

21 November 2003

Mrs Margaret May MP
Chair
Standing Committee on Procedure
Parliament House
CANBERRA ACT 2600

Dear Mrs May

Thank you for your letter of 14 October 2003 inviting my comments on the trial of the new procedures for counting divisions of the House.

The new procedures, which involved appointing four rather than two pairs of tellers to count the divisions, began in the sitting week commencing 8 September. There have been 42 divisions conducted to date under the trial arrangements.

I am pleased that the House has undertaken some experimentation in this area, following the Procedure Committee's recommendation. It is good for the House to demonstrate a flexibility to experiment with change, in response to issues raised by Members.

The new arrangements have been successful in reducing the time taken for divisions. However, they have also reduced the level of accuracy of the initial record. I am concerned that the level of inaccuracy has introduced a significant element of increased risk to the division arrangements for the House. I believe that this increased risk of error in the recording of divisions makes the new arrangements unsatisfactory overall, despite the reduction in the time taken for divisions. This is particularly the case when votes are close such as the tied vote that occurred last year or when the balance of the parties is closer than in the current Parliament.

I am happy to elaborate on these points if you wish. Supporting detail is attached.

Yours sincerely

I C HARRIS
Clerk of the House

ATTACHMENT

Analysis of divisions undertaken during trial

The department reviewed the duration and accuracy of divisions under the new arrangements. For the purpose of this review, the divisions during the first week of the new arrangements were excluded to allow the arrangements to settle down. The review covered the 36 divisions undertaken in the period 15 September to 3 November.¹

There was quite a considerable reduction in the duration of divisions. The average duration for 4 minute divisions under the new arrangements was 8 minutes and 9 seconds, compared to 10 minutes and 38 seconds in 2002. This is a reduction in relative terms of 23%. Allowing for the fixed 4 minute duration for bell ringing, the reduction in discretionary time was from approximately 6.5 minutes to 4 minutes (42%).

There was also a reduction in the duration of one minute divisions, although the reduction was smaller. Under the new arrangements, one minute divisions were on average 3 minutes 41 seconds in duration, compared to 4 minutes 24 seconds in 2002 (9%).

As to accuracy, 11 of the 36 divisions (31%) involved one or more inaccuracies, requiring resolution behind the scenes in conjunction with the Whips. In most cases, but not all, the inaccuracies did not involve a change in the recorded count. The count was generally correct, but there were discrepancies in the names of persons recorded as voting.

The major problem arose from communication or identification issues leading to Members not being recorded when they were in fact present or being recorded twice (division numbers 289, 292, 293, 301, 306, 307, 310, 316, 317). In addition, on three occasions (divisions 290, 308, 311) problems with divisions caused a delay in the processing of subsequent successive divisions. On one occasion, there was a need to replace a nominated teller who was not present for a division.

Most problems with divisions were discovered when transferring the names of Members' voting into the divisions database (for inclusion in the Votes and Proceedings and Hansard). The number of Members recorded on the tellers' sheets as voting did not match the final number of voting members recorded in the database.

The department does not maintain statistics on the accuracy of divisions. However, staff involved in processing divisions have a strong view that the level of inaccuracy has increased under the new arrangements.

To an extent this higher level of inaccuracy reflects a weakness inherent in the new arrangements not present in the former arrangements, namely, more people are involved and responsibility for the count is divided with two sets of tellers' sheets for each side, increasing the scope for error.

By way of a specific example of an error that could (and did) arise under the new arrangements but which is effectively self correcting under the former arrangements, the same person can be recorded as voting on both sets of tellers' sheets for the 'Ayes' or for

¹ This is considered a reasonable sample size as a basis for evaluating the new arrangements, representing about 20 to 25% of the number of divisions generally conducted annually.

the Noes'. This problem can arise as there are two tellers' sheets for each side under the new arrangements, whereas previously there was only a single tellers' sheet for each side.

Another example is the increased chance of not recording a person who is present when a single set of tellers is not responsible for each side. Previously, any person not ticked as present effectively stood out for attention on the single tellers' sheet. Such apparent absences could be readily checked if necessary. On the other hand, with two tellers' sheets, members are recorded as present on two separate sheets, and it is not readily apparent from either sheet if someone, inadvertently, is not recorded as present.

Another factor is that, under the previous arrangements, the full count was independently verified by both the Clerks-at-the-Table and the Serjeant on duty in the Chamber. Under the new arrangements, there is one level of independent verification (the Clerks-at-the-Table for half the Chamber, and the Serjeant for the other half).

I C HARRIS
Clerk of the House

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