



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Reference: Conduct of the 2007 federal election and matters related thereto

WEDNESDAY, 20 AUGUST 2008

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JOINT STANDING
COMMITTEE ON ELECTORAL MATTERS

Wednesday, 20 August 2008

Members: Mr Melham (*Chair*), Mr Morrison (*Deputy Chair*), Senators Birmingham, Bob Brown, Carol Brown, Hutchins and Ronaldson and Mr Danby, Mr Bruce Scott and Mr Sullivan

Members in attendance: Senators Birmingham and Bob Brown and Mr Danby and Mr Melham

Terms of reference for the inquiry:

To inquire into and report on:

The conduct of the 2007 federal election and matters related thereto, including the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008, with particular reference to:

- a. the level of donations, income and expenditure received by political parties, associated entities and third parties at recent local, state and federal elections;
- b. the extent to which political fundraising and expenditure by third parties is conducted in concert with registered political parties;
- c. the take up, by whom and by what groups, of current provisions for tax deductibility for political donations as well as other groups with tax deductibility that involve themselves in the political process without disclosing that tax deductible funds are being used;
- d. the provisions of the Act that relate to disclosure and the activities of associated entities, and third parties not covered by the disclosure provisions;
- e. the appropriateness of current levels of public funding provided for political parties and candidates contesting federal elections;
- f. the availability and efficacy of 'free time' provided to political parties in relation to federal elections in print and electronic media at local, state and national levels;
- g. the public funding of candidates whose eligibility is questionable before, during and after an election with the view to ensuring public confidence in the public funding system;
- h. the relationship between public funding and campaign expenditure; and
- i. the harmonisation of state and federal laws that relate to political donations, gifts and expenditure.

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Committee met at 9.35 am**DRURY, Dr Christopher Mark, State Manager and Australian Electoral Officer for South Australia, Australian Electoral Commission**

CHAIR (Mr Melham)—I declare open this public hearing of the Joint Standing Committee on Electoral Matters inquiring into the conduct of the 2007 federal election. Today's hearing continues a series of consultations in the major capital cities with people and organisations that have told the committee about how they think the electoral system can be improved or that have some expertise in the area.

Today we will hear from a range of witnesses, including the State Manager of the Australian Electoral Commission and representatives of the Electoral Reform Society of South Australia. We will also hear from FamilyVoice Australia, formerly the Festival of Light Australia, on a range of electoral matters, and the Royal Society for the Blind of South Australia. Our final witness for the day will be Dr Kathy Edwards, who has undertaken a range of research into youth participation in the electoral process. I would like to thank today's witnesses for appearing.

I now welcome the Australian electoral officer for South Australia, Dr Christopher Drury from the Electoral Commission, to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. While we have received a submission from the Australian Electoral Commission, it does not directly deal with the conduct of the election in South Australia. Do you wish to present any additional submissions or make an opening statement to the committee?

Dr Drury—I do, Mr Chairman. I hope this will be of interest and useful for the committee. I believe the conduct of the 2007 federal election in South Australia by the AEC went smoothly overall, with the necessary people and resources marshalled, and in accordance with the relevant policy and legislative requirements. In preparing for the 2007 federal election, one of our top priorities was ensuring the South Australian electoral roll was as up to date and as accurate as possible. In 2007 we continued our program of continuously updating the electoral roll, using datamatching techniques, people movement data from trusted organisations, and direct mail, to assist people to update their enrolments or to get on the roll if they had not enrolled at all. This trusted data came from national sources as well as South Australian specific sources, such as Transport SA, the residential tenancies board and the Senior Secondary Assessment Board of South Australia. In addition to this, AEC field workers doorknocked over 72,400 homes across South Australia during the period March to July 2007, encouraging people to enrol or update their enrolment details. The AEC launched a media campaign in the first quarter of 2007, aimed at encouraging electoral enrolment in readiness for the election, and we organised the first national Enrol to Vote Week to promote enrolment, especially of 17- and 18-year-olds.

Between July and September 2007, the AEC delivered its Community Electoral Information Officer—or, as we call it, our CEIO—program in the division of Grey and in metropolitan Adelaide. This program is designed to promote enrolment and electoral awareness amongst Indigenous communities in South Australia. These officers, all of whom were Indigenous, visited people living in the APY Lands, West Coast, Yorke Peninsula, Riverland and the south-east of

the state. All this activity helped the number of electors on the electoral roll reach just over 1.075 million at the close of rolls on 23 October 2007. This was an increase of around 26,150, which I think was pointed out in the committee's media release yesterday.

