



**CENTRAL LAND COUNCIL**

**Submission to the  
Joint Standing Committee on Electoral Matters  
*Inquiry into the 2022 federal election*  
October 2022**

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## Recommendations

**Recommendation 1:** That the Australian Electoral Commission (AEC) update their method of estimating Indigenous enrolment rates to account for Indigenous population increase over-and-above the natural increase projected by the ABS and/or the differential propensity to identify as Indigenous in different data sources.

**Recommendation 2:** That the AEC produce and publish estimates of Indigenous voter turnout by electoral division, including regional breakdowns, after every Federal election. Given the size and diversity of the division of Lingiari, the provision of further regional breakdowns would assist with addressing issues and barriers to participation at the local level.

**Recommendation 3:** That stronger savings provisions be introduced so that votes in the Senate and House of Representatives are counted where the voter's intention can be understood, even if this means some votes are exhausted in the process of distributing preferences.

**Recommendation 4:** That priority is given to funding the development of voter educational materials in Plain English and Aboriginal languages and ensuring the availability of interpreters at remote polling stations.

**Recommendation 5:** That strategies and initiatives to increase Indigenous electoral participation are co-designed with and endorsed by Indigenous communities and organisations.

**Recommendation 6:** The Federal Government makes a long-term commitment to funding the Indigenous Electoral Participation Program (IEPP) including education and resources targeted at the generations that missed out on Indigenous voter education initiatives.

**Recommendation 7:** That a partnership approach, including the resourcing of local community partners, be central to the AEC's way-of-working through the IEPP.

**Recommendation 8:** That the provision of short and long-term employment opportunities for local Aboriginal people should be a key goal of the IEPP. The AEC should, in the first instance, attempt to recruit, train and appropriately remunerate local Aboriginal people as Electoral Engagement Officers.

**Recommendation 9:** That the IEPP and the strategies and initiatives implemented through the program are rigorously evaluated and the learnings shared.

**Recommendation 10:** That the Northern Territory Government and Federal Government jointly fund an AEC and NTEC office in Alice Springs.

**Recommendation 11:** That the Parliament repeal section 93(8AA) of the *Commonwealth Electoral Act 1918* which prevents prisoners from voting and disproportionately affects Indigenous people.

**Recommendation 12:** That the AEC work with Indigenous communities to extend the Federal Direct Enrolment and Update (FDEU) process to everyone in Australia, regardless of whether they can receive mail delivered to their street address.

**Recommendation 13:** That the *Commonwealth Electoral Act 1918* be amended to allow on-the-day enrolment, and that the AEC facilitate this approach to increase voter enrolment in future elections.

**Recommendation 14:** That the AEC trial extended voting services for Federal elections through community-staffed voting centres.

## Introduction

The Central Land Council (CLC) welcomes the opportunity to provide input to the Joint Standing Committee on Electoral Matters' (JSCEM) Inquiry into the 2022 Federal Election. This submission focuses on matter (d) in the Inquiry's Terms of Reference, namely '*encouraging increased electoral participation and lifting enfranchisement of First Nations People*'.<sup>1</sup> We welcome this focus within the Committee's inquiry. In the context of the persistent and widening gap in electoral participation of Aboriginal people compared to non-Aboriginal people, and the increasing urgency with which we need to address this gap given a likely referendum on an Indigenous Voice to Parliament, it is important that the Committee pays serious attention to this issue.

The CLC is a Commonwealth corporate entity established under the *Aboriginal Land Rights (Northern Territory) Act 1976* (ALRA), with statutory responsibilities for Aboriginal land acquisition and land management in the southern half of the Northern Territory. The CLC is also a Native Title Representative Body established under the Native Title Act 1993 (NTA).

Through our elected representative Council of 90 community delegates, the CLC represents the interests and aspirations of approximately 20,000 traditional landowners and other Aboriginal people resident in its region, which covers approximately 780,000 km<sup>2</sup> of land. We advocate for our people on a wide range of land-based and socio-political issues to ensure that our people can continue to survive and thrive on their land.

