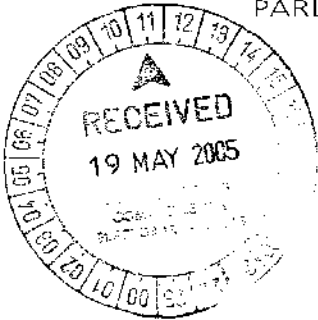




PARLIAMENT OF AUSTRALIA • THE SENATE

SENATOR THE HON. PAUL CALVERT  
PRESIDENT OF THE SENATE  
SENATOR FOR TASMANIA



Joint Standing Committee on Electoral Matters	
Submission No.	156
Date Received	19-5-05
Secretary	<i>[Signature]</i>

17 MAY 2005

Mr A. D. H. Smith, MP  
Chairman  
Joint Standing Committee on Electoral Matters  
Parliament House  
CANBERRA ACT 2600

Dear Mr Chairman *Tony,*

Thank you for your letter of 8 February 2005 on behalf of the Joint Standing Committee on Electoral Matters, inviting me to make a submission in relation to the Committee's inquiry into the conduct of the 2004 federal election. I apologise to the committee for the lateness of this reply.

In making this short submission, I emphasise that I do so in my capacity as a Senator for Tasmania, not as President of the Senate.

**Pre-polling**

My electorate office is in the Division of Franklin. The Divisional Office of the Australian Electoral Commission for Franklin is in Hobart, in the Division of Denison.

Pre-poll voting facilities were provided at the Divisional Office in Hobart for about three weeks before the election, but were not provided in the Division of Franklin until the Monday before the election.

However, incorrect advice on the availability of pre-poll booths in Franklin was given by the AEC through its national information line. The incorrect advice was that pre-polling was available at a booth in Franklin for three weeks before polling day.

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The pre-poll booth was adjacent to my electorate office and, consequently, large numbers of people who relied on the AEC information line came to cast their pre-poll votes, and then called at my electorate office after they found the booth closed. This caused significant inconvenience, especially to persons who travelled from rural parts of the electorate or who were reliant on public transport.

It would seem to me desirable that there is a uniform period for pre-poll voting in every Division across Australia and that it be conducted at pre-poll voting booths physically located in each Division.

#### **Overseas voting**

It would be desirable for the AEC to make more explicit what provisions are available for voters who are travelling overseas at the time the election is called but before postal voting applications are available. There were a number of inquiries to my electorate office on this subject, and inconsistent advice was provided by the AEC information line on different occasions.

#### **Persons incapable of understanding the nature of voting**

Inconsistent advice from different parts of the AEC was also provided to two of my staff who (unknown to each other) sought advice on behalf of a constituent with an intellectually disabled child who had just turned 18 years of age. The first advice, consistent with the Act, was that the parents should obtain a medical certificate from a medical practitioner stating that the young person was not capable of forming the intention to vote. The second advice, provided on the national information line, was along the lines of "don't worry, if she gets a summons for not voting, just explain the circumstances". Naturally enough, the constituent took the first advice.

I am confident that AEC officers would deal with such cases with sensitivity to the individual circumstances, but it might be useful to make more publicly known what the procedure is if a person not capable of understanding the nature of voting but who may then technically be in conflict with section 101 of the Act, relating to compulsory enrolment.

#### **Postal vote applications**

I have seen in the media much discussion about problems with postal voting arrangements for the 2004 general election. Tasmania was not unaffected. My office received a number of complaints from people in various parts of the State who had applied for postal voting papers but had not received them. In one particular case, two constituents (an elderly married couple unable because of infirmity to attend a polling booth) made a postal vote application and, on following it up with the AEC Divisional Office, were told it could not be located and fresh application forms were sent. These were duly filled out and returned. The husband then received the voting papers, but his wife did not. On inquiry she was told that a fresh application would have to be made, and

(finally) voting papers were despatched. I realise that this is but one example, but submit to your Committee that when citizens earnestly seek to exercise their democratic right to vote, the systems in place should efficiently respond.

**Conclusion**

I know that this short submission may seem unduly critical of the AEC. That is not my intention, because since my election in 1987 I have found Commission officers courteous and efficient. However I think it is relevant for your Committee to consider some of the 'mechanical' elements which can be frustrating during an election period.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Paul Calvert".

PAUL CALVERT  
Senator for Tasmania