

7 June 2010

Senate Standing Committee on Finance and Public Administration
Legislation Committee
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Committee Members,

**Electoral and Referendum Amendment (How-to-Vote Cards and Other Measures) Bill 2010 and
Electoral and Referendum Amendment (Modernisation and Other Measures) Bill 2010**

Thank you for your letter, received on 4 June 2010, inviting the PILCH Homeless Persons' Legal Clinic (**HPLC**) to provide a written submission addressing issues in relation to the above bills that may be relevant to the enfranchisement of homeless Australians.

I note that written submissions are required by 9 June 2010; we were given three business days to respond to these important legislative changes that go to the core of our democratic institutions and Australians' right to vote. Obviously, we are not in a position to provide informed input into 72 pages of legislation (and associated explanatory materials) in three days, and we are disappointed with the lack of engagement with organizations, like the HPLC, that have contributed to community discourse about these important issues over many years.

We **attach** copies of three recent HPLC submissions relating to the electoral system:

- ▶ *I'm homeless and I vote: Submission to the Electoral Reform Green Paper - Strengthening Australia's Democracy* (27 November 2009);
- ▶ *Voting as a human right: enfranchising people experiencing homelessness and imprisonment – Submission to the Parliament of Victoria Electoral Matters Committee into Voter Participation and Informal Voting* (July 2008); and
- ▶ *Homelessness and Voting: Submission to the Joint Standing Committee on Electoral Matters Inquiry into the 2007 Federal Election* (May 2008).

The HPLC has consistently called for the modernisation of electoral processes to better enfranchise voters who are homeless. We welcome those elements of the legislation that allows homeless voters to better access their human right to vote, and to participate in the public life of Australia.

In particular, we welcome the amendments to section 96 of the *Commonwealth Electoral Act 1918* that recognise the difficulties of people who are homeless that may impede their ability to vote. We also welcome the broadening of the application of mobile polling, and recognise that these amendments may further reduce barriers faced by homeless voters in accessing polling places.

Yours sincerely

James Farrell
Manager/Principal Lawyer
PILCH Homeless Persons' Legal Clinic