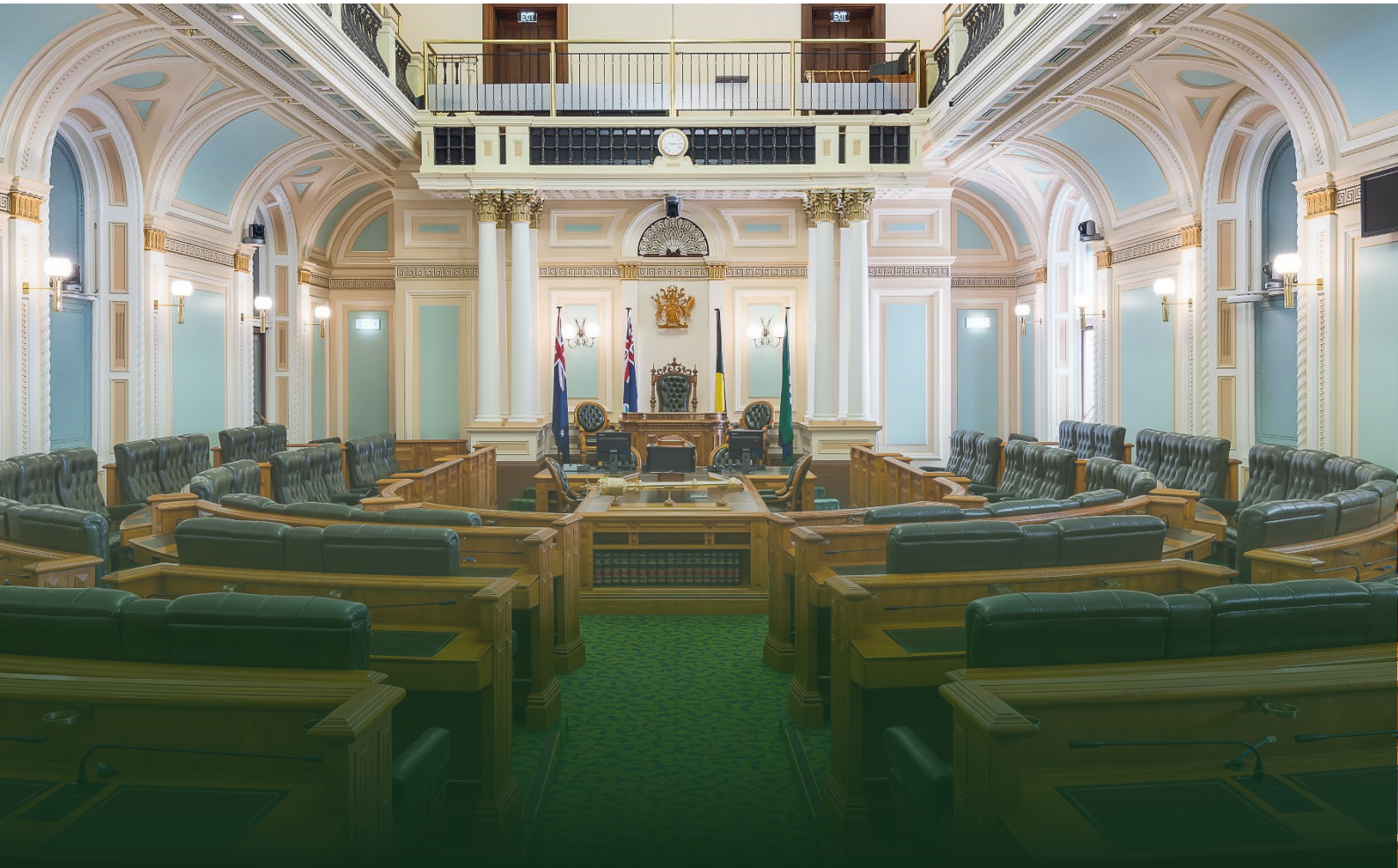
QUEENSLAND PARLIAMENT
COMMITTEES

Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

Justice, Integrity and Community Safety Committee



Report No. 26

58th Parliament, February 2026

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Justice, Integrity and Community Safety Committee

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All references and webpages are current at the time of publishing.

Acknowledgements

The committee acknowledges the assistance provided by the Department of Justice.

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Chair's Foreword

This report presents a summary of the Justice, Integrity and Community Safety Committee's examination of the Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025.

The committee's task was to consider the policy to be achieved by the legislation and the application of fundamental legislative principles—that is, to consider whether the Bill has sufficient regard to the rights and liberties of individuals, and to the institution of Parliament. The committee also examined the Bill for compatibility with human rights in accordance with the *Human Rights Act 2019*.

I note the pre-election commitment by the now Premier David Crisafulli to address the financial gerrymander created by previous donation laws targeting one industry and to restore fairness in the electoral process. I'm proud to be part of a Government delivering on that commitment of fairness to Queenslanders, and the companies and individuals stigmatised by the previous laws.

The committee also supports the amendments to refine the eligibility to vote to a narrower class of prisoners and persons serving sentences of detention, having regard to the culpability of their offending, to enhance civic responsibility, and to increase public confidence in the integrity of electoral processes by not allowing elections to be influenced by those who show disregard for the rule of law.

On behalf of the committee, I thank those individuals and organisations who made written submissions on the Bill and appeared at the public hearing. I also thank our Parliamentary Service staff and the Department of Justice for their assistance with the committee's work.

I commend this report to the House.

Marty Hunt MP

Chair

Executive Summary

On 11 December 2025, the Honourable Deborah (Deb) Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, introduced the Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025 (Bill) to the Legislative Assembly. The Bill was referred to the Justice, Integrity and Community Safety Committee (committee) for detailed consideration.

The objectives of the Bill are to improve and restore fairness and equality to the regulation of elections in Queensland and increase public confidence in Queensland's electoral process. This will be achieved by:

- prohibiting persons serving sentences of imprisonment or detention of one year or more from voting in state elections, referendums and local government elections
- applying existing caps on political donations for state elections to financial years instead of electoral cycles
- removing the ban on political donations from property developers and related industry bodies for state elections, and targeting the ban to local government elections only
- allowing loans from financial institutions to be used for electoral expenditure for state elections
- enhancing the independence of registered political parties to conduct preselection ballots without oversight of the Electoral Commission of Queensland (ECQ)
- amending authorisation requirements for election materials and how-to-vote cards and allow post office boxes and other prescribed addresses to be used.

The committee received and considered the following evidence:

- 86 written submissions from stakeholders
- a written briefing provided by the Department of Justice (Department) on 17 December 2025
- a public hearing and public briefing held in Brisbane on 16 January 2026.

The committee is satisfied that the Bill gives sufficient regard to the rights and liberties of individuals and the institution of Parliament as required by the *Legislative Standards Act 1992.* The committee found that the Bill is compatible with human rights as defined in the *Human Rights Act 2019* (HRA). It considered that any potential incompatibility with human rights as set out in the HRA was justified in the circumstances and necessary to achieve the purpose of the Bill.

The committee made one recommendation, found at page vi of this report.

Recommendations

Glossary

Attorney-General	The Honourable Deborah (Deb) Frecklington MP, Attorney-General, Minister for Justice and Minister for Integrity
Belcarra Report	*Operation Belcarra: A blueprint for integrity and addressing corruption risk in local government*
Bill	Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025
CCC	Crime and Corruption Commission
Committee	Justice, Integrity and Community Safety Committee
Department / DOJ	Department of Justice
ECHR	European Convention on Human Rights
ECQ	Electoral Commission of Queensland
Electoral Act	*Electoral Act 1992*
FLP	Fundamental Legislative Principle
HRA	*Human Rights Act 2019*
LGE Act	*Local Government Electoral Act 2011*
LSA	*Legislative Standards Act 1992*
Referendums Act	*Referendums Act 1997*

1. Overview of the Bill

The Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025 (Bill) was introduced to the Legislative Assembly by the Honourable Deborah (Deb) Frecklington, Attorney-General, Minister for Justice and Minister for Integrity (Attorney-General) on 11 December 2025 and referred to the Justice, Integrity and Community Safety Committee (committee) for detailed consideration.

1.1. Aims of the Bill

The overarching policy objectives of the Bill are to improve and restore fairness and equality to the regulation of elections in Queensland and increase public confidence in Queensland's electoral process.

The purpose of the Bill is to:

- prohibit persons serving sentences of imprisonment or detention of one year or more from voting in state elections, referendums and local government elections
- apply existing caps on political donations for state elections to financial years
- remove the ban on political donations from property developers and related industry bodies for state elections, and target the ban to local government elections only
- allow loans from financial institutions to be used for electoral expenditure for state elections
- enhance the independence of registered political parties to conduct preselection ballots without oversight of the Electoral Commission of Queensland (ECQ)
- amend authorisation requirements for election materials and how-to-vote cards and allow post office boxes and other prescribed addresses to be used.

1.2. Context of the Bill

The following key issues were raised during the committee's examination of the Bill,[1] which are discussed in section 2 of this report:

- restrictions on voting for prisoners
- changes to caps on political donations for state elections
- removing the ban on political donations from property developers
- loans for electoral expenditure in state elections
- the independence of political parties in pre-selection ballots
- enhancing electoral transparency.

[1] Note that this section does not discuss all consequential, minor, or technical amendments.

1.3. Inquiry process

The committee received and considered the following evidence:

- 86 written submissions from stakeholders
- a written briefing provided by the Department of Justice (Department) on 17 December 2025
- a public hearing and public briefing held in Brisbane on 16 January 2026.

The committee's public hearing, held at Parliament House, was attended by the following witnesses:

- Electoral Commission of Queensland
- Family First Queensland
- The Australia Institute
- Sisters Inside Inc, and
- The Property Council of Australia.

The Crime and Corruption Commission (CCC)—authors of *Operation Belcarra: A blueprint for integrity and addressing corruption risk in local government* (Belcarra Report)—provided a submission to the inquiry, however advised that they would not be available to attend the public hearing.

Two form submissions were received by the committee—submissions 56 and 78. Submission 56 was made by four people and published as 'Form A or Variation of Form A'. Submission 78 was made by 109 people, however, only 88 of those people provided the required identification for a submission. The 88 submitters were published as 'Form B or Variation of Form B'.

1.4. Legislative compliance

The committee's deliberations included assessing whether the Bill complies with the requirements for legislation as contained in the *Parliament of Queensland Act 2001*, the *Legislative Standards Act 1992* (LSA),[2] and the *Human Rights Act 2019* (HRA).[3]

1.4.1. Legislative Standards Act 1992

Assessment of the Bill's compliance with the LSA identified its retrospective operation as an issue which is analysed in section 2.2.2 of this report.

The committee is satisfied that the explanatory notes tabled with the Bill comply with the requirements of part 4 of the LSA. The explanatory notes contain a sufficient level of

[2] *Legislative Standards Act 1992* (LSA).
[3] *Human Rights Act 2019* (HRA).

information, background and commentary to facilitate understanding of the Bill's aims and origins.

1.4.2. Human Rights Act 2019

Assessment of the Bill's compatibility with the HRA identified issues with the following rights protected under the HRA:

- right to take part in public life (section 23 of the HRA)
- freedom of expression (section 21 of the HRA)
- right to humane treatment when deprived of liberty (section 30 of the HRA)
- right to privacy and reputation (section 25 of the HRA).

