, "If you don't read the papers you are ill-informed. If you do, you are misinformed!"

That's where indoctrination amounts to ignorance. So these three deficiencies often run together.

Our challenge then, is how to reduce the effect that uninterested, ignorant and indoctrinated voters will have on the outcome of an election.

# Countering the effect of the Uninterested Voter (1)

#### **EXPAND THE ROLE OF THE ELECTORAL COMMISSIONS**

#### This would also:

- 1) Make it easier for a person to run for office.
- 2) Result in more informed voters casting a considered vote.
- 3) Reduce the role that money has in deciding the outcome of an election.
- 4) Reduce the power of political parties and foreign influence.
- 5) Reduce the cost of conducting an election

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The electoral commission can play a major roll in passing on information from candidates to electors. Imagine this, when an election is called:

The commission sends a letter, text &/or email, to every voter on the roll, informing them of their Ward/Electorate and polling station locations. With this is a barcode identifying the voter, the aim being to speed up the registration process at the polling station; reducing costs & time.

The letter advises the elector that all information on the candidates may be found on the commission's website. Here candidates provide a picture and 250 words plus a link to their own websites so that voters can learn as much as possible about every candidate. Electors may also go to local council offices; all reducing the need for advertising and the effect money will have on the election outcome.

On the website, electors can produce their own how to vote(htv) card and, if they provide a photo of themselves, they will qualify for an express lane ticket which will significantly speed up the voting process at the polling station. The software will reduce the chance of informal votes.

Regular advertisements are run by the electoral commission advising voters of this information & htv facility and encouraging its use.

# Countering the effect of the Uninterested Voter (2) BAN PRE-POLL

The aim is that persons voting should be as informed as possible. This will not happen if they are not exposed to the full election campaign by voting early.

Banning pre-poll would significantly reduce the cost of an election and benefit independent candidates. It would reduce the power of Parties to influence the vote!

Whether or not a person is elected should depend on their merit, not on the number of people who can be marshalled to man queues at polling stations thrusting how to vote leaflets into the hands of persons about to vote.

Ballot security is also an issue with pre-poll. It is impossible to guarantee that the ballots have not been interfered with during the week or two weeks of pre-poll.

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Pre-poll should be banned for the reasons given on this slide!

Most importantly, for voters to be fully informed, they must be subjected to the full election campaign. Pre-poll undermines this ideal and so reduces the quality of an elector's decision-making.

Most telling is that pre-polls significantly favour the large Parties and that is the genesis of the pre-poll just as Above and Below the Line voting was introduced to effectively exclude independent candidates.

As previously mentioned political parties degrade a true representative democracy, firstly by potentially selecting candidates who are not the best in the Party because of intrigues, factions and favouritism and also because, once elected to Parliament, persons who belong to a strong political Party will vote along Party lines even if that is not in the best interests of the constituents they are to faithfully represent.

Over the years, political parties have rigged the electoral system, including the matter of donations, to favour themselves and to make it very difficult for independent candidates to be elected. This is very bad for a representative democracy as Government policies are effectively created by faceless persons & foreign actors behind closed Party doors!

### Countering the effect of the Uninterested Voter (3)

Randomise the order of presentation of candidates names on each ballot.

Each ballot is different to its predecessor and its successor. This cancels out the effect of the "Donkey Voter"

It is therefore no longer necessary to have a draw to determine the order of presentation of candidates on a ballot. This reduces the cost of the election and inconvenience to candidates who may have a full-time job.

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Randomising the order of presentation of candidates on the ballot such that every ballot is different to its predecessor and its successor, nullifies the effect of the donkey voter.

It will also nullify the effect of the uninterested voter who arrives at the polling station unaware of who the candidates are and to which party they may or may not belong.

