



14 February 2011

The Secretary  
Joint Standing Committee on Electoral Matters  
Parliament House, Canberra ACT 2600  
[jscem@aph.gov.au](mailto:jscem@aph.gov.au)

**RE: INQUIRY INTO THE CONDUCT OF THE 2010 FEDERAL ELECTION**

Thank you for your letter dated 7 December 2010 advising me of the opportunity to contribute to the abovementioned inquiry.

On behalf of the United Nations Youth Association of Australia (“UNYA”), I welcome the opportunity to express the views of young Australians to the Joint Standing Committee.

UNYA educates and empowers young Australians as global citizens. As the largest youth-for-youth NGO in the country, we engage with over 10,000 citizens under the age of 24 each year and have a proud history of representing youth opinions.

UNYA has lobbied the government to reform Australia’s electoral system since 2008.

UNYA wishes to draw the attention of the Joint Standing Committee to what we identify as the fundamental flaw in the conduct of the 2010 federal election: that is, the lack of an automatic enrolment mechanism.

UNYA presents its submission concerning this issue in the pages following this letter.

As our National President and I are based in Canberra, we would be pleased to attend a hearing of the Joint Standing Committee to deliver oral evidence if requested to do so.

Should you require further information, please do not hesitate to contact me.

**Anthony Antioch**  
*National Vice-President (Policy)*  
*United Nations Youth Association of Australia*

Email: [vppolicy@unya.org.au](mailto:vppolicy@unya.org.au)



## UNYA AUSTRALIA

### *Who We Are*

#### Background

The United Nations Youth Association of Australia (UNYA) is a non-profit organisation run by volunteers under the age of 24. Our mission is to educate young Australians about global issues and empower them to participate in their communities. Our vision is for all young Australians to become global citizens.

We offer peer-to-peer workshops, interactive conferences and overseas tours to more than 10,000 young people each year. We also seek to represent youth opinions to the media, government and international community. We have divisions in every state and territory of Australia. Our work across the country opens young eyes to the world.

#### Count Me In!

*“In Bathurst, the nearest AEC office is in Orange, over an hour’s drive away, or an unreliable bus service. If someone had posted their form the minute Julia Gillard started speaking, it would not have arrived on time.” —Tim, 19, and Dev, 19 (NSW)*

*“Many were unsure or unaware of how to check their enrolment. Many asked us: ‘If I voted in another election, am I enrolled for this one? Many seemed dismissive or unaware of the need to enrol.’ — Mashood, 19 (VIC)*

*“The end of the day on Monday was by far the most special ... going to the AEC to hand in our filled-in forms and got there to find a line of over 200 people!” — Robbie, 18 (VIC)*

Responding to the significant number of newly eligible voters absent from the electoral roll, UNYA coordinated the Count Me In! project in the weeks leading up to the 2010 federal election. Funded by the Australian Government, Count Me In! was delivered by UNYA volunteers who travelled across Australia to find young people and enrol them to vote. Through the project, UNYA connected with 13,340 young Australians, distributed 2,690 enrolment forms and directly enrolled 1,139 eligible voters.

#### Advocacy

UNYA consults with thousands of young people every year. We seek to articulate youth perspectives and advocate for change in the Australian community. Promoting the adoption of automatic enrolment has been a key tenet of our policy agenda since 2008.

## AUTOMATIC ENROLMENT

### *Introduction*

Australia's federal electoral system is failing our youth.

Millions of young Australians are absent from the electoral roll despite being eligible to vote. Insufficient education leads some youth to erroneously believe that enrolment occurs automatically on reaching the age of 18 years.

Furthermore, a great many youth are systemically discouraged from enrolling due to the cumbersome and anachronistic enrolment process.

This undermines the legitimacy of federal elections, causes widespread disenfranchisement and silences the voices of an important group within our society.

It is therefore necessary introduce an automatic enrolment mechanism to ensure the integrity of our elections, facilitate the enfranchisement of our youth, and strengthen our democracy.

### *Underlying Premises*

#### Premise 1: Voting is compulsory

Australia is the only English speaking nation in the world that enforces compulsory voting. Enrolling to vote is mandated by law for individuals 18 years and older.<sup>1</sup> Failing to submit a ballot paper at a polling booth when eligible is unlawful.<sup>2</sup>

Australia believes it is vital for every eligible citizen to vote at each election. UNYA submits that, in light of this belief, an obligation arises to ensure enrolment is as straightforward and accessible a process as is practicable.

