

# Submission

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## To the Joint Standing Committee on Electoral Matters

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### Inquiry into and report on all aspects of the conduct of the 2016 Federal Election and matters related thereto

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Disclaimer: The opinions and conclusions of this document are those of the author. Where supporting evidence has been obtained from other sources, all efforts have been made to acknowledge those sources. Any omissions of acknowledgement relating to supporting evidence are unintentional. The statistics contained herein are also the work of the author. If there are any errors in these statistics or subsequent calculations, those errors are unintentional and are not intended to mislead or misinform. The author has performed all calculations in good faith. Note: Some adjustments were made to AEC data for the 2016 election after the chart at the end of this submission was created.

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## Introduction

To the JSCEM,

This submission is an expansion of my ideas, based on a document I sent to all Members of the House on the 2<sup>nd</sup> of September, 2016, from the email address listed above.

That email was titled: **To all Members: Proposal to expand the Parliament**

You may wonder what drives someone who is not involved in the internal machinations of politics to propose increasing parliamentary representation. Not only propose an expansion, but go to the trouble of emailing all MHR's not once, but twice, in less than 12 months.

My interest in politics was developed in my earliest teenage years thanks to my maternal grandmother. It was enhanced by the media coverage leading up to and including the dismissal of the Whitlam government in 1975.

I am not a member of any political party because I don't consider myself a people person.

My passion lies in political science - especially in the areas of electoral and redistribution statistics and their associated processes, the standardisation of data, numerical analysis and geography.

If there was a role at somewhere like the AEC for a full time Electoral Redistribution Consultant, I would be one of the first to apply.

In recent years, I have contributed submissions/objections to the following in an honorary capacity:

- 2013 VEC Re-division Vic. State
- 2014 JSCEM on all matters related to the 2013 Federal Election
- 2015 AEC Redistribution WA
- 2015 AEC Redistribution NSW
- 2015 AEC Redistribution ACT
- 2016 AEC Redistribution NT
- 2016 ECSA Redistribution SA State
- 2016 ECQ Redistribution Qld State
- 2016 AEC Redistribution Tas. (planning/preparing)

## Acronyms used in this submission

ABS - Australian Bureau of Statistics

AEC - Australian Electoral Commission

ATL - Above the Line

BTL - Below the Line

CPV - Compulsory Preferential Voting

HOR - House of Representatives

## 2016 Federal Election statistics and analysis

### Enrolment and representation

Prior to the 2016 election, the AEC published the number of enrolled electors: 15,676,659.

For the first time at a Federal Election, the average Divisional enrolment exceeded 100,000 electors.

To put that in perspective; if every Member of the HOR spent just 5 minutes in a 1-on-1 with every individual elector in their Division, and did that for 8 hours a day; 5 days a week; 52 weeks a year; no annual leave; no sick days; taking only Public Holidays off, they would still have only met around 72,000 of their electors by the time the next scheduled election was due.

Is it any wonder that voters feel alienated from the political process and a lack of contact with their federal representatives? Many media commentators claim there are too many politicians in this country – truth is, as far as national representation is concerned; there aren't enough.

Those of you, who were Members of the HOR last Christmas, would have received an email from me with a document titled 'Population and Representation' attached to that email. That document laid out enrolment statistics and suggested changes to the number of Members elected to the House.

Since that document was written, the Senate voting system has (thankfully) been reformed and a much simpler solution to reducing the number of electors each of you represents can be delivered.

2019 marks 35 years since the Hawke expansion of 1984, which was 35 years after the Chifley expansion that took effect in 1949.

This section of this document proposes, that before the first anniversary of this Parliament, and therefore prior to the publication of the Determination, the Parliament unites to increase the number of Senators from the States from 12 to 14 and that this increase takes effect for the 2019 federal election.

Based on the most recent population data published by the ABS on 22/9/16, this would add an extra 24 Members to the HOR for the 2019 election.

It should be noted that if no expansion is agreed, South Australia will almost inevitably lose 1 Division at the Determination, based on that population data published by the ABS. The NT is also close to reverting to a single Division for the entire Territory.

Any expansion should be agreed within the first 12 months of the first sitting of the current parliament. This would allow the AEC time to complete Redistributions for all the affected States and Territories. The intention being that the new electoral boundaries and names are in place no later than the end of the first quarter of the 2019 calendar year.

In fact, any plans to expand the Parliament would need to be communicated to the AEC before Christmas, as a Redistribution of Queensland could commence from as early as December this year.

Evidence supporting the logic of my proposal to expand the parliament follows on the next page.