### Countering the effect of the Uninterested Voter (4)

### Ban display and distribution of electoral material at polling stations.

If a person can be convinced how to vote a few minutes before they cast it, they haven't given any serious consideration to the matter. The effect of their ill-informed, ill-considered vote needs to be nullified. This ban when combined with an increased role of the electoral commissions in advertising candidates and assisting voters to create their own how to vote card:

- · reduces the influence mobs and money have on the outcome of election,
- gives independent candidates a better chance of being elected, and
- thwarts the deleterious effect of uninterested voters deciding the outcome of an election to the detriment of good government.

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By banning the display and distribution of electoral material at a polling station, the uninterested voter is unable to know who to vote for. Their uninformed, ill-considered vote is thus nullified.

Banning the display and distribution of electoral material will reduce the influence that money and mobs play in deciding the outcome of an election.

It will also give independents a better chance of being elected on the basis of their merit .

### Countering the effect of the Uninterested Voter (5)

Prohibit display of the Party to which a candidate belongs on the ballot.

This once again thwarts the uninterested voter who, regardless of the merit of a candidate, simply votes for a Party, in effect, delegating the choice to the intrigues within all political parties.

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Banning the display of a political party next to the name of a candidate reduces the influence that Parties play in the outcome of an election and will help thwart the uninterested voter who typically delegates their choice either to the mob or a political Party.

# Countering the effect of the Uninterested Voter (6) Prohibit Above and Below the Line Voting

The constitution requires that "the Senate shall be composed of senators for each State, **directly chosen** by the people of the State, voting, until the Parliament otherwise provides, as one electorate."

Since 1984, no truly independent senator has been elected to the Senate. This degrades the role of the Senate as a "House of Review".

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As the slide says, the Constitution requires that voters must vote directly for candidates in a Senate election. With above and below the line voting, introduced in 1984, the order of presentation and therefore their chances of being elected, is decided by political parties or the groups to which candidates belong. This is contrary to the wishes of the framers of the Constitution and this change in voting practice was introduced without taking the matter to the people by way of a Referendum.

Since 1984, no truly independent candidate has been elected to the Senate. This greatly degrades the safety check that was intended by having a bicameral legislature in that, if the same parties are dominant in the lower and the upper houses of Parliament, legislation will not be thoroughly review of legislation before it is passed.

Ideally, all persons in the Senate should not belong to a political Party. This would send a clear message from the people to the sitting senators that, once in the Senate, they are to safeguard the interests of the people and not their former Parties.

I intend to mount a High Court challenge against the above and below the line voting system.

### The Voting Age

- At what age should a person be allowed to vote. 5 years of age? 60 years of age? Somewhere in between?
- Remember you want an informed, mature voter making a considered vote.
- At what age are people intellectually mature? (25 → 30 years of age)
- Who should decide the age to vote? Only the Australian people, not politicians.
- The "quid pro quo". If a citizen is not allowed to vote they:
  - are not taxed, and
  - will not be conscripted to serve in combat

until they reach the age when they are entitled to vote.

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Do you want your Government to be the result of voting decisions made by people who lack maturity? Is an 18 year old mature?

At what age is a person likely to be intellectually mature? The answer according to psychologists is somewhere between 25 and 30 years of age. Should the age for voting be 25?

If people cannot vote until they are 25, should they not be exempt from paying tax and serving in combat unless they volunteer for such duty.

The decision as to what should be the voting age should be decided by the people by way of a Referendum. It should not be left to politicians. This is because politicians are compromised. In a Referendum, arguments are made for and against various propositions such that the people eventually make an informed decision as to what they think would result in a Government comprised of people of the highest calibre.

### **Reforming Preferential Voting**

- Preferential voting provides a better indication of the will of the people than does "first past the post".
- However the present system is really a hybrid between first past the post and truly quantitatively determining the electorate's mood.

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There has been a lot of debate as to whether first past the post or preferential voting results in the best form of Government. The reality is that if one has, say, 5 candidates running for office and the winner only achieves, for example, 25% of the vote, that person has potentially 75% of the electorate who are unhappy and disagree with their policies and/or attitude to matters other hold to be important.

