

Read, Shane (REPS)

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Sent: Thursday, 27 June 2002 11:19 AM
To: JSCEM@aph.gov.au
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Subject: Submission

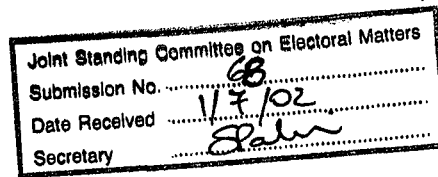
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Message:

To: The Committee Secretary
Joint Standing Committee
on Electoral Matters
Parliament House
Canberra ACT 2600
Australia



Dear Sir,

This submission is in response to the JSCEM's invitation for public comment as part of its Inquiry into the Conduct of the 2001 Federal Election.

26 June 2002

1. My Personal Story and Overseas Voting History

I am an Australian citizen, born in Sydney in 1966. I grew up in Sydney, where I also went to college, and worked in management accounting for Westpac Bank. From the age of 18, I was on the electoral roll.

I moved to New York to continue my education and I will be attending Yale College this upcoming semester. My major is international relations, so you can imagine how important my Australian voting rights are to me. I represent Australia every day.

At some time following the 1993 election, I was removed from the electoral roll. I never saw any letter from the AEC asking whether I still lived at that address.

I did not vote in the 1996 or the 1998 federal elections or the November 1999 Referendum on the Republic. I was aware that I was no longer on the electoral roll and could not vote.

Since living in New York, I have experienced several frustrating years due to the shortcomings of the current overseas voting system.

2. Non-Australian Citizens Have Greater Voting Rights than Some Australian Citizens

I, along with many overseas Australian citizens, was extremely disappointed that I was not able to vote in the 1999 Referendum on the Republic, a matter of great importance for the future of Australia.

British subjects who are not Australian citizens, but who are resident in Australia and who were on a Commonwealth Electoral Roll on 25 January 1984 were eligible to vote in the referendum on the Republic, whereas myself, and a number of other Australian citizens, were prevented from doing so. While the exact number of non-Australian citizens on the Electoral Roll today seems to be unknown, media reports would indicate that between 200,000 and 600,000 non-Australians were able to vote in the Referendum on the Republic.

The Department of Foreign Affairs and Trade (DFAT) estimates that in 2001, there were approximately 860,000 Australians overseas. If three-quarters of that population is of eligible voting age, approximately 645,000 overseas Australians should be able to vote. However less than one-tenth of this number had votes issued to them overseas in the November 2001 election. Many of those who voted overseas would have been tourists, rather than those actually resident overseas. It is an inescapable fact that many overseas who did not vote are simply not entitled to vote under the relevant provisions in the Commonwealth Electoral Act 1918. Several hundred thousand Australian citizens overseas are disenfranchised, perhaps as many as 500,000.

It is astounding that a non-Australian should be able to vote on an issue of such critical importance for Australia's future, as well as in federal elections, when up to 500,000 Australian citizens are prevented by the law from doing so. The right to vote is, after all, a fundamental right attached to citizenship. A poll taken by AGB-McNair in August 1996 indicated that over 80 percent of Australians believe that only Australian citizens should have the right to vote in Australian elections and referendums.

3. Enrolment from Overseas

Amendments to the Commonwealth Electoral Act 1918 made just before the 1998 federal election have allowed Australians to enrol to vote from overseas for the first time in history. Clearly, this was a welcome improvement.

However, the limitations attached to this mechanism render it useless for many overseas Australians.

3.1 Prerequisites for Enrolment from Overseas

3.1.1 Two-Year Time Limit

The time limitation on enrolment from overseas is self-defeating. What is the policy justification behind the requirement that one can only enrol to vote from overseas within two years of leaving Australia?

For those Australians who left Australia to live overseas more than just a few years ago, the provision is useless. They had already been wiped off the electoral roll long ago and at the time the provision was introduced, had left Australia much longer than two years before.

Even for those who have left Australia more recently, the provision is extremely limiting, especially when combined with the total lack of information which is made available on overseas voting and enrolment to Australians departing the country. A person in the middle of a move to live overseas will rarely think to check the AEC website, the only Government source where proper information is provided. Until an election is imminent, an Australian who has recently moved overseas may not think to address the issue of his enrolment status.

Almost all Australian citizens are already on the electoral roll (indeed it is a legal requirement for Australian citizens aged 18 or over) when they leave the country. Most will actually stay on the roll for a period of months or several years after they leave Australia, even if they do not tell the AEC that they have left Australia. This is because it will take the AEC some time to realize that they have left. If a person is wiped off the electoral roll, very often it will not be until two years after they left the country, and by