

Mr Tony Smith MP (and Committee Secretary)
Committee Chair
Joint Standing Committee on Electoral Matters

Dear Mr Smith

Please find attached a submission from Civil Liberties Australia. We originally made this submission in June 2006 and see no reason to vary it in making a submission in 2015.

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Submission by CLA*
to the Joint Standing Committee on Electoral Matters

Inquiry into civics and electoral education

Preamble

Note: For brevity reasons, the preamble is written in generalisations. We understand the issue's diversity and complexity, but time and space do not allow detailed analysis.

CLA understands the practices of the past decade or so of civics and electoral education (CEE) have been less successful than desired by the Parliament.

Basically, these current practices stem from the report of the Civics Experts Group 1994, and the subsequent Discovering Democracy and allied programs, as well as an historical role occupied by the Parliamentary Education Office (PEO).

Some responsibility for broad-scale delivery of civics education (CE) was given to the Department of Immigration and Multicultural Affairs (DIMA), wearing its multicultural/harmony/citizenship hat.

Given that States and Territories control education content in practical terms, there is little opportunity for successful, centrally-controlled CEE.

The PEO delivers excellent programs to the (relatively very few) schoolchildren able to visit Canberra and the Australian Parliament.

Overwhelmingly, Australians receive their major impressions of Parliaments and how they operate from the main nightly TV news broadcasts (the major news source for all Australians, surveys show).

The coverage of Parliaments – and the Australian Parliament in particular – on these nightly news broadcasts focuses frequently on the behaviour of Parliamentarians of the House of Representatives (HOR) during Question Time (QT).

Therefore, the major determinant of public attitudes towards Parliamentarians, and therefore Parliament, is the Members of the HOR's own behaviour. This is obviously where to start with improved CEE.

Improving the negative behaviour of Parliamentarians during QT must be the first focus of any new program, or virtually all educative efforts will be wasted.

They will be wasted because the reality of the nightly news will fly in the face of, and counter, any separate, positive educational program.

Improving Parliamentarians' behaviour

CLA proposes a program be introduced so that MPs walk into the QT chamber each day hand-in-hand with children selected from schools visitors, and/or from the public gallery attendees.

The entry would be televised daily for 30-60 seconds as part of the existing TV broadcast. A photograph would be taken by Parliamentary staff of each pair (MP/child) as they entered, and a copy given or sent to the child later.

The children would 'escort' the MP to his/her seat, then be themselves led from the Chamber by attendants.

The model for this strategy is the way children are led on to football (soccer) fields before matches hand-in-hand with players. On the football field, the children wear the opposing team's shirts, and the strategy is meant to help calm hostility towards the opposition.

This strategy, if adapted for the HOR, would:

- Remind MPs on a daily basis, by sight and touch, immediately before QT, of their responsibility for their behaviour to the next generation;
- Increase significantly the experience of child visitors to the House of Representatives;
- Allow thousands of children annually to dream of being able, one day, to take their place on the floor of the HOR, a place not unfamiliar to them; and
- Engage the children's parents, grandparents, other relatives and friends in a meaningful way in what it means to be 'on the floor of the House'.

As well, halfway through each QT, the Speaker would rise and remind MPs of the presence of the children, and of the MHRs' responsibility to the next generation of Australians.

There may be other mechanisms, or additional mechanisms, which could help cement in the heads of MHRs how important their behaviour, as seen on TV, is to the Australian news-viewing public.

However, CLA repeats, unless a radical initiative is implemented to change the MHRs' behaviour and QT culture, any other efforts – such as those discussed below – will be a waste of time and money.

As for 'strangers' not being allowed on the floor of the House, the presence of children would be a good reminder that it is actually the People's House (not the Parliamentarians' House), working for the future good of all Australians.

Addressing the Inquiry's particular questions in the Terms of Reference:

* **the current status** of young people's knowledge of, and responsibilities under, the Australian electoral system:

CLA believes the current status is not well known, because of inadequate surveying and also because a survey undertaken in Australia only has no benchmark for reference.