The CLC region is in the Federal electoral division of Lingiari, the second largest division in the country,<sup>2</sup> stretching approximately 1.4 million km<sup>2</sup>. The electorate is distinct not only for its size, but also its population. Almost half of all eligible voters (47 per cent) are Indigenous.<sup>3</sup>

Aboriginal constituents in Lingiari have some of the greatest needs in the country and experience the deepest levels of poverty. The median income of Aboriginal people in remote and very remote areas of the Northern Territory was \$325 and \$243 (respectively) in 2016.<sup>4</sup> This places the Northern Territory last comparing the median incomes of Indigenous people in remote and very remote areas of New South Wales, Western Australia, Queensland and South Australia.<sup>5</sup> The gap in employment is the widest in the country, and widening: the unemployment rate for Indigenous Territorians living in remote and very remote areas increased from 11.8 per cent in 2006 to 20.2 per cent in 2016, while the unemployment rate for non-Indigenous Territorians in remote and very remote areas was just 2.7% in 2016.<sup>6</sup> Approximately 54.1 per cent households in remote communities in the Northern Territory are overcrowded,<sup>7</sup> and people are subject to levels of service that other Australians simply

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<sup>1</sup> Joint Standing Committee on Electoral Matters, Inquiry into the 2022 Federal Election, Terms of Reference ([weblink](#))

<sup>2</sup> Second to Durack, Western Australia

<sup>3</sup> Australian Bureau of Statistics, Census data 2022.

<sup>4</sup> Peter Gregory, *The Territory Gap: comparing Australia's remote Indigenous communities*, The Centre for Independent Studies, 25 August 2022 ([weblink](#)). Note that 2021 ABS Census data by remoteness is not yet available.

<sup>5</sup> Ibid.

<sup>6</sup> Ibid.

<sup>7</sup> Australian National Audit Office, *Remote Housing in the Northern Territory*, 22 February 2022 ([weblink](#)) [25].

would not accept – compromised drinking water,<sup>8</sup> regular outages to telecommunications services,<sup>9</sup> and – when it rains – road closures that cut off food supplies and essential services.<sup>10</sup>

Sixty years after Aboriginal people were granted the right to vote, they continue to struggle to have their voices heard by governments. This does not mean people are not politically active. The fight for land rights, participation through representative bodies such as the land councils, calls for Treaty over many years, and involvement in the regional dialogues on constitutional recognition demonstrates that Aboriginal people participate where they feel part of the process and when their views are reflected in the outcome. It must also be acknowledged that Indigenous people had their own systems of governance in place long before the colonisation of Australia.

Given the extent of the needs of Aboriginal people in Lingiari, particularly those living in remote communities, it is therefore concerning that the levels of electoral engagement are persistently low – and worsening. In the 2022 Federal election, voter participation in Lingiari was the lowest in the country: at the 2019 Federal election 72.85 per cent of eligible voters in Lingiari cast a ballot, and in 2022 that figure dropped to a record low of 66.83 per cent. Based on figures provided by Francis Markham and Morgan Harrington at the Australian National University, in some communities in the CLC region, turnout was as low as 25 per cent of enrolled voters.

There are multiple factors contributing to such low levels of participation, including the lack of services in remote communities and language barriers. Enrolling to vote requires a form of identification that usually cannot be obtained without leaving the community or waiting for government services to visit. Where someone is enrolled, they only have a narrow window to cast their ballot. The AEC mobile voting team is often only in each remote community for a few hours on a single day in the lead up to an election, and largely don't go to homelands and outstations. If a remote voter misses their opportunity to vote in community, perhaps due to cultural obligations, meetings, funerals or work, their only other option to vote is to drive potentially hundreds of kilometres into a major town. A lack of oral and written in-language resources and interpreters at polling booths mean people may opt not to vote or may not realise they are voting informally.<sup>11</sup>

The cumulative effect is that Aboriginal people are not having an equal say in who we elect as our leaders and decision-makers.

