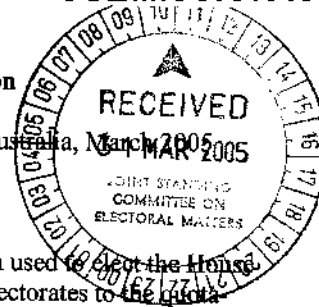


Joint Standing Committee on Electoral Matters
Submission No. 100
Date Received 31-3-05
Secretary

SUBMISSION NO. 100

Inquiry into the 2004 Federal Election

Comments from the Electoral Reform Society of South Australia, March 2005



Proportional Representation

The Electoral Reform Society believes that the electoral system used to elect the House of Representatives needs to be changed from single-member electorates to the quota-preferential method of proportional representation with multi-member electorates.

The Proportional Representation Society of Australia has prepared an analysis of the 2004 Federal Election. This analysis shows what could have resulted if a Hare-Clark form of quota-preferential of proportional representation had been used (**Attachment 1: Proportional Representation Analysis: 2004 Polls – 41st Australian House of Representatives**).

As the summary in Attachment 1 shows, the Coalition Government would have gained an absolute majority of seats under such a system of proportional representation. The Howard Government's first preference vote in 2004 was 46.6%. Its share of the seats under the present single-member electorate, winner-take-all system, which exaggerates majorities of seats in relation to majorities of votes, was 58%. Under proportional representation, where seats are, as would be expected, far more proportional to votes, the share of the seats in 2004 would have been 50.7%.

In South Australia, with 47.4% of first preferences the Liberal Party won 72.7% of the single-member seats (8 of the 11 seats), whereas with the much fairer proportional representation they would have won 54.5% of the seats.

Of more importance than how the parties fared, is an analysis of how the voters fared in terms of their votes actually electing the candidates of their choice. As yet the final figures are not publicly available from the Australian Electoral Commission for the 2004 Federal Election (expected mid year). However, at the 2001 Federal Election, only 53.7% of Australian voters found that their votes (or preferences) elected someone to the House of Representatives (**Attachment 2**). The Society believes that the figure for the 2004 Federal Election would be similar.

In contrast to the House of Representatives, the results of the 2004 Senate elections gives a much fairer result. Despite proportional representation being used to elect the Senate, the government now has a majority. Opponents often argue that winning a majority is not possible with proportional representation. Both the 2004 Senate election and the 2004 ACT Legislative Assembly elections show that winning a majority of seats is possible under proportional representation.

Not only were Senators elected to represent their parties or supporters in proportion to the votes received, but also it is estimated that over 85% of voters found their vote (or preferences) elected a Senator (at the 2001 elections, the figure was 88% - see **Attachment 3**).

The Electoral Reform Society urges the Joint Select Committee on Electoral Matters to take this opportunity to consider changing the method of electing the House of Representatives to the quota-preferential method of proportional representation.

Inquiry into the 2001 Federal Election

The Electoral Reform Society made a brief submission to the previous Federal Election Inquiry by the Joint Standing Committee on Electoral Matters. And the Society's Secretary spoke to the Committee's hearing on 8 October 2002.

There were two issues that were discussed with the Society at that hearing that the Society wishes to make further comment upon:

1) Publicity for this Inquiry

The then Chair of the Committee took issue with the Society's Secretary about the Society's comments about the lack of publicity for these Inquiries, saying that there was extensive advertising and an extensive mail-out.

In relation to the Inquiry into the 2004 Federal Election, the Society has seen neither any advertising or received any mail about the Inquiry. There has also been no mention of the Inquiry in Hansard. It was only on checking the Parliamentary website, that the Society found out about the current Inquiry. When the Society has told others about this Inquiry, it has been the first they have known about it.

Given the chastisement the Secretary received in 2002 for criticising the Committee, it is surprising that there still appears to be a lack of publicity for these Inquiries.

2) Procedures for calculating transfer values and for transferring surplus votes

In the discussion on transferring surpluses with the Society's Secretary, the Committee indicated that it would ask the Australian Electoral Commission to conduct some computerised counts to see how the results may vary. Were these counts conducted?

In addition, one of the members of the Committee indicated that he would go back and look at these procedures. The Society is not aware whether there was any further examination by the Committee or any of its members.

At that hearing, the Society's Secretary tabled the publication of the Western Australian Electoral Commission "*Determining the result: Transferring surplus votes in the Western Australian Legislative Council*".

Since that hearing, a change in the legislation to replace the current flawed procedures has been suggested in Western Australia with the Western Australian Electoral and Constitution Amendment Bill 2003 (**Attachment 4** shows part of that Bill).

In Senate elections, the transfer value is currently calculated by dividing the elected member's surplus by the number of ballot papers received by the elected candidate. This value is calculated without regard to the previous value of these ballot papers, which could range downwards from full value (1.0), through various previous transfer values to as low as 0.01 or thereabouts. Hence some

votes can actually increase in value and have an undue influence in the count. So much for “one vote, one value”!

The Electoral Reform Society argues that instead of this flawed averaging mechanism, there needs to be a weighted calculation on each bundle of votes at their previous values. This calculated transfer value is the elected person’s surplus divided by the total vote value (not total ballot papers) received by the elected candidate. This figure would then be multiplied by the previous transfer values of each bundle. Possible wording for this is shown in **Attachment 4**.

This method has been called the Weighted Inclusive Gregory Method. It avoids the current situation whereby incoming values of transferred surplus votes might increase in value, and hence even lead to the election of the wrong candidate. The Western Australian Government has accepted this method as it avoids the possibility of transfer values ever rising in the course of a scrutiny.

