
The Parliament of the Commonwealth of Australia

Advisory Report on the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008

Joint Standing Committee on Electoral Matters

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Chair's foreword

The *Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008* seeks to make a number of changes to the method of voting at Senate elections. Group voting tickets would be abolished and electors would be required to number at least four preferences when voting above the line in a half Senate election and at least seven preferences in a full Senate election. Ballot papers would exhaust once the last preference expressed by the elector was reached, unlike the current system which requires electors to indicate a single preference above the line with preferences directed to all other candidates in the order indicated on the group voting ticket.

The changes proposed by Senator Bob Brown would potentially affect the nature of Senate representation by reducing the pool of available votes through exhaustion. Other significant repercussions flowing from the amendment include restricting the ability of political parties and candidates to choose the order in which preferences would flow, and impinge on the ability of voters to both express a valid vote and 'control' the flow of their preferences.

The current system, introduced after the 1983 election when almost 10 per cent of ballot papers nationwide were ruled informal, has many advantages – allowing voters to express a single preference ('1') with preferences distributed in a sequence established in advance by candidates and political parties and made available in the public domain, whilst still giving those electors who choose to do so the opportunity to mark all candidates in order of preference if they vote below the line.

The relative simplicity of current arrangements needs to be carefully balanced against any change that makes it more difficult for voters to cast a valid vote. With informality at Senate elections declining to an all time low of 2.5 per cent at the 2007 election, the proposed changes risk disenfranchising hundreds of thousands

of electors, including the elderly, first-time voters, those with lower levels of education, Indigenous Australians and Australians from non-English speaking backgrounds. For every one percentage point increase in the Senate informality rate, around 130,000 electors are disenfranchised because they have not recorded a valid vote.

The committee has not made any recommendations on the *Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008*. There are a number of alternate options that require further and continuing discussion.

I would like to thank the Members and Senators of the committee for their contribution to the report and those that participated in the inquiry by making submissions or appearing at the public hearings. I would also like to thank the committee secretariat for their work in preparing this report.

Daryl Melham MP
Chair



Contents

Chair's foreword	iii
Membership of the Committee	vii
Terms of reference	ix

REPORT

1 Introduction	1
2 Key issues.....	3
Background	3
Existing arrangements	4
Proposed arrangements.....	9
Impact of proposed changes	10
Greater choice?.....	10
Increased complexity?	17
Possible implications for election administration.....	20
Other proposals to give electors more control over the allocation of preferences	22
Committee conclusion.....	23

DISSENTING REPORT

Dissenting report - Senator Bob Brown, Australian Greens.....	27
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APPENDICES


Appendix A — Submissions	29
Appendix B — Public Hearings.....	31

TABLES

Table 2.1	Senate group voting ticket use, by jurisdiction, 2007 election.....	6
Table 2.2	Senate nominations, by jurisdiction, 2007 election	8
Table 2.3	Senate vacancies, quota and nominations, 1970 to 2007 elections	8
Table 2.4	Informality rates for recent selected upper house state elections and 2007 Senate election, by jurisdiction (per cent)	18

FIGURES

Figure 2.1	Senate group ticket voting use, by jurisdiction, 1984 to 2007 elections (per cent).....	7
Figure 2.2	Informality rate, Senate, 1967 to 2007 elections (per cent)	17



Membership of the Committee

Chair Mr Daryl Melham MP

Deputy Chair Mr Scott Morrison MP

Members Mr Michael Danby MP

Hon Bruce Scott MP

Mr Jon Sullivan MP

Senator Simon Birmingham

Senator Bob Brown

Senator Carol Brown

Senator Steve Hutchins

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Committee Secretariat

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Terms of reference

On 14 May 2008 the Senate agreed to the following resolution:

That the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008 be referred to the Joint Standing Committee on Electoral Matters as a particular part of its inquiry into all aspects of the 2007 Federal Election for inquiry and report not before June 2009.