What is a good or poor state of knowledge in Australia?
How would/should that compare with the rest of the world?

CLA believes a benchmark study of at least three other nations should be undertaken. We suggest the UK, Canada and the USA, at least.

* **the nature of civics education** and its links with electoral education;

We believe civics education should be largely separate from electoral education, except where the two coincide for to-be-18-year-olds immediately (in the 3-6 months) before an election.

CLA believes civics education should be concentrated on people of voting age, and that civics education should not only be targeted at young adults. We believe it is as important to target other age groups, and particularly parents and seniors as exemplars of attitudes, as it is young people.

We believe civics education is too important to be managed or delivered in whole or in part by Electoral Offices, which have other important responsibilities as part of the democratic process.

CLA believes that the current practice of giving a major share of responsibility to DIMA is:

1. the wrong choice of department, because it signals a low pecking order priority to the task;
2. the wrong choice of department, because its core business is so far removed in the minds of DIMA staff from civics education; and
3. the wrong choice of department, given that DIMA has been (and is) in turmoil for the best part of a decade, and will continue to be so for another decade before it is brought back to proper functioning.

* **the content and adequacy of electoral education** in government and non-government school programs of study, as well as in TAFE colleges and universities;

We wish to comment solely that it is largely a waste of time undertaking electoral education in these places unless an election is close (up to 3 months before) or imminent (in the next 6 weeks).

The reason is that the overwhelming majority (99.9%) of people at this time of their lives are more focused on their studies and a range of mating behaviour and rituals than on politics and parliament.

Trying to get people so wholly engaged in such, to them, vital other activities is a waste of time and effort unless the imminence of an election is used as a catalyst.

*** the school age** at which electoral education should begin:

Electoral education should begin at 17 years 9 months in most circumstances, but only as described in answer to the question above, where an election is in the offing.

Electoral education is a waste of time and effort if there is no immediate practical focus on electoral involvement; you may as well teach children the responsibilities of grandparenthood.

*** the potential to increase** electoral knowledge through outside school programs:

There is enormous potential to increase electoral knowledge outside school programs.

The basis of a strategy is to use people/organizations already totally or partially committed to more than usually close involvement with the electoral/representative process.

Examples of those totally committed include civil liberties/human rights bodies.

Examples of those partially committed include welfare and community organizations, who must work through the electoral/representative processes.

Money saved from not embarking on programs described above as a waste of time and effort would be usefully spent further educating and empowering the above-mentioned civics-oriented groups, and encouraging and enabling them to further disseminate their knowledge.

The basis of this further civics education should be empowering individuals and community groups (including sport, ethnic, indigenous, etc) to better 'use' the political and electoral system to their advantage.

In other words, the education should be more focused on teaching lobbying techniques than esoteric parliamentary or political facts.

Teach a person how to lobby and they can fish for answers and outcomes all their lives; teach them how the system works, and they are simply flush with facts.

* **the adequacy of electoral** education in indigenous communities;

See answer above. Indigenous communities need no more or less civics and lobbying education than other communities.

* **the adequacy of electoral** education of migrant citizens;

See answers above.

* **the role of the Australian** Electoral Commission and State and Territory Electoral Commissions in promoting electoral education;

The commissions should confine their major efforts to:

- Educational (in the 6 months before an election, particularly in the 12-6 weeks before an election);
- Regulatory: ensuring people who should have voted did vote;
- Anticipatory: preparing the systems, people and educational and voting materials and places; and
- Operational: conducting the election(s).

Electoral Commissions are not (repeat, not) suited to imparting civics education. The issues are as different as chalk and bicarbonate of soda.

However, Electoral Commissions – when not engaged in the above core business – are suited to providing education material to youths in their final year of school about the electoral system and how our Parliaments work.

They should do this as a sideline to their core business.