While this procedure is more accurate than the current averaging method, it is more complicated. However now that all Senate elections are conducted by the Australian Electoral Commission using computer data entry procedures, any complications in the calculations can easily be handled electronically.

Inquiry into the 2004 Federal Election

In addition to arguing for proportional representation for the House of Representatives, there were a number of issues during the 2004 Federal election campaign that concern the Electoral Reform Society, including the following:

1) **Voting tickets**

The Electoral Reform Society believes that above the line voting for the Senate needs to be abolished. In its place, optional preferential voting should be introduced.

While above the line voting exists, it is necessary to ensure that voters are aware of what voting above the line means.

The booklet “*Election 2004*” produced and distributed before the Federal Election correctly stated that in relation to above the line voting for the Senate, “*information will be available at all polling places showing you how each party or group has decided to allocated preferences*”. This is required under the Act; Section 216 stating that a poster or a pamphlet showing the voting tickets must be prominently displayed at each polling booth.

The Electoral Reform Society asked a number of members of various Branches of the Proportional Representation Society of Australia (PRSA) to check on whether the information was available. The responses received are shown in **Attachment 5**.

While the Australian Electoral Commission tried to follow the legislative requirement by promoting that the information was available, it appears that this message was not always passed on to the polling booth staff. The feedback

shows that the booklet was available in South Australia, even if not prominent, but in other States (particularly Victoria) there was little awareness.

It is obvious that not only is Section 216 not being strictly adhered to, but of more concern, where the information is provided it is of little use at such a late stage in the election. Rather than provide details on voting tickets at polling booths, this needs to be provided before Election Day.

The Australian Electoral Commission is to be congratulated on putting the voting tickets on their website. However this is cumbersome and difficult to follow, or to conveniently download.

It is preferable that it be in printed form. Consideration needs to be given to either the Australian Electoral Commission distributing the voting tickets – perhaps in their booklet “*Election 2004*”, or legislating so that the political parties must provide this detail in print form.

2) **Donkey vote**

An examination of the results of the election for the House of Representatives electorates in South Australia clearly shows that the donkey vote assisted the winning candidates in both Hindmarsh and Kingston, and possibly in Wakefield as well.

Hindmarsh gives a good example of the donkey vote. There were three Independent candidates contesting Hindmarsh, and even though all three appeared to have done more or less the same campaigning and all had a similar exposure in the electorate, the Independent on top of the ballot paper received over 600 votes more than the other two Independents (1,130 votes compared with 397 and 478 votes) who were placed 6th and 9th (last) on the ballot. [It is possible the last placed Independent picked up a reverse donkey vote.] Steve Georganas, listed second on the ballot paper, won Hindmarsh by 108 votes. If the Liberal candidate had instead been second on the ballot paper rather than 8th, he probably would have won Hindmarsh.

Much effort, including we are told selective mail outs and indeed phone calls, involving considerable expense, is put into winning each electorate, particularly if considered marginal. It is then anomalous that the final outcome can come down to a matter of chance in who gets the most favourable position on the ballot paper.

The Electoral Reform Society recommends that the Robson Rotation be used rather than the current draw using double randomisation. The Society’s position was clearly stated in a media release issued on 22 October 2004 on “Donkey Vote Wins In SA” (**Attachment 6**).

While the Society has not examined in any detail the situation in other States, it is highly probable that Larry Anthony lost Richmond because he was placed below the winning ALP candidate on the ballot paper.

3) **Postal votes**

There was considerable media and other comments on postal voting for the 2004 Federal election, and an independent report conducted. This report found that there was a 63% increase in postal vote applicants who failed to vote, mainly from country areas.

The Electoral Reform Society has a listing in the Adelaide White Pages, and during election campaigns this number is often mistaken for the Australian Electoral Commission or the State Electoral Office in South Australia. Usually while we try to answer the queries, it is suggested that the callers contact the appropriate electoral body.

The Society was surprised by the number of calls from people living in the metropolitan area in South Australia who rang on the Thursday or Friday before Election Day, and even on 9 October, asking what they should do as they had not received their ballot papers so that they could lodge a postal vote.

The Society is not sure whether these calls resulted because of the publicity about non-receipt of postal votes, or confusion about whether postal voting was required.

In our submission to the 2001 Federal Election Inquiry, the Society stated, "there is merit in considering changing completely to postal voting (as now used for local government elections in South Australia and used in electing delegates to the Constitutional Convention on the Republic)". Since then there has been local government elections in this State, again by postal voting, and some in the community thought the Federal election was also being conducted by postal voting.

To assist in avoiding this confusion, the Australian Electoral Commission's booklet "*Election 2004*" should be individualised for each Federal electorate and the location of the polling booths included. This would also assist where polling places have changed.

4) **Senate Voters' Choice (Preference Allocation) Bill**

On 9 December 2004 Senator Brown introduced the Senate Voters' Choice (Preference Allocation) Bill into the Senate. Senator Brown argues that as above the line voting has taken the decision on preferences from voters and given it to the political parties, his Bill will give this right back by allowing preferential voting above the line.

As already stated, the Electoral Reform Society believes that above the line voting for the Senate needs to be abolished. In its place, optional preferential voting should be introduced.

Senator Brown's Bill will still not improve the requirements if voters not only want to choose the order in which they prefer political parties, but also want a say on the ordering of the candidates within the political parties.