Echoing the Northern Land Council (**NLC**), we emphasise that the disenfranchisement of Aboriginal people from electoral participation is longstanding. The trauma of colonial and coercive policies including stolen generation, Intervention and apartheid has led to a deep distrust in government and whitefella institutions. Indigenous governance systems have operated on this continent for tens of thousands of years prior to colonisation, but Indigenous people did not gain the right to vote in Australian elections until 1962. Even with formal enfranchisement, changing and contradictory laws

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<sup>8</sup> Kirsty Howey and Liam Grealy (2021) 'Drinking water security: the neglected dimension of Australian water reform', *Australasian Journal of Water Resources*, 25:2, 111.

<sup>9</sup> Lee Robinson and Samantha Jonscher, *Phone, internet outages in remote Central Australia leave residents without access in emergencies*, ABC News, 9 June 2022 ([weblink](#)); Samantha Dick, *Remote Northern Territory community of Wadeye hit by second Telstra mobile service outage in a fortnight*, ABC News, 14 February 2022 ([weblink](#)).

<sup>10</sup> Mostafa Rachwani, *Remote Northern Territory town hit by food shortages amid flood and Covid crises*, The Guardian Australia, 2 February 2022 ([weblink](#)).

<sup>11</sup> Roxanne Fitzgerald and Liz Trevaskis, *Lack of interpreters and 'unprecedented' challenges leave some remote NT voters in the lurch this election*,

that disempowered Aboriginal people from making decisions about their lives, their land and their families understandably contributes to resignation for some that voting won't change anything.

Increasing enfranchisement will require a concerted effort and long-term commitment. Under the National Agreement on Closing the Gap Priority Reform 3, the Commonwealth has committed to transforming its organisations, including eliminating racism and improving engagement with Aboriginal and Torres Strait Islander people. The CLC joins the NLC in saying that in the case of the AEC, this should mean removing any structural racism in the electoral process, which includes understanding and addressing differences between remote Aboriginal communities and other Australians.

This submission presents:

1. Data on the participation of Aboriginal voters in the 2022 Federal election, including 1) enrolment, 2) turnout and 3) formality.
2. Discussion of the policy and funding decisions by government that are likely to have affected these results.

## 1. Indigenous voter participation in Lingiari

### 1.1 Enrolment

Nationally, enrolment rates are the highest they have been since Federation (approximately 96 per cent of the eligible population). Yet Indigenous enrolment rates remain substantially lower than enrolment rates for non-Indigenous people. Lingiari has the highest number of unenrolled voters in the country,<sup>12</sup> and in the Northern Territory, just over 22,000 of eligible voters are not on the roll.<sup>13</sup> While the data produced by the AEC suggests that Indigenous enrolment rates across the country are increasing (from an estimate of 74.7 per cent in 2017 to 81.7 per cent in 2022), analysis by Dr. Morgan Harrington and Dr. Francis Markham from the Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University (ANU) suggests that, when adjusted for new voting-age Indigenous population estimates based on the 2021 Census data, the national Indigenous enrolment rate has in fact declined to 72.4 per cent.<sup>14</sup>

Likely reflecting more stable Indigenous population figures, the Northern Territory has bucked this trend. Analysis by Harrington and Markham submitted to the JSCEM suggests the Indigenous enrolment rate in the Northern Territory has been steadily increasing, rising from 67.1 per cent in 2007 to 74.1 per cent in 2022, as shown in Figure 1, below. While this increase is positive, it still means that around one in four Aboriginal people in the NT who are eligible to vote are missing out.

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<sup>12</sup> Morgan Harrington, Election 22: Enrolment and participation in the seat of Lingiari, 22 June 2022 ([weblink](#)).

<sup>13</sup> Ibid.

<sup>14</sup> Harrington, M. and Markham, F. (2022) Submission to the Joint Standing Committee on Electoral Matters' Inquiry into the conduct of the 2022 federal election.

