

The logo of the United Nations Youth Association of Australia (UNYA) is a large, light blue watermark in the background. It features a central globe with a grid of latitude and longitude lines. The globe is surrounded by a laurel wreath. At the bottom of the wreath, the acronym 'UNYA' is written in a bold, sans-serif font.

United Nations Youth Association of Australia

Submission to the Joint Standing Committee on Electoral Matters

on “the implications of the *New South Wales Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009* for the conduct of Commonwealth elections, including any consequences for the enrolment of persons living in New South Wales for the purposes of Commonwealth elections”

Introduction

The current federal electoral system poses substantial barriers to young people participating in our democracy. Disproportionate numbers of young Australians are disenfranchised by the antiquated, cumbersome enrolment system. For example, the Australian Electoral Commission states that only 66% of 19 year olds were on the electoral in 2006, and about 25% of citizens under 25 are not currently enrolled to vote.

This submission commends the changes proposed in the *NSW Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Bill 2009* (hereafter referred to as the Bill.) The use of automatic enrolment, automatic enrolment updates, same-day registration and online enrolment will increase the proportion of all NSW citizens on the State electoral roll, facilitating a greater involvement of young people in the political process.

However, the United Nations Youth Association of Australia (UNYA) believes that the people of New South Wales, especially those under the age of 25, are likely to inadvertently experience greater rates of Federal disenfranchisement if the changes proposed in the Bill are not adopted on a Commonwealth level. To ensure the highest levels of franchise for all Australians, UNYA recommends that the changes proposed in the Bill should be mirrored in amendments to *Commonwealth Electoral Act 1918*. Alternately, the enfranchisement of all Australians could be increased and the disadvantages of the Bill could be offset by repealing the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005*, therefore extending the 'close of rolls' period. Such national advancements would strengthen the fundamentals of Australia's democracy by improving representation, the quality of civic culture and the effectiveness, efficiency and flexibility of the electoral system.

Who We Are

This submission was prepared by the United Nations Youth Association of Australia (UNYA). We are Australia's largest youth-run non-governmental organisation and our aim is to educate, empower and inspire young people about youth issues and the United Nations. UNYA is committed to public policy that facilitates participation by young people in the Australian political process. Further, UNYA is committed to strengthening Australia's democratic systems by promoting broad community awareness of political issues in a non-partisan fashion, and supporting peaceful and progressive mechanisms for change. Australia has a responsibility to advance democracy, leading by example and assisting developing nations in our region. UNYA believes that democracy is an evolving concept that must constantly adapt to the rigours of a dynamic society, and hopes through this submission to instigate change which will serve all Australians and our great democracy.

The Disproportionate Disenfranchisement of Young Australians

Although the AEC estimates that 92.2 percent of eligible electors are enrolled to vote, in the 18-25 year old demographic, this figure drops to 82 percent.¹ These figures should not simply be taken as evidence of apathy or disconnected with the electoral process: a higher proportion of young people than those enrolled have an intention to vote.² Despite the importance of voting in Australian election and the good work of the Australian Electoral Commission (AEC), enrolment on the electoral roll is an opaque and involved process, and one which constitutes a barrier to franchise for many Australians.

The current process of electoral enrolment disadvantages young people in a number of ways. Many young people falsely believe and expect that they will

¹ Australian Electoral Commission, *Annual Report 2007-08*, p.36.

² Murray Print et al, *Youth Electoral Study, Report 1; Enrolment and Voting*. AEC (December 2004): p. 9.

become automatically enrolled once they turn 18.³ Insufficient education is provided to remedy this belief. Enrolment or changes to electoral details require a hard copy of the enrolment form to be posted to the AEC. This is a cumbersome method that discourages enrolment, with young people increasingly used to being able to communicate by phone or email rather than post.