Of these rights, the Bill most significantly limits the right to take part in public life. This is analysed further in section 2.1.2 of this report.

The committee found that the Bill is compatible with human rights. It considered that any potential incompatibility with the human rights as set out in the HRA was justified in the circumstances and necessary to achieve the purpose of the Bill.

A statement of compatibility was tabled with the Bill as required by section 38 of the HRA. The statement contains a sufficient level of information to facilitate understanding of the Bill in relation to its compatibility with human rights.

1.5. Should the Bill be passed?

The committee is required to determine whether or not to recommend that the Bill be passed.

Recommendation 1

The committee recommends that the Bill be passed.

2. Examination of the Bill

This section discusses key themes raised during the committee's examination of the Bill.

2.1. Restrictions on voting for prisoners

Current law

Prisoners serving a sentence of imprisonment of three years or more are not entitled to vote at state and local government elections and referendums. Since 31 January 2020, prisoners serving a sentence of less than three years have been allowed to vote following legislation enacted by the former Labor Government.[4] Prior to this date, prisoners serving sentences of any length were not entitled to vote at all.[5]

[4] *Electoral and Other Legislation Amendment Act 2019*.
[5] Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,073.

During her introductory speech, the Attorney-General stated that the 2020 former Labor government reforms:

> *… allowed a large cohort of criminals to begin voting in our elections from within prison walls. This was unacceptable, and an insult to victims right across our state.*[6]

Bill amendments

The Bill proposes to restrict voting by prisoners at state and local government elections and referendums to those prisoners serving a sentence of full-time imprisonment or detention of one year or less. The Bill also proposes that persons over 18 years who were sentenced to detention for a period of one year or more as a juvenile offender and are still serving that sentence in full-time detention or imprisonment as an adult, are not entitled to vote.[7]

The Attorney-General explained that those who break the law should not have a say in elections:

> *… law-breakers should not be choosing our lawmakers. The people who demonstrate disregard and disdain for our laws should not be selecting the parliaments that enact them. …[T]he bill will increase the confidence of Queenslanders in the integrity of the electoral process by not allowing those who show disregard for the rule of law to influence elections and referendums. This reform acknowledges that serious offending warrants the temporary suspension of the right to vote. The rights of the victims whom these offenders perpetrate against must always—and should always—come first.*[8]

The policy objectives of prohibiting voting by prisoners serving sentences of one year or longer are to:

- refine the eligibility to vote to a narrower class of prisoners and persons serving sentences of detention, having regard to the culpability of their offending, to enhance civic responsibility; and
- increase public confidence in the integrity of electoral processes, by not allowing elections to be influenced by those who show disregard for the rule of law.[9]

The provisions would also bring Queensland into line with other states that share similar laws. Specifically, in New South Wales and Western Australia, a person who is serving a sentence of detention or imprisonment of one year or longer is not entitled to vote in an election.[10]

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6 Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,073.
7 Explanatory notes, p 2.
8 Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,073.
9 Explanatory notes, p 2.
10 Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,073.

2.1.1. Stakeholder Submissions and Department Advice

i. Stakeholder submissions

Most of the submissions to the inquiry commented on the proposed amendments to prisoner voting eligibility, and it was the main issue raised in submission 78.

Family First Queensland welcomed the proposed changes.[11] At the public hearing, they expanded on their submission by stating:

> *…we consider that the responsibility to vote is a right. For those who breach our laws, there is punishment for those crimes – incarceration – and we believe it is also appropriate for those who are incarcerated to lose the privilege of having a say in democracy for the period while they are in jail.*[12]

Many submissions expressed a range of concerns about the proposed restrictions. For example, Ms Broso considered it was '… undemocratic for those with a vested interest to selectively curate their voting base by excluding imprisoned people, who are disproportionately marginalised people' and represented a loss of human rights.[13] Some submitters appear to have incorrectly interpreted the Bill to suggest that the restrictions on voting eligibility would extend beyond a sentence of imprisonment and apply to anyone who served a prison sentence.[14]

The Australia Institute contended that 'prisoners are among the Australians most affected by the state government and its operation' and that it was damaging to rehabilitation prospects to exclude those who would '…soon be released from prison from exercising their democratic rights'.[15] The committee noted that no empirical evidence or data was provided in this regard.

Sisters Inside Inc similarly objected to the proposed changes submitting that voting is a fundamental incident of citizenship and would lead to disenfranchisement which they believe would not enhance civic responsibility as indicated in the statement of compatibility.[16] At the public hearing, Sisters Inside Inc stated that the threshold of a one-year sentence 'captures people who pose no heightened threat to democratic integrity' and that removal of the right to vote 'teaches disposability'.[17]

The Prisoners' Legal Service were concerned about the potential for further disenfranchisement of prisoners and did not believe that the proposed restrictions on the right to vote were legitimately justified.[18] In their submission, the Prisoners' Legal Service referred to Queensland's sentencing framework and the 'core principle' of rehabilitation.

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[11] Submission 14, p 1.
[12] Family First Queensland, public hearing transcript, Brisbane, 16 January 2026, p 6.
[13] Submission 3, p 1.
[14] Submissions 9 and 58.
[15] Submission 15, p 9.
[16] Submission 52, p 3; Statement of compatibility, p 2.
[17] Sisters Inside Inc, public hearing transcript, Brisbane, 16 January 2026, p 14.
[18] Submission 82, p 1.

They highlighted the potential for the amendments to compound existing societal barriers to inclusion and reintegration.[19]

The Aboriginal and Torres Strait Islander Legal Service took issue with the removal of the right to vote given its status as a 'fundamental civic right and a critical mechanism for participation in the democratic process'.[20]

Several submissions expressed concerns about the constitutional validity of the amendments considering the High Court's decision in *Roach v Electoral Commissioner* [2007] HCA 43.[21] Opinions provided in submissions included that:

- offending at the level which results in a sentence of three years and above warrants a 'penalty enhancement' such as the removal of the right to vote.[22]
- voting is a fundamental feature of democracy.[23]
- restrictions require a substantial reason to be justified and 'must be appropriate and adapted to the constitutional system of representative government'.[24]

The Aboriginal and Torres Strait Islander Legal Services referenced the decision of the High Court and its application of the proportionality test— noting that disqualifying only those prisoners serving a sentence of three years or more was proportionate.[25]

While the previous ban on prisoners sentenced for at least three years was upheld as valid, His Honour Chief Justice Gleeson stated:

> *It is also for Parliament, consistently with the rationale for exclusion, to decide the basis upon which to identify incarcerated offenders whose serious criminal wrongdoing warrants temporary suspension of a right of citizenship. I have no doubt that the disenfranchisement of prisoners serving three-year sentences was valid, and I do not suggest that disenfranchisement of prisoners serving sentences of some specified lesser term would necessarily be invalid.*[26]

ii. Department advice

In response to concerns that the restriction on voting eligibility would extend beyond a sentence of imprisonment, the Department explained that:

> *…clauses 6, 42 and 46, … provide that a person who is serving a sentence of imprisonment or detention of one year or more is not entitled to vote [and] require a person to be in detention on a full-time basis for an offence against a law of the Commonwealth. The restriction on eligibility to vote does not apply*

[19] Submission 82, p 15.
[20] Submission 49, p 2.
[21] Submission 52, p 2; Submission 54, pp 1-2; Submission 72, p 12.
[22] Submission 83, p 2.
[23] Submission 52, p 2.
[24] Submission 82, p 5.
[25] Submission 49, p 3.
[26] *Roach v Electoral Commissioner*, para 19.

to persons who are no longer serving their sentence or who are no longer in full-time detention.[27]

Furthermore, at the public briefing, the Department clarified that the proposed prohibition would only apply to someone in full-time detention (that is, not on remand or a suspended sentence) and that 'if they are on probation or under some other order…and if they meet the other requirements, the prohibition does not apply to them and they are eligible to vote'.[28]

Regarding the constitutional validity of the amendments, the Department advised that this would be a matter for the courts to decide.[29]

Committee comment

The committee acknowledges concerns about the proposed restrictions on some prisoners' eligibility to vote and the constitutional validity of the provisions, however, the committee's position is that those who break the law and are given a significant term of imprisonment should not be entitled to elect their public representatives. Restricting certain prisoners from voting is intended to maintain public confidence and integrity in Queensland's electoral processes. The committee is satisfied that the proposed changes are appropriately targeted and that there is an adequate basis for the restrictions on a prisoner's eligibility to vote.

The committee further notes the judgment of *Roach v Electoral Commissioner* where His Honour Chief Justice Gleeson stated that it was a matter for the Parliament to decide which prisoners have committed serious enough crimes to temporarily lose the right to vote.[30]

2.1.2. HRA 1 – Right to take part in public life

Every person in Queensland has the right, without discrimination, to participate in the conduct of public affairs, directly or through freely chosen representatives.[31] This includes the right of every eligible person to have access, on general terms of equality, to the public service and to public office.[32]

The right to take part in public life expressly includes the right for every 'eligible person' to vote at state and local government elections, without discrimination.[33] This wording restricts the scope of who enjoys this right, recognising that legitimate limits may be placed

[27] DOJ, response to written submissions, 12 January 2026, p 11.
[28] DOJ, public briefing transcript, Brisbane, 16 January 2026, p 10.
[29] DOJ, response to written submissions, 12 January 2026, pp 11-12.
[30] *Roach v Electoral Commissioner*, para 19.
[31] HRA, s 23(1).
[32] HRA, s 23(2).
[33] HRA, s 23(2)(a).

on a person's eligibility to vote, based on criteria such as age, place of residence and imprisonment.[34]

The explanatory notes tabled with the Human Rights Bill 2018 explained:

> *The limitation of this right to eligible persons allows for limitations attached to the right to vote, such as residence and age, as well as specific legislative limitations such as the eligibility of prisoners to vote that is restricted under section 106 of the Electoral Act 1992.*[35]

The proposed amendments would limit the broader right of those prisoners to participate in public life as well as the more specific right to vote.

There are six elements to consider when considering whether an impediment to a human right as set out in the HRA is reasonable and appropriate:

- purpose of limitation and how it achieves that purpose
- proportionality of the measure
    - existing jurisprudence
    - seriousness of sentences of one year or more
    - number of people likely to be impacted
- disproportionate impact on Aboriginal and Torres Strait Islander persons
- availability of alternatives.