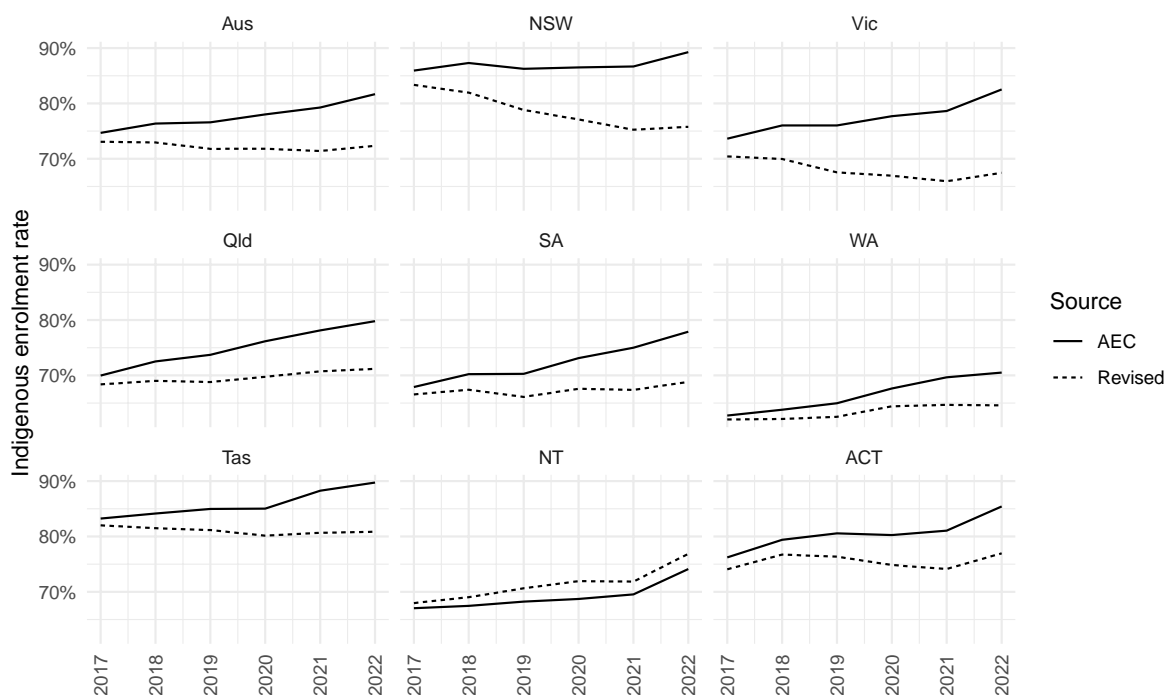


Figure 1: Indigenous enrolment rates by state and territory, 2017–2022, comparing the AEC's 2016-Census-based estimates with the Francis and Markham's revised 2021-Census-based estimates

Sources: AEC estimates are reproduced from the AEC website. Harrington and Markham's 2022 estimate was provided in their submission is derived from ABS 2016 population estimates and preliminary 2021 estimated residential populations (ERPs), with voting age ERPs for 2017, 2018, 2019, 2020 and 2022 interpolated from the 2016 and 2021 ERPs. This data was provided to the JSCM by Harrington and Markham in their submission.

**Recommendation 1: That the AEC update their method of estimating Indigenous enrolment rates to account for Indigenous population increase over-and-above the natural increase projected by the ABS and/or the differential propensity to identify as Indigenous in different data sources.**

## 1.2 Turnout

Voter turnout in Lingiari reached its lowest ever level in 2022. Turnout for the electorate as a whole was 66.8 per cent (compared to 72.9 per cent in 2019, 73.7 per cent in 2016 and 75.4 per cent in 2013).<sup>15</sup> Estimates produced by Harrington and Markham suggest that the turnout for very remote areas (with predominantly Aboriginal populations) was even lower: less than half (49.4 per cent) of all people on the electoral roll appear to have voted in the 2022 election.<sup>16</sup> As noted above, data provided to the CLC suggests that turnout for some communities in our region was as low as 25 per cent of enrolled voters. The CLC notes that the AEC have not attempted to estimate Indigenous turnout rates.