The automatic deregistration of voters who have changed address, and the lack of corresponding power to automatically enroll voters at a new address, greatly increases the complication of enrolment. While it is important to maintain a flexible and equitable enrolment process, the need to re-gather information already received from a trusted and appropriate source adds an unnecessary barrier to franchise. This requirement has a significant and disproportionate impact on young people, many of whom change addresses often because of living in rental accommodation, or moving back into the family home for periods of time. The result is that many young people fall off the electoral list, either because they are not aware of the requirements or because keeping on the roll becomes too great an effort.

These disadvantages have been compounded by the changes introduced under the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005*, whereby electoral rolls are closed the day an election is called (when the writs are issued). In 2001, 83,000 first time voters registered in the week between the election being called and the rolls closed. The amendments have thus likely disenfranchised a huge number of young people.

The net result of the current system is that the AEC is aware of thousands of young people who are approaching voting age or have recently moved address, but can do nothing to enrol them, leading to widespread disenfranchisement. Automatic enrolment is the most comprehensive, logical and practical way to remedy these failings, and would bring the reality of the Australian electoral process into line with the principle of full and compulsory voting.

³ Peter Brent, 'Time to Introduce Automatic Enrolment in Australia' (2008) Discussion Paper 3/08, *Democratic Audit of Australia*, p. 4.

The Effects of the Bill on the Young People of New South Wales

The Benefits of the Bill

UNYA commends the Bill for the direct benefits it will bring to the young people of New South Wales. By introducing automatic enrolment, automatic updating, same-day registration and online enrolment, the Bill will result in the State franchise of a far greater proportions of young people. Such advancements also have the potential to generate new opportunities for innovation and engagement in civics and electoral matters. The Bill will strengthen both the institutions and the culture of democracy in New South Wales.

Automatic enrolment, online enrolment and automatic updating will facilitate a much simpler, broader process of engagement of citizens. Eradicating the extensive paperwork associated with enrolment will reduce barriers for participation in the electoral system. Same-day registration will address the issue of the shrinking electoral roll and remove administrative obstacles to participation in elections. As discussed above, the high mobility of young people contributes to their disproportionate disenfranchisement by often resulting in their inadvertently being struck from the electoral roll. Automatic updating will ensure, for example, that young people who have changed address and failed to notify the AEC of this change would not be excluded from voting on Election Day. Consequently, the number of people who are unable to vote on Election Day due to multiple changes of address associated with living in rental accommodation, misinformation about the enrolment process, incomplete paperwork, untimely enrolment, and any number of other inhibitions, would be greatly reduced, and the franchise of young people will be safeguarded for the direct benefit of New South Wales' democracy..

Automatic enrolment, online enrolment and automatic updating will have significant flow-on effects and may generate a range of new possibilities in relation to voting and civic engagement in the New South Wales community. The accuracy of the electoral roll will be increased, which will allow more effective engagement of all eligible voters. This will both stimulate interest in the process and strengthen a culture of democratic participation, not least by removing the

barriers that create voter disenfranchisement. Empowering voters, particularly young people and new citizens (noted as especially active, community-minded, creative and energetic demographics), is critical to a sustainable, open and dynamic democracy of the kind which can and should exist in Australia. The people of New South Wales will benefit from the Bill streamlining what is currently a complex and inconsistent way of maintaining the electoral roll, and fortifying the democratic process of which Australia is proud.

Concerns have been raised about automatic and online enrolment regarding both electoral fraud and privacy. These are by no means insurmountable issues, although they must of course be carefully considered. The most effective and appropriate model by which to implement automatic enrolment would need to be designed in consultation with the AEC, the state and territory electoral commissions and other stakeholders, and adequate regulations put in place. Systems of direct enrolment in other countries (such as Canada)⁴ provide examples not only of an effective model in place, but also means by which the concerns raised in opposition to such models may be countered and appropriately responded to. Australia should not be lagging behind our international counterparts in the introduction of measures to strengthen democratic processes. Furthermore, it is the firm belief of UNYA that any difficulties arising from the implementation of such an initiative are far outweighed by the immediate and long-term benefits of automatic and online enrolment.