Purpose of limitation and how it achieves that purpose

The statement of compatibility provides that the purpose of the proposed limitations on human rights is 'to enhance civic responsibility and respect for the rule of law'.[36] According to the statement of compatibility, it achieves that purpose by sending a 'clear message' that 'participation in the democratic process carries with it responsibilities to the laws which govern and protect society'.[37]

Proportionality of the measure – existing jurisprudence

International perspectives on the connection between preventing sentenced prisoners from voting and enhancing civic responsibility are mixed.[38] In general, international courts have not supported blanket bans on voting by sentenced prisoners but upheld bans that apply in specific circumstances, such as when a prisoner is convicted of a certain type of offence, or sentenced to a longer term of imprisonment.[39] This is consistent with the

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[34] Nicky Jones and Peter Billings, *An Annotated Guide to the Human Rights Act 2019 (Qld)*, 2023, para 4.376 (p 234).
[35] Human Rights Bill 2018; Explanatory notes, p 21.
[36] Statement of compatibility, p 2.
[37] Statement of compatibility, p 3.
[38] Statement of compatibility, p 3; *Scoppola v Italy [No 3]* [2012] ECHR 868; *Sauvé v. Canada (Chief Electoral Officer* [2002] 3 SCR 519 at [24]. See also [19]-[23].
[39] See Kylie Evans and Nicholas Petrie, *Annotated Queensland Human Rights Act*, 2023, HRA.23.100 (pp 205-206).

position of the United Nations Human Rights Committee, which has stated that such bans are permissible provided their length is proportionate to the offence committed and the sentence received.[40]

The statement of compatibility also explains that the European Court on Human Rights has emphasised that limits on prisoner voting must be proportionate, a requirement that can be satisfied by a legislature determining specific circumstances in which prisoners are to be disenfranchised, rather than this occurring in a 'general, automatic and indiscriminate' fashion.[41]

Prior to 31 January 2020, prisoners in Queensland serving sentences of imprisonment of any length were prevented from voting.[42] That blanket ban was replaced by the current restriction (linked to sentences of three years or more imprisonment) to align Queensland's position with Commonwealth electoral laws.[43]

Proportionality of the measure – seriousness of sentences of one year or more

The statement of compatibility justifies the proposed change as being proportionate by emphasising the serious nature of a one-year sentence. It states:

> *A sentence of one year or more is considered substantial and is typically reserved for conduct that violates core societal standards, results in significant harm, or presents a considerable threat to public safety.*[44]

Several other pieces of legislation, including the Australian Constitution and the *Parliament of Queensland Act 2001,* use a similar threshold to place limits on a person's eligibility to stand for public office and acknowledges it 'is an indication that a sentence of imprisonment for one year or more, in our legal system, is considered sufficiently serious to mark a repudiation of civic responsibility'.[45]

In introducing the Bill, the Attorney-General highlighted that both New South Wales and Western Australia have laws that prevent a person who is serving a sentence of detention or imprisonment of one year or longer from voting in an election.[46]

Proportionality of the measure - number of people likely to be impacted

The committee must consider the proportionality of the measure and the number of people impacted by the limitation on the right to take part in public life. At the public briefing, the Department advised that under half (47.4%) of prisoners in custody would be eligible to

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40 United Nations Human Rights Committee, General Comment No 25 at [14], cited in Kylie Evans and Nicholas Petrie, *Annotated Queensland Human Rights Act*, 2023, HRA.23.100 (p 205).
41 Statement of compatibility, p 3.
42 Hon Deb Frecklington, Attorney-General and Minister for Justice and Minister for Integrity, Queensland Parliament, Record of proceedings, 11 December 2025, p 4074.
43 Electoral and Other Legislation Amendment Bill 2019; Explanatory notes, p 4.
44 Statement of compatibility, p 3.
45 Statement of compatibility, p 3.
46 Queensland Parliament, Record of proceedings, 11 December 2025, p 4074. See *Electoral Act 2017* (NSW), s 30(4); *Electoral Act 1907* (WA), s 18(1)(c).

vote if the bill passed. Specifically, the Department provided the following statistics regarding the number of prisoners impacted:

> *…as at 31 December 2025, there were a total of 11,468 prisoners in custody. Of those, 597 were sentenced to less than 12 months imprisonment and 2,535 were sentenced to periods between 12 months and three years imprisonment. Therefore, if it assists the committee to give a sense of the breakdown of the effect between now and post the amendments, having regard to that total figure in custody that I mentioned earlier, currently 7,971 of those prisoners would be eligible to vote. That represents 69.5 per cent of the cohort. If the amendments are enacted, reducing that prohibition down to one year, the number who would be eligible would be 5,436 prisoners of that cohort, which represents 47.4 per cent.*[47]

Some submitters expressed concern that the amendments are expected to have a greater impact on Aboriginal and Torres Strait Islander people, who are disproportionately represented in the criminal justice system and prison populations.[48] While around 5 per cent of Queensland's population identifies as Aboriginal and/or Torres Strait Islander,[49] approximately 40 per cent of sentenced prisoners in Queensland identify as Indigenous.[50]

Availability of alternatives

The statement of compatibility acknowledges the availability of less restrictive alternatives. It contends, however, that these alternatives, which would have a higher threshold for voting ineligibility (such as a sentence of two years imprisonment), 'would necessarily be less effective in achieving the purpose'.[51]

Committee comment

While acknowledging the potential impact on some prisoners' right to take part in public life, the committee considers that the purposes of the limitation—to have regard to the culpability of offending, enhance civic responsibility and not allow elections to be influenced by those who disregard the rule of law—outweigh the limitation such that the Bill is compatible with human rights. In addition, the committee fully supports efforts to put victims and their rights first. On balance, the committee is satisfied that

- the rights of prisoners are limited to an extent that is both reasonable and demonstrably justifiable
- the amendments do not discriminate based on race

47 DOJ, public briefing transcript, Brisbane, 16 January 2026, p 8.
48 Submissions 11, 35, 41, 46, 49, 50, 52, 54, 60, 76, 78, 79, 81, 82 and 83.
49 Australian Bureau of Statistics, 'Queensland: Aboriginal and Torres Strait Islander population summary', 2022, https://www.abs.gov.au/articles/queensland-aboriginal-and-torres-strait-islander-population-summary.
50 Australian Bureau of Statistics, 'Prisoners in Australia', 2025, https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release#data-downloads.
51 Statement of compatibility, p 4.

- while less restrictive alternatives exist, they would be less effective in achieving the purpose
- the amendments remain consistent with the ruling of the High Court in *Roach v Electoral Commissioner*
- the proposed measures are proportionate to achieve the policy intent.

2.2. Changes to caps on political donations for state elections

Current law

Under the Electoral Act, political donations are capped to limit the amount a single donor can donate during a 'donation cap period'. This applies regardless of whether the donation (made for a purpose relating to a state election) is made to a registered political party, candidate endorsed by a registered political party or an independent candidate.[52]

As set out in section 247 of the Electoral Act, the 'donation cap period' is currently defined as the period between general elections—which is '30 days after polling day for the last general election until 30 days after polling day for the next general election'. In Queensland, the donation cap period is generally four years. If a candidate contests a by-election, this period renews and will apply from 30 days after election day until the next election contested by the candidate.[53]

Under current donation cap provisions, which the Bill does not seek to change, donors are unable to make political donations of more than:

- $4,800 to the same registered political party
- $7,200 to an independent candidate, or
- a total of $7,200 to candidates endorsed by the same registered political party. [54]

Bill amendments

While the Bill does not seek to change the monetary limits placed on donations made during the donation cap period, it does seek to change the definition of a donation cap period to apply to a financial year only.[55] The explanatory notes set out that the change will aim to reduce the restrictions on funding sources which may be applied, while 'continuing to limit potential risks of corruption and undue influence, and ensure a level playing field between donors'.[56]

[52] Explanatory notes, p 2.
[53] Explanatory notes, p 2.
[54] Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,074.
[55] Bill, cl 14.
[56] Explanatory notes, p 2.

The proposed amendment to the donation cap period will also bring Queensland into line with New South Wales and its financial year donation caps, and broadly into line with the Commonwealth, where a donation cap period is taken to be a calendar year.[57]

The Bill proposes the caps would operate retrospectively from 1 July 2025.[58]

2.2.1. Stakeholder Submissions and Department Advice

i. Stakeholder submissions

The Australia Institute submitted that the proposed '…shift to a per-year cap would benefit established parties and sitting MPs, particularly the major parties with sophisticated yearly fundraising operations'.[59] Submitter 26 stated that the shift away from an electoral cycle cap raised concerns about 'cumulative influence'. They further argued that while 'caps are intended to limit undue influence, restructuring them in this way may allow organised and well-resourced donors to exert sustained financial pressure over time'.[60] Submitter 45 and Ms Corinna Lange expressed the view that the change would advantage wealthy donors and risked further entrenching money as a factor in political success and influence.[61]

Family First Queensland supported moving donation caps to a financial year basis, affirming that it would make for a fairer and easier process for candidates who were not from larger political parties.[62]

ii. Department advice

The Department stated that the approach proposed in the Bill will broadly align the donation cap period with the gift cap period due to commence on 1 July 2026 under the *Commonwealth Electoral Act 1918* (Cth). The Department further advised that a similar cap to that proposed already operates in New South Wales and South Australia.[63]

The Department pointed to the strict disclosure requirements and the real-time disclosure laws that exist in Queensland. For example, gifts and loans are disclosed throughout the reporting period and those disclosures must be made within seven days. In the seven business days prior to an election, the gifts must be disclosed within 24 hours of receipt.[64]

2.2.2. FLP 1 - Retrospective operation

The explanatory notes state that if the Bill commences before the end of the 2025-26 financial year, there may be a potential adverse impact on those who made and received political donations between 26 November 2024 and 30 June 2025. The examples provided include:

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57 Explanatory notes, p 2.
58 Bill, cl 23 (new s 456, *Electoral Act 1992* (Electoral Act)); Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,075.
59 Submission 15, p 8.
60 Submission 26, p 1.
61 Submission 45, p 1; Submission 60, p 4.
62 Public hearing transcript, Brisbane, 16 January 2026, p 7.
63 DOJ, response to written submissions, 12 January 2026, p 12.
64 DOJ, public briefing transcript, Brisbane, 16 January 2026, p 8.

- *if a person/entity had already exhausted their donation cap as it applies during 26 November 2024 to 27 November 2028 before commencement of the Bill, they will potentially receive an advantage, as the retrospective operation effectively 'renews' the caps as at 1 July 2025;*
- *if a person/entity had not yet made or received any political donations before 1 July 2025, they will effectively miss out on the opportunity to have exhausted their cap and receive the benefit of a new cap for the 2025-26 financial year.*[65]

Fundamental legislative principles are the principles relating to legislation that underpin a parliamentary democracy based on the rule of law. These principles include requiring that legislation has sufficient regard to rights and liberties of individuals and the institution of Parliament.[66]

To have sufficient regard to the rights and liberties of individuals, a Bill should not adversely affect rights and liberties, or impose obligations, retrospectively.[67] If there is such retrospectivity, it must be justified.

The Bill seeks to amend the definition of 'donation cap period' in the *Electoral Act 1992* to mean each financial year.[68] This new definition would apply retrospectively to donations from 1 July 2025.[69]

The explanatory notes set out—and the committee identified—two possible impacts, should the Bill commence in the 2025-26 financial year:

1. Political donations received between 1 July 2025, and commencement will be taken into account in applying donation caps for the 2025-26 and future financial years.
2. Donors who had already made donations between 26 November 2024 and commencement, along with the recipients of donations, will have the benefit of donation caps effectively 'renewing' at 1 July 2025.[70]

With respect to the second point, the committee considered:

- whether this may confer a benefit to those who donated prior to 1 July 2025, in that they are now afforded a chance to donate again.
- where a person who had not donated as of 1 July 2025, being of the belief they had until the next general election, may be affected in that the amount that they can donate is less than that of a person who had donated between November 2024 and commencement of the Bill, and

65 Explanatory notes, p 6.
66 LSA, s 4.
67 LSA, s 4(3)(g).
68 Bill, cl 14 (Electoral Act, replaces s 247). See also Bill, cl 15 (Electoral Act, amends s 253).
69 Bill, cl 23 (Electoral Act, new s 456).
70 Explanatory notes, p 5.

