

## **Analysis of AEC donation data 1999-2000 to 2014-2015 Gambling industry interests**

### **Interim report 1 – Registered Clubs Association of NSW (t/a ClubsNSW)**

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#### **Introduction and disclosure**

In Australia, donors to political parties or associated entities are required to disclose donations above a particular threshold. The current threshold is set at [\\$13,000](#) and is the subject of annual indexation linked to CPI.

There has been continuing controversy in relation to the current system of disclosing donations, including the relatively high threshold and the significant delay in publication of the data, use of associated entities to avoid clear disclosure, and inappropriate use of taxpayer funded resources to facilitate fundraising (see, for example a recent episode of [Four Corners](#), and Fairfax media articles on the Liberal Party linked [Millennium Forum](#) and fundraising activity in the Victorian electorate of [Menzies](#)).

However, [some data are published on the Internet by the Australian Electoral Commission \(AEC\)](#) on an annual basis. These data have the potential to provide information about the financial influence exerted on policy and politicians by corporate and other vested interests. All data referred to in this report are sourced from the AEC unless otherwise specified.

The research reported in this interim report is intended to provide information to the [Alliance for Gambling Reform](#) (which commissioned and funded the research), and to support the preparation of research papers as a component of an Australian Research Council (ARC) Linkage Project (LP130100046) in which the author is a Chief Investigator. The ARC project is focused on mechanisms of influence utilised by the gambling, alcohol and tobacco industries in Australia.

This interim report is focused on donations declared by The Registered Clubs Association of NSW (t/a ClubsNSW). Additional reports will focus on donations declared by other gambling industry donors.

#### **Method**

We accessed AEC political donation data for the period 1999-2000 until 2014-2015 from the [AEC's website](#) and downloaded this in the form of excel spreadsheets. We then classified donations according to their recipient organisation, with classifications related to the party or organisation branch identified by the donor as the recipient of the donation or other contribution. A glossary of branches, etc, identified is contained at appendix 1.

We also identified donations made to specific individual politicians, or their specific campaigns, where possible. For the most part, donations or contributions were recorded as being made to a party state branch or division, or to the party federal organisation. However, in some cases donations were specified as having been made to an individual or her/his campaign or electorate branch. We report such individual contributions below.

All data were analysed to provide descriptive statistics. The data were also aggregated and prepared for graphic and tabular presentation. Aggregated data are presented in the next following section.

### **Overall donations made by ClubsNSW**

In the period 1999-2000 to 2014-2015, ClubsNSW reported donations to political parties totaling \$2,569,181.

Donations were not declared for the years 2004-05 and 2006-07. Thus, the average aggregate donations per year were \$183,513 for each of the 14 years in which ClubsNSW reported donations to political parties. However, the quantum of total donations was widely variable, ranging from a minimum of \$7,000 in 1999-2000 to a maximum of \$426,180 in 2010-11.

In the period 2007-08 until 2014-15, ClubsNSW's political donations averaged \$255,760, with a minimum of \$149,675 (in 2014-15) and a maximum of \$426,180 (in 2010-11).