<sup>15</sup> Will Sanders, *Electoral administration and the Aboriginal voting power in the Northern Territory: Reality and potential viewed from the 2019 federal election*, CAEPR Working Paper 2019, ([weblink](#)) 3.

<sup>16</sup> The estimates produced by Markham and Harrington are based on the turnout for small statistical areas (SA1s) with 'predominately Indigenous' populations (i.e. at least 80 per cent of the population identified as Indigenous).

**Recommendation 2: That the AEC produce and publish estimates of Indigenous voter turnout by electoral division, including regional breakdowns, after every Federal election. Given the size and diversity of the division of Lingiari, the provision of further regional breakdowns would assist with addressing issues and barriers to participation at the local level.**

### 1.3 Formality

Because voting is secret, the AEC cannot provide data on how often Indigenous voters cast informal ballots. In their submission to the Committee, Harrington and Markham provided analysis which extrapolates a rough informality rate of 15.8 per cent for Indigenous voters, compared to an informality rate of 5.2 per cent across all voters in the 2022 election.

**Recommendation 3: That stronger savings provisions be introduced so that votes in the Senate and House of Representatives are counted where the voter's intention can be understood, even if this means some votes are exhausted in the process of distributing preferences.**

The longstanding underfunding of Indigenous voter education initiatives and the more recent defunding of the AEC's activities in the NT (discussed below) are likely to contribute to higher rates of informal voting for Aboriginal people in the NT. Communities' concerns in particular about the lack of interpreters at remote polling stations and the impact this is likely to have had on rates of informal voting were highlighted in the media during the 2022 Federal Election.<sup>17</sup>

**Recommendation 4: That priority is given to funding the development of voter educational materials in Plain English and Aboriginal languages and ensuring the availability of interpreters at remote polling stations.**

## 2. How funding and policies have impacted voter participation

Over the past 30 years, many Federal programs to increase Indigenous education and engagement with voting have been abolished or defunded, and laws and policies have been enacted that create further barriers to enrolment and voting for Aboriginal people.

In 1996, the Aboriginal and Torres Strait Islander Election Education and Information Service – provided by the AEC – was abolished. Established in 1979 as the Aboriginal Electoral Education Program, the intent behind the program was to increase the enrolment of Indigenous people.<sup>18</sup> The various iterations of the programs provided education and materials about voting in Indigenous languages, included significant outreach effort and harnessed the opportunity for job creation through the roles of Aboriginal Community Electoral Assistants.<sup>19</sup> Studies have linked the abolition of the

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<sup>17</sup> 'Lack of interpreters and 'unprecedented' challenges leave some remote NT voters in the lurch this election', R. Fitzgerald and L. Trevaskis, 21 May 2022, ABC ([weblink](#))

<sup>18</sup> P Loveday (ed), *Service Delivery to Remote Communities*, Australian National University, 198 ([weblink](#)) 120-121.

<sup>19</sup> Further information on the various iterations of the program available on the AIATSIS website 'The Right to Vote' ([weblink](#))



program to the steady decline in voting rates in remote communities.<sup>20</sup> Its abolition has meant almost two generations of Indigenous people have missed out on culturally-appropriate education about voting and government.

The abolition of the Australian and Torres Strait Islander Commission (**ATSIC**) in 2005 further eroded Indigenous enfranchisement. ATSIC elections – through which voters elected its commissioners and members of its seventeen regional councils – were run by the AEC.<sup>21</sup> These elections had particularly beneficial effect on the turnout of Aboriginal people in the sparsely populated areas in central Australia, where the interest and participation in ATSIC elections were higher, compared to densely settled areas.<sup>22</sup> Will Sanders from CAEPR at the ANU correlates this increased participation with ATSIC's prominent role in funding and providing services and employment in the remote areas of central and northern Australia and the higher number of polling booths.<sup>23</sup>