- recipients may correspondingly be adversely affected in that they may receive less donations than those who received donations between November 2024 and 1 July 2025.

Committee comment

The committee considered some situations where the retrospective operation of the donation cap provisions may adversely affect some donors and recipients. The committee notes that the amendment applies across the political board, does not target a specific donor or political party, and is in keeping with the pending gift cap period under the *Commonwealth Electoral Act 1918.*

It is the committee's view that the amendments are necessary to achieve the policy objective as soon as possible and the potential for inequalities across donors and recipients is limited.

2.3. Removing ban on political donations from property developers

In 2018, the previous Labor government introduced a ban on political donations from property developers for state elections.[71] The Bill proposes to remove this ban in the Electoral Act and allow both property developers and industry bodies—which have property developers as the majority of their members—to make political donations for state elections.[72]

A similar ban on property developers is in place for local government elections. That ban specifically applies to political donations to a 'political party'. The Bill proposes to amend the LGE Act to make it consistent with recommendation 20 of the Belcarra Report. The ban on political donations from property developers for local government electoral purposes will be maintained.[73]

The three policy objectives behind these changes are to:

- create equal opportunities for participation in state elections for property developers
- ensure the property developer donations ban is more closely aligned with recommendation 20 of the Belcarra report, and
- promote freedom of expression in allowing donations from property developers to be used for state electoral purposes.[74]

[71] *Local Government Electoral (Implementing Stage 1 of Belcarra) and Other Legislation Amendment Act 2018*.
[72] Explanatory notes, p 3; Bill, cl 17.
[73] Explanatory notes, p 3; Bill, cl 33.
[74] Explanatory notes, p 3.

2.3.1. Stakeholder Submissions and Department Advice

i. Stakeholder submissions

The Property Council of Australia supported the lifting of the ban on donations from property developers. Their submission identified their '…long-standing position on repealing this ban and ensuring fair and equitable treatment for the property sector alongside all other sectors and unions'.[75]

At the public hearing the Property Council of Australia highlighted that:

> *…despite the critical role that this industry plays in our state's prosperity, it remains the only lawful industry banned from making political donations, with the ban applying to property developers and industry bodies whose members make up the majority of property developers. It also reaches as far as those professions indirectly support the property industry such as planners, surveyors, engineers, architects and property lawyers, just to name a few. This ban, as it stands, is not fair and it is not equitable.*[76]

Family First Queensland expressed similar concerns surrounding the definition of prohibited donors and that the current definition reads in such a way that some small businesses fall into the definition and are unfairly prohibited from donating.[77]

The Property Council of Australia further described how the ban has negatively impacted the industry and contributed to the perception that developers are untrustworthy which makes it '…difficult to deliver the diverse housing and infrastructure that Queensland so urgently needs'.[78] In this regard they described how 'Fair, consistent and transparent electoral rules help to ensure that legitimate voices can participate openly, be held to account and contribute to good public policy while government retains full decision-making authority under the law' and that the proposed changes would provide for an 'even playing field'.[79]

Many submitters did not support repealing the ban with concerns expressed about increased risks of corruption; some citing recommendations in the Belcarra Report.[80]

The Australia Institute's submission provided an opinion that lifting the ban '…would risk "clientelism" where decision-makers put the interests of their patrons above the public interest'.[81]

In their submission, the CCC stated that:

> *The risks associated with political donations have been well-documented, as too are community perceptions of corruption by elected officials…*
>
> *…The CCC considers that caution is required, to ensure that the proposed changes in the Bill go no further than its intended outcomes, and do not*

[75] Submission 10.
[76] Public hearing transcript, Brisbane, 16 January 2026, p 17.
[77] Public hearing transcript, Brisbane, 16 January 2026, p 7.
[78] Public hearing transcript, Brisbane, 16 January 2026, p 17.
[79] Public hearing transcript, Brisbane, 16 January 2026, p 17.
[80] Submission 13, p 1; Submission 15, p 1; Submission 26, p 1.
[81] Submission 15, p 1.

> *allow any avenue for property developer donations to benefit candidates at local government elections.* [82]

At the public hearing, Family First Queensland, in reference to property developers, stated that:

> *Singling them out as a corruption risk, particularly at a state government level, where again, in our context, we are not talking about large, multinational corporations who might have significant projects across Queensland; we are talking about much smaller developers. In that context, we do not see any particular identifiable corruption risk around those people in the state election context*.[83]

The Property Council of Australia expressed similar sentiments regarding the 'singling out' of the property industry and stated that this had led to a perception that the industry is untrustworthy. It noted that environment has created a scenario where anti-development sentiment or reference to greedy property developers has increased, and stressed 'that is not founded on any fact or reality'.[84]

Family First Queensland also observed that the requirements (regarding prohibited donors) in Queensland are 'probably the most onerous in relation to ensuring that donors meet the particular requirements of the act'. They explained that those who donate to their party simply want to support their 'values-based party' and may make donations through volunteers who also may not have a detailed working knowledge of the legislation. Family First Queensland supported the objective of the Bill to narrow the definition to apply to local government only so that it operates in a way closer to that intended by the recommendations of the Belcarra Report.[85]

ii. Department advice

In responding to feedback from submitters, the Department indicated that the majority of issues raised were policy matters for government. In response to specific concerns about corruption risks, the Department identified that caps on political donations will continue to operate and work to ensure the risk of corruption and undue influence is reduced. Furthermore, caps on electoral expenditure will remain and thereby limit the extent to which any political donations received could be applied to electoral expenditure for a state election.[86]

At the public briefing the Department explained there are current caps on political donations which 'operate to reduce potential risks of corruption and undue influence and ensure a level playing field between donors where donations are made for state electoral purposes'.[87]

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82 Submission 47, pp 2-3.
83 Public hearing transcript, Brisbane, 16 January 2026, p 7.
84 Public hearing transcript, Brisbane, 16 January 2026, p 18.
85 Public hearing transcript, Brisbane, 16 January 2026, pp 5-6.
86 DOJ, response to written submissions, 12 January 2026, p 14.
87 DOJ, public briefing transcript, Brisbane, 16 January 2026, p 3.

The Department also pointed to the provisions of the Bill that will operate as anti-circumvention measures whereby 'political donations from a property developer to a related industry body that does not have a restricted donation statement will be unlawful under the *Local Government Electoral Act*'. This is supported by the introduction of a new offence, subject to a maximum penalty of 400 penalty units or two years imprisonment. Furthermore, if a person accepts a restricted donation and uses it for a local government electoral purpose there is a recovery provision where an amount 'equal to twice the value of the restricted donation is payable to the state'.[88]

2.4. Loans for electoral expenditure for state elections

Currently, the Electoral Act provides that a loan from a financial institution cannot be paid into the state campaign account of a candidate or registered political party. Consequently, it cannot be used to fund the electoral expenditure of a candidate or registered political party for a state election.[89] Loans from other sources (such as individuals, private or regulated lenders) are able to be paid into the accounts without issue.[90]

The Bill seeks to widen the possible sources of funding paid to a campaign account to include loans from financial institutions. The policy objective of this change is to firstly ensure that financial institutions are not 'unfairly restricted to private and unregulated lenders'. The second aim is to mitigate risk and prevent candidates and registered political parties from being compelled to only borrow from a narrow set of sources to finance electoral expenditure for state elections.[91]

The proposed amendment will change the definition of 'loan' under the Electoral Act and prevent parties and candidates from being forced to turn to unregulated lenders. There is no change to the disclosure obligations on parties and candidates.[92]

2.4.1. Stakeholder Submissions and Department Advice

i. Stakeholder submissions

Some submitters expressed concerns about loans being permitted for electoral expenditure.[93] Submitter 24 claimed that this amendment would allow a 'backdoor for undisclosed influence' and lead to situations where a large loan is provided on generous terms or later forgiven, thereby bypassing disclosure requirements and caps.[94] Submitter 26 said that allowing loans '…for electoral expenditure further risks entrenching inequities within the political system…' and that this reform may '…concentrate political influence among those with greater economic resources'.[95]

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88 Public briefing transcript, Brisbane, 16 January 2026, pp 3-4.
89 Explanatory notes, p 3.
90 Explanatory notes, pp 3-4.
91 Explanatory notes, p 4.
92 Bill, cl 12; Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,075.
93 Submissions 9, 16, 17, 18, 21, 24, 26, 30, 31, 41, 45, 56, 60, 65, 69, 70 and 71.
94 Submission 24, p 1.
95 Submission 26.

Additionally, submitter 16 asserted that the use of loans from financial institutions risks '…circumventing donation caps in practice, reducing transparency around campaign financing and providing an advantage to parties or candidates with greater access to finance'.[96]

Family First Queensland recommended a further amendment to the Bill relating to state campaign accounts. They stated that '...where all expenditure is run through the party account, it is unreasonably onerous to require every individual candidate to also establish a bank account for their campaign account…leaving it empty and then closing it after an election period'. In making this recommendation, Family First Queensland shared some anecdotal evidence that the repeated opening and closing of accounts, and not using them, may '...trigger flags under the Commonwealth's anti-money laundering counterterrorism financing legislation'.[97]

ii. Department advice

In relation to issues raised regarding loans from financial institutions, the Department reiterated the policy objective of the Bill which is to '…ensure that funding sources for campaigning are not unfairly restricted to private and unregulated lenders'.[98] Specifically commenting on undue influence, the Department responded:

> *…as a result of the amendments a financial institution will be treated consistently with other entities that provide loans to political parties and candidates. To the extent that a loan is made for no consideration or inadequate consideration (including by a financial institution under the amendments), under section 250 of the Electoral Act it will be considered to be a political donation and will therefore be subject to political donation caps if it is to be used for a State electoral purpose.*[99]

The Department also identified further requirements for loans from financial institutions including when they are paid into the state campaign account, they must be repaid from the same account. In line with current requirements for other loan types they must also be disclosed in returns by registered political parties and candidates and would be subject to the same record keeping requirements.[100]

2.5. Independence of political parties in pre-selection ballots

Part 9 of the Electoral Act currently provides for the ECQ to perform inquiries or audits as part of its oversight of preselection ballots. This includes registered political parties being required to adhere to 'model procedures' for the conduct of a preselection ballot as prescribed by regulation.[101]

The Bill proposes to change the Electoral Act to remove these oversight requirements for preselection ballots. These amendments seek to:

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96 Submission 16, p 1.
97 Public hearing transcript, Brisbane, 16 January 2026, p 6.
98 DOJ, response to written submissions, 12 January 2026, p 20.
99 DOJ, response to written submissions, 12 January 2026, p 20.
100 DOJ, response to written submissions, 12 January 2026, p 21.
101 Explanatory notes, p 4.