### **Allocation of donations between political parties**

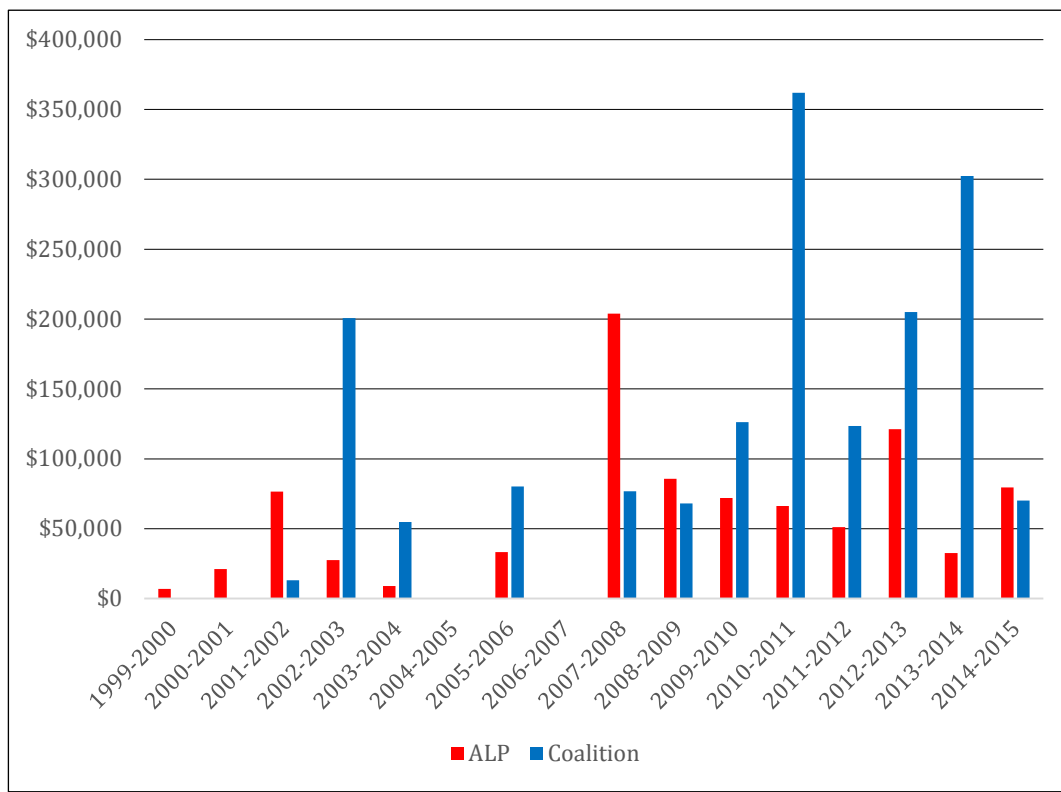
ClubsNSW did not declare donations to any parties other than the Australian Labor Party (ALP) and the Coalition parties (i.e., Liberal and National Parties), and associated entities. The distribution of donations between parties was not, however, consistent over the period we examined.

In 1999-2000 and 2000-01, ClubsNSW donated only to the ALP. However, in every year after that a proportion of donations was made to the Coalition as well as the ALP. In 2013-14, the Coalition received over 90% of ClubsNSW's total declared donations. In 2010-11, when ClubsNSW reported its maximum donation level over the period examined, the Coalition received 85%, or \$361,930 of the \$426,180 donated. The ALP received the remaining 15%, \$66,250.