ATSIC also ran educational and promotional campaigns around voting, including 'The Right to Be Heard' campaign in 2002.<sup>24</sup> This campaign actively encouraged Aboriginal and Torres Strait Islander people to participate in ATSIC elections, as voters and candidates. In 2002 ATSIC elections, more than 1150 people nominate as candidates and turnout increased by 11.1 per cent.<sup>25</sup>

In 2010, the Federal Government introduced the Indigenous Electoral Participation Program (**IEPP**) "to close the gap in Indigenous disadvantage".<sup>26</sup> However, the program faced repeated and significant funding cuts by the Federal Government between 2017 and 2021. At the same time, in 2017 the number of AEC staff in Darwin was cut from 16 to just three, included axing four staff working on Indigenous participation and voter education.<sup>27,28</sup> The electoral staffing capacity in the NT was further reduced with the closing of the Northern Territory Electoral Commission's (**NTEC**) Alice Springs office in 2020.

In a positive step, in 2021, Federal Government reinstated modest funding for the IEPP (\$9.4 million over four years and \$1.3 million after that, with the majority of the funding allocated from 1 July 2022).<sup>29</sup> The Central Land Council welcomed this commitment and understands that the new Federal Labor Government has committed to maintaining that funding. Recognising the need to make up for decades of under-investment and the under-provision of electoral information and education, and enrolment and voting support to remote communities, this funding should be not just maintained but increased over time.

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<sup>20</sup> Morgan Harrington, *Barriers to voting in remote First Nations communities*, Australian National University, 19 April 2022 ([weblink](#)).

<sup>21</sup> Will Sanders, *ATSIC Elections and Democracy: Administration, Self-Identification and Representation* July 2003 ([weblink](#)) 1.

<sup>22</sup> Ibid.

<sup>23</sup> Will Sanders, *Participation and representation in the 2002 ATSIC elections*, Centre for Aboriginal Economic Policy Research 2003 ([weblink](#)) 3.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid.

<sup>26</sup> AEC 2022 Indigenous Electoral Participation Program ([weblink](#))

<sup>27</sup> Ibid.

<sup>28</sup> Lorena Allam, *Government 'suppression' tactics blames for NT's lower rate of enrolment*, The Guardian, 11 December 2018 ([weblink](#)); Commonwealth of Australia, Budget 2017-18, Budget Paper No 2 ([weblink](#)) 98.

<sup>29</sup> Morgan Harrington, *Election 22: Enrolment and participation in the seat of Lingiari (NT)*, 28 June 2022, YouTube video ([weblink](#)) 13:05.

The CLC is supportive of the partnership approach being adopted by the AEC through the IEPP that includes resourcing of local community partners. It is important that all efforts to increase the electoral participation of Aboriginal people in remote communities are sustained, designed with communities, informed by local expertise and enhanced by the trust engendered through local staff and relationships. We note that there is substantial opportunity to create both short and long-term job opportunities for local people to support ongoing electoral participation efforts and staffing during election periods. Echoing recommendations in a report commissioned by the Ngaanyatjarra Pitjantatjara Yankuntjatjara Women's Council reflecting on lessons from their involvement as a partner to AEC in the IEPP, these roles should be appropriately remunerated.<sup>30</sup>

Reflecting on the 2022 Federal Election, there were a number of instances where visits by the AEC's remote polling teams to communities in the CLC region were poorly timed – for example, in one community, most residents had travelled to a neighbouring community for a funeral on the day the polling team visited. This points to both the importance of the AEC building strong relationships with local people and organisations to provide 'local intelligence', as well as the importance of voter education to make sure people are aware of the opportunities they have to vote – including via postal vote, and importantly given Aboriginal mobility, absentee voting. Members of our Executive have noted that, in their experience, very few people are aware that they don't have to vote in their home community.