It is important that voters realise that it is their votes and they can determine their preferences. The Electoral Reform Society issued a media release on 30 September 2004 on "Preference Politics" (**Attachment 7**) calling on voters to take control of their votes and not to let their preferences be dictated by political parties. The Society was very pleased when the Electoral Commissioner, Andy Becker, followed this up with his own media release "Electors' Right To Choose Preferences" (dated 6 October 2004). At the 2004 Federal Election, 4.2% of Australian voters decided to choose their own preferences and voted below the line despite the onerous requirement to mark preferences for all candidates. In addition 3.8% voted informally, and it is likely that many of these voters were trying to vote below the line.

Senator Brown's Bill also shows up the inequity in the design of the ballot paper where ungrouped candidates are unfairly treated by being lumped together at the end of the ballot paper and voters do not have the option of being able to vote for these above the line.

If above the line voting is abolished, and optional preferential voting introduced, not only would this be easier for voters, reducing the informal vote, but it would also be fairer for the ungrouped candidates. The introduction of the Robson Rotation would be a further refinement that would ensure that all candidates are treated equally, and would mean that the choice of who should be the successful candidates would truly be the voters' choice.

5) **Size of electorates**

One of the Society's members has drawn attention to wide disparity in the size of electorates for the House of Representatives. The largest electorate was Fraser (ACT) with 116,527 voters and the smallest was Solomon (NT) with 53,873 voters. If Tasmanian and Territory electorates are ignored due to the Constitutional requirements, the largest electorate was then Barker (SA) with 100,691 voters and the smallest was Moore (WA) with 75,368 voters. Barker is 33% larger in the terms of the number of voters than Moore. These discrepancies are only between States. A further examination shows a wide variation within a State between the largest and smallest, the biggest difference being 17,026 voters in NSW between Reid and Mitchell.

The current Constitutional requirements need to be examined. If Tasmania is to have a minimum number of seats, or there are to be a certain number of seats for each Territory, then these "benchmarks" need to set the size of all electorates and the number of members of the House of Representatives adjusted accordingly. The introduction of multi-member electorates for the House of Representatives would make it easier to maintain equality between electorates as well as assist in reducing the frequency of redistributions.

PROPORTIONAL REPRESENTATION ANALYSIS: 2004 POLLS - 41ST AUSTRALIAN HOUSE OF REPRESENTATIVES

Comparison of No. of Estimated PR (Hare-Clark) Seats & Actual Single-member (SM) Seats: © Proportional Representation Society of Australia 2002, 18 Aulita Street Beaumarie 3193, Tel (0429)76725 1802

www.prsoc.org.au

pr@prsoc.net.au

pr Data from: www.aec.gov.au



www.aec.gov.au

RESULTS AUSTRALIA-WIDE

PERCENTAGES

Votes:	NUMBERS						PERCENTAGES						TOTAL		
	ALP	AD	GREEN	OTHER	LIB	FF	NAT	TOTAL	ALP	AD	GREEN	OTHER		LIB	FF
NSW	1,112,418	40,347	311,369	308,336	1,392,933	29,621	353,670	3,848,694	36.7	1.0	8.1	8.0	36.2	0.8	9.2
Victoria	1,117,921	32,363	270,654	60,881	1,302,038	71,735	105,577	3,011,169	40.4	1.1	7.3	2.0	43.2	2.4	3.5
Queensland	65,507	30,255	111,314	137,735	867,289	80,820	207,968	2,200,388	34.8	1.4	5.1	6.3	39.4	3.7	9.4
WA	181,200	16,298	84,100	84,858	527,998	2,619	0	1,097,073	34.7	1.5	7.7	7.7	48.1	0.2	0.0
SA	146,071	17,682	51,200	39,772	446,372	40,547	0	941,644	36.8	1.9	5.4	4.2	47.4	4.3	0.0
Tasmania	40,918	0	31,242	2,266	132,724	8,973	0	316,123	44.6	0.0	9.9	0.7	42.0	2.8	0.0
ACT	64,836	5,010	22,440	2,832	73,508	0	0	208,626	50.3	2.4	10.8	1.4	35.2	0.0	0.0
NT	40,246	2,152	5,646	2,016	39,855	1,000	0	90,915	44.3	2.4	6.2	2.2	43.8	1.1	0.0
AUSTRALIA	4,609,117	144,107	837,965	638,696	4,782,717	235,315	667,215	11,715,132	37.6	1.2	7.2	5.5	40.8	2.0	5.7

PR Seats:

NSW	22	0	2	2	19	0	5	50	44.0	0.0	4.0	4.0	38.0	0.0	10.0
Victoria	17	0	1	0	18	0	1	37	45.9	0.0	2.7	0.0	48.6	0.0	2.7
Queensland	12	0	0	1	12	0	3	28	42.9	0.0	0.0	3.6	42.9	0.0	10.7
WA	6	0	1	0	8	0	0	15	40.0	0.0	6.7	0.0	53.3	0.0	10.0
SA	5	0	0	0	6	0	0	11	45.5	0.0	0.0	0.0	54.5	0.0	0.0
Tasmania	3	0	0	0	2	0	0	5	60.0	0.0	0.0	0.0	40.0	0.0	0.0
ACT	1	0	0	0	1	0	0	2	50.0	0.0	0.0	0.0	50.0	0.0	0.0
NT	1	0	0	0	1	0	0	2	50.0	0.0	0.0	0.0	50.0	0.0	0.0
TOTAL PR SEATS	67	0	4	3	67	0	9	150	44.7	0.0	2.7	2.0	44.7	0.0	6.0
TOTAL SM SEATS	60	0	0	3	75	0	12	150	40.0	0.0	0.0	2.0	50.0	0.0	8.0

SUMMARY

As the above table shows, the percentage of single-member seats won by the parties of the re-elected Coalition Government (54.7%) is well in excess of the percentage of first preference votes they received (46.9%). The table shows that this injustice would not have occurred if a Hare-Clark form of proportional representation had been used as the electoral system. Under Hare-Clark the percentage of Coalition seats would have been 50.7%, which is much closer to the percentage of votes they received than is the result under the distorting single-member system. Under Hare-Clark the outcome would still be a Coalition Government, but a fair share of seats would be won by the Greens Party, which polled well enough to be entitled to four PR seats.