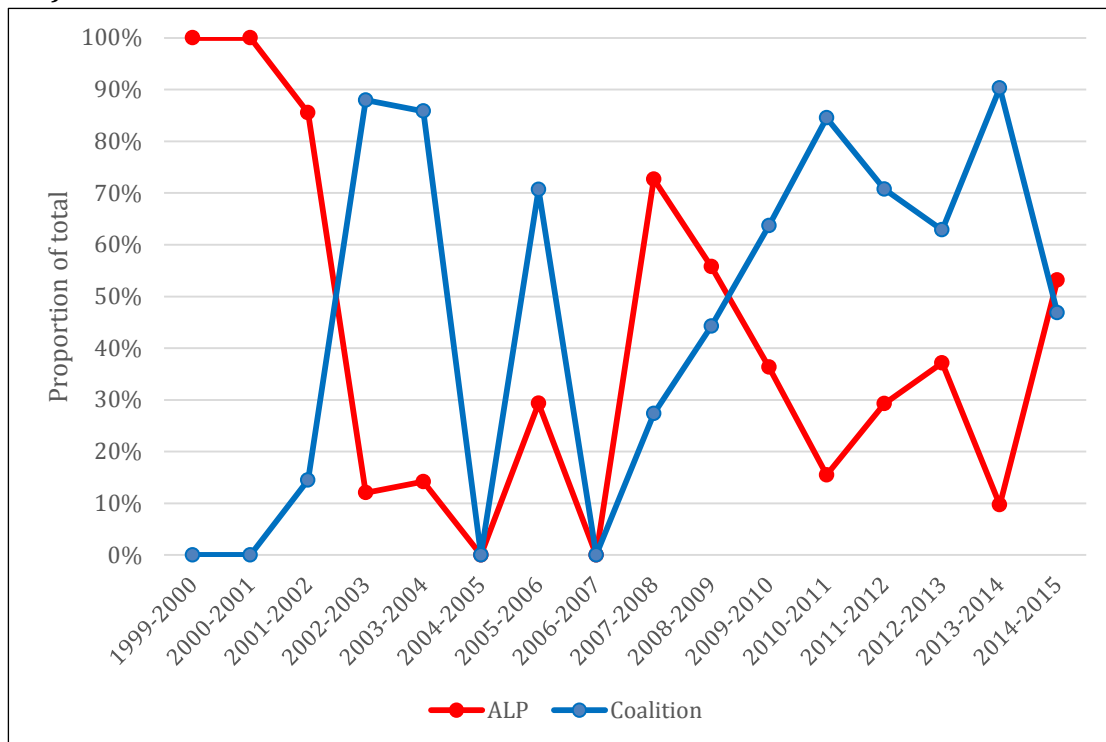
Figure 1 shows the amounts donated to each of the ALP and Coalition. Figure 2 sets out the proportions of total donations going to each of the ALP and LNP over the same period.

Over the period examined, the Coalition received 65% of the donations declared by ClubsNSW, amounting to \$1,682,676. The ALP received 35%, \$886,505. In eight of the 14 years in which ClubsNSW declared donations, the Coalition received the largest share.

**Figure 1: Total donations to ALP and LNP, 1999-2000 to 2014-2015 (source AEC)**



**Figure 2: Proportion of total donations to ALP and LNP, 1999-2015 (Source AEC)**



## Donations made by party entity, etc

ClubsNSW donated to a variety of political party entities (i.e., branches, head office, campaign funds, etc.) over the period reviewed. This section provides details of the breakdown of these donations.

Table 1 shows the breakdown of the donations declared by ClubsNSW over the period 1999-2015. In the period 1999-2006, donations were declared in respect of the NSW branch or division of the ALP, the Liberal Party or the National Party. However, from 2007, the pattern of donations changed to include a range of other major party branches and campaigns, and some associated entities.

These included the federal organisations of the major parties, as well as local state and federal campaigns, some individual politicians, and major party branches outside NSW. After 2007, a substantial proportion of all donations were made to organisational entities other than the NSW branches of the major parties: \$1,583,691 (62%) went to the NSW branches and \$985,490 (38%) to non-branch funds or entities. In the seven-year period 1999-2006 total declared donations was \$523,100, compared to \$2,046,081 in the period 2007-2015.

**Table 1: Monetary distribution of donations declared by ClubsNSW 1999-2015**

Named recipient	1999-2006	2007-2015	1999-2015
ALP NSW branch	\$174,440	\$411,140	\$585,580
Lib NSW division	\$267,260	\$496,201	\$763,461
Nat NSW division	\$81,400	\$153,250	\$234,650
ALP individual or specific campaign		\$45,350	\$45,350
ALP NSW branch – Fed campaign		\$34,175	\$34,175
ALP Federal office		\$218,100	\$218,100
ALP Qld branch		\$3,300	\$3,300
Lib individual or specific campaign		\$152,705	\$152,705
Lib NSW division – Fed campaign		\$47,100	\$47,100
Lib Federal office		\$342,300	\$342,300
Lib Vic branch		\$1,500	\$1,500
Lib Tas branch		\$2,200	\$2,200
LNP Qld office		\$5,500	\$5,500
Nat individual or specific campaign		\$13,000	\$13,000
Nat Federal office		\$18,260	\$18,260
Nat NSW division – Fed campaign		\$38,700	\$38,700
Endeavour consulting		\$1,100	\$1,100
Millennium Forum		\$29,600	\$29,600
Federal Forum		\$29,600	\$29,600
Greek Aust Conservative Coalition		\$3,000	\$3,000
<b>TOTALS</b>	<b>\$523,100</b>	<b>\$2,046,081</b>	<b>\$2,569,181</b>