**Recommendation 5: That strategies and initiatives to increase Indigenous electoral participation are co-designed with and endorsed by Indigenous communities and organisations.**

**Recommendation 6: The Federal Government makes a long-term commitment to funding the Indigenous Electoral Participation Program (IEPP) including education and resources targeted at the generations that missed out on Indigenous voter education initiatives.**

**Recommendation 7: That a partnership approach, including the resourcing of local community partners, be central to the AEC's way-of-working through the IEPP.**

**Recommendation 8: That the provision of short and long-term employment opportunities for local Aboriginal people should be a key goal of the IEPP. The AEC should, in the first instance, attempt to recruit, train and appropriately remunerate local Aboriginal people as Electoral Engagement Officers.**

**Recommendation 9: That the IEPP and the strategies and initiatives implemented through the program are rigorously evaluated and the learnings shared.**

**Recommendation 10: That the Northern Territory Government and Federal Government jointly fund an AEC and NTEC office in Alice Springs.**

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<sup>30</sup> Kavanagh, M 2022, 'Getting the engagement right' – Report on NPY Women's Council project with the AEC.

In addition to long-term underfunding of Indigenous electoral participation efforts in the NT, legislative and policy changes have created further barriers to the participation of Indigenous voters. In 2006 Federal legislation passed which created more onerous identification requirements when enrolling to vote, which hampered efforts to enrol voters in at least one remote community.<sup>31</sup>

Two years earlier, amendments were made to prevent prisoners from voting in Federal elections if they were serving a term of imprisonment of more than three years.<sup>32</sup> This disproportionately impacts Indigenous Territorians who made up 84 per cent of the prisoner population in 2018.<sup>33</sup> It is estimated that 0.6 per cent of Indigenous people were disenfranchised by these amendments, while just 0.075 per cent of non-Indigenous people.<sup>34</sup>

**Recommendation 11: That the Parliament repeal section 93(8AA) of the *Commonwealth Electoral Act 1918* which prevents prisoners from voting and disproportionately affects Indigenous people.**

In 2012, an amendment to the *Commonwealth Electoral Act 1918* allowed the AEC to enrol people using information from government agencies, such as Centrelink, referred to as the Federal Direct Enrolment and Update (**FDEU**). However the AEC chose not to extend the FDEU to people in communities with a single address – called ‘mail exclusion zones’.<sup>35</sup> This automatically excludes most people in remote communities throughout much of Lingiari and the CLC region, where mail is sent to a single address. There has been a clear effect: while enrolment rates across all of Australia have steadily increased, in the Northern Territory enrolment jumps in the lead up to an election, and drops between elections.<sup>36</sup> Last year, two Indigenous men from Arnhem Land and Elcho Island submitted a complaint to the Human Rights Commission claiming this policy’s application ‘suppressed or inhibited’ Indigenous voters in federal and Northern Territory elections.<sup>37</sup>

The Central Land Council welcomes the AEC’s announcement from September 2022 that it will trial the FDEU in remote communities in Western Australia, Northern Territory and Queensland.<sup>38</sup> The FDEU must be rolled out across all remote communities.

**Recommendation 12: That the AEC work with Indigenous communities to extend the FDEU process to everyone in Australia, regardless of whether they can receive mail delivered to their street address.**

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<sup>31</sup> *Commonwealth Electoral Act 1918*, s 98AA; Lisa Hill and Kate Alport, ‘Voting Attitudes and Behaviour Among Aboriginal Peoples: Reports from Anangu Women’ *Australian Journal of Politics and History*: Volume 56, Number 2, 2010, 250.

<sup>32</sup> *Electoral and Referendum Amendment (Prisoner Voting and Other Measures) Act 2004* (Cth).

<sup>33</sup> Australian Bureau of Statistics, *Prisoners in Australia 2018* ([weblink](#)).

<sup>34</sup> Martin Churchill, *Voting Rights in Prison: Issues Paper*, The University of Queensland, 15 July 2020 ([weblink](#)).

