



Sustainable Australia Submission:

Commonwealth Electoral Amendment Bill 2016



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

24 February 2016

Dear Secretary

Re: Submission to the Joint Standing Committee on Electoral Matters (the Committee) regarding the Commonwealth Electoral Amendment Bill 2016 (the Bill) by Sustainable Australia

Sustainable Australia is a federally registered political party (Est. 2010) which advocates for a prosperous economy, healthy environment and better quality of life for all Australians. Sustainable Australia supports improved transparency in Australian governance and is pleased to be able to make this submission to the Committee regarding the Bill.

Introduction

There are several initial key problems with rushing through the Greens / Xenophon / Liberal proposal for optional preferential voting above the line:

1. It represents a gaming of the system by sitting parliamentarians for their own benefit;
2. Informal votes will likely significantly increase, in addition to many others expiring, meaning that up to three in 10 votes could be wasted and not included in the final count. This means that federal Parliament will lose diversity and have little if any representation of the up-to one third of voters that vote for a minor party or independent; and
3. It ignores the simple democratic solution of optional preferential voting below the line.

More major problems with the proposed untested system will be revealed over the short and medium term.

Terms of reference

The submission now addresses the individual Terms of Reference in relation to the Bill in the order as set out on the Secretariat website.



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1. Reduce the complexity of the Senate voting system, by providing for partial optional preferential voting above the line, including the introduction of advice on the Senate ballot paper that voters number, in order of preference, at least six squares.

Sustainable Australia rejects the suggestion that replacing the existing well understood, simple, single vote above the line option with a requirement for a partial, optional, preferential vote above the line of at least six squares, can creditably be described as a reform to “reduce the complexity of the Senate voting system”.

The existing arrangements require the allocation of a single number to a box above the line, in order to record a formal vote. The proposed changes set out in the Bill require the numbering of at least six boxes above the line to achieve the same result, an increase in complexity by a factor of six.

The complexity of the current Senate voting system is not in the process for voting above the line, but rather for those electors who wish to vote below the line. The requirement to allocate up to 100 preferences to register a formal vote is indeed overly complex and needs urgent reform.

In this regard, Sustainable Australia recommends that the complexity of the Senate voting system could be reduced by providing for partial optional preferential voting below the line including the introduction of advice on the Senate voting paper that voters number, in order of preference, at least six squares (or 12 in the case of a double dissolution election).

2. Provide appropriate vote savings provisions to capture voter intent and reduce the risk of increased vote informality, including by improving vote savings provisions for below the line voting.

If the reform to the system for voting below the line set out above were adopted in an amendment to the Bill, then there would be no need for the proposed vote saving provisions. The Committee is directed to the opinion piece written by Sustainable Australia President William Bourke and published in the Canberra times on 9 February 2016 (‘Time to change the Senate voting system, and here's how’) which can be found at <http://www.canberratimes.com.au/comment/time-to-change-the-senate-voting-system-and-heres-how-20160209-gmpkck.html>



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3. Improve transparency around the allocation of preferences in a Senate election, by abolishing group and individual voting tickets, noting that this does not change other provisions relating to candidates nominating to be grouped on the Senate ballot paper.

The Bill was introduced in the House on 22 February 2016 by leader of the House the Hon. Scott Morrison MP (Minister representing the Special Minister of State). On 22 February 2016 the House referred the provisions of the Commonwealth Electoral Amendment Bill 2016 to the Joint Standing Committee on Electoral Matters for inquiry and report by 2 March 2016.

Sustainable Australia is deeply concerned regarding the lack of adequate time for meaningful community consultation in relation to the significant legislative changes proposed in the Bill. Allowing a bare nine days for public scrutiny and comment on the Bill is no way to improve transparency around the allocation of preferences in a Senate election. Indeed, the short time frame for comment seems designed to avoid any wide ranging public discussion and consultation.

Australia has a preferential voting system that is worth defending, as it maximises the intent of voters by ensuring that as many votes as possible make it to the final distribution of preferences. It is not a part of our democratic process that should be discarded lightly, in favour of what could become an above the line first-six-past-the-post system.

4. Introduce a restriction that there be a unique registered officer and deputy registered officer for a federally registered party.

Sustainable Australia supports this aspect of the Bill.

5. Reduce the confusion that may arise with political parties with similar names, by allowing party logos to be printed on ballot papers for both the House of Representatives and the Senate.

Sustainable Australia supports this aspect of the Bill.



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Conclusion

Sustainable Australia suggests that the current arrangements for above the line voting should be retained for the 2016 federal election, with an amendment to below the line voting arrangements to allow for partial optional preferential voting below the line including the introduction of advice on the Senate voting paper that voters number, in order of preference, at least six squares (or twelve in the case of a double dissolution election).

After the 2016 federal election is concluded, the next Parliament should undertake a meaningful, Australia-wide consultation involving public hearings on reform of the voting system for both Houses, including issues of public funding, party registration rules, disclosure of political donations and pre-poll voting.

Please don't hesitate to contact us for further information:

www.VoteSustainable.org.au/contact_us

Yours sincerely

William Bourke

President

Sustainable Australia

www.VoteSustainable.org.au