### **Allocation of donations to individuals, specific campaigns, specific local Party branches, etc.**

ClubsNSW generally declared donations made to party branches or divisions, such as the NSW division of the Liberal Party or a branch of the ALP, or to the federal organisations of the parties. However, in some instances ClubsNSW declared donations made to specific campaigns or specific individual politicians. Again, these were almost invariably members of the major parties.

In the years prior to 2007-08 these donations were made to the NSW branch or division of the relevant party, although in some cases the returns furnished to the AEC disclose the purpose of the donation. In 2005-06, for example, ClubsNSW disclosed that a donation of \$5,000 to the NSW Division of the Liberal Party was intended for the Millennium Forum. A donation of \$11,000 in 2007-08 year was earmarked as being for the ALP Business Dialogue Dinner Series July-August 2007, but was identified as being made to the ALP NSW Branch.

However, from 2009-10, some donations were identified as being made directly to specific campaigns, individuals or local electorates.

Table 2 (below) sets out the donations in these categories declared by ClubsNSW in the period 2009-10 to 2014-15.

Some substantial donations appear in this table, and major beneficiaries include both ALP and LNP federal and state MPs or their campaign funds.

Over this period, major recipients (i.e., \$3,000 or more) of these donations who were named or whose campaigns or electorate branches were named, included:

- Joel Fitzgibbon (ALP Fed) - \$8,500
- Jason Clare (ALP Fed) - \$9,250
- Chris Bowen (ALP Fed) - \$3,700
- Mike Kelly (ALP Fed) - \$3,000
- Barry O'Farrell (Lib NSW) - \$11,000
- Craig Laundry (Lib Fed) - \$20,000
- Brian Loughnane (Lib Federal Official) - \$50,000
- Kevin Andrews (Lib Fed) - \$40,000
- Craig Kelly (Lib Fed) - \$6,500
- Bob Baldwin (Lib Fed) - \$4,000
- Luke Hartsuyker (Nat Fed) - \$3,000
- Darren Chester (Nat Fed) - \$10,000

In addition, associated entities were also provided with funds, as follows:

- Millenium Forum (Lib linked entity) - \$29,600
- Federal Forum (Lib linked entity) - \$29,600
- Endeavour Consulting Group - \$1,100 plus a further \$1,100 noted as 'Liberal Party of Australia - Senator Mathias Cormann'
- Greek Australian Conservative Coalition (Nationals-linked entity) - \$3,000



## Discussion

Some patterns emerge from inspection of the data set out above, and comparison to political decisions and events.

Firstly, ClubsNSW has allocated about twice as much in donations to the LNP in the period of this review as to the ALP. This was particularly evident in the period since 2009-10, notable by the arrangements entered into between the ALP Prime Minister Julia Gillard and Mr Andrew Wilkie MP after the 2010 federal election. Under [these arrangements](#) Mr Wilkie sought the introduction of a system of electronic pre-commitment for the use of electronic gambling machines (EGMs). The members of ClubsNSW operate about 70,000 EGMs which collectively generate revenue for the Clubs of over \$3.5 billion p.a.

In 2010-11, which spans the period of a Federal election, ClubsNSW declared donations to the LNP of \$361,930, compared to \$66,250 to the ALP.