Preferential voting tries to arrive at a candidate that best satisfies the majority of voters as much as is possible.

But the present system fails to do this.

# A Points-based Preferential Voting System

	Number of No1's in box	Number ballots with No2's in box	Total points for 2 <sup>nd</sup> pref	<b>Total Points</b>
Candidate 1	5000	10	40	25040
Candidate 2	4000	100	400	20400
Candidate 3	3000	200	800	15800
Candidate 4	2000	300	1200	11200
Candidate 5	1000	13390	53560	58560(Winner)
No of Votes cast	15000		•	•

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Here you see a superior system of preferential voting that truly represents the wishes of the electors.

If a candidate receives a "1" on the ballot, they are awarded 5 points. Similarly a "2" scores 4 points and so it goes. A "5" scores 1 point.

This table shows how it would be possible for a candidate who achieves the lowest primary vote to actually score the most points. That is because the electors are split on who they would most prefer however, if they can't have that choice, they would mostly prefer Candidate 5.

Not only does this system more accurately represent the wishes of the electorate but it is also much easier to count compared to the present multiple rounds of counting needed with the present preferential system.

### Changing The Structure of the Parliament

#### Why do this?

- The present structure does not have a proper separation between the three branches of Government, ie, the Executive, Judiciary and Legislature.
- When this is the case, there is too much power in the hands of a few and that is dangerous.

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We start this journey from many possible directions. The first is, "What right has anyone to tell you what to do?" Generally we will accept a certain level of control because we appreciate without a framework of enforceable laws, some people will take advantage of others.

The problem comes when there are too many laws, some of which are unreasonable and authorities are too eager to enforce them with excessive zeal.

So, long ago, people worked out that the last thing anyone should pine for is an efficient Government that can change the world rapidly. Only during an emergency is this desirable. The way to slow down Government is by having each branch of government be independent and for the legislature, an additional check, by way of having an upper and lower house; called a bicameral system.

### All Governments start with Good Intentions

Over time Governments become more and

more controlling



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History teaches us that most Governments start off being benign and full of high ideals and good intentions.

Every law that is passed in a parliament at any level within the Commonwealth impacts in some way on some people, impinging upon their freedom. It is a worry that Parliamentarians measure their worth and work by how many bills they have passed.

The result of this is that, over time, Governments invariably drift towards authoritarianism.

It is for that reason we must have a system of Government that, under normal circumstances, prevents legislation being passed until it has been exhaustively challenged and refined. I remind you that....

History teaches us that Politicians can never be

trusted.



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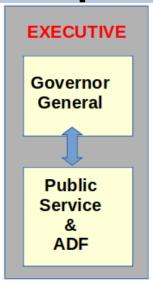
History also teaches us that, in general, politicians cannot be trusted.

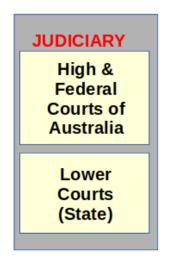
To safeguard our liberty, we have to construct a system of Government which intrinsically limits their ability to act capriciously.

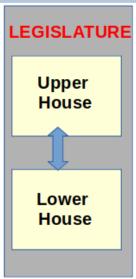
It is a system deliberately constructed to prevent the Government from moving quickly on anything except an emergency and, even then, it should seek "The People's" agreement.

The only time fast decision making would occur is when there is a serious threat and, in such an instance, only when there is virtual unanimity by all concerned.

## How to Limit Political Power? Independent Branches of Govt







Kevin Loughrey - Co-founder "Australians for Better Government" - Slide 24 of 35

Philosophers such as John Locke and later Baron de Montesquieu evolved the concept that we are only subjects of the creator & Governments should be comprised of 3 independent & separate branches; the Executive, Judiciary and Legislature.