With Hare-Clark casual vacancies filled by "countback" of general election ballot-papers, as in the Tasmanian and ACT Assemblies, the predictable party continuity lets Governments last full term.

Attachment 2

EFFECTIVE VOTES

An analysis of the House of Representatives election results, November 10, 2001

(A) Election results (after distribution of necessary preferences so that the winning candidate has more than 50% of the vote)

Electorate	Effective votes				Ineffective votes							Total votes
	LIB	NAT	ALP	IND	LIB	NAT	ALP	AD	GRN	HAN	OTHER	
New South Wales												
Banks			37091		29389						7174	73654
Barton			37542		29315			4710			3179	74746
Bennelong*	41255						24053	4415	3133	2126	2756	77738
Berowra*	45575						17748	5047	4029	1537	3873	77809
Blaxland*			37956		18170			3461	1839	4248	4446	70120
Bradfield*	52628						15489	5443	5451	1247	1204	81462
Calare*				40786		16289	16314	1191	1217	3249	311	79357
Charlton			40189		28741					7232		76162
Chifley*			40203		18225			1365	1220	4442	5958	71413
Cock*	41959						19766	2815	2655	4453	2984	74634
Cowper		40006					33094					73100
Cunningham			44904		29140							74044
Dobell	37565						37005					74570
Eden-Monaro	40579						37918					78497
Farrer	37869					37663						75532
Fowler*			40904		12154			1320	1654	2357	9000	67389
Gilmore*	43089						20011	3323	4218	4454	1705	76800
Grayndler			37100		17442			7217	10600	1660		74019
Greenway			40310		35583							75893
Gwydir*		40437						17402	1242	1324	8706	76827
Hughes*	42393							24706	2611	3604	3885	79075
Hume*	41899							23389	3762	3435	6589	79074
Hunter*			41123			21613		3071	3553	8100	1137	78597
Kingsford-Smith			38803		29269				8318			76390
Lindsay	37559						30091			5520		73170
Lowe			40271		34571							74842
Lyne*		42699						23405	2237	2380	8178	80109
Macarthur*	36348						25675	1555	2183	3759	2045	71566
Mackellar*	44854						14708	7365	6277	2182	2436	77822
Macquarie*	40225						21160	4304	6644	3893	2645	78871
Mitchell*	49995						16987	3769	2470	2183	3628	76032
Newcastle			45555		34497							80052
New England				46580		33323						79903
North Sydney	44995						19325	6528	6053		2088	78989
Page		39342					35213					74555
Parkes*		39133					25429	2111	1936	7969		76578
Parramatta	39367						37593					76960
Paterson	39658						37463					77121
Prospect*			41596		20776			1723	3439	3380	4228	75142
Reid*			36474		14364			2183	1920	3476	5474	63891
Richmond		37545					35108					72653
Riverina*		49371					19285	2031	1954	4496	3210	80347
Robertson*	38448						25789	2736	2512	2333	3865	75683
Shortland			39653		28645			2787	3710	3960		78755
Sydney			48363		25996							74359
Throsby*			41963		19260			5743	3444	4969	1043	76442
Warringah*	39816						9352	2092	2859	1347	21927	77393
Watson*			39516		19791			2788	2446	2165	3671	70377
Wentworth	39298						22277	4639	7371	1233	642	75480
Werriva*			35980		23615			1886	1891	3372	4542	71487
Total	875374	288533	805496	87366	469164	108888	685757	107670	115739	138063	106410	3788460

Electorate	Effective votes			Ineffective votes								
	LIB	NAT	ALP	IND	LIB	NAT	ALP	AD	GRN	HAN	OTHER	
Victoria												
Aston*	42973						31269	5952	3062		1364	84820
Ballarat			42471		38078							80549
Batman*			46506		17196			4954	9171		1393	79220
Bendigo			43892		38048							81940
Bruce			43592		34884							78476
Burke			45504		36471							81975
Calwell			45203		22020			3356	2105		14489	87173
Casey*	40354						26211	6738	5424			78727
Chisholm			42179		37758							79937
Corangamite	41181						28868		9943			79992
Corio			40140		30003			7855				77998
Deakin	40962						38214					79176
Dunkley	39479						28277	4512	4770	1522		78560
Flinders*	43801						27695	4690	4886	1911	1535	84318
Gellibrand*			46124		19191			5256	4831	963		76365
Gippsland		38276					25970				11507	75753
Goldstein*	43535						22730	8215	5294		4807	82581
Higgins*	42437						23036	7275	7029			79779
Holt*			44681		24621			5240	2149		2393	79084
Hotham*			44351		28579			4383	3544		598	81455
Indi	47535						30201					77736
Isaacs			40011		35746							75757
Jagajaga			45170		36014							81184
Kooyong*	44244						21096	6374	8607			80321
Lalor*			47490		24634			6297	3321			81742
La Trobe	43366						37432					80798
McEwen	42249						40269					82518
McMillan			41559		37660							79219
Mallee*		44769					15440	3532	1809	6550	3704	75804
Maribynong			50410		24405							74815
Melbourne			42422		22250				19230			83902
Melbourne Ports			44018		35021							79039
Menzies*	41565						25895	5113	4301		1135	78009
Murray*	53498						16083	2514	1827	3162	2483	79567
Scullin*			51294		21706			5306	2421	589		81316
Wannon*	40366						25649	2294	2765	2137	3830	77041
Wills*			44019		21030			5036	6081		2403	78569
Total	647345	83045	891036	0	585315	0	464337	102892	112570	16834	51641	2955015