The Disadvantages of the Bill

Without advances in Federal enrolment procedure, the young people of New South Wales will indirectly experience greater rates of Federal disenfranchisement because of the Bill. Young people in NSW may be confused about the need to enroll again for entry to the Federal Electoral Roll, resulting in even more young people being disenfranchised.

⁴ See Peter Brent, 'Time to Introduce Automatic Enrolment in Australia' (2008) Discussion Paper 3/08, *Democratic Audit of Australia*, p. 4.

The antiquated requirements for Federal enrolment will continue to discourage the enrolment of young people, who increasingly rely on online communication to manage their relations with government departments and financial institutions. In particular, young people from NSW may not understand the need to enroll separately for Federal elections. Notwithstanding the Federal enrolment form and explanatory letter which, under the Bill, the AEC will send to eighteen-year-old NSW citizens, logically these young people could expect that the details gathered by the State Electoral Roll would be passed on to the Federal Electoral Roll. Information about peoples' address is openly given by government institutions (Centrelink, Medicare, licensing centres etc) to the AEC, where it can lead to the striking of electors. Therefore young people in New South Wales may simply assume that their enrolment in State Electoral Roll will, as in many other government departments, eventually be passed on to the Federal Electoral Roll. They will hence be more easily discouraged from completing the burdensome Federal enrolment form.

Further Advances to Australian Democracy

UNYA proposes two ways to maximise the benefit the Bill will bring to the people of New South Wales. The most effective solution is to amend the *Commonwealth Electoral Act 1918* so as to mirror the advances introduced by the Bill in Commonwealth law for all Australians. The second option is to repeal the *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005* so as to lengthen the 'close of rolls' period.

Amending Commonwealth legislation to introduce automatic enrolment, automatic updating, online enrolment and same-day registration across the nation would allow all Australians to reap the benefits of these systems (outlined above.) Such a firm demonstration of the importance of equality and civic engagement will reinforce the pride Australians feel in our democratic system. This is clearly the most comprehensive solution as it will greatly increase enfranchisement, allowing every Australian to contribute to the democracy which is their birthright.

Barring these national developments, extending the 'close of rolls' period to a week (or longer) after the election is called would be a valuable change. UNYA believes the current three day period disenfranchises young Australians especially. Young people are faced with the necessity of working more hours for the same wage which would be earned by someone older and more experienced. These low wages result in a higher percentage of young people taking on more than one employment, often on a casual basis. These factors combine to make finding time to enroll to vote at such short notice a great deal more difficult for young Australians. The franchise of all Australians would increase if Australians were allowed a greater period of time to enroll to participate in their democracy..

Regardless of the adoption of either of these solutions, the too-common disenfranchisement of Australians indicates the need for increased education about the close of rolls period, the importance of enrolment details being up to date, and the consequences if details are not in order. In the past, this function has been ably carried out by several community-based organizations, for example 'Rock the Vote Australia'. UNYA also notes the positive activities of the AEC in raising awareness of enrolment requirements amongst young people. UNYA believes that the Government has a responsibility to dedicate substantial funding to educating the community about enrolment procedures and that this would be highly beneficial if used in conjunction with extending the enrolment period. We strongly support the Government doing more to inform young people about voting procedures, and believe that an appropriate avenue for this education is the Australia Youth Forum (AYF). UNYA believes that greater civics, enrolment and voter knowledge ties firmly into priority three of the 'core priorities for action' in the 'National Strategy For Young Australians': "mobilizing young Australians within their communities".⁵ This education can highly effective if, for example, peer-to-peer methods are utilised.

Conclusion

⁵ Office for Youth, DEEWR (2009) *National Strategy For Young Australians*.

Australia's electoral system is failing young people. Enrolment numbers are substantially lower for young people than other age brackets, a situation which will, ironically, be exacerbated at a Federal level due to the attempt by New South Wales to address this problem within their State. As Australia's largest by-youth for-youth organization and as young citizens of this country, UNYA firmly supports the implementation at the Federal level of automatic enrolment, automatic updating, online enrolment and same-day registration. Such advances will rightly strengthen our democracy by facilitating the civic engagement which Australians so deserve.