- remove the administrative burden placed on the ECQ in undertaking the abovementioned audits and inquiries, and
- allow registered political parties to undertake preselection ballots in accordance with the parties' constitution without having to adhere to other requirements.

In making these changes, the Bill aims to treat political parties equally, given some parties do not require a preselection ballot process or choose not to follow a democratic process.[102] During her introductory speech, the Attorney-General stated:

> *No other state or territory, or the Commonwealth, has any Electoral Commission involvement and oversight of internal party preselections. These are outdated provisions, and their repeal is a necessary step in enhancing and protecting the internal independence of political parties and ensuring the rights of their members are protected.*[103]

2.5.1. Stakeholder Submissions and Department Advice

i. Stakeholder submissions

There were mixed views among submitters regarding the changes. Some submitters supported the removal of oversight by the ECQ in preselection ballots.[104] For example, Mr Andrew Brown suggested that the 'previous approach was unnecessarily burdensome on democratic processes and simply imposed "busy work" to no productive end'.[105]

Family First Queensland similarly supported the change. At the public hearing, they described how ECQ involvement at the preselection stage is complex and 'for a small party with low admin abilities and heavily reliant upon volunteers, would just add another significant burden'.[106] They further stated that the removal of these requirements may increase the democratisation of their preselection process and they already do not have preselection ballots partly to avoid the complexity of ECQ involvement.[107]

Family First Queensland agreed that the ECQ has a role in relation to the 'fairness, operation and conduct of the electoral process' and further that:

> *…it is quite a strong risk for the ECQ to also have a role in terms of the internal party processes. We believe that is a matter, as a general principle, for the parties to determine. As the parties are doing that in accordance with the law, there is really no matter for the ECQ to get involved, and there was a great risk of them becoming involved in those processes and becoming partisan in doing so.*[108]

Other submitters expressed concern that the removal of oversight could lead to a lack of transparency and weakening of accountability.[109]

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[102] Explanatory notes, p 4; Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,075.
[103] Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,075.
[104] Submission 14; Submission 70, p 1.
[105] Submission 70, pp 1-2.
[106] Family First Queensland, public hearing transcript, Brisbane, 16 January 2026, p 6.
[107] Family First Queensland, public hearing transcript, Brisbane, 16 January 2026, p 6.
[108] Public hearing transcript, Brisbane, 16 January 2026, p 8.
[109] Submission 9, p 1; Submission 41, p 1.

At the public hearing, the ECQ advised they currently run an active audit program for preselection ballots, carried out under existing legislative requirements. They further advised that removal of their oversight role in this regard would be straightforward to implement and would not diminish the importance or usefulness of their auditing capability, which they would intend to redirect toward other funding and disclosure priorities.[110]

ii. Department advice

While the issues raised in submissions were largely policy matters for Government, the Department advised that no other jurisdiction in Australia provides for comparable legislative oversight of preselection ballots by their Electoral Commission. The Department also reiterated the policy intent of the amendments which included removing the administrative burden placed on the ECQ by the current system. [111]

2.6. Enhancing electoral transparency

Under the Electoral Act, a person must not '…print, publish, distribute or broadcast (or permit or authorise) an advertisement, handbill, pamphlet or notice containing election matter, unless it contains the name and address of the person who authorised the material'.[112] Persons must also not distribute, or permit or authorise the distribution of, how-to-vote cards unless they contain the required authorisation details as set out in section 182(2) of the Electoral Act.[113] The Electoral Act currently prohibits the use of a post office box as a person's address in the authorisation details.[114]

These stipulations apply during the 'election period', which is taken to mean 'the period beginning on the day after the writ for the election is issued and ending at 6pm on the polling day for the election (i.e. 26 days)'.[115]

The Bill proposes to change sections 181 and 182 of the Electoral Act to amend the definition of 'election period' so that it would begin 12 months prior to polling day and end at 6pm on polling day for ordinary general elections. This change aims to provide a greater level of transparency and awareness about the identity of who is authorising material and enable voting choices to be informed by this as well as the information contained in the material. For any other election, including a by-election, the current meaning (of 26 days) will be retained. [116]

The Bill also proposes to allow a post office box to be used for the required address within the authorisation details. The aim of this change is to address current privacy and safety

[110] ECQ, public hearing transcript, Brisbane, 16 January 2026, p 1.
[111] DOJ, response to written submissions, 12 January 2026, p 22.
[112] Explanatory notes, p 4; Electoral Act, s 181.
[113] Explanatory notes, p 4; Electoral Act, s 182.
[114] Explanatory notes, p 4; Electoral Act, s 182(3).
[115] Explanatory notes, p 4.
[116] Explanatory notes, p 4; Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,075.

concerns, particularly for those candidates who may only be able to provide a personal residential address.[117]

2.6.1. Stakeholder Submissions and Department Advice

i. Stakeholder submissions

Stakeholders expressed mixed views about amendments to the authorisation requirements for electoral materials and the use of post office boxes. For example, some submitters supported the changes to the disclosure of political materials and stated that the use of post office boxes should be accepted for privacy and personal safety reasons.[118]

Other submitters however were concerned about what they perceived to be reduced or weakened transparency and accountability by allowing the inclusion of post office boxes as addresses.[119] Generally, these submissions pointed to the need for 'clear and robust authorisation requirements' to prevent voter confusion and misinformation[120], allow voters to identify the source of campaign material and assess its credibility[121], and maintain voter trust[122]. It was argued that relaxing authorisation requirements would diminish public trust and increase the risk of anonymous, misleading, or deceptive campaigning.[123]

At the public hearing on 16 January 2026, the ECQ confirmed that it ensures the legitimacy of people who use post office boxes as their nominated address. The ECQ stated:

> *Through the nomination process, we understand the personal information and details of candidates as well, as well as their agents if that is in play. Likewise, in preparing election material, [the ECQ] engage very closely with people who publish, produce and release how-to-vote cards and election material, whether that is prior to election or during the election period, so I am pretty confident that we would be able to identify those individuals.*[124]

The ECQ further explained that it has authority and access to a range of other information to help identify individuals and organisations that might distribute election material.[125] This however differs to information regarding authorisation addresses. The ECQ advised that there is no requirement for a political party or a candidate to disclose what address they are going to authorise their material with. As such, this information is not collected by the ECQ nor is it available to anyone via the ECQ.[126] Finally, while the ECQ described some alternatives that currently exist to a candidate having to place their personal residential

[117] Explanatory notes, p 5; Hon Deb Frecklington, Attorney-General, Minister for Justice and Minister for Integrity, Queensland Parliament, Record of Proceedings, 11 December 2025, p 4,075.
[118] Submissions 1, 48, and 60 (p 6).
[119] Submissions 16 (p 1), 26, 41, 45 (p 2) and 70 (p 1).
[120] Submission 16, p 2.
[121] Submission 26.
[122] Submission 41.
[123] Submissions 16 and 26.
[124] Public hearing transcript, 16 January 2026, p 3.
[125] Public hearing transcript, 16 January 2026, p 3.
[126] Public hearing transcript, 16 January 2026, p 3.

address on election material, they stated that safety concerns remained for those candidates.[127]

ii. Department advice

The Department responded to concerns regarding the proposed use of post office boxes by stating that the amendments were not expected to result in a significant reduction of transparency. They confirmed that the requirement to include the name of the authorising person (in addition to other requirements for how-to-vote cards relating to registered political parties and independent candidates) would remain. The Department further advised that the intention of the amendments is to address privacy and safety concerns for those candidates who may have been required to provide their personal residential address.[128]

Committee comment

The committee acknowledges the range of views relating to the other changes proposed in the Bill, notably the removal of the ban on political donations from property developers and related industry bodies. The committee supports these amendments as necessary to achieve the policy intent of the Bill—equal opportunities for participation, consistency with recommendation 20 of the Belcarra Report, and freedom of expression for property developers to make political donations in state elections. The committee notes the commitment of Premier Crisafulli prior to the 2024 election and considers that the implementation of this Bill delivers on these important reforms to ensure equality and fairness within Queensland's electoral system.

[127] Public hearing transcript, 16 January 2026, p 4.
[128] DOJ, response to written submissions, 12 January 2026, p 26 and public proceedings, Friday 16 January 2026, p 10.

Appendix A – Submitters

Sub No.	Name / Organisation
1	Georgia Temple
2	Name withheld
3	Tara Broso
4	Easton Dunne
5	Jessica Seeleither
6	Name withheld
7	Madeleine Orr
8	Name withheld
9	Name withheld
10	Property Council of Australia
11	Jeremy Tucker
12	Angela Donaghy
13	James Meyers
14	Family First Queensland
15	The Australia Institute
16	Name withheld
17	Johnny Daglish
18	Stephen Woods
19	David Muller
20	Electoral Commission of Queensland
21	Name withheld
22	David Brand
23	Name withheld
24	Name withheld
25	Confidential
26	Name withheld
27	Name withheld
28	Sean Bunton

29	Martin Wagner
30	James Marshall
31	Name withheld
32	Lindsay Doherty
33	Name withheld
34	Name withheld
35	Tess Brading
36	Justin Bechaz
37	Richelle Wight
38	Kaylyn Pratt
39	Name withheld
40	Tristan Sing
41	Name withheld
42	Rebecca Nicholson
43	Name withheld
44	Name withheld
45	Name withheld
46	Name withheld
47	Crime and Corruption Commission
48	Callum Brooks
49	ATSILS
50	Community Restorative Centre
51	Corruption Prevention Network Queensland Inc
52	Sisters Inside Inc
53	Name withheld
54	National Network of Incarcerated & Formerly Incarcerated Women & Girls
55	Name withheld
56	Form A or variation of Form A
57	Name withheld
58	Name withheld

59	David Brunt
60	Corinna Lange
61	Bruce Vaschina
62	Gavin Colthart
63	Project herSELF
64	Animal Justice Party Queensland
65	Name withheld
66	Name withheld
67	The Integrity Standard
68	Name withheld
69	Name withheld
70	Andrew Brown
71	Anna Macnaughtan
72	Patrick Coleman
73	Name withheld
74	FamilyVoice Australia
75	Martin Proctor
76	Youth Advocacy Centre
77	Institute of Public Affairs
78	Form B or variation of Form B
79	Bill Tait
80	Kendra Clark
81	Samantha Skinner
82	Prisoners' Legal Service
83	Queensland Law Society
84	Australian Lawyers Alliance
85	Name withheld
86	Queensland Council for Civil Liberties

Appendix B – Witnesses at Public Hearing, 16 January 2026

Electoral Commission of Queensland

Mr Wade Lewis	Assistant Electoral Commissioner
Mr Matthew Thurlby	Director, Funding, Disclosure & Compliance

Family First Queensland

Mr Mark Spencer	Operations Manager

The Australia Institute

Mr Bill Browne	Director, Democracy & Accountability Program

Sisters Inside Inc

Ms Tabitha Lean	National Development Officer

Property Council of Australia

Ms Jess Caire	Executive Director, Queensland

Appendix C – Public Briefing, 16 January 2026

Department of Justice

Tessa Piper	Deputy Director-General, Justice Policy and Reform
Leanne Robertson	Assistant Director-General, Strategic Policy and Legislation
Leighton Kraa	Director, Strategic Policy and Legislation
Joanna Eisemann	Principal Legal Officer, Strategic Policy and Legislation

Statement of Reservation and Dissenting Report

QUEENSLAND LABOR OPPOSITION

Statement of Reservation

Justice, Integrity and Community Safety Committee

Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

58TH PARLIAMENT

Acknowledgment of Country

We acknowledge the Traditional Owners of the lands, seas, skies and waterways from across Queensland.