Electorate	Effective votes				Ineffective votes							
	LIB	NAT	ALP	IND	LIB	NAT	ALP	AD	GRN	HAN	OTHER	
Queensland												
Blair	40727						28894				69621	
Bowman			40742		38491						79233	
Brisbane			45548		40180						85728	
Capricornia			38273		13640	16610				6202	74725	
Dawson*		39827					26782	2195	1940	6814	79300	
Dickson	44688						35155				79843	
Fadden*	42856						23434	3308	2305	4897	76800	
Fairfax	38795						23290				76230	
Fisher*	40173						19406	2872	3032	5838	14145	
Forde	38620						26008	4608		7808	6002	
Griffith			42672		35188			5954			77042	
Groom	40133										83814	
Herbert	42455						13358	24557			78048	
Hinkler		37392						39790			82245	
Kennedy				42447			12299	37328			74720	
Leichhardt	37912							20737			75483	
Lilley			43899		36159			29115		7242	74269	
Longman	39774										80058	
McPherson*	46641							35868			75442	
Maranoo*		41685					24055	3485	4220	4989	1088	
Moncrieff*	39586						17696	2977	1512	11429	600	
Moreton	40781					4914	19158	3439	3014	4458	3195	
Oxley			38410		24208			5360	4370		80312	
Petrie	41452							5357		8440	76415	
Rankin			37309		27770			32983			81775	
Ryan	45192							7340		4497	74570	
Wide Bay		37125						28343			81756	
								8221			73359	
Total	619785	156029	286853	42447	215636	47181	544789	59613	20393	86754	26772	2106252
Western Australia												
Brand*			36917		17110			1706	2486	4380	8791	71390
Canning	34860											69190
Cowan			38404		28803		34330			5465		72672
Curtin*	41863							17789	4863	7019	1840	75887
Forrest	43049							31672				74721
Fremantle			36392		25616					10435		72443
Hasluck			36420		33911							70331
Kalgoorlie	36755							30880				67635
Moore	35012							23743	4335	4892		67982
O'Connor	37262					5745	15026	1691	4030	9067	1694	74515
Pearce	36473							24550				70281
Perth*			37763		26223					9258		73913
Stirling			39740		37311					9927		77051
Swan			36844		33959							70803
Tangney	38353											75981
							24272	4130	4017	2641	2568	
Total	303627	0	262480	0	202933	5745	202262	16725	52064	23393	15566	1084795

Electorate	Effective votes			Ineffective votes								
	LIB	NAT	ALP	IND	LIB	NAT	ALP	AD	GRN	HAN	OTHER	
South Australia												
Adelaide	38928						38585				77513	
Barker*	43201						18968	5504	2629	5900	3705	
Bonython			38880		25704			11028			75612	
Boothby	46982						34933				81915	
Grey*	42270						24345	3672	1845	5276	77408	
Hindmarsh	39554						36719				76283	
Kingston			40618		36872						77490	
Makin	43271						37219				80490	
Mayo*	41259						16269	11607	4084	2366	2817	
Port Adelaide*			38783		22474			7313	3210	3932	672	
Sturt*	39508						23143	8438	3257	2451	1081	
Wakefield*	44215						19480	5942	2816	6172	78625	
Total	379198	0	118281	0	85050	0	249661	53504	17841	26097	8075	
Tasmania												
Bass			31598		29093						60691	
Braddon			32149		28049				4966		63164	
Dennison*			32404		19923			4154	6592		63073	
Franklin			36390		28307						62697	
Lyons			29965		22774				5654		58393	
Total	0	0	162506	0	124146	0	0	4154	17212	0	308018	
Australian Capital Territory												
Canberra			50218		37464			12646			100328	
Fraser			53272		35288				13778		102338	
Total	0	0	103490	0	72752	0	0	12646	13778	0	202666	
Northern Territory												
Lingiari			22038		18301			3394			43733	
Solomon	23758						23670				47428	
Total	23758	0	22038	0	18301	0	23670	3394	0	0	91161	
AUSTRALIA												
Totals	2849087	527607	3E+06	129813	2E+06	161814	2E+06	360598	349597	291141	208464	11474074
Grand Total	6158687				5E+06							

(In those electorates marked with a *, the winning candidate had over 50% of the first preference votes, and it was not necessary to distribute any preferences)

(B) Voter representation

The election results listed in (A) can be summarised:

Party	Total votes	Effective votes	Ineffective votes
LIB	4622384	3E+06 61.6%	2E+06 38.4%
NAT	689421	527607 76.5%	151814 23.5%
ALP	4822656	3E+06 55.0%	2E+06 45.0%
AD	360598	0 0.0%	360598 100.0%
GRN	349597	0 0.0%	349597 100.0%
HAN	291141	0 0.0%	291141 100.0%
OTHER	338277	129813 38.4%	208464 61.6%
Australia	11474074	6E+06 53.7%	5E+06 46.3%
Effective representation		53.7%	
Wasted votes		46.3%	

(C) Party representation

The election results listed in (A) also show the following:

Party	% of total vote	Corresponding proportion of seats	Seats actually won
LIB	40.3%	60.43	60
NAT	6.0%	9.01	9
ALP	42.0%	63.05	63
AD	3.1%	4.71	5
GRN	3.0%	4.57	5
HAN	2.5%	3.81	4
OTHER	2.9%	4.42	4
			3

This analysis has been prepared by the Electoral Reform Society of South Australia.

