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Submission to the Inquiry into the Conduct of Elections during Emergency Situations

This is a fascinating and important inquiry into securing our democracy, specifically elections, during times of emergency.

Elections are a critical part of our democracy. It is important that everyone can exercise their right to vote in the election. This means they can have their say about who representatives them in parliament and which party forms government, based on their platform during the election. We should work to ensure that voting is not hindered during times of emergency. Indeed, it is during times of emergency that we need the greatest engagement and scrutiny over the government and other parties. This ensures that the government is responsive to the needs and interests of the people, responding effectively to the situation but without reaching too far with their power or restrictions.

There are many types of emergencies that the inquiry has identified in the terms of reference, all of which need careful consideration to plan for and respond to. This includes health pandemics, natural disasters and civil conflict/ wartime scenarios.

Health Pandemic

Firstly, we can consider the restrictions necessary during a health pandemic, as we see with the COVID-19 pandemic in Australia and around the world. There have been many elections in Australia during the 2020 pandemic, in states and territories with varying levels of community spread and restrictions. This includes the Northern Territory election in August and the Queensland election in October. There are also international case studies, such as with New Zealand election in October and the United States election in November. These can provide useful case studies for how elections can be run during a pandemic.

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There were also Local Council elections held in November in Victoria. I was a candidate in this election, specifically in Westerfolds Ward in Manningham Council. Local Council elections in Victoria have generally used postal-voting, so the method of the election did not change. There were restrictions on candidates in being to door knock or promote themselves publicly in the community under the general COVID-19 rules. This did hamper the exercise of democracy, particularly for new and emerging candidates. Nonetheless, my experience was positive and enjoyed being part of the local democracy and engaging with constituents online and via email. The restrictions were reasonable to ensure the health and safety of the community and candidates.

As another example, I was also a candidate in the University of Melbourne Student Union (UMSU) student elections. Given that we were not allowed on campus, this required a transition to full-postal voting. Unfortunately, this had the result of reducing turnout from an already low turnout level of around 3000 votes (or around 5% of the student population) to some 1800 votes. Voting in the UMSU elections is voluntary. However, this did enable the election to be run smoothly and fairly. There was an extra burden in having to apply for a postal vote and then to find a local post-box, but voting was made available to all students as far as possible in the circumstances.

It is critical not to politicise the necessary responses to emergencies. We can see the unfortunate way that postal voting was politicised in the United States ahead of their 2020 Presidential election. Postal voting (and early voting) was essential for enabling people to vote without the risk of spreading or contracting coronavirus on Election Day. Rather than encouraging and enabling postal voting, there was a sustained campaign against it, including legal challenges. This was led by the incumbent President based on unfounded allegations of fraud and perceptions that it would benefit the other side politically. Rather, all sides of politics should work to ensure that all people can cast their vote and do so safely. Apart from their own health, it is also critical to undertake measures that limit the spread of the virus across the community, which Election Day voting has the potential to do with people congregated together.

Natural Disasters

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Natural disasters also have the potential to threaten access to voting or the exercise of elections. Australia has also experienced some severe natural disasters over the past year, including with the 2019-2020 Black Summer bushfires. These events can stretch the resources and energy of government and communities, which would make it very difficult to manage an election during a severe natural disaster. Natural disasters could also destroy polling places (e.g. from bushfire or flood) or make it hard or unsafe for people to access polling places. It is critical then that elections are planned for with these scenarios in mind. Natural disasters are projected to become worse and more severe under increasing climate change.

Civil unrest

Civil unrest or times of war can also place pressure on the management of elections or access to polling places. This includes for soldiers or other defence personnel on the front-lines of a conflict scenario, who have historically relied on postal voting. It is critical that access to voting continues during times of conflict or unrest to maintain our democracy and keep our government accountable during these tense situations.

The inquiry has many challenging scenarios to consider about how to uphold and secure access to voting during emergency situations. There are also many potential strategies or contingencies that could be planned for and implemented. Postal and early voting as noted by the inquiry are critical options among others. I thank the committee for their work on this and look forward to reading the report.

Thank you for considering my submission.

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