We pay our respect to the Elders, past, present and emerging, for they hold the memories, traditions, the culture and hopes of Aboriginal peoples and Torres Strait Islander peoples.

This artwork by The Hon Leeanne Enoch MP is called "The Power of Many" from her "Connections" series. It represents the paths we take to reach our goals and the many important and often powerful connections we make with each other along the way.

The Queensland Labor Party is the party of integrity reform.

Over successive years and successive administrations, the Queensland Government led by the Queensland Labor Party has increased transparency and accountability in Queensland's democratic institutions. These strong integrity reforms include, but are not limited to:

- reducing the threshold for donation disclosure to $1,000
- implementing real time disclosure laws for donations
- implementing recommendations from the Crime and Corruption Commission to prohibit property developers from making donations.

As outlined by the Crime and Corruption Commission in their submission:

> ***Queensland currently has a strong political donations framework as a result of significant reforms introduced at the state and local government level following CCC Operation Belcarra.***

These strong enhancements to the electoral system in Queensland, led by the Queensland Labor Party can be contrasted with a number of past actions of the Liberal National Party when in government, including:

- The Karreman Quarries affair, which saw Karreman Quarries donate $50,000 to the Liberal National Party. It is a matter of public record that the then Liberal National Party Deputy Premier, Jeff Seeney introduced retrospective amendments to legislation that were passed through Parliament, effectively legalising Karreman Quarries' gravel extraction activities and declaring them to have always been lawful despite the relevant department having found sufficient evidence to support a prosecution against the company for operating without a required permit. While the then Deputy Premier denied giving special treatment, the situation certainly does have an odour around it.

- Industrial and mining company, Sibelco, spending around $91,000 to send personalised letters to electors in Ashgrove endorsing Campbell Newman. Legislation was then introduced by the former Newman Liberal National Party Government which impacted, in the view of many in a positive way, Sibelco's interests.

- Former Minister and then Deputy Premier Jeff Seeney used ministerial powers to rezone a privately owned Maroochy River caravan park owned by a donor to the Liberal National Party, who described themselves in the media as a 'broad supporter of the LNP' against the local council's wishes, a decision which reportedly significantly increased the property's value.

The Crime and Corruption Commission stated in their submission, after reviewing the bill:

> ***The CCC considers that aspects of the changes proposed in the Bill are a significant departure from Queensland's robust political donations framework and are out-of-step with reforms introduced to manage risks associated with political influence, and perceptions of it.***

When the Australia Institute was asked during the public hearing whether they were aware of any other jurisdiction that was weakening electoral donation laws, they responded:

> ***… I am not aware of any jurisdiction that is moving to lift restrictions on donations where they already exist, and I am not aware of any jurisdiction where they are proposing to raise donation caps …***

We have a situation, in Queensland, where the Crisafulli Liberal National Party government, is seeking to change the electoral laws to increase the ability of private money in our political system. The Crime and Corruption Commission stated in their submission:

> ***The risks associated with political donations have been well-documented, as too are community perceptions of corruption by elected officials.***
>
> ***The CCC's 2025 Corruption Perceptions Survey highlighted the importance of ensuring government decision-making is, and is seen to be, fair, impartial and free from influence. Concerns about bribery or receiving gifts and benefits that may influence public sector decisions was considered one of the highest risk areas by community members surveyed.***

It is clear, from the state's peak integrity body, that there are risks associated with political donations, either perceived or actual. The actions of the Crisafulli Liberal National Party government through this bill are completely contrary to the watchdog's views, and as such, the bill could increase the risk of real or perceived corruption Queensland.

The Queensland Labor Opposition acknowledges the role that property developers play in a modern society. They are one lever of many to increase housing supply in Queensland, which is vitally important in a housing affordability crisis. The Queensland Labor Opposition also understands that property developers, just like any stakeholder, will wish to engage with government to work collaboratively on solutions to problems.

It should be noted that the issue of trade unions was raised during the committee hearings, as a class that can donate, who may wish to seek influence. However, it should be noted, as outlined by the Australia Institute:

> ***… in the case of a trade union, if there are benefits to their members for industrial relations reform, those benefits accrue to workers in that sector, let's say, and not directly to the trade unions, so the financial incentives are very different.***

As outlined by many stakeholders this bill, in its current form, has the potential to increase the corruption risk in Queensland at the decision-making level, with planning decision-makers at both the state and local government level.

While many have held a view that the risk of influence in respect of property development is at the local government level, since the passing of the Belcarra reforms, there is an increased risk at a state government level of decision makers being susceptible to corruption, perceived or actual. The Crime and Corruption Commission summarised this in their submission, stating:

> ***The CCC's observes that the increased risks of actual or perceived corruption in relation to political donations which may arise from the Bill will occur during the significant period in the lead up to the 2032 Brisbane Olympic Games.***
>
> ***Queensland is entering a period of increased investment in property and infrastructure development driven by population growth, economic diversification, with major sporting and other events.***
>
> ***There is concern that the reintroduction of property developer donations could exacerbate real and/or perceived risks of undue or improper influence, particularly as developer interests align closely with major projects.***

Who is responsible for the delivery of infrastructure for the 2032 Olympic and Paralympic Games? The current Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations – Jarrod Bleijie MP.

The Shadow Attorney-General and Shadow Minister for Justice, The Honourable Meaghan Scanlon MP during the hearing asked the Australia Institute:

> ***… since the implementation of the Belcarra reforms and since the election of the LNP government, there has been increased power for Jarrod Bleijie as the planning minister in the state government to review and approve developments. In light of the CCC's submission that they are concerned about 'increased risk of actual or perceived corruption' in relation to this bill, does the Australia Institute support the CCC's position?***

The Australia Institute responded:

> ***Certainly I do not support lifting the ban on property developer donations. I think the CCC, from memory, recommended that changes, for example, around transparency be made, and that certainly made sense to me if it were to be lifted.***

It is a matter of public record that there has been a number of Ministerial Infrastructure Designations, changes to State Facilitated Developments and other planning law changes, in addition to the issue of Olympic and Paralympic infrastructure, which has increased the Queensland Government's involvement in planning and development applications in Queensland in recent times.

The Corruption Prevention Network Queensland in their submission referred to situations in other jurisdictions where decision makers have been influenced in the planning realm at both the state government and local government levels.

In the submission by James Meyers, a retired public servant who worked in the integrity and ethical standards arena, he stated that:

> ***"The planning powers of the State in Queensland are able to confer greater benefit at scale to developers in a State preparing for the Olympic Games and at a time when all governments are under pressure to address a housing crisis and free up land for urban development.***

It is submitted that any increase in involvement by the State Government in planning and development decisions, coupled with changes to electoral donation laws, increases the risk of corruption, perceived or real in relation to decision makers, of all levels in government.

The bill will also make changes to how the current prohibition on property developers to donate at a local government level will operate. As outlined by the Crime and Corruption Commission in their submission:

> ***The Bill will alter the provisions around donations to create distinct and different requirements at the state and local government level. There is a risk that this may create confusion and uncertainty and lead to non-compliance, whether intended or otherwise.***
>
> ***The 'restricted donation' responsibilities imposed on property developer donors by the Bill apply to donations which are not for 'a purpose that relates to an election'. This general form of words leaves open a broad range of local government purposes for which property developers could make donations which are not for an electoral purpose and are effectively sanctioned by the Bill.***
>
> ***A similar risk is identified in the anti-circumvention measures in s127AA of the Bill. The requirement to separately collect and account for property developer donors' 'restricted donations' does not avoid the prospect that the receiving party could then allocate other commensurate funding to a local government candidate giving rise to an indirect benefit, or at least the perception of influence.***

In effect, the bill will allow property developers to donate at a local government level for a purpose which does not relate to an election, but could be used for administrative purposes, such as hiring staff. Put simply, this change can potentially create a backdoor, where funds could be freed up for an electoral purpose, in direct conflict to the recommendations of the Crime and Corruption Commission in the Belcarra report.

The Crime and Corruption Commission also stated that:

> ***The Bill changes are coupled with an increase in real terms on the cap for political donations. With the change to the political donations cap period from an electoral term to a financial year, this effectively quadruples the sum that property developers, along with all other political donors, may donate in an election cycle.***

This change quadruples the amount that a donor can donate to candidates and political parties.

This in effect means that across a four-year term, a donor would be able to donate $19,200 to the same registered political party, $28,800 to an independent candidate or a total of $28,800 to candidates endorsed by the same registered political party.

This action directly increases private money and influence in our electoral system.

This is in addition to several submitters who raised concerns with the amendment or did not support the amendments. Mr Geoffery Watson SC, the Director of the Centre for Public Integrity was interviewed by the Nine News and aired on Thursday, 8 January 2026, stating:

> ***I'm very disappointed because this is quite a retrograde step, not only does it reintroduce the possible corrupting influence of property developers, but it also greatly enhances the amount which they can donate to a campaign, thus increasing their power of influence.***

And in respect of the reforms:

> ***And if people are using money, deep pockets, to distort that process, everyone should be concerned about that.***

This bill, if accepted, will increase the influence of private funds in Queensland politics. This approach is not supported by a number of key stakeholders, including the Crime and Corruption Commission, submitters to the committee process and also Geoffery Watson SC.

Questions were asked during the committee process of the recent changes to donation laws in South Australia which will see a ban on private donations in the electoral system. The Department of Justice stated:

> ***It is correct to say in general that political donations will be banned in South Australia, but there are certain residual requirements which relate to new entrant political parties, independent candidates and groups of independent candidates, and also certain third parties who are not registered with the Australian Charities and Not-for-profits Commission. It is a small subset of all electoral participants but there still will be some donations caps operating in South Australia for that cohort.***

When the Department of Justice was asked, if they looked at other jurisdictions when developing the bill, they responded:

> ***I think it is fair to say, Chair, that obviously in the development of any legislative amendments the department would examine the legislation in other jurisdictions to varying degrees. Ultimately, at the end of the day, an approach on legislation is a matter for government in that space.***

The key phrase of this response is that **an approach on legislation is a matter for government.**

It is therefore clear, that while the department may have looked at other jurisdictions, including South Australia who is strengthening their electoral donation laws by removing private donations, and New South Wales who is keeping their prohibition on developer donations, ultimately the decision to increase private money in the political system in Queensland was the bad idea of Attorney-General and Minister for Justice and Minister for Integrity – Deb Frecklington MP and the Crisafulli Liberal National Party Government.