*For further details, contact Deane Crabb at PO Box 2019, South Plympton SA 5038
phone 8297 6441 (h)*

Source: Australian Electoral Commission, "Election 2001: Election Results"

Attachment 3

EFFECTIVE VOTES

An analysis of the Senate election results, November 10, 2001

(A) Election results (after distribution of necessary preferences to obtain quotas)

Electorate	Effective votes			Ineffective votes						Total votes	
	LIB/NAT	ALP	AD	GRN	LIB/NAT	ALP	AD	GRN	HAN		OTHER
New South Wales	1662621	1108414		588681			516243		1702		3877661
Victoria	1250688	833792	536791			7225		288440			2916936
Queensland	1003864	614308	307154		1307				222925		2149558
Western Australia	473799	315866	189385					124888	731		1104669
South Australia	414438	276292	147737			45466			45824	37141	966898
Tasmania	140166	88190		44095		35692	183				308326
Australian Capital Territory	69634	85510			841	821	22072	14825	4485	7286	205474
Northern Territory	40318	36017			362	483	6796	3978	4353	755	93062
Australia	5055528	3358389	1181067	632776	2510	89687	545294	432131	280020	45182	11622584
Grand Total	10227760				1394824						

(Note: These figures do not include those votes exhausted or lost by fraction during transfers.)

(B) Voter representation

The election results listed in (A) can be summarised:

Party	Total votes	Effective votes	Ineffective votes
LIB/NAT	5058038	5055528	2510
ALP	3448076	3358389	89687
AD	1726361	1181067	545294
GRN	1064907	632776	432131
HAN	280020	0	280020
OTHER	45182	0	45182
Australia	11622584	1E+07	1394824
Effective representation		88.0%	
Wasted votes		12.0%	

(C) Party representation

The election results listed in (A) also show the following:

Party	% of total vote	Corresponding proportion of seat: won	Seats actually won	Seats actually won
LIB	43.5%	17.41	17	20
ALP	29.7%	11.87	12	14
AD	14.9%	5.94	6	4
GRN	9.2%	3.66	4	2
HAN	2.4%	0.96	1	
OTHER	0.4%	0.16		

This analysis has been prepared by the Electoral Reform Society of South Australia.

*For further details, contact Deane Crabb at PO Box 2019, South Plympton SA 5038
phone 8297 6441 (h)*

Source: Australian Electoral Commission, "Election 2001: Election Results"

Attachment 4

Western Australian Electoral and Constitution Amendment Bill 2003

General amendments **Part 3**

Electoral Act 1907 amended **Division 1**

37. Schedule 1 amended

(1) Schedule 1 clause 5 is repealed and the following clause is inserted instead —

5. Unless all the vacancies have been filled, the surplus votes (if any) of any candidate elected under clause 4, or elected subsequently under this clause, shall be transferred to the continuing candidates as follows —

- (a) the number of surplus votes of the elected candidate shall be divided by the number of votes received by him and the resulting fraction shall be the surplus fraction;
- (b) in relation to any particular ballot papers for surplus votes of the elected candidate, the surplus fraction shall be multiplied by the transfer value at which those ballot papers were transferred to the elected candidate, or by one if they expressed first preference votes for the elected candidate, and the product shall be the continued transfer value of those particular ballot papers;
- (c) the total number of ballot papers for surplus votes of the elected candidate that each —

- (i) express the next available preference for a particular continuing candidate; and

- (ii) have a particular continued transfer value,

- shall be multiplied by that transfer value, the number so obtained (disregarding any fraction) shall be added to the number of votes of the continuing candidate and all those ballot papers shall be transferred to the continuing candidate,

and if on the completion of the transfer of the surplus votes of the elected candidate to a particular continuing candidate that candidate has received a number of votes equal to or greater than the quota, that candidate shall be elected.

Attachment 5

Booklet showing the Senate voting tickets

Copy of email sent to members of PRSA

I would appreciate it if you could ask when you vote tomorrow at your local polling place, if they have copies of the booklet showing the Senate voting tickets.

Supposedly there is at least one copy at all polling places (required under the legislation), but passed experience shows that often the electoral officials have no idea, even denying the existence of such a publication or referring such enquiries to the people outside handing out how-to-vote cards.

I would appreciate feedback if you are able to ask this question please.

Responses

1 (Victoria)

I am glad you are pushing this. Before the booklet, when the posters on the wall were the only publicity prescribed by the Act, I asked where the absent posters were at the Martin Street, Beaumaris, booth I normally vote at, and caused them some embarrassment when they had to admit they did not have them.

I agree with you that a much higher level of critical scrutiny needs to be focussed on the whole circumstances surrounding the *Group Voting Ticket* concept and the harmful effects it is having on our democracy. In "Voters' Guide" in today's issue of *The Age* a journalist says, of the NSW Senate poll, "The man who put the Outdoor Recreation Party into the NSW Parliament, developer Glenn Draery, is running this time as Liberals for Forests. He has won preferences from an extraordinary range of parties, and could steal the last seat from the Coalition".