### Electoral enrolment growth since the 1984 expansion

	1984	2016	2019 with no change	2019 with expansion
On Roll	9,868,525	15,676,659	(est.) 16,500,000	(est.) 16,500,000
HOR Divisions	148	150	(est.) 149	174
Average Electors per Division	66,679	104,511	110,738	94,828

By the time of the 2019 Election, with no expansion of the parliament, each Member of the HOR will be representing >66% more electors than your predecessors did in 1984.

#### **What other body – public or private - expects its members to represent 66% more people than they did 35 years ago?**

Please note: My projected enrolment figure of 16,500,000 for 2019 allows for a growth of 823,341 electors over the course of the current 3 year period. The actual electoral enrolment growth between 2013 and 2016 was 953,274, so the projected figure of 16,500,000 by 2019 is a conservative estimate.

For further reference, the final page of this document comprises a graph of electoral voting and enrolment numbers since federation.

Unless changes are made to the number of Members of the HOR, the number of electors that each of you represent shows no sign of declining any time soon.

### Comparing population per Member with other Commonwealth Nations

I thought it would be worthwhile compiling a table, comparing population to the number of directly elected members with 3 other Commonwealth countries.

Those countries are New Zealand, Great Britain and Canada.

Country	Canada	Great Britain	New Zealand	Australia
Last General Election	2015	2015	2014	2016
Population @ election (est.)	36,134,016	64,715,810	4,509,700	24,100,000
Directly elected members	338	650	71	150
Ratio of population per member	106,905:1	99,563:1	63,517:1	160,667:1

As can be seen by the table above, Australia has by far, the highest ratio of population to directly elected members of any national parliament.

Without spending time restating the obvious; of the 3 countries listed above, Canada has the political structure (and geographical size of the country) that most closely resembles Australia's.

There is both justification and merit in reducing Australia's Population per Member ratio to something similar to that of Canada's.

## Proposal for Future expansions

I propose subsequent expansions every 4<sup>th</sup> federal election are held over the next (almost) 40 years, which - if every Parliament ran its full 3 year term - would be delivered at the 2031, 2043 and 2055 federal elections.

Each of these expansions would also add an extra 2 Senators from each state, changing the Senators by State representation from 12 (current) to 14 (2019), to 16 (2031), to 18 (2043) and finally to 20 (2055).

Based on the most recent population data published by the ABS, representation by State in the HOR would change as detailed in the table below.

Year / State	2016 (current)	2019	2031	2043	2055
<b>NSW</b>	47	55	63	71	79
<b>Vic</b>	37	43	50	56	62
<b>Qld</b>	30	35	40	45	49
<b>WA</b>	16	19	21	24	27
<b>SA</b>	11	12	14	16	17
<b>Tas</b>	5	5	5	5	5
<b>ACT</b>	2	3	3	4	4
<b>NT</b>	2	2	2	2	3
<b>Totals</b>	150	174	198	223	246

Long term, my vision is that the number of representatives in the HOR is determined by the population of Australia as a whole, and that there is a ratio of approximately 1 Member of the HOR for every 100,000 Australian citizens based on a projected population 3 years from the most recent election date.

The Parliament can amend the Commonwealth Electoral Act to enshrine automated expansions of the House when the ratio of Citizens to Members of the HOR gets too high.

These additional calculations would form a part of the Determination and would effectively mean a 2-step Determination. Step 1 would be to determine if an expansion of the parliament was required due to overall population change. Step 2 would then be to determine whether any State or Territory was entitled to increased or decreased representation as per the existing process.

## Counting of votes: House of Representatives

Due to the closeness of the 2016 election result it took just on 1 week for the Opposition to concede defeat and for the Government to claim victory.

Just 14 months earlier, the 2015 General Election held in the United Kingdom, involving some 650 Electoral Constituencies had its results declared on the night - or at least early the next morning.

How can it be that a country with 3 times the enrolment and 4 1/3 times the number of electoral divisions can declare its results on the night, yet Australia was still adding votes to the count over 4 weeks after the polls had closed?

Whilst some allowances must be made for CPV as opposed to First-Past-the-Post non-compulsory voting, the fact that final results for all Divisions were not determined for such a long period of time means there is something wrong with the current system. It may be resources, it may be the current process, it may be technology, or a combination of all three.

What I also found concerning were the number of count adjustments taking place in the 3<sup>rd</sup>, 4<sup>th</sup> and even 5<sup>th</sup> week after the election. Some of these adjustments were minor – 1 vote from one of the 2 final candidates to the other – but it was the pure number of adjustments: 1 here, 2 there, 1 vote from formal to informal, 6 off this candidate, 3 off that one; there were a number of instances where 50, 100 or more votes were swapped from one of the final 2 candidates to the other.

