



Mr Thor Prohaska,

29 October 2016

*Committee Secretary,
Joint Standing Committee on Electoral Matters,
PO Box 6021,
Parliament House,
Canberra ACT 2600*

GetUp's deceptive & misleading conduct at the 2016 Federal Election

Dear Committee Secretary,

Please find in the body of this document my submission to the 'Inquiry into and report on all aspects of the conduct of the 2016 Federal Election and matters related thereto'

I was the Independent Candidate for the Federal Seat of Dickson at the 2 July 2016 election. In that capacity I had dealings with GetUp that showed to me that GetUp is publicly saying one thing but then acting at odds with what they have said. Specifically I say that they are influencing voters by misrepresenting who they are and what they do.

This submission addresses the following terms of reference (in whole or in part) of this inquiry:

- 1.(b)** *The potential applicability of 'truth in advertising' provisions to communication to voters including third-party carriage services;*
- 1.(c)** *The options available to Parliament to ensure consistent application of disclosure rules to and the regulation of all entities undertaking campaign activities.*

If the committee decides to include my submission I look forward to the outcome of their deliberations on the matters I have raised herein.

Regards,

Thor Prohaska

Thor Prohaska's submission to JSCEM about GetUp's behaviour at the 2016 Federal Election

Submission by Thor Prohaska, the Independent Candidate for Dickson, to the 'Inquiry into and report on all aspects of the conduct of the 2016 Federal Election and matters related thereto' addressing the deceptive & misleading conduct by GetUp at the 2016 Federal Election

GetUp claim, as shown below by the screen shot from their website, that they are Non-Political and Independent yet they behaved as a Political Player in the 2016 Federal Election. They can't have it both ways and I say they should be required by law to honestly represent their position and not hide behind a façade of being non-party political and independent when their actions and the public record clearly show that they are neither.



About Us

Vision

GetUp is working towards a thriving democracy in Australia led by the values and hopes of everyday people. We envisage a Fair, Flourishing and Just Australia.

Mission

GetUp gives everyday Australians the chance to make extraordinary impact - online, across the airwaves, and in the streets.

GetUp is a powerful campaigning community. By combining the sheer power of a million members, movement partners and a central team of expert strategists, we do what it takes to get things done.

Our work is driven by our values, not party politics. GetUp is, and always has been, an independent organisation. GetUp members come from every walk of life and around a shared belief in fairness, compassion and courage. We campaign on issues that our members care about in the fields of Environmental Justice, Human Rights, Economic Fairness and Democracy.

Firstly GetUp's claim that they are independent is not borne out by what a simple web search reveals. If you take for example the information presented on the following website:

<http://thedailycoin.org/2016/05/22/getup-exposed-george-soros-tentacles-reach-into-australia/>

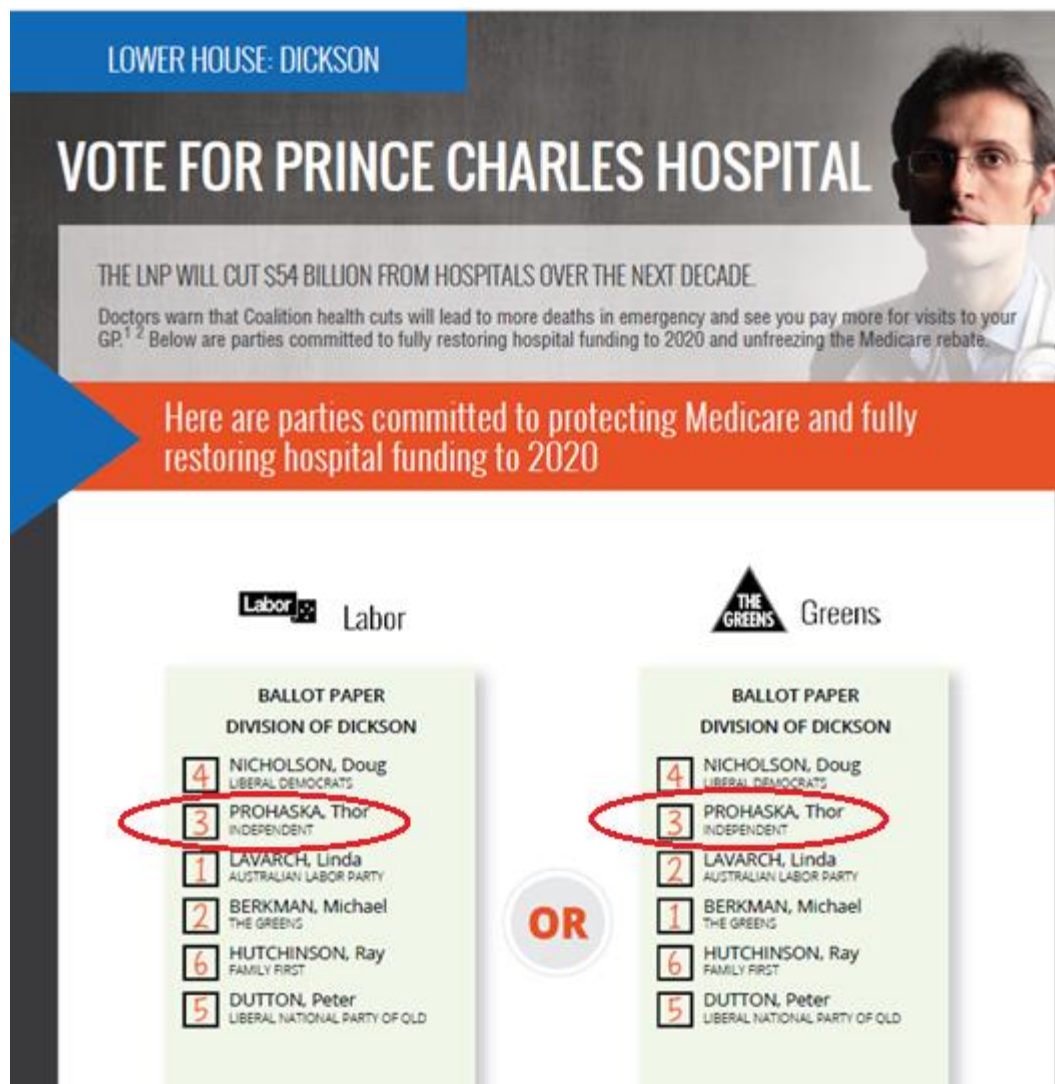
Where the article states:

