

Secretary  
Joint Standing Committee on Electoral Matters  
Parliament of Australia  
Canberra ACT 2600  
May 16, 2008  
Inquiry into the 2007 Federal Election

Dear Secretary,

Thank you for the opportunity to provide a submission.

I have already contributed to a submission by the Democratic Audit of Australia. This current submission can be seen as a 'fleshing out' of one of the suggestions in that submission.

That suggestion is: that the AEC introduce **automatic enrolment**.

At present, the Australian Electoral Commission uses data from various government agencies to identify electors who have changed address. However, while it has the power to delete these people's enrolment at their old address, it cannot put them back on at the new address without the elector first filling in and returning an enrolment form. This lopsided arrangement contributes to the current incomplete electoral roll. The AEC should have the power to, if they believe a person has moved from one address to another, adjust their enrolment details accordingly.

In addition, people should be put on the electoral roll automatically when they are approaching the age of 18. (The main argument against this, that the AEC needs the signature of every elector, can perhaps be rectified at the polling station when they turn up to vote on election day.)

We once led the world in electoral governance, but in recent decades have fallen behind. Our approach to enrolment remains in some ways stuck in pre-computer days.

In February this year I wrote a short paper on this topic for the Democratic Audit. Rather than repeat the arguments, I have attached that article and wish it to be included as part of my submission.

I would be happy to elaborate this matter, as well as others included in the Democratic Audit submission, in person.

Thank you again for reading this submission (and the attached paper).

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# **Time to introduce automatic enrolment in Australia**

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The views expressed are the authors and do not necessarily reflect those of the Democratic Audit of Australia.

If the new Labor government is compiling a wish-list of desired changes to the Commonwealth Electoral Act, one item should sit near the top: automatic (or ‘direct’) enrolment for the Commonwealth electoral roll. This reform is long overdue in Australia.

The electoral roll is the list of all people entitled to vote at elections. It is managed by the Australian Electoral Commission (AEC) ‘continuously’—that is, a permanent list is continuously being subtracted from, added to and altered. At the end of 2007 the roll contained 13 730 744 names<sup>1</sup>, and during the 2006-7 year saw almost three million ‘transactions’.<sup>2</sup>

From the 1970s until the late 1990s, the AEC’s main source of roll information was regular habitation reviews. Every electorate was doorknocked every few years by casual staff, ticking names off lists and handing change of address/enrolment forms where needed. In addition, electors were encouraged, as they are today, to fill in a form when they approached 18 years of age, changed their name or moved home.

In 1999 this system was replaced with Continuous Roll Update, which remains in use today. The AEC regularly receives computer databases from various government agencies - Commonwealth, State and Territory. These include Australia Post and Centrelink at the Commonwealth level, motor vehicles registries and births, deaths and marriages registries in most States and Territories, the national Fact of Death File, and others. Some of these agencies only notify the Commission of changes of addresses, while others send in full databases.

The Commission crunches, matches and cross-checks this, and uses it to verify the quality of its own data and identify people who have moved house. With technological and lifestyle changes, this information is getting more and more accurate and comprehensive. The Commission supplements this information with targeted habitation checks.

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<sup>1</sup> [http://aec.gov.au/Enrolling\\_to\\_vote/Enrolment\\_stats/gazetted/2007/12.htm](http://aec.gov.au/Enrolling_to_vote/Enrolment_stats/gazetted/2007/12.htm) last visited 10 February 2008

<sup>2</sup> Australian Electoral Commission, *Annual Report 2006-07*, 29

But the high quality of information has a lopsided effect on the electoral roll, because it means the AEC is getting much better at taking people off the roll, but not at putting them on. When the Commission finds out someone has moved, they take them off the roll. But they are not able to do the same at the other end; they can't put the person on the roll at their new address. Instead, the most they can do is send a change of address/enrolment form with a sharp reminder that enrolment is compulsory in this country. And many people are not returning these forms.

This is the largest contributing factor to the apparent 'shrinking' of the electoral roll in recent years.<sup>3</sup>

So what can be done? Last year, the AEC suggested 'direct enrolment' to the Joint Select Committee on Electoral Matters.<sup>4</sup> By this they meant they wanted the ability to update enrolment details automatically, without the need of a filled-in enrolment form. They pointed by way of example to the Canadian system of enrolment.<sup>5</sup>

The suggestion found little enthusiasm in the Committee, with one member (of the then government) suggesting it would 'make people lazy'.

But there are strong arguments for Australia to introduce automatic (aka direct) enrolment. And while the Commission's submission only advocated it for changes to the roll, it should also apply to getting people onto the electoral roll in the first place as well—new citizens and young people. The quality of the AEC's information is such that they know that hundreds of thousands, if not millions, of people have moved residence, or are approaching voting age, yet they can't update their details accordingly.