#### Premise 2: Young voters are valued

Australia permits and indeed requires individuals 18 years and older to vote. The government does not assert that the votes of these young voters are less valued than the votes of older voters. The government acknowledges that youth perspectives can be worthwhile and insightful contributions to political decisions.<sup>3</sup>

Australia believes young people are important members of the electorate. UNYA submits that, in light of this belief, an obligation arises to ensure that no barriers exist to the participation of young Australians in our elections.

---

<sup>1</sup> *Commonwealth Electoral Act 1918*, s 245(1).

<sup>2</sup> *Judd v McKeon* (1926) 38 CLR 380; *Lubcke v Little* [1970] VR 807; *Faderson v Bridger* (1971) 126 CLR 271; *Krosch v Springbell, ex parte Krosch* [1974] QdR 107; *O'Brien v Warden* (1981) 37 ACTR 13.

<sup>3</sup> Australian Government, *National Strategy for Young Australians* (2010), p 2.

### Premise 3: The status quo is failing our youth

*“Many young people in NSW are confused about the need to enrol for the Federal election but not the State election. This may lead to even more young people being disenfranchised.” — Morgan, 20 (NSW)*

*“The current process of mailing a hard copy of the form to the AEC is cumbersome. More young people would participate if they were enrolled automatically.” — Ruvini, 19 (VIC)*

*“I just finished Year 12 in 2010. Schools do not really teach young people how the Australian electoral process works. You have to figure it out yourself.” — Rose, 18 (ACT)*

The obligations noted above are not being fully discharged by the government. Young people are disenchanting and disengaging with our current electoral system.

Various statistics attest to this. According to the Office for Youth, only 80% of 18 to 25 year olds are enrolled to vote, compared to 95% of those over 25.<sup>4</sup> On 15 April 2010, according to the AEC, approximately 430,000 eligible young people were not enrolled to vote.<sup>5</sup> In June 2010, that figure was still at almost half a million, and included one in two 18 year olds and one in three 19 year olds.<sup>6</sup>

Historically, many young people who intend to vote nevertheless fail to enrol.<sup>7</sup> There is a common belief among the demographic that an automatic enrolment system is already in place.<sup>8</sup> No comprehensive educational strategy exists to inform young Australians about how enrolment in fact occurs, or to clarify the difference between enrolling for a federal election as opposed to a state or territory election.

Moreover, the current process places a high burden on our youth. By expecting eligible voters to complete and sign a physical enrolment form before posting it to the AEC, the current enrolment process ignores the contemporary reality of communication. In doing so, it constitutes a barrier to the political participation of today’s youth—a generation that has grown up relying on new technologies such as mobile phones and the internet.

As an example, it would be inappropriate for voting to become an exclusively online action, because older sections of society would not feel that an online booth is accessible to them. Similarly, the present enrolment system achieved exclusively by material postage is not accessible to younger sections of society. It ignores their unique generational paradigm and thereby fails to involve them in the political process.

<sup>4</sup> Australian Government, *State of Australia’s Young People Report Statistical Snapshot*, <http://www.youth.gov.au/articles/Pages/StateofAustraliasYoungPeoplereportstatisticalsnapshot.aspx>.

<sup>5</sup> *Rowe v Electoral Commissioner* [2010] HCA 46 (15 December 2010).

<sup>6</sup> Ian Munro and Adam Morton, ‘Call for young to sign up as a million votes at risk’, *The Age*, 19 July 2010, <http://www.theage.com.au/federal-election/Call-for-young-to-sign-up-as-a-million-votes-at-risk-20100718-10g42.html>.

<sup>7</sup> Murray Print et al, *Youth Electoral Study, Report 1; Enrolment and Voting*. AEC (December 2004), p 9.

<sup>8</sup> Peter Brent, ‘Time to Introduce Automatic Enrolment in Australia’ (2008) Discussion Paper 3/08, *Democratic Audit of Australia*, p 4.