These ongoing adjustments were exemplified by the Herbert adjustments of the 25<sup>th</sup> of July. At around midday that day, the Coalition were leading in Herbert by around 8 votes. By the end of that day the ALP led by 73 votes – a significant proportion of that change was the transfer of votes from one of the final 2 candidates to the other. It was a significant enough change to ultimately determine the winner of this Division.

No doubt all these adjustments were supposed to increase confidence in the accuracy and scrutiny of votes but I found they did the very opposite. How many sets of eyes had been cast over those votes in the first 2 weeks to have them allocated to the candidates that they currently were? Then votes start to move from formal to informal and to swap between the final 2 candidates in significant numbers - enough to change the result of 1 Division.

Was the same level of scrutiny applied to the adjustments made in weeks 3, 4 and 5, as was applied at the counting phase in weeks 1 and 2?

The aspect of these adjustments that caught my eye was that in all but the safest of Coalition-held seats, these adjustments heavily favoured the ALP – or in the cases of Coalition V Other, the 'Other' final candidate seemed to benefit more than the Coalition. That adjustment was reflected - either by a decrease in the Coalition lead, or an increase in the ALP/Other lead. I am now sorry that I didn't take a snapshot of the 2CP numbers by Division at the conclusion of counting on Sunday 17<sup>th</sup> July and compared it to the final 2CP totals to back up my observations with real statistics.

An ever increasing population, and therefore increasing number of votes to be counted every election means that unless alternative means are developed to process more votes, more accurately and in a faster turn-around time, a delay in knowing the final result of a close election for days or even weeks may become the rule rather than the exception in the future.

## No identity check when name marked off at Polling Place

### **What other government service can anyone receive by simply stating their name, and not having to verify their identity?**

Not only any other government service; but any service, of any kind, from any business, that requires an individual to go out and obtain that service.

The lack of voter identity checking means that it is possible for any person to vote using the details of another person if they have those details available to them. “Don’t worry about getting fined if you don’t vote – I know your name and address, I’ll go and vote for you.” Are we naïve enough to believe that these sorts of situations have never occurred?

There are no checks and balances for situations such as these.

At the 2013 election, 18,770 individuals had their names checked off the electoral roll more than once. How many people voted on behalf of others is impossible to measure.

The time has come for proof of identity to be a requirement when voters get their name checked off the electoral roll when they receive their ballot papers.

I propose that Section 229 (and other equivalent sections) of the Commonwealth Electoral Act be amended to ask for proof of identity when an electors name is checked off the electoral roll.

That proof of identity should preferably be photographic proof - including, but not limited to - a current valid driver’s license or passport. In the absence of either of those pieces of identity, a Medicare or other government issued card would suffice. As a last resort, a credit or debit card issued by a financial institution that contained the voters name could be accepted.

People who are unable to prove their identity should be processed through the provisional voting process, with their provisional vote only being accepted if their name has not been checked off another electoral roll elsewhere.

I acknowledge and accept that the impact of adding this additional requirement will slow down the voting process, taking more time to process each elector.

But again, I refer the members of the JSCEM to the Voting Statistics Chart at the end of this document.

It is my belief that we have come to the point where it is now logistically impossible to perform the election process on a single day.

I address that aspect below.



## Should “Polling Day” become “Polling Weekend”?

On Saturday, July 2, 2016, there was some media reporting of queues of voters still outside Polling Places at the normal closing time of 6:00 PM.

Some individuals reported being turned away from Polling Places and not being able to cast their vote.

Perhaps trying to get the majority of people to cast their vote between 8:00 AM and 6:00 PM on the Saturday has become logistically impossible.

If there is no increase in the number of pre-poll votes in 2019, the expectation is that the AEC will be processing around 14 million electors and therefore 28 million ballot papers on that Saturday alone.

This may have been possible when the AEC was processing 7, 8 or 9 million electors, but we’re now talking in numbers that are twice what they were only 40 years ago.

One of two things has to give.

Either the restrictions around early voting are lifted to allow people to vote at early voting centres regardless of whether they can vote on the Election Day Saturday or not; or we change the “Saturday, Election Day” to be an “Election Weekend” and open many Polling Places on both a Saturday and a Sunday.

The latter option would mean that counting of votes could not commence until after Polling Places had closed on the Sunday.

Section 158 of the Commonwealth Electoral Act needs to be reviewed with a perspective on what kind of Australia existed at the time that this part of the Commonwealth Electoral Act was written.