The historian & sociologist Ronald Robertson summarises the function of the three powers in Montesquieu's separation: "The power to frame the laws must belong to one body; the power of executing them or putting them into practice must belong to another; and judgement on whether the laws have been executed properly must belong to a third".

#### If one branch has all three roles, then this is despotism!

That last observation is very important and I want you to remember it as I show you that, here, in Australia there is not a proper separation of powers.

# Illustrating the Point of No Independence between Executive and Legislative Branches of Government



Samantha Mostyn -Diversity and Inclusion Advocate, Ex Labor Staffer

Named Australia's New Governor-General April 2024 (no it isn't an AFD joke!)

Kevin Loughrev – Co-founder "Australians for Better Government" - Slide 25 of 35

This is a stereo-typical example of how Governors are simply the ciphers of the PM & Premiers. To fix this, we must popularly elect the Governors and Governors General.

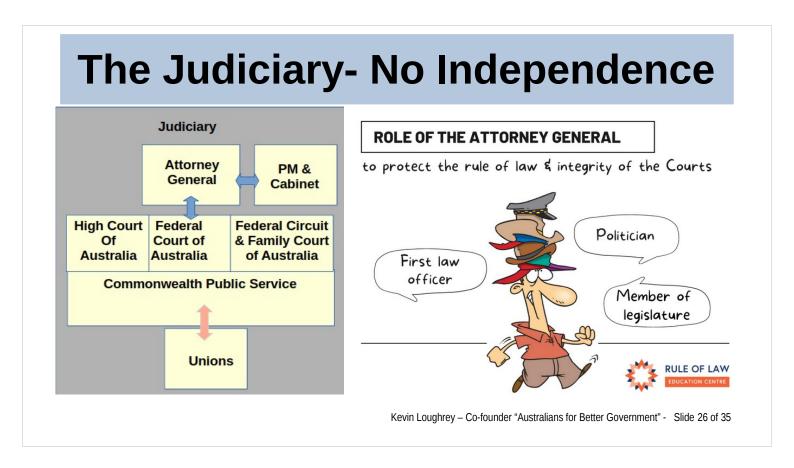
#### **Chapter II – 64. dealing with Ministers of State**

The Governor-General may appoint officers to administer such departments of State of the Commonwealth as the Governor-General in Council may establish.

Such officers shall hold office during the pleasure of the Governor-General. They shall be members of the Federal Executive Council, and shall be the Queen's Ministers of State for the Commonwealth.

#### Ministers to sit in Parliament

After the first general election no Minister of State shall hold office for a longer period than three months <u>unless he is</u> or becomes a senator or a member of the House of <u>Representatives.</u>

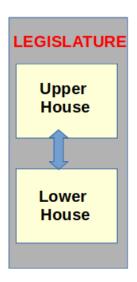


Looking at the Judiciary. The Attorney General is a member of Cabinet and comes from the Legislature. Typically he or she is a lawyer and so has been, in the past, a part of the judiciary.

The Attorney Generals are therefore not independent of the Legislature and will likely be biased towards the legal profession, not to mention his/her political party's policies.

For the Judiciary to be truly independent, the Attorney Generals, like the Governors, should be elected by the people and should preferably have the skills of a practice manager. Someone from the engineering profession would be best because then there would be strong logic applied whilst not having any particular affection towards members of the judiciary. To ensure there is no bias, they must never have been a part of the legal fraternity.

### The Bicameral Structure to Ensure Exhaustive Consideration of Legislation



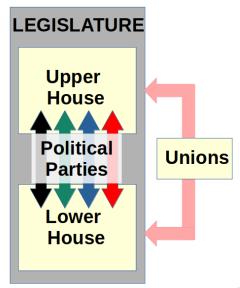
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Besides the separation of Powers, these philosophers felt it was necessary the Legislature be comprised of an upper and lower house with the political complexion of these houses being different. This is called a Bicameral Legislature.

