



Additional comments—Senator Scott Ryan

**Senator for Victoria, Liberal Party of Australia**

### **Additional comments regarding Recommendations 25 and 26**

As well as joining the comments of my Coalition colleagues in the Dissenting Report, I would like to highlight an obvious issue that has seemingly been avoided at all costs by the proponents of these recommendations – the potential to introduce optional preferential voting.

#### **The Labor proposal**

The language used to support or justify the Labor proposal as outlined in Recommendations 25 and 26 is Orwellian.

‘Saving’ votes somehow implies that Australians are being denied their right to vote through circumstance, conspiracy or chance. The Labor members then argue that this proposal will address this alleged flaw.

This is patently not the case – votes are deemed informal if they do not comply with the instructions as outlined on the ballot paper and in substantial advertising campaigns during every election period.

I do not lightly dismiss the fact that certain demographic groups experience a higher level of vote informality, nor that it is higher in those states that have an optional preferential voting system. However, these issues can and should be addressed through education rather than tampering with the method of counting votes and ‘deeming’ votes to have been cast when that has not occurred.

The contrived arguments in favour of a system that allows political parties to 'deem' a voter's preference and count an informal vote according to the wishes of a political party betrays the agenda of the Australian Labor Party (ALP) in this regard.

## Optional preferential voting

If the desire to count as many votes as possible was the over-riding desire of electoral administration, then there is no comparison to the simplicity and success of an optional preferential voting system. This system ensures that ballot papers that reflect any preference or number of preferences are counted accordingly.

This occurs by numbering all or some of the candidates, or simply a tick, cross or other indicative mark next to a single candidate. All such votes would be considered valid and counted until a result was achieved.

Of course, such a result may not lead to a majority of the two candidate preferred vote, but this is a consequence of such a system.

The fact that the ALP majority of the committee outline all their alleged concerns about informal voting, the reasons behind it and the justification for a change to the current system but do not consider optional preferential betrays an agenda.

That agenda is to allow political parties to count votes according to their wishes, priorities and potentially even deals made, regardless of whether tickets are distributed to voters or their awareness of them.

As the beneficiary of preferences from minor parties in many close elections, and a regular participant in deals with the Greens Party in recent campaigns, this proposal simply illustrates the concern of the ALP that it may fail to continue to be a beneficiary of such preference flows due to voter objections with such deals or, indeed, Labor's own performance in office.

## Some other issues

There are numerous other problems that this proposal creates, particularly around incentives for behaviour and 'dealing' (some of which are outlined in the Opposition committee members' dissenting report).

In close seats, deals over preferences may now include the 'deemed' counting of informal votes that do not indicate a preference.

Indeed, as the votes would be counted according to tickets lodged by parties or candidates, deals could even be made to lodge additional tickets to split the distribution of these partially marked ballots, even where such How-to-Vote cards are not actually distributed to voters.

## Conclusion

If our prime concern is the counting of as many votes as possible, then consideration should be given to a system of optional preferential voting.

Only optional preferential voting counts all ballots that would be counted under the Labor members' proposed 'SA ticket' model as well as ensuring that the decision and vote remains with the voter, rather than with party officials attempting to peer into voters' souls in the privacy of a ballot booth.

**Senator Scott Ryan**