The Australia of today is very different from those times.

I appreciate that it may be more difficult to have access to some of the existing Polling Places on both days of a weekend – especially those of religious institutions that observe Sunday as a day of rest.

I don’t believe it’s necessary for all Polling Places to open on both days of a weekend.

But with every election comes the need to manage a greater number of people and a greater number of votes than the election before.

If the JSCEM also adopts my proposal to verify a voter’s identity as detailed above, the time taken for an individual elector to complete the voting process will also get longer.

It is my belief that the time has come to open larger Polling Places on both a Saturday and a Sunday. My starting point would be that all Polling Places that processed greater than 1,000 votes at the previous federal election should also be open on Sunday. And I don’t think it would mean another full 10 hours on a Sunday, either. It may be that an extra 6 hours – 9:00 AM – 3:00 PM would be all that is required. That’s still 60% more hours than are currently available to vote on a weekend.

## Addressing the Informal Vote

As can be seen from the chart at the end of this submission, the informal vote has exceeded 700,000 for the House of Representatives in 4 of the past 5 Federal Elections.

The increase in the Informal Vote has to some extent gone hand-in-hand with the increase in the number of candidates contesting Federal Elections.

Year	HOR Candidates	Avg. Candidates per Division	Informal Vote
2016	994	6.6	720,915
2013	1,188	7.9	811,143
2010	849	5.7	729,304
2007	1,054	7	510,822
2004	1,091	7.3	743,478

A generation ago, there were 3, 4 or 5 candidates contesting a Division. In the 21st Century it's more likely to be double those numbers on a ballot paper.

More candidates = higher risk of sequencing or other voting errors = higher risk of an informal vote.

At the 2016 Election, the following Divisions had an Informal Vote count that was greater than the final 2CP margin:

1. Banks (NSW)
2. Batman (Vic.)
3. Braddon (Tas.)
4. Capricornia (Qld.)
5. Chisholm (Vic.)
6. Cowan (WA)
7. Dickson (Qld)
8. Dunkley (Vic.)
9. Eden-Monaro (NSW)
10. Flynn (Qld.)
11. Forde (Qld.)
12. Gilmore (NSW)
13. Grey (SA)
14. Griffith (Qld.)
15. Hasluck (WA)
16. Herbert (Qld.)
17. Hindmarsh (SA)
18. La Trobe (Vic)
19. Lindsay (NSW)
20. Longman (Qld.)
21. Lyons (Tas.)
22. Macquarie (NSW)
23. Melbourne Ports (Vic.)
24. Petrie (Qld.)
25. Robertson (NSW)

With 1 in 6 Divisions decided by a margin that was less than the informal vote, questions need to be asked.

How many Divisions may have changed hands, had the Informal votes, that at least placed a "1" in one box, been counted as formal?

Have the strict definitions of what constitutes a Formal Vote - Commonwealth Electoral Act, Section 268(1)(c) - meant that the wrong party could have been elected to Government?

These questions are just as valid for the 2016 election as they were for the 2010 election.

Shouldn't the Voting Rules ensure that the electoral process aims to include as many votes as possible rather than exclude them?

In the interests of consistency, some alignment of what constitutes a formal vote should exist between voting for the HOR and voting for the Senate.

After the Senate reforms passed the previous parliament, Limited Preferential Voting with Vote Savings Provisions is the new standard for the Senate. Identical voting rules should apply to the HOR.

Whilst some members of the JSCEM may be horrified by the proposal to adopt a form of Optional Preferential Voting (OPV), this is not about which political parties have the most to gain or the most to lose by the introduction of such a system.

It is about ensuring as many valid votes as possible are INCLUDED in the count and not EXCLUDED because of nothing more than an honest but accidental voter error.

**The electoral system should not punish a voter by excluding their vote because of a sequencing error or for failing to number 2 squares on a ballot paper.**

OPV as used in some States and Territories reduces the number of informal votes, and as a consequence means that more people's votes count on Election Day.

With fewer informal votes, the legitimacy of government elected by a narrow margin is strengthened; its authority enhanced.

In August this year, the Northern Territory Election was conducted using OPV. As Antony Green noted on his blog:

<http://blogs.abc.net.au/antonygreen/2016/08/northern-territory-election-results.html#more>

**Informal voting** - The introduction of optional preferential voting has substantially cut the rate of informal voting. Across the Territory the rate is down from 3.2% in 2012 to 2.0% in 2016. In the six electorates with majority indigenous populations the rate of informal voting fell from 4.6% to 1.9%

And that reduction in informal votes needs to be considered against a record 115 candidates contesting the 2016 election. Compare 2% informal with 115 candidates in 2016 to 3.2% informal with only 86 candidates at the previous Territory election in 2012.