Further, until about 2009-10, ClubsNSW had declared donations almost exclusively to the NSW branches or divisions of the ALP, and LNP parties. After 2010-11, donations were increasingly made to federal campaign funds or to individual campaigns, in many cases to named political candidates. Between 2009-10 and 2014-15, ClubsNSW declared donations amounting to \$259,955 to local campaigns or candidates (including linked entities), with the largest declared amount (\$66,850) in 2013-14. In the two previous years these amounts were over \$50,000 in the aggregate, and in 2014-15, \$49,600.

At the level of Federal politics, it is clear that ClubsNSW sought to provide financial resources to the coalition parties, who opposed the Gillard Wilkie arrangements and whose frontbench representative on gambling policy prior to and after the election of the Abbott government in 2013 (Mr Kevin Andrews) was provided with campaign donations amounting to \$40,000 (\$30,000 in 2013-14 and \$10,000 in 2014-15). Other prominent coalition MPs whose campaigns benefited from ClubsNSW declared donations included Craig Laundry, Luke Hartsuyker, Craig Kelly, and Bob Baldwin.

However, during the period after 2010 [when the ALP was experiencing internal turmoil associated with the backlash from ClubsNSW](#) and its associates, a number of prominent ALP federal members and/or their campaigns were also the recipients of donations declared by ClubsNSW. These included prominent ALP members and (in some cases) front-benchers Chris Bowen, Joel Fitzgibbon, Mike Kelly, Jason Clare, Chris Hayes, and Janelle Saffin. Of this group, Jason Clare's campaign was the greatest beneficiary, with declared donations of \$9,250. Joel Fitzgibbon's campaign received \$8,500 in donations declared by ClubsNSW.

This suggests that although the coalition as a whole was the recipient of the majority of donations declared by ClubsNSW between 2010 and 2015 (\$1,062,990, compared to the ALP's \$350,525), ClubsNSW was directly supporting a group of ALP politicians from NSW. This was occurring at the same

time as ClubsNSW undertook an [extensive marginal seats campaign](#). A broader political campaign including television advertising was also undertaken, and agitated strongly for the rejection of the Gillard-Wilkie pre-commitment agreement. Expenditure for this campaign (disclosed by ClubsNSW in its political expenditure returns) in 2010-11 and 2011-12, amounted to \$946,701 and \$3,478,581, respectively. Of this, \$2,989,600 was spent on broadcasting costs.

Thus, even as ClubsNSW undertook a well-funded and highly strategic campaign against PM Gillard and her poker machine reform agreement with Independent MP Andrew Wilkie, it was providing funds to a select group of ALP politicians, largely from NSW, and to select politicians from the coalition. It is of course a matter of conjecture as to the purpose of these donations.

For example, donations to selected NSW ALP members may have facilitated the provision to ClubsNSW of insight into the ALP's internal situation in the period after 2010. It may also have assisted ClubsNSW to persuade these politicians, and through them the broader party, that the reforms were not in the party's interests. Certainly, [by 2012, when PM Gillard disavowed her agreement with Wilkie, and supported the installation of defecting Liberal MP Peter Slipper as Speaker of the House of Representatives](#), the reform agreement was untenable. [Gillard said at the time that cross bench support for the reforms was uncertain. Wilkie thought otherwise.](#)

It is difficult to believe that the multi-pronged campaign of ClubsNSW did not have considerable influence over these decisions.

ClubsNSW also provided uncharacteristic and large donations to the re-election campaign of veteran Victorian federal Liberal MP Kevin Andrews, via support to his Menzies 200 fund. Two of these donations, for \$20,000 and \$10,000, [were originally reported as being to the Liberal Party's Victorian Division. However, they were in fact intended for Mr Andrew's campaign](#). Mr Andrew's campaign received a further \$10,000 donation declared by ClubsNSW in 2014-15.

Mr Andrews was a frontbencher with responsibility for gambling policy in the period prior to the 2013 election. He opposed the regulation of poker machines, and was supported strongly by ClubsNSW [during the election campaign](#).

