

Introduction

- 1.1 Australia is one of the few countries in the world in which its citizens are compelled to attend polling places at national elections. Facilitating voting by such a large proportion of the population at regular intervals has meant that Australia's electoral system has become efficient and effective in the conduct of elections. Our electoral system is at the forefront internationally, keeping pace with the latest technology and leading the way in innovative methods to facilitate all aspects of conducting elections. The Australian Electoral Commission (AEC) is regularly invited to other countries to provide advice and representatives from other countries often come to Australia during an election to observe and learn our techniques. Our electoral system is an asset and one which makes a valuable contribution to the democratic society in which we live.

The 1998 Federal Election

- 1.2 The 1998 federal election was announced on Sunday 30 August 1998 and the writs were issued for a House of Representatives election and a half-Senate election the following day. The electoral rolls closed seven days later on 7 September 1998 with the AEC having processed 351,913 enrolment forms during this period. Of these, there were 64,014 new enrolments, bringing the total number of electors on the roll to 12,056,625, an increase of 401,435 persons or 3.4% over the enrolment for the 1996 federal election.¹
- 1.3 Nominations for election closed on 10 September 1998. Nationally, 1,438 people nominated as candidates in the 1998 federal election. Of these, 1,109 candidates nominated for the House of Representatives and 329

1 Submissions p S345 (AEC)

candidates nominated for the Senate. There were 1,039 male candidates and 399 female candidates.²

- 1.4 Polling day was Saturday 3 October 1998. While the large majority of voters cast ordinary votes on polling day at one of the 7,775 polling booths, over the last three elections there has been an increasing pattern of declaration voting.³ This pattern can be seen in the following table.

Table 1.1 Declaration vote statistics

	1993 federal election	1996 federal election	1998 federal election
Declaration Votes	1,360,320 (12.74%)	1,557,075 (13.78%)	2,074,065 (17.90%)
Ordinary Votes	9,314,485 (87.26%)	9,737,404 (86.22%)	9,513,288 (82.10%)
Total Votes	10,674,805 (100%)	11,294,479 (100%)	11,587,353 (100%)

Source AEC submission, p S392

- 1.5 Voter turnout for the 1998 federal election was 95.34% for the Senate and 94.99% for the House of Representative, continuing a pattern of turnout above 90% that has continued since compulsory voting was introduced in 1924.⁴ Table 1.2 indicates the percentage turnout since the 1987 federal election.

Table 1.2 Voter turnout at federal elections

Voter Turnout	1987	1990	1993	1996	1998
	%	%	%	%	%
House of Representatives	93.84	95.32	95.75	95.77	94.99
Senate	94.34	95.81	96.22	96.20	95.34

Source Australian Electoral Commission. 1999. *Electoral Pocket Book*, Canberra, AEC, p 40

- 1.6 The informal vote for the 1998 federal election increased in the House of Representatives to 3.8% but dropped in the Senate to 3.2%.⁵ The following table shows the pattern of informal voting at recent federal elections.

2 Submissions p S359 (AEC)

3 Declaration voting is an alternative form of voting to casting an ordinary vote at a polling booth on election day. Methods of declaration voting include pre-poll voting, postal voting, absent voting and provisional voting. Declaration voting is dealt with in Chapter 2 of this report.

4 Submissions p S379 (AEC)

5 Australian Electoral Commission. 1999. *Electoral Pocket Book*, Canberra, AEC, p 45.

Table 1.3 Informal voting at federal elections

Informal Vote	1987	1990	1993	1996	1998
	%	%	%	%	%
House of Representatives	4.9	3.2	3.0	3.2	3.8
Senate	4.0	3.4	2.6	3.5	3.2

Source Australian Electoral Commission. 1999. *Electoral Pocket Book, Canberra, AEC, p 45*

1.7 The 1998 federal election resulted in the Coalition being returned to government with a 12 seat majority in the House of Representatives. The following two tables outline the results of the election in both the House of Representatives and the Senate.

Table 1.4 1998 House of Representatives results

Party	Seats Won	Proportion of First Preference Vote
		%
Australian Labor Party	67	40.1
Liberal Party	64	33.9
National Party	16	5.3
Country Liberal Party	-	0.3
Australian Democrats	-	5.1
Pauline Hanson's One Nation	-	8.4
Other	1	6.8

Source Australian Electoral Commission. 1999. *Electoral Pocket Book, Canberra, AEC, p 71*

Table 1.5 1998 Senate results

Party	Seats Won								Total
	NSW	VIC	QLD	WA	SA	TAS	ACT	NT	
Australian Labor Party	3	3	2	2	2	3	1	1	17
Liberal Party	2	2	2	3	3	2	1	-	15
National Party	-	1	-	-	-	-	-	-	1
Country Liberal Party	-	-	-	-	-	-	-	1	1
Australian Democrats	1	-	1	1	1	-	-	-	4
Greens	-	-	-	-	-	-	-	-	-
Pauline Hanson's One Nation	-	-	1	-	-	-	-	-	1
Tasmanian Independent Senator Brian Harradine Group	-	-	-	-	-	1	-	-	1

Source Australian Electoral Commission. 1999. *Electoral Pocket Book, Canberra, AEC, p 71*

1.8 Following the election, the eight election writs for each of the States and Territories for the House of Representatives and the Senate were returned

to the Governor-General by 29 October 1998.⁶ The 39th Parliament met for the first time on 10 December 1998. The latest time by which the next combined House of Representatives and half-Senate federal election can be held is 12 January 2002.

- 1.9 Expenditure on the 1998 federal election, as at 15 June 1999, was \$61,737,070 plus \$33,920,787 for public funding of political parties and candidates.⁷ The average cost per elector was \$5.06, excluding public funding.⁸ The comparative costs against previous elections are outlined in the following table.