More recently, I have asked for the booklet, which is **not prominently displayed**, as it is required to be by the Act if posters are not displayed. I have obviously been the first, (or even the only) person to ask, because my query to the desk person always produces puzzlement, and a reference to the person in charge.

2 (Victoria)

There were no posters or pamphlets showing the tickets at the Auburn PS, Rathmines Road, Hawthorn East booth this morning. My question also caused confusion. I was asked, "Are not the parties handing out information?" and eventually "I am only the second in charge". The person in charge asked me if they were outside, then finally admitted there were no posters in his package and he would make sure they were displayed later in the day.

Here's hoping the Greens or the Democrats pick up quotas due to the majors' failure to spread votes amongst all candidates in their team. That might encourage the ALP/LP to consider Robson Rotation with an above the line vote taken to apply to each list in the order printed on that particular paper.

3 (Victoria)

There were no posters displayed at the Martin Street, Beaumaris, polling place when we went to vote. Nor could I see any evidence of a pamphlet being "prominently displayed", in accordance with Section 216 of the Act below. When I asked to see a pamphlet, the Officer-in-charge went

over to his desk in a corner of the polling booth away from the queue of voters, where his one and only pamphlet, in the form of a booklet, was sitting on the top of his desk, among other papers.

While I was using the sole pamphlet in my cubicle, the requirement of "prominent display" required by Section 216 could not have been met.

4 (WA)

I am so sorry I opened your email after I had voted. After the first use of the above the line senate voting I ran a campaign trying to get the Electoral Commission to publish the party preference list in the newspapers as they do for nominations. When I heard that every polling place had the list I asked for it and was met with a denial. I did not know they publish a booklet and that it is supposed to be available.

This morning there were 40 names on the WA Senate ballot. When I was nearly finished I realized my numbering would not reach 40. It took me some time to locate the duplicate numbers. I wonder if the number of candidates on the ballot should be printed here to help below the line voters.

5 (SA)

There was a booklet at the Vale Park primary school booth, in Sturt.

6 (Victoria)

This afternoon I returned to the Rathmines Road, Hawthorn East booth and confirmed there were no posters displayed, nor was there a notice saying a pamphlet was available. When I asked to see a pamphlet, the Officer-in-charge again said he had none, his assistant again suggested I ask the people handing out How-to-vote cards. I pointed out that only the Liberal and Group S information showed preferences but some of the greyed out numbers on the Liberal HTV card were obscured by the "No need to vote below the line" exhortation. On showing the Officer-in-charge a copy of Section 216, he agreed he should have posters or a pamphlet, claimed he had neither and suggest I take it up with the Divisional Officer in Burke Road, Camberwell which he said would be open for interstate voting.

As I was not an interstate voter, it took some talking to be admitted at the front door. I demanded to see the booklet for Senate group voting tickets for Victoria, which should have been "prominently displayed" at the polling booth. The doorkeeper finally allowed me in.

The DRO produced the pamphlet and said because of the number of tickets the AEC had decided posters were impractical and had issued only the booklet. He confirmed that the ticket information was unlikely to be on the AEC website. He claimed each polling booth was issued with one copy.

I photographed a few pages, had an interesting conversation with the DRO re PR for local government, Robson rotation, etc. He was in favour of both despite the latter making counting a little more difficult. He then suggested I take the Group Voting Tickets booklet with me, as there was no Victorian Senate voting occurring in his office. In reviewing the tickets, I have to agree with him that there was several tickets, which suggest the sponsoring groups, do not understand how the system works.

7 (Queensland)

No information displayed in booths but name checkers did explain what to do.

8 (SA)

I didn't see the email until after I had voted; but as I understand reports I have heard is that nothing is visible; you really have to know what you are asking for and be persistent.

9 (Victoria)

On Saturday I asked the polling booth official at the entrance for the list of Senate above the line party preferences. She said there was no list. I then said the AEC posted pamphlet stated that a list would be available at all polling places. She then said the lists were being handed out outside [meaning by party HTV people.].

I then spoke to the officer in charge. Twice he said there was no list. I then said the pamphlet said there would be a list at all polling places. He still said there was no list. I then said I would bring in the pamphlet. [The sentence from page 7 "How to vote for the senate" reads, "This is called a group voting ticket vote and information will be available at all polling places showing how each party has decided to allocate preferences."] He then pulled out the list from underneath a few papers on his desk for me to look at and hand back.

If someone was interested in the work involved, a campaign against "above the line" and limiting the required number of preferences to be marked would be worthwhile. An indirect vote above the line is contrary to the constitution, no matter what the Liberal and Labor appointed lawyers in the High Court may say. The exact words so extremely carefully chosen by Justice Gaudron in her determination are very telling.

10 (Victoria)

There were no posters displaying the Senate Group Voting Tickets at the Sandringham Booth, Royal Avenue, Sandringham, in the Goldstein electorate. When I asked about the booklet, armed with Section 216 of the Electoral Act, the polling clerk consulted with the Booth returning officer for about 5 minutes, and eventually found the single copy of the booklet, which I was then allowed to examine.

This also represents a clear breach of the provision that the group voting tickets be prominently displayed.

11 (SA)

They had a few copies at the Hackham East booth.

12 (Victoria)

This time the answer was a simple "no". The polling booth was the Trugo Club in Brunswick, Vic (not sure of the exact address), now in Wills.