"GetUp's founders David Madden and Jeremy Heimans can hardly claim that GetUp is non-partisan when its original board members included Australian Workers Union secretary Bill

Thor Prohaska's submission to JSCEM about GetUp's behaviour at the 2016 Federal Election

Shorten, Australian Fabian Society secretary Evan Thornley, green activist Cate Faehrmann, and left-wing trade union researcher and "community organiser" Amanda Tattersall. The largest donor to GetUp in 2010 with a donation of \$1.1 million is the CFMEU. GetUp's benefactor, George Soros is clearly partisan."

Secondly, on election day 2 July 2016 in the electorate of Dickson, their members & volunteers handed out to voters 'How-To-Vote' cards, as shown below, thinly disguised as what they call 'clear information' advising voters how to number their ballot to get the best outcome on local issues that matter to their movement.



I therefore ask the question "How can they be a 'non-political party' when they are handing out 'How-To-Vote' cards." And further how can they be independent when they state, "they do not feature every political party, nor do they give a comprehensive review of each candidates' policy positions".

Thor Prohaska's submission to JSCEM about GetUp's behaviour at the 2016 Federal Election

↓ How did you pick which parties were featured on your How-To-Vote cards?

GetUp's How-To-Vote cards do not feature every political party, nor do they give a comprehensive review of each candidates' policy positions. Instead, we prioritised the candidates with the best chance of winning, who are also strong on the issues that the GetUp movement cares about.

Also they actively tried to influence the voters by prioritising the candidates who they think will have the best chance of winning and who support the issues that their movement cares about even if it is not what the majority in the electorate want.

↓ How did you pick which parties were featured on your How-To-Vote cards?

GetUp's How-To-Vote cards do not feature every political party, nor do they give a comprehensive review of each candidates' policy positions. Instead, we prioritised the candidates with the best chance of winning, who are also strong on the issues that the GetUp movement cares about.

Then they had the audacity to say that every effort was taken to independently scrutinise the parties or candidates featured on our How-To-Vote cards.

↓ How did you decide the order of preferences on your How-To-Vote cards?

While we weren't able to survey every candidate and party running this election, every effort was taken to independently scrutinise the parties or candidates featured on our How-To-Vote cards.

This cannot be true, at the very least in my case, because when I found out that they were running a campaign in Dickson to Ditch Dutton I contacted GetUp and met in person with their representative on 24 May who was coordinating their Dickson campaign to discuss how I, as the Independent Candidate for Dickson, could partner with them to achieve our shared goal of unseating Peter Dutton and electing a candidate that would represent what the majority in Dickson wanted.

The GetUp representative said to me that they cannot endorse any individual candidates. I then asked them about the 'Scorecard' they would be handing out and asked how they were going to score me. My main concern about the scorecard was that because I am representing what the majority in Dickson want:

Thor Prohaska's submission to JSCEM about GetUp's behaviour at the 2016 Federal Election



PLEDGE	■
I, <u>Thor Prohaska</u> , as a	Dea
Dickson Representative	My
pledge I WILL represent	201
the <u>Sovereign Will</u> of the	I be
voters to the elected	the
member for Dickson on all	esp
policies that are of	I say
importance to the voters of	to g
Dickson.	I ha
	■

(For more info on my plan to represent what the electorate wanted see: <http://dicksonreps.net/>)

... and, not what I or a party or a minority in the electorate want, that on the scorecard they would mark me down because I didn't take a personal position on policy. I was told that they could not say anything more about this until after the nominations closed and that I could contact them again to discuss the scorecard after I was officially nominated.