Table 1.6 Comparative costs of expenditure on elections

	1984	1987	1990	1993	1996	1998
	\$	\$	\$	\$	\$	\$
Average cost per elector (excluding public funding)						
Actual Cost	3.13	3.75	4.02	4.11	5.08	5.06
Constant Prices (Dec 1984 Base)	3.13	3.05	2.68	2.54	2.87	2.80
Constant Prices (Mar 1998 Base)	5.65	5.51	4.84	4.58	5.18	5.06
Actual cost (including public funding payments)	38,430,000	48,875,900	55,478,000	64,049,500	91,407,000	95,657,857

Source Australian Electoral Commission. 1999. *Electoral Pocket Book*, Canberra, AEC, p 62

Scope and conduct of the inquiry

- 1.10 On 10 December 1998 the Special Minister of State, Senator the Hon Chris Ellison, wrote to the Joint Standing Committee on Electoral Matters (JSCEM) asking it to inquire into and report on “all aspects of the conduct of the 1998 Federal election and matters related thereto.” The inquiry was advertised in all major newspapers on 23 January 1999 and members of the public were invited to make submissions. In addition, letters were sent to individuals and organisations with a particular interest in the electoral process, and the JSCEM Chairman wrote to all Senators and Members inviting them to make submissions. The internet site was also used as a method of inviting the public to make submissions to the inquiry. Throughout the inquiry process the Committee has actively

6 Submissions p S325 (AEC)

7 Australian Electoral Commission. 1999. *Electoral Pocket Book*, Canberra, AEC, p 63.

8 Submissions p S437 (AEC)

sought to keep the public informed of its work and continued to involve the community in its investigative processes.

- 1.11 The JSCEM received 261 submissions to this inquiry from a variety of individuals and organisations, including the AEC, special interest groups, members of parliament and political organisations. The submissions are listed at Appendix A. In addition, a large number of submissions were received in the style of letters, primarily from individuals focusing on the election result as it related to the vote for One Nation candidates. A list of these letters is at Appendix B. The five sets of documents listed at Appendix C were accepted as exhibits. The Committee also held 12 public hearings, including one in Darwin, Alice Springs and Brisbane and inspections in Maningrida, Bathurst Island and Alice Springs from March through to October 1999. A list of the hearings and the witnesses heard is at Appendix D. In selecting its witnesses and locations for hearings, the Committee sought to expand the basis of information received through submissions. Accordingly, the Committee did not travel to all parts of the country to take verbal evidence.
- 1.12 The submissions and transcripts of evidence from the public hearings have been incorporated into separate volumes. Copies of these documents are available for inspection at the Committee secretariat, the Commonwealth Parliamentary Library, the National Library of Australia and the State Libraries. All transcripts of evidence are also available on the internet.
- 1.13 The JSCEM, and its predecessor the Joint Select Committee on Electoral Reform, have inquired into the conduct of all federal elections since the 1983 federal election. In the words of the AEC, the JSCEM provides:
- ... a democratic forum at the highest level for citizens to voice their concerns about the electoral process and the conduct of elections; provides an important political forum for parliamentary representatives to find agreement in order to avoid deadlocks in the legislative process; and stands as a model of transparency and accountability on the international stage.⁹
- 1.14 Since 1983, the JSCEM has recommended various amendments to both the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984* as a result of its inquiries into federal elections. Many of those amendments have been enacted by the parliament.
- 1.15 As a result of this inquiry into the 1998 federal election, the JSCEM is able to support the AEC's conclusion that overall:
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... from an administrative and operational viewpoint, ... the 1998 federal election was successfully conducted, to the overall satisfaction of the major stakeholders.¹⁰

- 1.16 The Committee acknowledges the professionalism and work of the AEC in the administration and smooth running of the 1998 federal election. Conducting an election successfully and being able to declare a result by 8pm EST is no small task. As the Electoral Commissioner said after polling day on 3 October 1998:

Conducting a federal election is one of the largest peace-time activities that any nation undertakes. Between late August and early October we mobilised some 12 million voters who attended nearly 8,000 polling places. In a country as geographically large and diverse as Australia this was a considerable achievement of which we can all be proud. The fact that most citizens participated in the democratic process without incident or inconvenience is a tribute to the professionalism and dedication of AEC officers.¹¹

- 1.17 The JSCEM has, however, identified several areas where improvements can be made to the electoral process. The JSCEM has made 59 recommendations to further improve various aspects of the conduct of federal elections. Areas such as the registration of political parties, assisted voting and improved education campaigns have been highlighted by the Committee to be refined or changed to make the administration and running of federal elections better and more efficient. A list of these recommendations can be found at pp *xvii-xxvi* of this report.
- 1.18 The Committee recognises that continuous reform of the federal electoral system is necessary if Australia's electoral system is to remain at the forefront internationally. The Committee is committed to the continued holding of inquiries after each federal election. Such inquiries help ensure that the electoral legislation remains relevant in its application to contemporary circumstances, keeps apace with the latest technology and best facilitates the conduct of democratic federal elections in Australia.

Structure of the report

- 1.19 This report is structured chronologically in relation to the significant issues which have occurred or been raised in relation to the 1998 federal election. Chapter 2 examines the events of those weeks leading up to

10 Submissions p S323 (AEC)

11 Australian Electoral Commission. *Scrutiny, No 41*, October 1998.

election day; Chapter 3 looks at election day issues; Chapter 4 discusses the process involved in conducting the election count after the close of polls and also examines alternative voting systems to full preferential voting; and Chapter 5 deals with many other issues relevant to the 1998 federal election encountered during the inquiry.