<sup>35</sup> Will Sanders, *Electoral administration and the Aboriginal voting power in the Northern Territory: Reality and potential viewed from the 2019 federal election*, CAEPR Working Paper 2019, ([weblink](#)) 11-12.

<sup>36</sup> Ibid.

<sup>37</sup> Roxanne Fitzgerald, *Indigenous voters lodge discrimination complaint against Australian Electoral Commission*, ABC News 19 June 2021 ([weblink](#)).

<sup>38</sup> Australian Electoral Commission, *Significant boost to First Nations enrolment announced*, 1 September 2022, ([weblink](#)).

## 2.1 Learning from recent success

Recent Northern Territory government policies and programs have had success in increasing enrolment and access to voting for Indigenous people.

- **Enrolment efforts.** A 2019 Northern Territory Electoral Commission (NTEC) program, 'Your Voice, Your Community' program had some success in increasing access to voting.<sup>39</sup> Through that program, the NTEC provided names of likely eligible voters to Department of Local Government staff, who then used their connections to seek those people out and encouraged them to enrol to vote.<sup>40</sup> This model wasn't used by the AEC during the 2022 Federal election.
- **Extended voting periods.** In local government elections, the NTEC has worked with remote councils to create 'community voting centres'.<sup>41</sup> During the 2021 local council elections, this resulted in 37 voting booths in remote communities open for voting on and prior to election day, and translated to 1000 additional hours of voting for communities.<sup>42</sup> Rolling out similar models during Federal elections would ensure residents of remote communities and outstations have a better chance of casting a vote.
- **Enrolment on the day.** Amendments in 2021 allowed the NTEC to enable voters to enrol on the day of voting.<sup>43</sup> In the 2021 local council elections this saw around 1700 additional votes across the Northern Territory.<sup>44</sup>

**Recommendation 13:** That the *Commonwealth Electoral Act 1918* be amended to allow on-the-day enrolment, and that the AEC facilitate this approach to increase voter enrolment in future elections.

**Recommendation 14:** That the AEC trial extended voting services for Federal elections through community-staffed voting centres.

## Conclusion

For more than 60,000 years, Indigenous people on this continent have practiced systems of governance. Colonisation resulted in these systems being violently repressed and disrupted as part of the wide-spread attempts to suppress culture. Upon Federation, Indigenous people continued to be stripped of rights to country and culture, and were excluded from voting until 1962.

Policy initiatives from the late 1970s until the 1990s that promoted education and electoral participation of Aboriginal people increased enrolment and voting, but these have since been cut and defunded and laws have been enacted that create further barriers to enrolment. Decreasing electoral engagement in the seat of Lingiari is a direct result of these laws and policies.

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<sup>39</sup> Ibid, 12:00.

<sup>40</sup> Northern Territory Electoral Commission, *2020-2021 Annual Report* ([weblink](#)) 9.

<sup>41</sup> Morgan Harrington, *Election 22: Enrolment and participation in the seat of Lingiari (NT)*, 28 June 2022, YouTube video ([weblink](#)) 13:05.

<sup>42</sup> NTEC, *Community voting centres offer extended remote voting options*, Media Release, 11 August 2021 ([weblink](#)); Morgan Harrington, *Election 22: Enrolment and participation in the seat of Lingiari (NT)*, 28 June 2022, YouTube video ([weblink](#)) 13:05.

<sup>43</sup> Northern Territory Electoral Commission, *2020-2021 Annual Report* ([weblink](#)) 5, 13.

<sup>44</sup> Commissioner Loganathan, Northern Territory Estimates Committee, 14 June, 2022, ([weblink](#)) 6

We emphasise that efforts to boost the electoral participation of Indigenous Australians (including through investment, and policy and legislative change) will only be effective if they are long term, co-designed with Indigenous people and thoroughly evaluated.

With a referendum on an Indigenous Voice to Parliament imminent, the need for increased enrolment and participation of Indigenous people in the Federal electoral process is particularly urgent. The CLC stands ready to work with government and communities to ensure Indigenous voices are heard and votes are counted.