The close of rolls seemed to operate smoothly in South Australia from an administrative point of view. It was our hope that all the enrolment promotion activity that occurred during 2007 would significantly reduce the number of people leaving their enrolment or changes of enrolment details until the announcement of the election. In the event, total enrolment transactions in South Australia between the issue of the writ and the close of rolls was 20,956 in 2007 compared with 37,331 in 2004.

There were many other important elements in preparing for the 2007 federal election. Election plans detailing time lines for each election preparation activity, the resources required, staffing needs and so forth, were prepared in 2006 by all South Australian divisions and by our state office, and financial forecasts were prepared.

The final expenditure for the 2007 federal election in South Australia was \$4.23 million. State-wide election projects were planned, implemented and managed centrally by our state office staff. These projects included coordination of postal voting in the state and managing close of rolls processing, scanning of certified lists, the central Senate scrutiny, ballot paper production and distribution, and the storage and distribution of polling cardboard equipment.

Training of operational staff in all aspects of election administration, including dealing with the demands on staff during elections in close seats, was undertaken in May and June 2007, and the training of over 600 temporary staff engaged in the work on election day was delivered in each division the week before election day. Training of staff involved in the e-voting trial in South Australia was conducted in July 2007.

So, in order to ensure that the AEC had the capacity to respond quickly and effectively to any unanticipated operational challenges, we engaged two former divisional returning officers to provide a fast response capacity. These officers also assisted with election materials, with training and scrutines, and provided general support across the state, particularly for staff who had not been involved in a federal election before. I think that went particularly well.

My senior staff and I offered to meet with political parties early in 2007 for roundtable discussions about such matters as AEC preparations, changes in legislation, postal voting, early voting arrangements and so forth. For my part, anyway, I found these meetings very useful indeed and I believe that our political party stakeholders here in South Australia did also. On Wednesday, 24 October we did a candidates briefing session, which was held in our state office, for anyone who was interested in running for either the House of Representatives or for the Senate election in South Australia. This session was offered before the close of nominations and was certainly well attended. There were at least about 30 people there, I think.

A total of 74 nominations for the House of Representatives and 46 nominations for the Senate were received in South Australia. This compares with a marginally higher 76 nominations for the House of Representatives and 47 nominations for the Senate at the 2004 election in South Australia; so very stable and similar numbers.

The AEC provided additional early voting centres in South Australia for the 2007 election; 78 compared with 51 in the 2004 election. As predicted, there was a very significant increase in the number of early votes taken at the 2007 election; 55,655 compared with 40,807 in 2004. This was more than double the percentage increase of postal voting between 2004 and 2007 in South Australia, which is interesting. The AEC established an early voting centre also at the Adelaide Airport, where we took 1,898 early votes.

One of the issues that we had to deal with during the election was schoolies week, of course. This impacted particularly in the division of Mayo, where Victor Harbor is located, which is a popular destination for our celebrating school leavers. There was a marked increase in early voting in Mayo as a result, as we could predict. Extra staff resources were provided to cope with this increase in visitor numbers and also to cater for elderly and other voters who chose to vote early, rather than face increased numbers of people trying to vote on election day.

I believe that postal voting went smoothly in South Australia during the 2007 election. Like early voting, we had a big increase in the number of postal votes. As I mentioned earlier, it was 51,999 in 2007, compared with 44,662 in 2004. The number of provisional votes was less in 2007 than in the 2004 election: 2,002 in the 2007 election, compared with 4,843 at the 2004 election.

Mobile polling was expanded in 2007 and we offered a total of 63 mobile teams, including seven prison mobile teams, four remote mobile teams, and 52 special hospital teams. We also cooperated with the Northern Territory, as we have for the last three elections now, with our cross-border assistance to voting in our Indigenous communities near our common border. This compared with 60 mobile teams that we had in 2004.

