

LIBERAL PARTY OF AUSTRALIA

Federal Director

20 September 2019

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

Dear Committee Secretary,

Thank you for the opportunity to contribute to the Joint Standing Committee on Electoral Matters' inquiry into the conduct of the 2019 federal election.

The administration of the 2019 federal election was in line with expectations. The election was, by and large, administered competently by the Australian Electoral Commission (AEC), avoiding some of the problems of previous elections. However, it is the view of the Liberal Party that improvements can be made for future elections, particularly in relation to early voting.

Pre-poll voting

The Liberal Party believes that the Joint Standing Committee should closely examine the operation and administration of early voting at pre-poll voting centres.

The expansion in the number of pre-poll voting centres (from approximately 690 in 2016 to 887 in 2019¹) put significant pressure on political parties' ability to provide booth workers for the entire early voting period, which was close to three weeks long.

The pressure on campaign volunteers is enhanced by the fact early voting takes place during business hours, when many people who might otherwise volunteer are at work.

These challenges were exacerbated by a number of problems with the management of pre-poll voting centres by the AEC.

During the campaign, State Divisions of the Liberal Party were provided with very late notice as to the location of pre-poll voting centres prior to the commencement of early voting. This caused major inconvenience for thousands of volunteer booth workers, particularly in regional areas. This lack of timely advice on the location of polling places was repeated prior

¹ Includes AEC divisional offices where pre-poll voting was available.

to election day itself, again causing significant inconvenience in the management of tens of thousands of campaign workers and volunteers.

Furthermore, there were a number of incidents of inconsistent application of the campaigning rules by the AEC at pre-poll voting centres. In these cases, ad hoc arrangements were created and enforced by AEC staff as to what election materials could be displayed and how booth workers could operate. There were incidents of AEC staff asking for the amount of signage to be reduced and threatening the removal of access and campaign material. At one polling place in the electorate of Stirling, AEC staff negotiated with the location's landlord to reduce the number of signs permitted by each Party. In another example, AEC staff sought to impose "the 6 metre rule" beyond 6 metres to a more convenient position for nearby businesses, making it difficult for campaign volunteers to reach voters without breaching this new demarcation.

While it is understood that in many cases AEC staff were seeking to reduce inconvenience to local businesses and customers, these are the sort of factors that should be considered by the Commission *prior to* leasing property for early voting polling places. The AEC should discuss volunteers and signage with landlords and affected businesses prior to signing a lease so they can ensure consistent application of rules. It is not acceptable to impose ad hoc, arbitrary arrangements on the fly after voting has commenced.

There were also a number of instances of campaign workers and volunteers raising concerns about the quality of pre-poll voting centres. Some of the pre-poll voting centres provided very poor facilities for volunteers – for example with no toilets within walking distance.

The Joint Standing Committee may wish to examine the criteria used by the AEC for identifying suitable pre-poll voting centres and its processes for communicating to landlords and nearby businesses what to expect in terms of campaign activity, foot traffic and signage. Fewer, more carefully selected pre-poll voting centres being used across a shorter period would reduce the incidence of these problems and reduce the burden being placed on campaign volunteers.

The drift to a 'voting period'

The Joint Standing Committee on Electoral Matters should carefully consider the way in which Australia is moving to a 'voting period', as opposed to an 'election day', and the extent to which this is – or ever was – the Parliament's intent.

There has been dramatic increase in the number of Australians voting early. The number of Australians voting prior to election day has increased at successive elections as follows:

- 2019 - 4.77 million
- 2016 - 2.98 million
- 2013 - 2.32 million
- 2010 - 1.05 million²

Pre-poll voting is supposed to support voters who are unable to attend a polling place on election day.

The Electoral Act outlines specific reasons for which voters are eligible to vote by pre-poll, such as if you:

- *are outside the electorate where you are enrolled to vote*
- *are more than 8km from a polling place*
- *are travelling*
- *are unable to leave your workplace to vote*
- *are seriously ill, infirm or due to give birth shortly (or caring for someone who is)*
- *are a patient in hospital and can't vote at the hospital*
- *have religious beliefs that prevent you from attending a polling place*
- *are in prison serving a sentence of less than three years or otherwise detained*
- *are a silent elector*
- *have a reasonable fear for your safety.*³

Clearly, a four-fold increase since 2010 in the number of Australians voting at pre-poll can't be explained by a four-fold increase in the number of people who are unable to vote for one of these reasons.