I rest my case.

## A record number of people failed to vote at the 2016 election

Before reading this section I encourage the JSCEM to view the graph I have prepared at the end of this document.

The most concerning line is the light blue line, second from the bottom. It shows that - for the first time since compulsory voting was introduced in the 1920's - more than 1 million Australians that were on the electoral roll did not vote at the 2016 Election.

Voter turnout was less than 91% for the first time since 1922. This was a long way short of the 95%+ turnouts that were achieved between 1931 and 1993.

Part of the reason why the turnout is declining is the logistics associated with greater numbers. Enrolment is more than 37.5% greater than it was in 1993. For every 8 electors there were back in 1993, there were 11 in 2016.

That's a 37.5% larger electoral roll that every polling official has to sort through to get each electors name checked off – potentially taking 37.5% more time for each elector; 37.5% more ballots to print, count, check; a 37.5% longer queue at a polling booth before each elector votes and 37.5% of additional time standing in that line compared to 1993.

Even in the 3 years since the 2013 Federal Election, the AEC has had to process in excess of 500,000 votes more than it did in 2013 - and that's with the lower turnout.

If the turnout figure had been identical to 2013, the AEC would have been processing almost 890,000 additional votes beyond what it did in 2013.

These numbers are not going to decline at any time in the foreseeable future.

This can be addressed by the opening of Polling Places on a Sunday as I proposed above. But if the JSCEM does not recommend that path be pursued, then the capability to be able to efficiently process more votes, and preferably in a quicker turnaround time, must be investigated, developed and implemented.

The introduction of some form of electronic, online voting would not be designed or intended to eliminate traditional polling at polling booths on Election Day – far from it! But rather to provide an alternative means to bring back some of those who - for whatever reason - didn't vote at the 2016 election. It would also assist those with mobility issues who struggle to make their way to a voting centre and risk standing in a queue for an extended period of time.

If we take the growth in electoral numbers and look ahead to the next election in 2019 we would expect that there will be around 16,500,000 people on the electoral roll.

I propose the penalty for not voting is increased from \$20 to \$100 effective as of the next federal election, and that thereafter, this amount be indexed with inflation.

## Further refinement of Senate Counting process

I propose a further refinement to how Senate Ballot Papers completed ATL are processed.

Section 272(2) of the Commonwealth Electoral Act should be re-written so as to preference candidates in a group by the highest number of BTL first preference votes received, rather than in the sequence in which they are nominated by the relevant party.

Using the 2016 NSW Senate result for the Coalition as an example of my proposal; the scenario would play out as laid out in the table below:

Ticket Position	Name	Party	First Pref	Election Status	Proposed sequence	Proposed Election Status
0	Ticket Votes	Liberal & Nationals	1,544,493		0	
1	PAYNE, Marise	Liberal	39,108	Re-elected	1	Re-elected
2	SINODINOS, Arthur	Liberal	3,216	Re-elected	4	Re-elected
3	NASH, Fiona	The Nationals	5,689	Re-elected	3	Re-elected
4	FIERRAVANTI-WELLS, Concetta	Liberal	1,112	Re-elected	8	Previous Senator
5	WILLIAMS, John	The Nationals	2,396	Re-elected	5	Re-elected
6	HUGHES, Hollie	Liberal	1,126		7	
7	MOLAN, Jim	Liberal	10,182		2	Elected
8	FANG, Wes	The Nationals	454		11	
9	OK, Sang	Liberal	619		10	
10	RICHARDS, Sarah	Liberal	670		9	
11	LEVINY, Fiona	The Nationals	420		12	
12	McGAHEY, Victoria	Liberal	1,141		6	

In my proposed scenario, Marise Payne would still have been elected first as she received the highest number of first preference votes BTL – 39,108.

Jim Molan would have been elected second after receiving the second highest number of first preference votes BTL – 10,182.

Fiona Nash would have been elected 3rd; Arthur Sinodinos 4th and John Williams would have been the 5th and final Coalition Senator elected using my proposed alterations.

This change stops parties from parachuting unknown or unpopular candidates into high positions on the Group Ticket. It also ensures that the voters themselves, not the party, have the power to choose their preferred Senate candidates based on first preference BTL votes.

## **Analysis of the Second interim report on the inquiry into the conduct of the 2013 federal election:**

Subtitled: An assessment of electronic voting options

By the Joint Standing Committee on Electoral Matters

After reading and digesting this report I believe there are 3 separate aspects to the introduction of electronic voting in Australia. To some extent, all 3 can be (or in the case of vision impaired voting - has been) developed exclusively of each other.