Andrews became Minister for Social Services and was responsible for gambling policy once the Abbott government was elected. [In November 2013](#), shortly after the Coalition had won government, he oversaw the repeal of the modest poker machine reforms adopted by the Gillard government after it backed down on the agreement with Wilkie.

At the state level, ClubsNSW achieved an accommodation with the NSW Liberal Party ahead of the 2011 state election. In October 2010, then-opposition leader Barry O'Farrell signed a ["memorandum of understanding"](#) with ClubsNSW. This provided for a number of benefits to the clubs in the event of a coalition victory, including a \$300 million tax break.



Mr O'Farrell became Premier at the election, held on 26 March 2011. His government mostly honoured its agreement with ClubsNSW. Mr O'Farrell's successor, Mike Baird, [entered into a new arrangement with ClubsNSW](#) in October 2014, prior to the 2015 election held on 28 March of that year.

This agreement supports possible provision by the clubs of childcare and aged-care services. Funds for these services are to be made available from the ClubsNSW community contributions scheme, ClubGrants. The new memorandum also promised red-tape reduction, and simplification of the licensing and planning systems.

ClubsNSW donated more than \$250,000 to the Liberal Party's NSW division after the original memorandum was signed. In the previous year, [ClubsNSW declared a \\$10,000](#) donation to the Turrumurra branch of the Liberal Party. Turrumurra is within the state seat [of Ku-ring-gai](#), held by Mr O'Farrell between 1999 and 2015.

### **Strengths and limitations**

This report highlights donations declared by The Registered Clubs Association of NSW (t/a ClubsNSW).

It does not imply nor does it intend to imply that any individuals or political parties or entities named in this report were improperly influenced by, or undertook any political activity, or made any decisions as a consequence of or in anticipation of receiving donations from ClubsNSW or any associated entities.

It demonstrates the extent to which ClubsNSW has participated energetically and enthusiastically in the political process in Australia, even though this may not be an exhaustive nor complete list, given that donations below the current threshold of \$13,000 need not be publicly disclosed. It does not take account of any donations made in relation to the current Federal election campaign.

It does however provide an indication of the extent to which a financially well-resourced entity can vigorously participate in the Australian political process. It indicates that the pattern of political donations may provide some understanding of the tactics utilised by major lobbyist organisations, and the increasing sophistication of such tactics.

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**Table 2: Donations to individuals, specific campaigns, and associated entities 2010-2015 (Source: AEC)**