It would appear many Australians are voting pre-poll for other reasons. For example, a survey conducted by the Liberal Party immediately following this year's election found that Australians who voted at a pre-poll centre provided the following reasons for that decision:

<i>Not about to get to a voting centre/out of area/on holiday:</i>	30%
<i>Work commitments:</i>	21%
<i>More convenient/easier:</i>	18%
<i>Poor health/in hospital/disability:</i>	7%
<i>Dislike queues/to avoid standing in line:</i>	7%
<i>Other commitment – wedding, religious commitments, sport</i>	7%
<i>Dislike of crowds/too many people</i>	5%

² Figures include all pre-poll votes cast at pre-poll voting centres (PPVCs) and AEC divisional offices for the federal elections. These figures do not include postal votes.

<https://www.aec.gov.au/election/downloads.htm>

https://www.aec.gov.au/Elections/Federal_Elections/2016/downloads.htm

https://www.aec.gov.au/Elections/Federal_Elections/2013/downloads.htm

https://www.aec.gov.au/Elections/Federal_Elections/2010/downloads.htm

³ https://www.aec.gov.au/voting/ways_to_vote/. (See also, Schedule 2 of the *Commonwealth Electoral Act 1918*.)

It would appear that the combination of a three week early voting period, a significant expansion of the number of pre-poll voting centres, and the Australian Electoral Commission's stated priority of taking action to reduce queues on election day, means that Australians are now being incentivised to vote early. Millions of Australians are now voting when many key aspects of an Australian election campaign – such as the release of major policies, campaign launches, leaders' debates, and 'free-time' election broadcasts – have not yet taken place.

Limiting voting at pre-poll voting centres to a two week period and returning the number of the pre-poll voting centres to 2013 levels would strike a better balance. It would still allow a reasonable opportunity for early voting to support voters with legitimate reasons for not being able to attend a polling place on election day. Furthermore, the existing postal vote arrangements would still provide the additional flexibility required for voters with genuine difficulty in attending a polling place on election day, particularly Australians who live in remote communities.

Other matters

Incidents of appalling behaviour

The Liberal Party condemns the series of examples of appalling and illegal behaviour that took place during the election campaign, including damage to property and abuse being directed towards parliamentarians, candidates, campaign staff and Party volunteers. The most extreme examples included anti-Semitic vandalism directed towards the Member for Berowra and the Federal Treasurer, damage to Liberal Party vehicles, obscene personal abuse directed towards the former Prime Minister Tony Abbott, and a campaign volunteer being stabbed with a corkscrew.

GetUp

During the 2019 election campaign, GetUp demonstrated, yet again, that it is the campaign arm of the Labor Party and the Greens. Despite claiming to be independent and non-partisan, GetUp maintained its unblemished record of only ever campaigning against Liberal and Nationals MPs and candidates. A particular low point was the appalling advertisement GetUp produced which sought to mock former Prime Minister Tony Abbott's service as a volunteer surf lifesaver, for which it was rightly condemned.

It's encouraging, however, to see that a growing number of Australians see GetUp for what it really is. Data from the survey conducted by the Liberal Party following the election found that a majority of voters (50%) said that they believe GetUp was working either mostly or entirely in the interests of Labor and the Greens during the election campaign. Just 12% of voters said they believe that GetUp is fully independent.

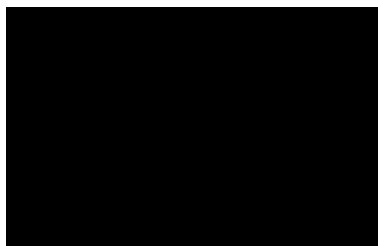
Voter identification

The Committee has previously noted instances of irregularities with voting. For example, following the 2013 election, 18,770 multiple marks (that is, people marking off the electoral roll more than once) were identified. Every effort should be made to ensure our voting system is fair and free from error or fraud. The Joint Standing Committee could once again consider measures to ensure the highest levels of integrity in our elections, including requirements for voter identification.

Section 44 qualification checklists

While the process requiring candidates to complete a qualification checklist in relation to their constitutional eligibility worked well, by and large, it would be helpful if two matters were changed in future. First, it would be useful to be provided with a timetable, in advance, identifying the day on which the AEC would make the checklists public. Second, the current publicly available checklists do not identify the date and country of birth of a candidate. Those two details are highly relevant to the candidate's citizenship status, and hence to that candidate's constitutional eligibility. In future, those details should be included on the checklist and should be made public so that voters and parties are able to scrutinise the information.

Yours sincerely,



Andrew Hirst
Federal Director