

Submission to Inquiry on the Commonwealth Electoral Amendment Bill 2016

In general, the contents of the Bill, including the subsequent amendments, are largely welcomed. The decision to introduce optional preferential voting above the line, but advise voters to number at least six squares, is a good one, but it should go further. It is unclear what would happen if, for example, major parties, and/or the Greens, were to advocate, via how to vote cards or advertisements and billboards, that electors just vote one (or fewer than six). Then you would have the Australian Electoral Commission urging one thing and parties saying another, and in today's climate we know who would emerge on top.

Voters should be encouraged to fully express their preferences, to err on the side of numbering more, not less. On a practical level, this would facilitate the entry of more small parties into the Senate and make it more representative of the electorate (while avoiding the election of candidates with scandalously low support, as can happen now).

Suggestion 1. It should be illegal for anyone to advise a voter to number less than six squares above the line, or even to tell them it's possible to do so.

This sounds heavy-handed, and it is, but there seems no alternative if we are to avoid something like the fate of NSW, where more than four-fifths of Legislative Council electors only choose one above the line. (The Coalition's lower house "just vote one" campaign last year would have contributed to this.)

A law in line with this suggestion currently applies for South Australia's House of Assembly elections.

The decision to largely retain the onerous requirements of below-the-line voting, with a slight adjustment, is (almost) unfathomable and most unwelcome. We can only imagine from which bureaucratic or partyroom bowels this too-clever-by-half idea emerged. It can only be explained by a desire to minimise the work of electoral staff, or maximise party control over preferences.

Suggestion 2. Optional preferential voting should be introduced below-the-line.

Conceptually this should be similar to above-the-line, with voters encouraged to rank a minimum number of boxes. And **suggestion 1**, above, applies below-the-line as well.

Thank you very much for your time.

Kind regards,

Dr Peter Brent

25 January 2016