In that same vein it is also open to the government, via the Attorney-General to make further changes to political donation laws in Queensland, and consider a proposal outlined in submission 43 of the inquiry which stated:

> ***I don't believe there should be any political donations accepted by any political party from Gun Lobbies or Gun manufacturers/companies.***
>
> ***For political parties to accept these donations, it can sway their decisions about the availability and use of guns, which can impact on the safety of the public.***

It should be noted that a review of the disclosure records from the Electoral Commission of Queensland, at the time of writing this Statement of Reservation, shows that since 2012 the Liberal National Party has received approximately $280,000 from firearms dealers or members of the firearms industry in donations to their party.

While the Crisafulli Liberal National Party government is seeking to raise the threshold of private donations in politics through this bill, it is unclear if there will be consequential amendments to the expenditure cap threshold. The following question was asked by a Queensland Labor Opposition member of the committee:

> ***I refer to the department's response on page 14 where it states that 'caps on political donations will continue to operate to reduce potential risks of corruption and undue influence'. Is the department seriously stating that the bill will continue to reduce potential risks and undue influence despite the fact that this bill now quadruples the amount during a term that someone can donate?***

Unfortunately, as is outlined in the published committee transcript the question was ruled out of order by the Liberal National Party Chairperson, with the question remaining unanswered. This is an important question, because one could easily draw a conclusion that increasing the input of political donations is a catalyst for increasing political expenditure limitations in future.

The Queensland Labor Opposition calls on the Crisafulli Liberal National Party government, in particular the Attorney-General and Minister for Justice and Minister for Integrity – Deb Frecklington MP to state their government's position on expenditure caps during the debate and rule out any increases, not already prescribed.

If these laws are passed in their current form, then at the very least, greater transparency measures in respect of disclosures of property developer gifts and benefits should occur. As outlined in the Crime and Corruption Commissioner's submission:

> ***The CCC submits the introduction of enhanced disclosure and transparency requirements for property developer gifts and benefits as part of the Bill would assist in addressing these concerns.***
>
> ***This could be achieved through requiring that all donations from property developers be disclosed via the Electoral Commission of Queensland's Electronic Disclosure System, regardless of the value of the donation, and that the origin from a property developer be clearly identifiable and traceable.***

Questions were put to the Department of Justice if any thought had been put into the development of this enhanced transparency suggestion by the Crime and Corruption Commission, however, the department responded that:

> ***Ultimately, that is a matter for government in that space.***

The Property Council of Australia stated in their testimony before the public hearing that:

> ***I just wanted to acknowledge that in the CCC's submission they did note that the concerns that they raised can be addressed by transparent disclosure with the origin clearly identifiable. That is actually a system that we support. I just wanted to reiterate that.***

The Crisafulli Liberal National Party government must outline their position on the views of the Crime and Corruption Commissions submission regarding an enhanced disclosure system framework, if the bill progresses for debate and is passed. To not do so would be a grave regression in the democratic landscape in Queensland.

CRIME AND CORRUPTION COMMISSION – CONSULTATION

The Explanatory Notes of the bill state that *"the Electoral Commission of Queensland were consulted on a draft of the Bill. Consultation with the community is anticipated to take place through the regular parliamentary inquiry process. Particular measures also align with Government pre-election statements and commitments"*.

The Shadow Attorney-General and Shadow Minister for Justice, The Honourable Meaghan Scanlon MP asked *"... is it the Attorney who determines who the department consults with on the development of bills?"*, with the Department of Justice answering:

> ***As public servants, we take instructions from the minister of the day. Again, I think any questions in relation to consultation should be referred to the Attorney-General. I do note, however, the Attorney-General's explanatory notes to the bill do contemplate that, in fact, the regular parliamentary inquiry process is also an avenue in relation to consultation. I cannot take that issue any further.***

It is the view of the Queensland Labor Opposition that this answer suggests that Attorney-General and Minister for Justice and Minister for Integrity – Deb Frecklington MP determined who was consulted in the development of the bill. It is concerning and indeed alarming that the Attorney-General or the Crisafulli Liberal National Party Government did not see fit to consult with the Crime and Corruption Commission on the bill before it was introduced.

During the public hearing the Shadow Attorney-General and Shadow Minister for Justice, The Honourable Meaghan Scanlon MP asked: "*Has the ECQ met with the CCC in relation to these changes, particularly given that these laws that are being amended obviously stem from that original Belcarra report that was commissioned by the CCC?"* The Electoral Commission of Queensland responded:

> ***No, we have not met with the CCC yet, but I would anticipate we would do that during the implementation of the changes to the scheme.***

While the Queensland Labor Opposition respects the important work of the independent electoral commission, it is concerning that the Department of Justice, on apparent instructions from the Attorney-General and Minister for Justice and Minister for Integrity – Deb Frecklington MP and the Electoral Commission of Queensland have not consulted with the Crime and Corruption Commission on the bill or the implementation of the bill.

This is concerning because by the Electoral Commission of Queensland's own admission in their submission (extracted below), they have already commenced working on implementing the new process, despite the fact that consultation has not occurred with the Crime and Corruption Commission, nor has the Queensland Parliament been afforded the opportunity to consider and debate the legislation.

> ***The ECQ has already commenced working on implementing the proposed amendments, including drafting refreshed stakeholder education materials (e.g. fact sheets, web content, forms, etc.), defining use requirements for system impacts (which are expected to be minor), and communicating with affected stakeholders"***

The Queensland Labor Opposition believes that the Crime and Corruption Commission should have been consulted by the Department of Justice in the development of this bill.

It is a matter of public record that the Crime and Corruption Commission did not appear to provide verbal evidence and testimony at the public hearings. All Queenslanders have to rely upon is the Crime and Corruption Commission's written submission.

The Queensland Labor Opposition would have preferred more time allocated for certain stakeholders to attend and provide evidence during the public hearings; this is evident during the session with Family First Queensland (emphasis added):

> ***CHAIR: Member for Macalister?***
>
> ***Ms McMAHON: No further questions from me, Chair.***
>
> ***CHAIR: Member for Maiwar?***
>
> ***Mr BERKMAN: I am good, thanks, Chair.***
>
> ***CHAIR: Member for Gaven?***
>
> ***Ms SCANLON: No further questions, Chair. We would appreciate more time with other witnesses, particularly the CCC.***
>
> ***CHAIR: The CCC is not appearing today, member.***
>
> ***Ms SCANLON: That is a shame.***

It was clear that the non-government members of the committee did not have any further questions for the witness, thus resulting in the government members filling the remainder of the time, instead of calling other witnesses as the Queensland Labor Opposition would have preferred in the interests of democracy.

As the Crime and Corruption Commission did not appear at the only public hearing of the bill the Shadow Attorney-General and Shadow Minister for Justice, The Honourable Meaghan Scanlon MP moved the following:

> ***Chair, given what we have heard this morning, I would like to move that the CCC be required to attend a public hearing regarding this bill. I think after what we have heard we need to hear from the state's top corruption watchdog.***

The committee then went into private session for seven minutes to consider the motion. While the Standing Rules and Orders of the Legislative Assembly prohibit information from private meetings being published, the people of Queensland can make their own assumptions and assessment on the outcome of the motion.

It is a matter of public record that the Crime and Corruption Commission never appeared before a public hearing of the committee in respect of this bill. In addition, the political editor of the Courier Mail published an article on Saturday, 17 January **(Attachment 1)** entitled *"Corruption body gagged"*, with Mr Johnson's article stating:

> ***Government MPs have blocked a push for the Crime and Corruption Commission to give evidence about its warning that reinstating political donations from property developers would increase corruption risks.***

It is also a matter of public record, via the publication of the committee transcript that the Crisafulli Liberal National Party Government Members in attendance on the day of the only Justice, Integrity and Community Safety Committee public hearing into the bill were:

- Mr Martin Hunt MP – Liberal National Party Member for Nicklin.
- Ms Natalie Marr MP – Liberal National Party Member for Thuringowa.
- Mr Jon Krause MP – Liberal National Party Member for Scenic Rim.

The Queensland Labor Opposition believes that there was ample time for the Crime and Corruption Commission to attend a public hearing before the committee was required to table its report.

The Queensland Labor Opposition strongly believes that it is a damming indictment on the Crisafulli Liberal National Party Government that they did not consult with the Crime and Corruption Commission on the bill before it was introduced into the Legislative Assembly of the Queensland Parliament. Further, the parliamentary committee's assessment of the bill was extremely limited without the attendance of the Crime and Corruption Commission at a public hearing.

COMMITTEE PROCESS

The bill was introduced on Thursday, 11 December 2025 and was requested to report by Friday, 6 February 2026. This 58-day window to scrutinise the legislation fell over the Christmas and New Year period and the period where many organisations reduce staff or close for the holiday period. This would have reduced the time and the capacity of many stakeholders to contribute to the inquiry before submissions closed on 2 January 2026.

This action by the Crisafulli Liberal National Party Government to introduce legislation late in the year and not allow a longer report back time, reeks of a government that has lost the ability to be open and transparent. The limited time for committee consideration, severely limited the ability of many stakeholders to analyse and scrutinise the bill, a theme that was called out in submissions.

The Australia Institute stated in their submission:

> ***Australia Institute polling research last year found that 85% of Queenslanders agree that "Any major change to electoral law should be reviewed by a multi-party committee of parliamentarians to consider its design and impacts."***
>
> ***While respondents were not specifically asked how long the committee should spend on its review, the strength of feeling indicates that Queenslanders take the parliamentary review process seriously.***

In their testimony to the public hearing they stated:

> ***… the timing of the bill. Having this inquiry run over the quiet holiday period limits the ability of the committee to investigate the consequences of the bill for Queensland democracy.***
>
> ***That is particularly concerning given that submissions, including from the Crime and Corruption Commission, have warned that the changes are a significant departure from Queensland's robust political donations framework.***

Family First Queensland in their testimony to the public hearing stated:

> ***In the brief time we had to prepare our submission before the Christmas shutdown, we did review the bill.***

A private submission stated:

> ***… I am concerned by the manner in which these significant changes are being advanced. Introducing sweeping reforms to electoral laws during the Christmas period, without taking them to an election or providing adequate time for public scrutiny, undermines confidence in the intent of the reforms.***

There were also several occasions either in the written departmental response or during the hearing where questions were unable to be answered as they were matters for the Attorney-General. The questions posed are important questions and it is imperative that the Attorney-General provides answers to these questions ahead of, or during the debate of the bill.

VOTING

The bill deals with several other electoral law amendments, including restrictions regarding voting rights. The bill proposes to reduce the current threshold of restricting an individual's right to vote if they are sentenced for a period of incarceration from a three year or more sentence, to twelve months or more.

The Queensland Labor Opposition acknowledges and supports all victims in Queensland and values their lived experience in the justice process.

During the committee process it was clear from a number of stakeholders that there were mixed views, however, further explanation and information should be provided by the Crisafulli Liberal National Party Government in respect of these changes, including if they are constitutionally valid.