### *The Solution*

UNYA submits that automatic enrolment would remedy the shortcomings of the status quo in Australia's electoral system. The outcome of automatic enrolment will be that all eligible Australians are included on the electoral roll, without the need for paperwork

Accordingly, automatic enrolment would discharge the obligation to ensure enrolment is as straightforward and accessible a process as is practicable. Automatic enrolment would also discharge the obligation to ensure that no barriers exist to the participation of young Australians in our elections.

#### What is automatic enrolment?

Automatic enrolment is a system in which all voters are placed on the electoral roll automatically on attaining eligibility—in Australia's case, on attaining 18 years of age.

#### Would the integrity of the electoral roll be compromised?

No. The information required to enrol under an automatic enrolment system would be essentially identical to the information required to enrol through the current system of mailed enrolment forms. No lesser authenticity threshold for enrolments would apply.

#### How would the AEC know when citizens become eligible?

A mechanism for automatic enrolment could operate by utilising information the government already possesses. Citizens supply their personal particulars to a plethora of government agencies such as Medicare, Centrelink, Australia Post, state education offices, driving license registration centres, among others. The information required to enrol voters automatically could flow from these agencies.<sup>9</sup>

#### Would such information actually be allowed to flow?

Yes. Such information is already allowed to flow. The AEC has operated a Continuous Roll Update process since 1999. This allows information obtained from agencies such as those listed above to be used to strike individuals from the electoral roll.<sup>10</sup> As information can flow to expel voters, it is reasonable to employ the same resources to add voters.

#### How can we know it will actually work?

Both New South Wales and Victoria have now adopted systems of automatic enrolment for state elections.<sup>11</sup> Such a mechanism is employed nationally in Canada, and is

<sup>9</sup> Australian Electoral Commission, *Submission to the Inquiry by the Joint Standing Committee on Electoral Matters into the 2007 Federal Election*, JSCEM (20 June 2008), p 20.

<sup>10</sup> *Ibid*, p 81.

<sup>11</sup> *Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009* (NSW); *Electoral Amendment (Electoral Participation) Act 2010* (VIC).

common throughout countries in Europe. Automatic enrolment clearly works in practice.<sup>12</sup>

#### How would efficiency and privacy be protected?

To be sure, introducing automatic enrolment would require information to flow even more freely and frequently than it presently does. When designing Australia's system of automatic enrolment, it will be crucial to consider these issues and create regulations that ensure the efficiency of the electoral system and the privacy of individuals.

It is vital to note that these are by no means insurmountable obstacles, as the examples of other countries illustrate. If a model is developed in consultation with the AEC, state and territory electoral commissions and other key stakeholders, adequate regulations can and will be established.

#### Who supports automatic enrolment?

UNYA has proposed the introduction of automatic enrolment since 2008. This proposal was also put to the government by the AEC itself in 2007 and was a recommendation arising from the Australia 2020 Youth Summit in 2008.<sup>13</sup>

#### How would automatic enrolment benefit young people?

*"Put simply, automatic enrolment would give all young people a voice." — Nicky, 22 (ACT)*

By guaranteeing that every Australian citizen will be on the electoral roll, automatic enrolment redresses the existing limitations in our system. It would enfranchise the hundreds of thousands of eligible youth who are presently stripped of their democratic rights. It would simplify the enrolment process and ensure that each citizen is on the roll as soon as they reach 18 years of age. It would give every young person the opportunity to exercise their vote, and thereby empower the youth of Australia to contribute to the future they will ultimately inherit.

#### *Recommendations Arising*

UNYA recommends that the Joint Standing Committee on Electoral Matters take all necessary steps to introduce into the Australian electoral system a mechanism for automatically enrolling all eligible voters on their attainment of 18 years of age.

UNYA recommends that a government agency be tasked with designing a mechanism for automatic enrolment in Australia and that legislation be drafted accordingly.

UNYA recommends that a mechanism for automatic enrolment be introduced prior to the next Australian federal election to be held on or before 30 November 2013.

<sup>12</sup> Brent, 'Time to Introduce Automatic Enrolment in Australia' (2008), p 4.

<sup>13</sup> *Australia 2020 Youth Summit Communiqué*, [http://www.australia2020.gov.au/docs/youth\\_summit\\_communique.pdf](http://www.australia2020.gov.au/docs/youth_summit_communique.pdf).