The upper house is the Senate at the Federal Level and the Legislative Council in the States. The lower house is the House of Representatives for Federal and the Legislative Assembly for the States.

The upper house is supposed to be a house of review. The framers of the Australian Constitution deliberately had the criteria for election of the upper house to be different to that of the lower house. An equal number of Senators come from each State regardless of that State's size and only half of the Senate is up for re-election every 3 years whilst there is a full election of the lower house every 3 years. In the US system a vote can only be passed with 60% of the Senate agreeing to it and the lower houses are elected every 2 years.

### What's the Reality? A System Failure-Bicameral Thwarted



Nevin Loughney - Co-lounder Australians for Better Government" - Slide 28 of 35

The reality though is that Political Parties short-circuit the protective mechanism intended by having a bicameral legislature. If the same political parties are dominant in both the upper and the lower house then legislation is far less likely to be subjected to an exhaustive review as the framers of the Australian Constitution had intended.

We must add to this also the influence of the Unions because the Labor Party is, in actuality, the political arm of the Unions.

### The Public Service

- Conformists. The heads of the Public Service Departments achieve their positions by successfully playing corporate politics and ingratiating themselves to those that select and promote. They are "team players" – code for conformists!
- Unionised. Further to this, the Public Service is heavily Unionised which means an arm of the Labor Party is permanently embedded in the administration of the Executive Branch of Government.
- Executive must appoint heads & deputy heads. It is therefore necessary that Governors have the right to select any person they wish from anywhere in the world to be the Heads and Deputy Heads of their Government Departments.

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As the slide says, the present Heads of Government Departments get to their positions by being popular with those that select and promote within the public service and not by being innovative because that will involve risk of failure and that will interfere with one's promotion prospects.

Senior public servants have been there for many years and, given that, it is unlikely they will have new ideas that could markedly improve the performance of the service.

It is therefore essential that a Governor & Governor General have the power to select any person in the world to be the head and deputy head of each of the Public Service Departments the Governor comprehends.

### The Major Defects A Summary

- The Government is NOT your friend. Power is too concentrated in the hands of a few. This is the same at all levels of Government within the Commonwealth.
- Would you trust any politician to run your business? Politicians are not competent to run multi-billion dollar Government Departments.
- It is not possible for a Minister to give 100% of themselves to their constituents and their portfolio. Both inevitably suffer and that is why both are of a very poor standard.
- The Public Servants running the Departments got there by never doing anything innovative and by "being a team player".
- The safety intended by the Bicameral System is degraded by Political Parties.
- Independents are not able to be elected to the Upper Houses because of ABLV.

There is NO independence between any of the branches of Government.

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This slide lays out, succinctly, what the problem is.

Politicians, in general, have little demonstrated skill to run businesses and the Government is actually a huge trillion dollar enterprise.

When people elect their representative, they do so, not for that person to be a cabinet minister, but to faithfully represent their interests and concerns. That person cannot devote 100% of themselves to their representational duties if they also have to give 100% of themselves to running a Government Department as is now the case with a Cabinet Minister where that person is expected to resign if something goes wrong in their portfolio.

Above and Below the Line Voting prevents independents from being elected to the Senate which then degrades its function.

The present system is most unsatisfactory and is a recipe for mismanagement and abuse as we have seen with COVID-19, energy policies and the management of water

rights in Australia. Australians are being sold out!

# The Constitutions throughout the Commonwealth

- The present Federal Constitution could act as a starting point when reforming the Australian System of Democracy.
- Once amended, it could serve as a template for the State and Territory Governments.
- It is imperative all Constitutions be reformed.

Kevin Loughrey - Co-founder "Australians for Better Government" - Slide 31 of 35

It is expected that these reforms will only eventuate as a consequence of a series of Constitutional Conventions throughout the Commonwealth.

And that brings us to the creation of a new Constitution or, more precisely, Constitutions because all of the Constitutions of the States and Territories are deficient.

