

Ms Roxanne Scott
16 Elsemore Crt
CARRARA QLD 4211

Mr Robert Needham
Commissioner
Crime and Misconduct Commission
GPO Box 3123
BRISBANE QLD 4200

Dear Mr Needham

Re: CMC inquiry into the 2004 Gold Coast City Council election

I am responding to your request during my time on the stand that I submit suggestions in relation to the form "*Return of Gifts*" for unsuccessful candidates. I submit the attached in relation to the section of that form titled: "*Relevant Details of Gifts*".

What I have produced is cumbersome but if an open and accountable government requires the level of detail that has been indicated by Mr Mulholland QC, then I don't believe anything less would suffice. I have written in fictional responses to indicate how the form would be completed.

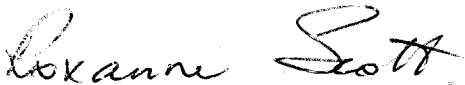
In addition, I would like to make three further points:

1. **It would be difficult to provide exact details of the value of gifts prior to the election.** Estimated values should be acceptable and a candidate should not be prosecuted if the estimated value is not accurate once all accounts are settled. For example, take an 'in kind' gift where a person might write several media releases for the candidate. Assuming the person doing the work runs an advertising agency, then you would cost the work at commercial rates and it would be over the threshold for declaration. However, with the chaotic pace of operations prior to the election, it would be very difficult to accurately assess the value of such a 'gift' and declare it, as contingencies arise constantly and several additional media releases might be required at the last minute to counter a false accusation by the opponent. The value of such services would be changing daily (hourly) until the election is completed.
2. **I do not believe that an 'unsuccessful' candidate in an election should have to seek legal advice, at significant cost, to complete an electoral return.** As an unsuccessful candidate, there can never be any implication of 'conflict of interest' as the person will not be in a position to vote on any matters in Council. The **form should be quite clear and unambiguous** as to its requirements so that any ordinary citizen can complete it satisfactorily.
3. **Those who do not have the means to fund their own election campaign should not be in fear of electoral process because of complications from receiving electoral funding in good faith.** Otherwise we could find that election candidates are dominated by wealthy retirees who would not

provide a true representation of their constituents while potentially very good candidates, without the funds to run their own campaign, would be excluded.

We live in a democratic country (thank God) and as such, I believe any and all individuals should be encouraged to engage in the political process, without undue costs of legal advice or undue fear of prosecution when acting in good faith.

Yours sincerely,

A handwritten signature in cursive script that reads "Roxanne Scott". The signature is written in black ink and is positioned to the right of the typed name.

Roxanne Scott