As the Queensland Law Society outlined in their submission:

> ***In respect of these amendments, it is our view the Bill's stated objectives, to enhance civic responsibility and prevent elections from being influenced by those who disregard the rule of law, are fundamentally flawed and unsupported by evidence.***
>
> …
>
> ***QLS does not support the proposed changes to prisoners' voting rights on two bases. First, there is little evidence that the amendment is required in Queensland and therefore will not achieve the stated policy objectives. Second, the amendment would lead to the abrogation of human rights without adequate justification.***
>
> …
>
> ***The High Court's decision in Roach v Electoral Commission (2007) 233 CLR 162 (Roach) provides critical guidance on establishing a non-arbitrary threshold for prisoner disenfranchisement, grounding such restrictions in the seriousness of offending and individual culpability. The Court determined that while a blanket ban on prisoner voting is unconstitutional, a three-year imprisonment threshold is a reasonable measure because it serves as a reliable proxy for what constitutes a serious crime. Offending at this level distinguishes individuals whose conduct is grave enough to warrant a 'penalty enhancement', the symbolic removal of the right to vote, in addition to incarceration.***

CONCLUSION

The Queensland Labor Opposition has a strong track record of increasing transparency and accountability within the Queensland electoral system.

The bill might be titled *"Restoring Electoral Fairness"*, but when it is reviewed in its entirety it is far from it.

This bill quadruples the amount of private money in the political system in Queensland. More private money in the political system will lead to greater risks and corruption issues, as raised by several submitters, including the Crime and Corruption Commission.

While the Queensland Labor Opposition understands the important role that property developers play in our modern society, in particular by facilitating increased housing investment, the Queensland Labor Opposition

is concerned, just like many submitters including the Crime and Corruption Commission, of the potential increased risk of actual or perceived corruption of decision makers.

Queenslanders want less private money, influence and corruption in politics. It's why the Queensland Labor Opposition will continue to monitor the rollout of South Australia Labor's nation leading donation ban.

The bill deals with a number of issues, which the Queensland Labor Opposition reserves its right to articulate further views on those matters during the debate of the legislation.

The Queensland Labor Opposition thanks the submitters who took the time to share their views on this important legislation and also thanks the Queensland Parliamentary Service staff for their assistance in scrutinising this legislation.

PETER RUSSO MP
MEMBER FOR TOOHEY
DEPUTY CHAIRPERSON OF THE COMMITTEE

MELISSA MCMAHON MP
MEMBER FOR MACALISTER

On behalf of the Queensland Labor Opposition

ATTACHMENT 1
Courier Mail, Saturday 17 January 2026

Corruption body gagged

Hayden Johnson

LNP blocks watchdog evidence against politicians receiving property lobby funding

Government MPs have blocked a push for the Crime and Corruption Commission to give evidence about its warning that reinstating political donations from property developers would increase corruption risks.

The state government's proposal to overturn Annastacia Palaszczuk's 2018 ban on donations from property developers prompted the CCC to warn of an increased risk to actual or perceived corruption in the lead-up to the 2032 Olympic and Paralympic Games.

"Queensland is entering a period of increased investment in property and infrastructure development driven by population growth, economic diversification, with major sporting and other events," said CCC chairman Bruce Barbour.

"There is concern that the reintroduction of property developer donations could exacerbate real and/or perceived risks of undue or improper influence, particularly as developer interests align closely with major projects."

In a hearing scrutinising the proposal on Friday, Shadow Attorney-General Meaghan Scanlon pushed for the CCC to appear before the parliamentary committee.

While the outcome of her motion was not revealed publicly, it is understood the government-controlled committee rejected her request.

Property Council of Australia Queensland executive director Jess Caire said the 2018 ban on developer donations demonised the sector and undermined confidence.

Ms Claire noted the property sector, being the only lawful industry banned from making political donations, created a "perception that we're untrustworthy".

The state government has also proposed banning prisoners serving sentences of one year or more from voting in state and local government elections and referendums.

Tabitha Lean, a former prisoner now representing Sisters Inside, argued all prisoners should have the right to vote.

"People who are in prison care about elections," she said.

"They talk about housing policy because they know what it means to be released into homelessness, they talk about child protection because their children are being stolen by the state ... they talk about healthcare because prison healthcare fails them.

"This threshold captures people who pose no heightened threat to democratic integrity. What it captures very efficiently is Aboriginal people, criminalised women, disabled people and people living in poverty."

Ms Lean told the committee the proposal would have removed her right to vote.

"If this parliament is going to strip people of political voice then you should have to look us in the eyes while you do it," she said.

Editorial P69

5 February 2026

Dissenting report - Justice, Integrity and Community Safety Committee Report on Inquiry into the Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

Deficiencies in the Committee process

The *Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025* was introduced on Thursday, 11 December 2025, with submissions closing on 2 January 2026 - a time of year when many stakeholders wind down their operations for the year, and the broader Queensland public is much less likely to participate in the Committee inquiry. One might reasonably conclude that this timing was calculated to minimise scrutiny of a bill. While this is a now common approach taken by both major parties when in government, it reflects particularly poorly on the Committee in circumstances where the provisions of the bill (such as lifting the ban on developer donations and changes to donation caps) are likely to directly benefit the political party in power.

The Department's response to the vast majority of concerns raised by submitters was perfunctory at best, simply stating that "the issue raised is a policy matter for the Government". It is surely reasonable to expect the Department to provide substantial responses to issues raised during the committee inquiry process wherever possible, whether or not the policy in question was an election commitment. I am concerned that at the public briefing the Department couldn't simply answer whether these answers were vetted by the Attorney-General's office.

Expanding restrictions on voting by people in prison

The provisions that remove voting rights from people serving a sentence longer than one year unjustifiably limit certain Queenslanders' human rights, and - as the Queensland Law Society points out - are apparently based on an entirely arbitrary threshold.

That clearly represents a significant limitation on the human rights of those prisoners, but the Statement of Compatibility fails to address the breadth of the limitations and in turn does not provide an accurate assessment of compatibility with human rights.

Thirty-nine percent of the adult prison population in Queensland identify as Aboriginal and/or Torres Strait Islander,[1] despite making up around 4.6% of the general population. Restrictions on voting rights for prisoners will disproportionately impact First Nations people and limit the right to recognition and equality before the law. It is unclear why the Statement of Compatibility fails to address the incompatibility of these provisions with requirements under the Human Rights Act that the right to participate in public life and vote be enjoyed "without discrimination".

The Committee was assisted by submissions from Sisters Inside Inc and the National Network of Incarcerated and Formerly Incarcerated Women and Girls, and an appearance by their representative Ms

[1] Australian Bureau of Statistics (11 December 2025) 'Prisoners in Australia', <https://www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia/latest-release>.

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Tabitha Lean during Committee hearings. This evidence, representing the community that stands to be disenfranchised, their views and insight should be given significant weight.

The policy justification for further restricting the right to vote is expressed as being "to enhance civic responsibility" and "increase public confidence in the integrity of electoral processes". The counterpoint is that civic responsibility is instead built through inclusion, and the denial of the right to vote instead undermines public confidence in a system of representative democracy. As Ms Lean put it to the Committee:

> "Once voting is reframed as a privilege, it becomes infinitely withdrawable and historically it always is. This logic has been used in the past to exclude Aboriginal people, women, people without property and people with disabilities. We know exactly where that road leads.
>
> When people say that prisoners have already forfeited certain rights, we would say that, yes, our liberty is restricted but our citizenship is not extinguished. Punishment does not justify political erasure. If incarceration justifies the removal of political voice then prisons will become places where people are governed without consent, and that is the very definition of authoritarianism."

The Government has provided no credible justification for disenfranchising so many prisoners, nor is there any explanation of how excluding 2,500 from elections is supposed to "enhance civic responsibility" or "increase public confidence in the integrity of electoral processes". There is no sensible justification for this infringement on prisoners' human rights.

Queensland's prisons already limit the visibility and power of people who are inconvenient to the State because they reveal the State's failings - First Nations people, people with disabilities, people experiencing addiction, and people who have been disproportionately subject to violence, trauma and poverty. Their disenfranchisement only serves to further alienate and further absolve the State of its responsibilities to them, both while in the community and when inside.

<u>Removing the ban on political donations from property developers</u>

The ban on political donations from property developers should be retained. There are significant real and perceived corruption risks associated with this industry's government relations. It is perfectly reasonable that companies should not be able to buy favourable outcomes from political parties, particularly given the findings of the High Court that:

> "the degree of dependence of property developers on decisions of government about matters such as the zoning of land and development approvals distinguishes them from actors in other sectors of the economy".

The Explanatory Notes to the Bill claim the changes are not inconsistent with the Crime and Corruption Commission's Belcarra Report. That is not a defensible position. The Belcarra Report was tasked with addressing integrity and corruption risks in local government, and so the recommended ban on political donations from property developers was consequently directed toward local government elections.

What is significant is the reasoning that underpinned the recommendation:

> "the inevitably close connections between property development interests and local government decision-making mean that transparency is insufficient to manage the risks of actual and perceived corruption associated with donations from property developers".

The Belcarra Report cites a heightened risk of real or perceived corruption where donors have business interests that are affected by government decisions, and gave the examples of zoning and development application decisions. There are many areas where State governments control planning and development decisions, including the administration of the Planning Act, designation of Priority Development Areas, setting caps on developer infrastructure charges, and so on.

In the current context, successive State governments have expanded and routinely exercised their decision making power in respect of development. For example:

- The Planning Minister can "call-in" and approve or deny developments under the Planning Act;
- Under this LNP government, 15 separate planning and environment controls were bypassed for the purpose of Olympics and Paralympics infrastructure development, with decision making power resting with the State government;

- This Government is rapidly privatising swathes of government-owned land for commercial development, including through its Land Activation Program which releases publicly owned land without any requirements for social or affordable housing;
- The State Government is overseeing the delivery of the 2032 Brisbane Olympic Games, including decisions such as contracts and conditions on homes delivered for the Athletes Village, and the privatisation of the Visy site in South Brisbane.
- The previous Labor Government introduced new powers for the Planning Minister to declare certain development applications as "State Facilitated Development", giving developers access to an "alternate development assessment pathway" which is processed by the State Government with less scrutiny of the application and limited appeal rights.

The Explanatory Notes attempt to justify amendments that will, in my view, dramatically increase the risk of corruption by saying it will "create more equal opportunities" and "promote freedom of expression" for property developers. This is not a class of people who are typically denied the right to take part in public life and the right to freedom of expression, unlike prisoners whose lives are arguably the most severely impacted by State government policy and implementation.

Applying the cap on political donations to financial years, rather than election cycles

The Bill also proposes to effectively quadruple the existing cap on the dollar value of political donations, by applying the cap that is currently in place across the full term of government, to a single financial year.

The Australia Institute noted,

> "The shift to a per-year cap would benefit established parties and sitting MPs, particularly the major parties with sophisticated yearly fundraising operations and the ability to sell access to ministers and shadow ministers over the entire electoral cycle."

This change limits the ability of new parties or candidates to enter politics, as anyone emerging in the final year of an election cycle is effectively limited to fundraising only a quarter of the amount available to their competitors, who may have been soliciting donations in each of the previous years. It should be explicitly acknowledged that the real policy intent of this change appears to be to significantly raise the donations cap *and* to entrench the power of existing political parties.

Recommendation

Given the unjustifiable limitations on human rights, the heightened risk of corruption, the entrenchment of existing political party power, and the lack of genuine scrutiny afforded during the inquiry into the Bill, the Greens submit that the Bill should not be passed.

Michael Berkman MP