I don't think a voter should have to point out Section 216 of the Act etc in order to see the GVT. Its possible that if I had asked to see the person in charge, or the person I had asked had referred me, a copy of the booklet would have been located and I would have looked at it. That would have been helpful to me on the day but would not provide as much weight to our argument that the GVT system is a mess (so I wasn't unhappy with the outcome). My (below the line) vote was not as refined as it could have been in the later preferences but it seems like those preferences won't be examined anyway.

13 (Victoria)

This afternoon I returned to the Rathmines Rd Booth Hawthorn East later in the day and again asked to see the group voting ticket posters or booklet. The Officer-in-charge again claimed he did not have one and suggested I take it up with the DRO in Camberwell. The DRO said all booths received the booklet and the instruction was for it to be made available on request. Hardly a "prominent display" The DRO let me take the office copy as no Victorian voters were at his "booth".

14 (SA)

I voted at the Mitcham booth. The officer directing traffic didn't know what I was talking about and wanted me to go out and take the various voting tickets. I asked to talk to the Officer in Charge and when she came across she said there was one there but was definitely suspicious that anyone should want to see it.

Think you are right to take it up because there are many who don't have access to the web. Although with all the talk about second preferences there are probably more people conscious of the dealings between the parties and the fact that there were some dumb decisions.

15 (Queensland)

I live in Queensland, but in 2001 I was on study leave at ANU, and did an absentee vote. At the central polling booth in Canberra, I was aware that they are supposed to display group preferences and wondered how they would achieve that logistically for absentees. To my surprise, not even the local ACT preference posters were on display, let alone Australia wide ones. I didn't follow it up.

Anyway, since 2001 it has been a niggly sleeper in my consciousness. In the recent election I paid particular attention to my local electorate (Petrie) and polling booth (Clontarf State School), and failed to find any evidence of posters declaring preferences. I thought this was a flagrant violation of the act in itself.

16 (SA)

At my booth, I asked the person who marked the roll and she had no idea and called the 2IC who suggested that I see those handing out how-to-vote cards. When I insisted that there should be a copy held in the booth, she called the officer-in-charge who had a copy on his desk. I was able to take this while I voted - I like your point that this could hardly be prominently displayed while being used.

I had actually got a copy of the booklet from the AEC soon after the tickets were determined - this is so much easier to use than trying to print them all from the AEC website.

Attachment 6



President:

Cr Graham Pratt
34 Carbenet Drive
HACKHAM SA 5163
Mob: 0408 083 530
Ph: 08 8186 5738 (h)
Email: gpratt@onkaparinga.sa.gov.au

Secretary:

Mr Deane Crabb
11 Yapinga Street
South Plympton SA 5038
Ph: 08 8297 6441 (h)
08 8226 0355 (w)

22 October 2004

MEDIA RELEASE – DONKEY VOTE WINS IN SA

The latest figures have given Labor Hindmarsh by a bit more than 100 votes while the Liberals by a similar margin, have won Kingston.

In both cases the winning candidate has had the benefit of a fairly small but significant donkey vote by appearing higher in ballot-paper order than the last opponent left in the scrutiny.

The Electoral Reform Society of South Australia is calling for a change in the electoral rules so that in future the Robson Rotation is used.

Mr Deane Crabb, Secretary of the Society said "It is absurd that the draw for places on the ballot-paper can determine the result.

"Usually the donkey vote is worth at least 200 votes.

"The Robson Rotation needs to be introduced so that no one candidate is favoured by being listed in the top position (or bottom or second) on the ballot paper, and that the views of those who have real preferences among the candidates actually determine the result."

The Robson Rotation is the process of rotating candidates' names on the ballot paper so that favoured positions (especially top position) are shared equally between all candidates.

-ends-

Hare-Clark.....fair and democratic

**THE ELECTORAL REFORM SOCIETY
OF SOUTH AUSTRALIA**

President:

Cr Graham Pratt
34 Carbenet Drive
HACKHAM SA 5163
Mob: 0408 083 530
Ph: 08 8186 5738 (h)
Email: gpratt@onkaparinga.sa.gov.au

Secretary:

Mr Deane Crabb
11 Yapinga Street
South Plympton SA 5038
Ph: 08 8297 6441 (h)
08 8226 0355 (w)

30 September 2004

MEDIA RELEASE - PREFERENCE POLITICS

The Electoral Reform Society of South Australia is calling on voters to take control of their votes and not let their preferences be dictated by political parties.

Mr Deane Crabb, Secretary of the Society said "There is a lot of debate in this election about preferences and the idea of the minor parties delivering preferences to Liberal and Labor in different seats.

"People frequently ask minor parties "What do you do with your preferences?" Instead they should ask all political parties, "What do you suggest I do with MY preferences?"

"Voting is easy. You do not have to follow the instructions given by any party to have a valid vote.

"In the House of Representatives, which is the green ballot paper, simply order the candidates in YOUR order of preference.

"In the Senate, the large white ballot paper, vote below the line and again number the candidates in YOUR order of preference.

"Just make sure you number all the boxes in your order of preference and your vote will be valid.

"This should be the last election that the parties play politics with your preferences.

"It is outrageous that voters should be forced to mark virtually all the squares just to have their vote accepted as formal.

"This is a measure of the stranglehold party machines have on the electoral system. That needs to be turned around in the next parliament by allowing optional preferential voting, introducing the Robson rotation, and abolishing above the line voting in the Senate.

"The wishes of the voters need to become the driving electoral force in future."

-ends-

Hare-Clark.....fair and democratic