This education process should occur briefly in the 3rd or 4th year of high school for students aged about 15, in the October-to- December period, to reach those students about to leave school at that stage of education.

It should occur again, in the final two months of schooling for older students finally leaving school, with slightly more sophisticated materials targeted directly at those who will vote for the first time in the next year or so.

However, this type of education should not be confused with the much more important, and more relevant, education conducted with people about to vote for the first time immediately before an election.

The Federal, State and Territories Electoral Commissions should make a special effort to prepare suitable, simple material for teachers to use in the classroom at the two levels mentioned above.

CLA also believes that, wherever and whenever possible, primary and high school students should make regular visits to parliaments on sitting days, or to

local government meetings (such as council meetings, planning committee meetings, etc).

These visits/activities should not, for the most part, be confused with 'education'. They are more entertainment, unless specific learning activities are undertaken (see below).

*** the role of Federal, State** and Local Governments in promoting electoral education;

Federal and State/Territory organizations already have electoral commissions (EC) or similar bodies doing this work.

If it is perceived by the Inquiry that the EC education system is not working adequately, which is not (repeat, not) CLA's view, then the management and personnel should be changed until the system is perceived to be working adequately.

It is important to stress that electoral information is more the mechanics of being a citizen; civics education is more about the philosophy, rights and responsibilities of being a citizen.

Equating them, as the Inquiry's Terms of Reference (TOR) give the appearance of doing, is a comparative error that compounds as the TOR questions get more detailed.

*** the access to, and adequacy of** funding for, school visits to the Federal Parliament:

More is better. As much as can practically be afforded by the nation.

Deciding questions like these are why we elect MPs, so we respectfully suggest the MPs should get on with making the decisions.

CLA would comment, however, that emerging and enabling information technology (IT) and 'virtual' visits or voting should be used to defeat the tyranny of distance, travel difficulties and time-poor curricula.

*** opportunities for introducing creative** approaches to electoral education taking into account approaches used internationally and, in particular, in the United States, Canada, Germany, United Kingdom and New Zealand.

We have alluded to a benchmark study above. We would see that being followed up at, say, five-yearly intervals.

In addition, we believe there is considerable scope for co-developed materials in cooperation with like-minded nations, particularly Canada and the UK, but possibly the USA as well.

The US material, however, is less preferred as a model by CLA because of the preponderance of US-related political- and police-related information constantly broadcast on nightly TV news and entertainment shows.

Further, CLA believes an excellent initiative in civics education (not electoral education, though that would be a by-product) would be to actually involve students in decision-making.

We shall describe the process, by way of illustration:

Federal

Twice a year, in Parliamentary recess times, two schools planning to visit Canberra on the one day would be given, well in advance, a topic to debate and decide in a two-hour period on the floor of the House and/or Senate.

This would be a real, 'live' issue of relevance to children.

Topics could be, for example, drawn from a list developed from:

- Whether children have special human rights in relation to their parents;
- Responsibility for health decisions, including what are children's sexual rights (14-year-olds and up);
- Whether children are able to decide which parent they live with after divorce, and visiting rules/periods;
- Civics education: to what age groups and how should it be delivered by the PEO; and
- Whether there should be an annual Tree Planting Day throughout Australia, with every child given two seeds to plant, and, if so, under what terms/conditions (including who pays).

Children would debate the proposition, and vote on it. The decision would be referred to the HOR for formal passage, and would be binding on the HOR unless over-ruled by 85% (say) of members.

This process could be trialed once, and refined following the trial.

For the first occasion, resource requirements might be extensive and some Parliamentarians might like to volunteer as 'coaches'.

On subsequent occasions, costs would come down considerably and the need for coaches may not continue.

State/Territory and Local Government

We envisage a similar program operating at the State/Territory level, paid for by the States/Territories and involving State/Territory issues for decision.

And similarly a program would be instituted for each Local Government area, involving local young persons' issues for decision.

