

Committee Secretary  
Joint Standing Committee on Electoral Matters  
Department of House of Representatives

Submission: Inquiry into the 2007 Federal Election

By Chris Harries

Committee Members,

In this submission I wish to refer only to the *Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008*, which has been specifically referred to this Committee.

I am an Australian citizen who has had past involvement in a number of Australian elections and am therefore familiar with Australia's generally high standard of electoral laws and processes.

When above-the-line voting was introduced in the early 1980s I understood and appreciated the reasoning (to limit the arduousness of voting through very long voting slips), but was extremely disappointed that the otherwise very transparent and democratic nature of our nation's voting system was being downgraded.

My opinion at the time was that the above-the-line system, as designed, would degrade the quality of many citizens' votes because their voting intention would be abused, either deliberately or simply because many voters would have no idea to whom they were granting their preferences.

In hindsight this opinion has been borne out. A very elementary survey of above-the-line voters reveals a scant understanding of where their preferences have gone, and in some cases indignation on discovery of whom they have inadvertently voted for.

Although this loss of transparency could be seen to be a necessary price to pay for the convenience of voters, it has also led to a culture of behind-the-scenes wheeling and dealing that serves the interests of political parties again at the expense of democratic transparency.

And lastly, such secret bargaining has resulted on occasion in the election of some MPs who have enjoyed very low popular support, their election resulting from an inherent weakness in the mechanics of the above-the-line voting system as it stands.

A case in point is the election of Mr Fielding (Family First). Though I do not wish to disparage Mr Fielding or his politics, his election to office did not reflect public opinion at the time, nor the express wishes of voters, and was regretted by many thousands of Labor voters in Victoria who had no idea where Labor's preferences had been allocated.

This was perhaps an extreme case, but illustrates the weakness of the current system. Similar deals have advantaged and disadvantaged various candidates in the total absence of voter sanction.

The objective of any democratic voting system has to be to translate the express voting intention of voters so that their wishes are, as accurately as possible, reflected in the election outcome. The above-the-line voting system is an anachronism in this respect and a blight on an otherwise very advanced electoral system.

A requirement that organised preference flows, as directed by parties and political groups, be displayed in polling stations for the information of voters is grossly inadequate, since my observation is that most voters are unaware of, and many do not have the time or, in many cases, literacy standards to absorb these complexities.

My preferred remedy would be to abandon above-the-line voting in favour of limited preferential voting (i.e. limiting the numbers of candidates that the voter must number on the ballot slip). This system works well in Tasmanian lower house elections where the voter is required to vote for only the number of candidates that will be elected, not through the entire ballot slip.

However, I believe the *Electoral (Above-the-Line Voting) Amendment Bill 2008* is an alternative that would maintain the current system whilst restoring integrity to the system.

I am aware that all political parties may prefer the current arrangement out of perceived selfish interest – because it transfers preference discretion away from the voter towards the parties. However, I submit that members of the committee should, first and foremost, address this issue with respect to the integrity of the electoral process, the

empowerment of voters and in the interests of maximizing the true reflection of voter intentions in the ballot box.

The Amendment Bill, if implemented, would have that effect. It would enhance voter choice whilst maintaining simplicity. It would increase reflectivity of voter choice. It would restore integrity and transparency to a good system that was so tarnished by the introduction of above-the-line voting, as designed 30 years ago.

In conclusion, I believe the reform would deliver the above advantages whilst not affecting the two-party-preferred outcome of the election process. That is, the reform is not a particular threat to any side of politics. The biases introduced by the existing above-the-line system do not intrinsically work to the advantage or disadvantage of either Labor or the Coalition, therefore its implementation should not be threatened by fear of any dramatic political disadvantage.

In the interests of strong, transparent electoral law all members of the Committee should address this issue on its merits. We should cherish the fact that Australia has a generally very high standard of electoral politics and has the chance to correct a blemish that should never have been allowed.

Yours sincerely,

Chris Harries