The three aspects are:

- Electronic electoral enrolment verification and mark-off via Electronic certified lists (ECL).
- Electronic voting for the Vision Impaired
- Lodging an electronic vote online for both the House of Representatives and the Senate.

My focus will be on the top and bottom bullet points, as Vision Impaired Voting has already significantly progressed ahead of the other 2 aspects.

The benefits of introducing a real-time Electronic Electoral Enrolment verification and mark-off via ECL's has been covered off in section 2 the second interim report. The introduction of such lists comprises recommendations 1-4 of the 7 recommendations of this report.

The benefits of introducing an application for the lodging of an online vote for both the House of Representatives and the Senate:

- Online votes counted and processed without risk of human error.
- Informality rate of online votes will be 0%.

I would like to add my two cents worth to this report and highlight some areas that I don't believe the JSCEM considered when producing this interim report.

On Page vi of the Foreword, the JSCEM states:

*Not only do we have the right to a ballot; we have rightly enshrined within our system the right to a secret vote. Voting at a booth in a polling place guarantees this; voting over the internet threatens this.*

*Internet voting would expose some voters to family and peer pressure by removing the individual isolation of voting at a secluded booth and replacing it with voting in a home, a workplace or a public place. It also potentially opens up a market for votes where disengaged or financially desperate voters could be offered money to vote a certain way, which could be verified in a way not possible at a polling place.*

By substituting the words 'postal voting' where the words 'internet voting' exist in relation to the concerns raised by the JSCEM in the two paragraphs above, I suggest that the same potential risks are just as applicable to postal voting, yet the JSCEM seems to have no concerns with continuing to accept postal votes as valid votes.

### **Online Voting - the case for:**

First of all, the 2016 Online Census debacle should not inhibit the pursuit and eventual introduction of a form of electronic online voting.

Unlike the ABS, which had to cope with millions of census forms being completed online simultaneously, when they hadn't prepared to cope with those sorts of volumes, any online voting application can set a maximum simultaneous login count equal to the number of registered users.

The case for the introduction of some form of electronic online voting was made at the 2016 Federal Election by the 1,450,000 + electors who failed to vote and another 720,000 + electors who voted informally.

That's 2,170,000 potentially valid votes that were not counted. That equates to 13.85% of the 2016 electoral enrolment. Again, more than enough to turn the election result on its head.

### **Security of the online vote**

Creating and maintaining a secure online environment in which each elector can cast their vote, be assured of anonymity and that their vote cannot be adjusted by any person, organisation, computer programme or virus after that vote is cast is paramount.

Whilst I have a plan on how this can be delivered, it is not something I'm going to offer to the JSCEM free of charge. You want my plan? Hire me to help deliver it!

What I will say is that not everybody will be able to vote electronically. Gaining access to the electronic voting online application must be complex but not to the point of being onerous.

I see nothing wrong with an online voting application requiring 3 or even 4 separate verification steps that a voter must complete before gaining access to the application itself.

## Upcoming Centenary of the Commonwealth Electoral Act (1918)

This parliament should celebrate the Centenary of the Commonwealth Electoral Act (1918).

I believe that in the 100 years since this act was passed a lot has changed in relation to it, and whilst many amendments have been adopted in the ensuing 100 years, there may still be parts of The Act that need to be modernised.

I propose a review of The Act in its entirety to see how relevant it is today.

As I noted above, one aspect that I think has passed its Use By date is Section 158 which states "*The day fixed for the polling shall be a Saturday.*" That may have been acceptable when there were less than 3 million people on the electoral roll – as there was when this bill was brought into law; but those days are long gone.

### Eligible Overseas Electors.

I suggest a tightening of this section of The Act.

Put simply; "An Eligible Overseas Elector must be an Australian Citizen at the date that writs were issued for the upcoming election." There should be no special provisions for a partner, spouse or children of an Eligible Overseas Elector. All must meet the same criteria.

In order to be considered an Eligible Overseas Elector, each individual must be residing outside Australian territory from the dates that the writs were issued until after Polling Day.

From the date the writs were issued for the upcoming election, an Eligible Overseas Elector must have lived at least 18 months of the preceding 3 years in Australia AND plan to reside in Australia for at least 18 months of the next 3 years.

Australian Citizens who fail to meet these criteria should be removed from the electoral roll for this election.

There are 2 exceptions to the above. The first exception relates to workers and entertainers (including their partner, spouse or children) whose career involves them being outside Australia for extended periods of time. For people in these circumstances, the residential provisions double. That is, they must have lived at least 3 years of the preceding 6 years in Australia AND plan to reside in Australia for at least 3 years of the next 6 years.