It is important, as the Americans appreciated, that similar systems of democracy are applied throughout the Federation. It is imperative that all constitutions throughout the Commonwealth of Australia be substantially reformed.

One way to commence this process would be to take the present Constitution of the Commonwealth of Australia and to modify it so that it properly addresses those matters which I have raised in this presentation.

### What should be in a Constitution

- The Constitution is a Master-Servant Contract.
- It must guarantee the inalienable rights of citizens.
- It must be enforceable. No one in Government should be immune from prosecution. There must be a codified way of handling suspected misbehaviour/criminality of any member of Government, including members of the Judiciary.
- It must put in place rules which limit the power of the Government over "The People" and how disagreements will be resolved between the three branches.

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This brings us to the point of what should be in a Constitution.

There has been much past discussion on a preamble to the Constitution of the Commonwealth, some suggesting "fluffy" words acknowledging the first inhabitants of this country. That would be a huge mistake as it would then be used by the nefarious to infer some special status to the relatives of these "first peoples".

Instead, the preamble, like the US Constitution should make it clear that Government is to serve the people and that the people are not the subjects of the Government. That should set the tone for what follows; namely the guarantee of the rights of the people, the limits of power of the Government over the people and the structure the Government must take and the critical processes, especially those relating to dispute resolution between the branches, that the Government must follow.

### Essentials clauses in a Constitution

- Guarantees of:
  - Free speech.
  - Bodily autonomy.
  - No discrimination of any sort on the basis of race, sex or ancestry.
  - No compulsory resumption of property without just compensation.
  - No detention without a formal charge and a speedy trial by a jury of one's peers.
  - Reasonable laws and punishments.
- Limits to the delegated powers of the politicians:
  - No emergency may be declared without "The People's" consent.
  - No sale of significant, publicly owned assets or infrastructure without "The People's" consent.
  - No binding international treaties without "The People's" consent.
  - A limit on public debt which cannot be breached without "The People's" consent.
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Here are a list of some things that should be considered for inclusion into a Constitution. These are aimed at limiting the ability of any Government to abuse"The People" or cause long-term harm to the nation.

This list is not exhaustive and would be the subject of much discussion at the proposed Constitutional Conventions.

### Limiting the Power of Government, Parties & Politicians

- The idea of a Constitutional Assembly.
- The use of plebiscites on nationally important issues such as treaties and declaration of an emergency requiring a waiver of the Constitution.
- The ability to "recall" a poorly performing Government, Governor, Judicial Officer or Parliamentarian.
- Limiting public debt to some percentage of the nation's GDP.
- Significant Public assets (gauged by some percentage of the GDP) may only be sold if agreed by "The People" by way of a plebiscite.
- Term limits for all Governors, Politicians & Attorney Generals

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Something that should be considered, in order to limit the power of Parties & politicians to create an environment that benefits their partisan interests, is the creation of a Constitutional Assembly at Territory, State and Federal level. As a suggestion, at the Federal level that body could consist of two persons popularly elected from each State and one from each Territory to manage all issues in which politicians cannot be trusted to be unbiased. To be elected candidates must not belong to a political party or politically oriented organisation such as a union. They would have a term of 6 years with half their number coming up for reelection every three years.

The Constitutional Assembly's key role is to safeguard the Constitution, looking after matters which Government and politicians cannot be trusted to handle impartially. To this end, it would manage elections and control the Electoral Commissions. They would also control the calling of all Referenda and Plebiscites. Importantly, the Constitutional Assembly would answer to the people, not the Government of the day.



And that, ladies and gentlemen, is what "Australians for Better Government" is about

What I have presented here is a top level view of what is a very involved matter requiring a great deal of debate and consideration.

Importantly it must be a product of the people of Australia and must eventually be agreed by the majority of Australians; most likely through a series of Referenda on contentious issues and finally, the finished Constitution.

I'll now invite you to pose questions.