Issues to be debated and voted on could include:

- Age at which buying cigarettes is allowed; and
- Age/degree that children have responsibility for criminal behaviour in relation to certain offences (eg, spray-can vandalism).

Alternatively, or as well as, CLA believes it should be possible to bring in to Canberra a limited number of year 12 students to the HOR for day-long exposure to issues of our federal system of government.

This approach would be based on a program, run some years ago by the Australian National University (ANU) Law Faculty, with small groups discussing issues such as:

- the legal position/situation of territories;
- the separation of powers;
- methods of achieving constitutional change;
- refugees and whether they should be given Australian residency/citizenship;
- possible demands of climate/environmental refugees;
- how a private Member's Bill can be made into law;
- etc.

Some students could debate a Bill, with others

- observing from the public gallery;
- playing the role of the media;
- using committee rooms to hear and report on the public submissions process.

This might best suit schools physically close to Canberra.

However, technology could extend the reach to 'partner' schools anywhere in Australia (or outside Australia, for that matter, such as on Pacific Islands).

Organisations such as CLA – if supported with relatively modest funds – could organise and run programs of this nature, and lecturers in Law and Politics from the ANU could assist by mentoring the students.

Such a program could be a very cost effective way of exposing a limited number of senior students to the actuality of appearing in the HOR.

Video conferencing and video recording managed by the PEO could extend the impact of each such occasion to schools widely throughout Australia.

Though not directly relevant to the Inquiry's questions, as outlined above, we would like to provide additional thoughts of CLA, such as:

1. Understanding of the electoral system, in particular of how votes are counted, seems to be low generally and woefully low among schoolchildren.

CLA believes that vote-counting should be introduced as a real-life examples of 'maths in practice' in maths teaching at both primary and secondary level.

It is assumed that maths teachers understand electoral vote-counting systems: if not, a program to educate maths teachers may be a prerequisite.

2. Failure to understand the electoral system makes people feel unnecessarily powerless.

That is why we propose concentrating the adult and seniors civics education more on the 'lobbying' side of education.

By empowering people with lobbying techniques, they will be educated to civics and the electoral system almost by osmosis.

3. Programs outside school are the key to improving both electoral and civics education – there's a great deal of potential in these areas.

It's (overwhelmingly) only as we mature as concerned citizens that we increasingly feel the need to understand our powers (rights and responsibilities) as citizens.

That is why teaching by empowering is by far the best approach.

It is only as the requirement to vote concentrates the mind that people focus on electoral issues.

That is why most 'electoral education' outside that focus period is largely wasted.

4. Other creative/innovative approaches could include the following:

- A literally transparent model electoral system, in which onlooker-participants can see the processing of votes both physically and arithmetically through glass/Perspex walls, boxes, and calculators (which could resemble abacuses so that we can see the calculations modelled physically).
- A Youth Parliament, perhaps in trial schools to begin with, in which candidates are elected by school-age children (or simply minors) on the basis of platforms encouraged to include demonstrated knowledge of the electoral system. It would meet electronically.
- A Children's Parliament, likewise, whose electoral system would incorporate the elements and principles of the adult one but in somewhat simplified or streamlined form, meeting electronically.

- Parliamentary Learning Circles, in which interested participants either engage in a limited quarterly project leading up to a mock election or design a new electoral process based on an understanding of the present ones.
- Provision and/or loan of free educational materials for a range of civics and electoral classes to be run by anybody anywhere (for example, by mothers' clubs, senior citizens' groups, Rotary and Probus clubs, etc).
- Institution of a web site in which participants vote to modify an electoral system and hold referenda and short educational forums in order to promote such modifications.

An organisation external to Parliaments, such as CLA, could run such a web site and referenda/forums, provided funds were made available.

Using an external, community-based organisation is likely to be more cost-efficient, and also community-effective, than using Public Sector resources, or consultancies.