Automatic enrolment is in part entangled in another long-term one issue, variously called regionalisation, amalgamation and collocation. For decades the Commission

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<sup>3</sup> See Brent, P and Jackman, S, 'A Shrinking Electoral Roll?', *Democratic Audit of Australia*, June 2007, <http://democratic.audit.anu.edu.au/papers/20070620brentjackmanaecroll.pdf>

<sup>4</sup> See JSCEM (2007). *Review of certain aspects of administration of the Australian Electoral Commission*. <http://www.aph.gov.au/house/committee/em/aec/index.htm> See AEC submission, pp10, 12-3 and Public Hearings Tuesday 3 July 2007, p16

<sup>5</sup> See Elections Canada for an explanation. URL: <http://www.elections.ca/content.asp?section=ins&document=national&dir=nre&lang=e&textonly=false>

has been attempting to geographically rationalise its organisation, to have fewer, larger offices around the country, rather than one in each electorate. Politicians (of both parties) have repeatedly restricted these moves, largely because they (and their electors) like having an office in their electorate. Each year, several million enrolment forms are data-entered onto computer. This work is done in the divisional offices, and if it were to disappear (automatic enrolment would mean the details are transferred by computer) so too would much of the reason for having divisional offices.

People's expectations of government and non-government agencies have evolved over the years. This is especially true of young people, who have never known anything else. In fact, many believe that when they turn 18 they go onto the roll automatically.

It has for years been the case that when a person moves house they can notify the bank online, or of course via a phone call. Neither of these is currently possible with the electoral roll. (The enrolment form can be downloaded from the AEC's website and then posted in, but it has become more complicated and off-putting in recent years.)

In Canada, the various government agencies first obtain permission from people before sending the information into the election management body. For example, someone who changes their drivers' license details ticks a box to have their enrolment details updated. But enrolment is not compulsory in Canada, while it is here, so perhaps permission should not be necessary.

The AEC estimates that the electoral roll currently contains approximately 93 per cent of eligible electors living in Australia—in other words there are about a million names missing. While both enrolment and voting are compulsory in this country, this means that voting is in effect optional for that missing million, while a non-voter among the 93 per cent can expect a fine. And yet at every election hundreds of thousands of

other people attempt to vote only to find they are not on the roll anywhere in the country.<sup>6</sup>

Automatic enrolment would vastly improve the comprehensiveness of the electoral roll, taking it substantially closer to 100 per cent of eligible citizens. It would also increase the number of people who exercise their vote, although it would also probably result in lowering the percentage turnout figures—the number of people voting as a proportion of the size of the total roll. But that would simply reflect the greater accuracy of the roll, and the numbers quoted in the previous paragraph indicate that turnout figures (officially 94.8 per cent for the House of Representatives in 2007) are currently somewhat arbitrary. Impressive-looking turnout data is meaningless if it is not a true reflection of reality, and if the true situation is that only, say, 90 per cent of eligible voters are exercising their vote, then it is better that we know that.

A close to full electoral roll would also lessen the importance of other issues, such as when to close the rolls after an election is called, and how to treat provisional votes.<sup>7</sup> It borders on the absurd that the AEC has so much information but is unable to use it. This change would also save substantial money, which could be diverted to improving the quality of the roll in other ways.

One important issue arising from any move towards automatic enrolment would be ensuring that the roll contains Australian citizens only, and not Australian residents (who are not eligible to vote<sup>8</sup>). The agencies the AEC obtains data from do not generally differentiate between the two categories, and this is possibly one reason the AEC's proposal was limited to enrolment changes only.

Automatic enrolment would involve a substantial rewriting of the current enrolment procedures. The Howard government's Proof of Identity provisions would need to be jettisoned, at least for the majority of transactions, and negotiation of the joint-roll

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<sup>6</sup> At the 2007 federal election, 342 212 people unsuccessfully attempted to cast a declaration vote for the House of Representatives, and 292 856 for the Senate.

<sup>7</sup> See Brent, P, '2007 Election – Provisional Voting Rejections', *Democratic Audit of Australia*, December 2007, <http://democratic.audit.anu.edu.au/papers/20071220commentbrentprovisvotes.pdf>

<sup>8</sup> An exception to this is British subjects who have been on the electoral roll since 1984.

arrangements between the Commonwealth and the States would be required. Generally, substantial discussion among stake-holders would be needed.

These are not reasons to retain the increasingly unsatisfactory enrolment procedures; rather, they mean that any significant change would have to be approached with caution.

It is time to move to automatic enrolment in Australia.