Nominations were officially confirmed on 10 June so I rang, emailed and sent texts to the GetUp Ditch Dutton in Dickson campaign coordinators on 13 June but received no reply. On 14 June I then personally spoke to the same GetUp representative at the Ryan/Dickson Candidate Forum held by the Catholic Social Justice group. I asked the representative when the scorecards would be finalised, they said they didn't know. I asked who I could speak to who would know, they said they didn't know. I then asked would I be able to have input into the scorecard and I was told they weren't sure but probably not. I made further attempts to contact both of the GetUp representatives involved with the Ditch Dutton campaign but I had no reply. On 21 June I emailed the former National Director of GetUp in the hope that he could put me in contact with someone at GetUp. He said that he had forwarded my request to discuss this matter to 'someone at GetUp who may be able to help'. I had no contact from that person or any other person from GetUp.

With this being the case how can they possibly justify making the claim that, "every effort was taken to independently scrutinise the parties or candidates featured on our How-To-Vote cards". I can state that at least in my case they didn't do this even though they knew I had concerns that reasonably needed to be discussed further and made many attempts over a period of time to talk to them!

Then on 21 June I received a general email sent to all people on GetUp's database that showed the above How-To-Vote card for Dickson.

Thor Prohaska's submission to JSCEM about GetUp's behaviour at the 2016 Federal Election

Imagine my surprise and disappointment when I saw they had ranked me 3rd for the House of Representatives behind Labor and Greens in Dickson. How can they justify this when they say they prioritised the candidates or parties whose policy platforms are broadly aligned with the GetUp movement's core values and policy priorities which includes among other things candidates who are in favour of participatory democracy?

↓ How did you decide the order of preferences on your How-To-Vote cards?

While we weren't able to survey every candidate and party running this election, every effort was taken to independently scrutinise the parties or candidates featured on our How-To-Vote cards.

In deciding the order for the candidates, we prioritised the candidates or parties whose policy platforms are broadly aligned with the GetUp movement's core values and policy priorities. For example, candidates who are in favour of participatory democracy, equality and a renewable energy future.

Labor and the Greens cannot be before me on this primary criteria as they are both political parties that require their candidates to pledge as part of their membership oath to put the policy positions of their parties before what the majority of voters in the electorate want. That is clearly putting participatory democracy in second place. On this basis alone I should have been GetUp's number one choice in Dickson because I have publicly pledged to represent what the majority want and to do this via a 100% participatory democracy model. If they are truly non-party political and independent then it is not GetUp's place to tell the voters of Dickson or any other electorate what position to take on any policy.

They then ask the question [on their website where they explain how they reached the order on their How-To-Vote card](#), "Is GetUp backing any candidates this election?" and answer it by saying "GetUp is backing policy positions on the issues identified as top priorities by GetUp members – climate change, renewables, democracy, health and hospitals. In turn, we're giving voters information about how to support parties and candidates who support these policy positions".

↓ Is GetUp backing any candidates this election?

GetUp is backing policy positions on the issues identified as top priorities by GetUp members – climate change, renewables, democracy, health and hospitals. In turn, we're giving voters information about how to support parties and candidates who support these policy positions.

Whichever way you look at that convoluted statement above it can't hide the fact that they are backing the Greens and Labor over myself and the other 3 candidates in Dickson. On this basis I say they have crossed the line from being non party political providing independent issues-based advice to being a political player. And as such their claim that they are not party political and that they are independent is deceptive and misleading.

Via a press release to all major media outlets I called on GetUp to either withdraw their How-To-Vote cards in Dickson or reissue them with me as their number one choice as I was the only

Thor Prohaska's submission to JSCEM about GetUp's behaviour at the 2016 Federal Election

candidate who guaranteed to represent what the majority in Dickson want and GetUp's stated core value of participatory democracy. Or to issue a statement that they are now a political player in the election who have chosen to back candidates that reflect what GetUp and their supporters want and which is not necessarily what the majority of Dickson voters want. They can't have it both ways! As none of the media outlets ran the story and as GetUp has avoided communicating with me I did not get a response from GetUp.

In closing I say that with regards to the terms of reference **1.b & 1.c** of this inquiry that:

1.(b) *All political players in any Australian election should be legally required to meet 'truth in advertising' provisions when communicating with voters in the same way that businesses have to, AND*

1.(c) *Parliament should introduce laws that ensure consistent application of disclosure rules to and the regulation of all entities undertaking campaign activities.*