Otherwise, they too, are to be removed from the electoral roll for this election.

The second exemption relates to Government appointed overseas officials. This includes but is not limited to; diplomats, ambassadors and their staff. They have no residential time limits on their overseas tenure, though all must meet the Australian Citizen requirements.



## Summary of proposals

### Proposal 1 – Increasing representation in the Commonwealth Parliament

I propose that the JSCEM recommend to the Commonwealth Parliament that it increase the number of Senators from the States from 12 to 14 and that this increase applies at the next Federal Election, currently due no later than 2019. The impact of this change will be to also increase the number of members in the House of Representatives from 150 to approximately 174.

**Timeframe: Before Parliament rises for the Christmas break, 2016.**

### Proposal 2 – Ongoing increases of representation in the Commonwealth Parliament

I propose that the JSCEM recommend to the Commonwealth Parliament that three (3) additional increases to the number of Senators from the States as detailed on page 6 of this document are applied in time for the 4<sup>th</sup>, 8<sup>th</sup> and 12<sup>th</sup> Federal Elections after the next scheduled Federal Election.

**Timeframe: By the middle of the next decade.**

### Proposal 3 – Tying representation in the Commonwealth Parliament with the overall population of Australia

I propose that the JSCEM recommend to the Commonwealth Parliament that it amends the Commonwealth Electoral Act (1918) so that future expansions of the parliament are linked to the entire population of Australia. That a ratio of 1 member of the House of Representatives per 100,000 Australian Citizens be the guideline by which further expansions of the Commonwealth Parliament are triggered.

**Timeframe: Before the middle of this century.**

### Proposal 4 – Development of Scanning Technology for HOR votes

I propose that the JSCEM recommend to the Commonwealth Parliament that it fund the continued pursuit and development of vote scanning capabilities to enable all counting and 'Distribution of Preferences' of HOR votes to be concluded not later than 3 weeks after polls close.

**Timeframe: Ongoing.**

## **Proposal 5 – Voter identity verification**

I propose that the JSCEM recommend to the Commonwealth Parliament that it amends the Commonwealth Electoral Act (1918) so that electors must prove their identity as described on page 8 of this document. In addition, provisions are put in place such that any voter who cannot prove their identity is not turned away, but allowed to lodge a provisional vote, also as described on page 8 of this document.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Proposal 6 – Changing the number of Polling Days from 1 to multiple**

I propose that the JSCEM investigate options as detailed on page 9 of this document, to either allow fewer restrictions to pre-poll voting, or extend the Polling Day from just a Saturday to a “Polling Weekend” incorporating both Saturday and Sunday.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Proposal 7 – Re-defining what constitutes a formal vote for the HOR**

I propose that the JSCEM recommend to the Commonwealth Parliament that it amends the Commonwealth Electoral Act (1918) to re-define what constitutes a formal HOR vote. Based on my analysis on page 11 of this document I propose that a form of limited preferential voting (LPV) with Vote Savings Provisions similar to what is applied to the Senate also apply for the House of Representatives. Electors should be encouraged to number not less than 50% of the squares on the HOR ballot paper, or, if there are an odd number of candidates, more squares should be numbered than are left blank. However, Vote Savings provisions should also mean that a vote is valid as long as one box contains the number 1 on the Ballot Paper, and that candidate remains in the count, even if no other boxes are numbered.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Proposal 8 – Continued investigation and development of online voting capability**

I propose that the JSCEM continue to investigate options to deliver online voting capability to the electorate. The primary users of this capability would be those with limited mobility or other disabilities. The intention is not to replace the traditional voting process but to provide a supplement to it, in some ways reducing the Election Day strain on Polling Places.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Proposal 9 – Changes to the sequence of election of Senators on Group Tickets**

I propose that the JSCEM recommend to the Commonwealth Parliament that it amends the Commonwealth Electoral Act (1918) so that the sequence of election of Senators aligns with those who received the highest number of BTL votes, rather than their position on the Party Ticket as described on page 13 of this document.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Proposal 10 – Full review of the Commonwealth Electoral Act**

I propose that the JSCEM review the current version of the Commonwealth Electoral Act (1918) in its entirety. This is to ensure that all sections of the Act are valid and current.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Proposal 11 – Increase the fine for not voting**

As detailed at the bottom of Page 12 above, I propose the penalty for not voting is increased from \$20 to \$100 effective as of the next federal election, and that thereafter, this amount be indexed with inflation.