CLA would like to comment that civil liberties/rights groups receive very little, if any, Federal or State Government funding, yet they perform a service to the nation and to the Parliament which is at the very heart of democracy.

Note: CLA receives no government or private sector funding. CLA operates on members' contributions only.

The Inquiry may like to consider whether a pilot program of funding, say, 3-5 civil liberties/rights groups for a period of 2-3 years might be considered as part of delivering one or more of the creative initiatives outline above.

Finally, CLA specifically recommends against a multi-million dollar media and advertising campaign for civics and/or electoral education (contrasted with necessary electoral information, which we endorse). We believe any such campaign before the next election would be misuse of public funds.

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ENDS Submission
1 appendix follows

Submitted by:

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Appendix 1:

In response to the Inquiry's request, CLA commends to the Inquiry the following project for as an example worth exploring for possible Australian adaptation at university and TAFE level.

American Democracy Project

Project Mission

The American Democracy Project (ADP) is a multi-campus initiative that seeks to create an intellectual and experiential understanding of civic engagement for undergraduates. The goal of the project is to produce graduates who understand and are committed to engaging in meaningful actions as citizens in a democracy.

Project Summary

The ADP is a multi-campus initiative that seeks to create an intellectual and experiential understanding of civic engagement in the USA. It targets undergraduates. The project grows out of a concern about decreasing rates of participation in the civic life of America in voting, in advocacy, in local grassroots associations, and in other forms of civic engagement that are necessary for the vitality of our democracy. The goals of the project are:

- 1.) to increase the number of undergraduate students who understand and are committed to engaging in meaningful civic actions by asking participating institutions to review and restructure academic programs and processes, extracurricular programs and activities, and the institutional culture; and
- 2.) to focus the attention of policy makers and opinion leaders on the civic value of the college experience. This project uses the definition of civic engagement proposed by Thomas Ehrlich and his colleagues in *Civic Responsibility and Higher Education*:

“Civic engagement means working to make a difference in the civic life of our communities and developing the combination of knowledge, skills, values and motivation to make that difference. It means promoting the quality of life in a community, through both political and non-political processes.” (Preface, page vi)

“A morally and civically responsible individual recognizes himself or herself as a member of a larger social fabric and therefore considers social problems to be at least partly his or her own; such an individual is willing to see the moral and civic dimensions of issues, to make and justify informed moral and civic judgments, and to take action when appropriate.” (Introduction, page xxvi).

The project seeks to:

1.) create a national conversation among many campuses about the theory and practice of civic engagement;

2.) develop institutional commitment by involving senior administrators, faculty, staff and students; by addressing core institutional mission and purpose; and by focusing on civic engagement as a learning outcome for undergraduates;

3.) initiate new projects, courses and teaching strategies, extracurricular programs, and other programs to increase civic engagement, supported by the national project office;

4.) measure the civic engagement outcomes of undergraduates on participating campuses, and assess the impact of this project in contributing to greater civic engagement outcomes; and;

5.) disseminate the models that result to a wide audience of higher education institutions, individuals, and policy makers.

The project initially will involve 144 member campuses of the American Association of State Colleges and Universities (AASCU), representing more than 1.3 million students. The national project is directed by AASCU; a project co-director comes from *The New York Times*. Direction and support comes from a group of presidents and chancellors that serve on the AASCU Committee on the Undergraduate Experience; operational guidance comes from a group of chief academic officers who serve as the Implementation Committee. The project is assisted by a number of colleagues that work in civic engagement and related fields who serve on an Advisory Committee.

- the above is taken from the American Democracy Project web site as reported by Middle Tennessee State University, USA, on its web pages on 31 May 2006: ©2003 Middle Tennessee State University 615.898.5941
<http://www.mtsu.edu/~amerdem/about.htm>

Further information is available at the website of the American Association of State Colleges and Universities, American Democracy Project, at:
<http://www.aascu.org/programs/adp/>

ENDS appendix