	Candidate	2009-2010	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015	Total
ALP Bankstown	Anthony Stewart	\$2,750						\$2,750
ALP Kingsgrove/Kogarah	Cherie Burton	\$800	\$1,000					\$1,800
ALP Revesby	Alan Ashton	\$800						\$800
ALP Werriwa - Chris Hayes	Chris Hayes	\$2,000						\$2,000
ALP Granville	David Borger	\$500						\$500
ALP Waterford West QLD	Evan Moorhead	\$1,100						\$1,100
ALP East Hills Campaign Account	Alan Ashton		\$250					\$250
ALP- NSW - Hunter Federal Campaign	Joel Fitzgibbon				\$2,000	\$6,500		\$8,500
ALP NSW Branch Blaxland Fed - ALP-NSW/Jason Clare	Jason Clare		\$5,000		\$3,000	\$1,250		\$9,250
ALP NSW Page Fed - ALP-NSW	Janelle Saffin vs Kevin Hogan (NP)					\$3,600		\$3,600
ALP-NSW - ALP McMahon Fed - Chris Bowen MP	Chris Bowen			\$400	\$3,300			\$3,700
ALP-NSW - Eden-Monaro Fed Re-Election Campaign	Mike Kelly				\$3,000			\$3,000
ALP-NSW - Fowler Fed	Chris Hayes				\$2,000	\$2,500		\$4,500
ALP-NSW - Lindsay FEC	David Bradbury				\$1,700			\$1,700
Australian Labor NSW Branch Barton Fed - ALP-NSW	Steve McMahon vs. Nick Varvaris (LP)					\$3,000		\$3,000
Lib Cromer NSW Wakehurst SEC	Brad Hazzard	\$2,000						\$2,000
Lib Turrumurra NSW/Roseville NSW	Barry O'Farrell	\$10,000	\$1,000					\$11,000
Lib Kellyville NSW/Baulkham Hills NSW	David Elliott	\$995	\$1,000					\$1,995
Lib Bowral NSW	Philip Costa	\$360						\$360
Lib Gordon NSW	Jon O'Dea	\$250						\$250
Lib Newport NSW	Robert Stokes		\$240					\$240
Lib Balgowlah NSW	Mike Baird		\$760					\$760
Lib NSW Reid Federal Campaign - LIB-NSW	Craig Laundry LP vs. John Murphy					\$20,000		\$20,000
Lib - Brian Loughnane PO Box 4922 Gold Coast Qld	Brian Loughnane			\$50,000				\$50,000
Lib - Senator Mathias Cormann via Endeavour C'ing	Mathias Cormann			\$1,100				\$1,100
Lib VIC Division (Menzies 200 Club)	Kevin Andrews					\$30,000	\$10,000	\$40,000
LIB-NSW - Hughes FEC Fed	Craig Kelly				\$6,500			\$6,500
LIB-NSW - Lib NSW Bradfield FEC	Paul Fletcher				\$1,000			\$1,000
LIB-NSW - Lib Paterson FEC	Bob Baldwin				\$4,000			\$4,000
NAT-NSW - Nat Cowper Electorate Council	Luke Hartsuyker				\$3,000			\$3,000
The Nationals (Gippsland Nat Federal Campaign)	Darren Chester						\$10,000	\$10,000
Millennium Forum of NSW					\$29,600			\$29,600
Federal Forum							\$29,600	\$29,600
Endeavour Consulting Group			\$1,100					\$1,100
Greek Aust Conservative Coalition Nat-linked		\$1,000	\$2,000					\$1,000
<b>Total</b>		<b>\$22,555</b>	<b>\$12,350</b>	<b>\$51,500</b>	<b>\$59,100</b>	<b>\$66,850</b>	<b>\$49,600</b>	<b>\$259,955</b>

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## **Appendix 1**

### **Glossary of abbreviations etc**

AEC – Australian Electoral Commission

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ALP Federal office – donation made to the Federal office of the ALP

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ALP individual or specific campaign – donation made to a specific campaign, individual or electorate branch of the ALP

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ALP NSW branch – donation made to the NSW branch of the ALP

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ALP NSW branch – Fed campaign – donation made to the federal campaign fund operated by the NSW branch of the ALP

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ALP Qld branch – donation made to the Qld branch of the ALP

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ClubsNSW – trading name of The Registered Clubs Association of NSW

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Endeavour consulting – an associated entity associated with the Liberal Party

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Greek Aust Conservative Coalition – an associated entity associated with the Nationals

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Lib Federal office - donation made to the Federal office of the Liberal Party

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Lib individual or specific campaign - donation made to a specific campaign, individual or electorate branch of the Liberal Party

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Lib NSW division – donation made to the NSW division of the Liberal Party

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Lib NSW division – Fed campaign - donation made to the federal campaign fund operated by the NSW division of the Liberal Party

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Lib Tas division – donation made to the Tas division of the Liberal Party

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Lib Vic division – donation made to the Victorian division of the Liberal Party

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LNP Qld office – donation made to the Qld Liberal National Party

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Millennium Forum – as associated entity associated with the Liberal Party

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Nat Federal office – donation made to the Federal office of the Nationals

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Nat individual or specific campaign - donation made to a specific campaign, individual or electorate branch of the Nationals

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Nat NSW division – Donation made to the NSW division of the National Party

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Nat NSW division – Fed campaign – donation made to a federal campaign fund operated by the Nationals NSW division