**Timeframe: Part of the JSCEM report to the parliament.**

## **Closing remarks**

This concludes the written part of my submission to the JSCEM.

Should the committee or any member of the committee require further information in relation to this submission, they are free to contact me as per my details on the header page of this submission.

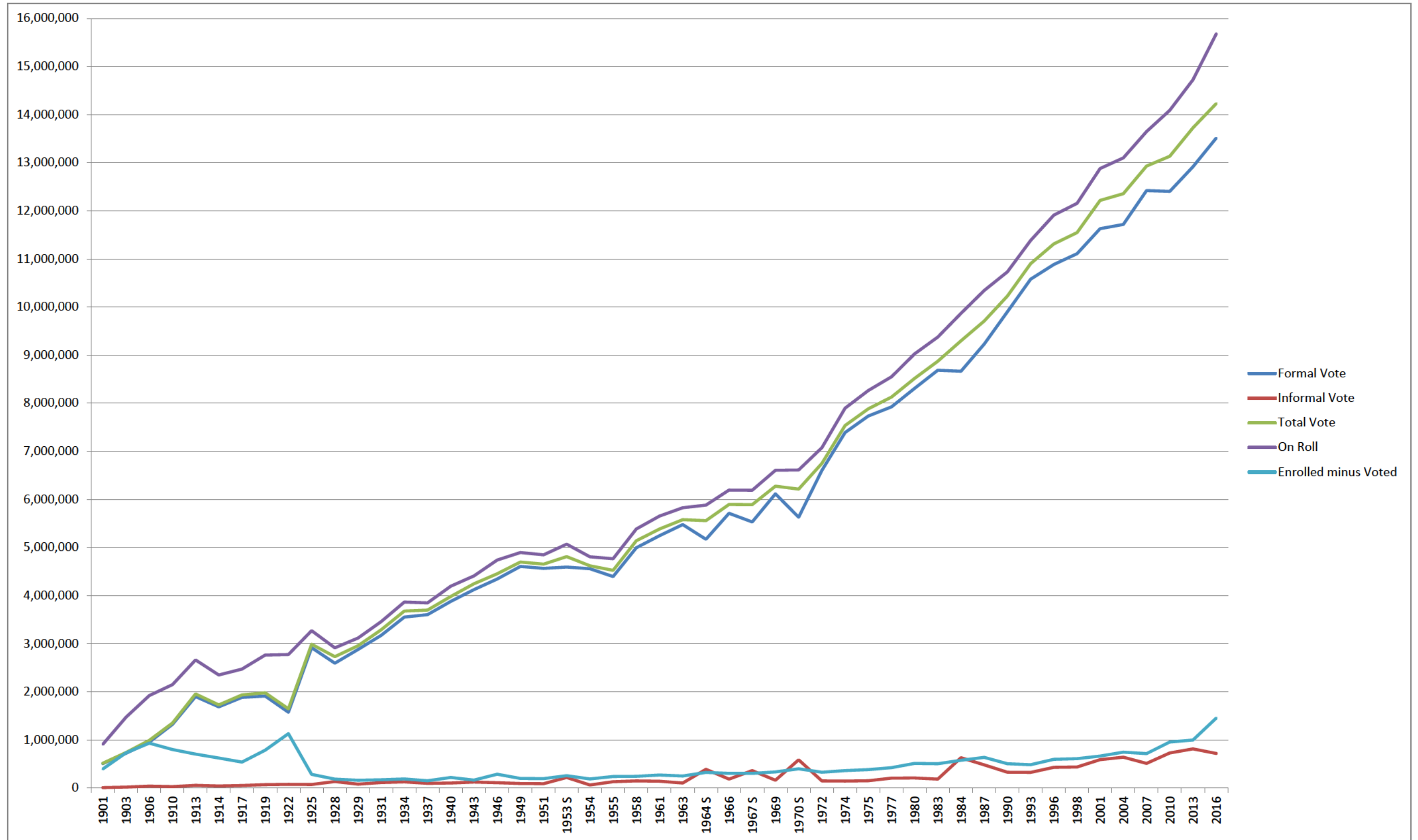
Sincere Regards

Jeff Waddell

Division of La Trobe

“Ask not what your country can do for you – ask what you can do for your country” – John F. Kennedy

Chart of voting statistics by Election: 1901 – 2016



Notes: Years with a suffix 'S' are for Senate elections only. All other years are based on HOR turnout and voting percentages. Data for years prior to 2001 are taken from Wikipedia and extrapolated from Formal Vote; Informal % and Turnout % only. Data for years 2004 and subsequent is sourced from the AEC website.