There was an increase in the number of static polling places also. On election day we had 662 in 2007, compared with 651 at the 2004 election. Another notable aspect, I think, of the 2007 election was that informal voting reduced in South Australia from 55,458 informal votes for the House of Reps in 2004 to 38,830 in 2007. That is a drop from 5.5 per cent to 3.7 per cent. Similarly, there were 35,424 informal votes in the Senate in 2004, compared with 24,511 in 2007, so that is a drop from 3.5 per cent to 2.3 per cent. That is all very pleasing.

We employed multilingual staff in targeted polling places to assist voters who might have language difficulties, and of course provided our usual AEC materials in multilingual resources to assist with that process.

The AEC at divisional, state and national levels has been undertaking a very thorough evaluation of the 2007 election to date. Following the election, my senior staff and I met with our South Australian political parties, the South Australian members and senators elected—or at least we offered to meet with everyone—and the feedback that we received was fed into our evaluation process to date for the election. This internal evaluation process will be further informed by a national survey, which I believe has not been quite finalised, and of course, most importantly, the findings of this committee's inquiry into the election. Mr Chairman, that is all I have to say.

Senator BIRMINGHAM—Dr Drury, thanks for your time today and for the evidence that you have given to date. Can I start by looking at the increased enrolment data that you have

spoken of and the initiatives that you have put behind that. In comparison with previous elections, where of course the rolls were closing later, what was the impact on administration by the AEC, your resources and so on? You were obviously getting increased enrolments, but earlier than had been the case previously, I am assuming.

Dr Drury—We were unsure, as I mentioned, as to how that was going to pan out. There were a lot of people involved. It was not just the Australian Electoral Commission in South Australia that was out there promoting enrolment. What we had hoped for did in fact occur: there were large numbers of people who put in enrolments during our ‘targeted enrolment stimulation’. I can give you some figures on that. We knocked on over 72,000 doors and we collected over 18,000 enrolments in that process.

Anecdotally, every week we ran our television advertising for enrolments in the run-up to the election. The divisions were reporting back to me that there were, as they put it, ‘waves of enrolments’ that came in. I think it was really important that we were proactive, or the AEC and other people in the field were proactive, in getting that enrolment message out and, in the event, at the close of roll, the changes were down. I can give you those figures—I have got them—if they would be of interest to the committee.

Senator BIRMINGHAM—Yes, please.

Dr Drury—The new enrolments at 2007 were 3,093, compared with 9,163 at the 2004 election, and enrolment changes—the bulk of these would be change of address transactions—were 13,818 at the 2007 election, compared with 22,442 at the 2004 election.

Just to wrap that up, we were unsure as to how the process was going to unfold. I think in the end it went smoothly from our point of view. I would say that we were surprised by the number of people who enrolled at the close of roll: we expected more. I think there may have been a view out in the community that close of rolls was when the election was announced with the issue of the writ, even though we had really tried hard in our advertising to tell people that there were three days in terms of the change of address. We got a wave of enrolments for that first close, and for the actual close of rolls it was not really a large number. That was an interesting way that things turned out.

Senator BIRMINGHAM—On the targeted doorknocking campaign, how were those 72,000 households selected?

Dr Drury—Basically, we used all the people movement data that we had access to; whether we had mailed these people before. In other words, if people had not responded to our letters, we would doorknock them. We were trying to be efficient with our use of resources. The people that we doorknocked were people whom we had really tried to help get on the roll by writing to them and other means, because it is quite expensive to get people out in the field and knock on doors, but it is also very effective. The response rate for the doorknocks was just over 25 per cent, which is slightly higher than the response rate for people when we send out letters. It does work, but it is more intensive. But those 72,000 doors were people whom we had already tried to get on the roll by writing to them.

Senator BIRMINGHAM—Can you elaborate a little on the uptake and increase in early voting. Were there divisions in which that was more marked than others and, if so, what reasons do you think were behind that?

Dr Drury—That is an interesting question. I mentioned the situation in Mayo that we had with schoolies week. That clearly had a big impact on the number of early votes that we got in Mayo. Mayo actually scored, as you would predict, the highest number of prepolls, with 7,807 at the 2007 election.

There were a number of things that we put in place there. We contacted various hospitality organisations to try to tell people who were actually working down there also that they may have grounds for doing an early vote. We were working behind the scenes with the organisers of schoolies week to try to facilitate getting this message out to not only the schoolies and the residents but also to the people involved in organising it. I must admit I did not understand what a huge undertaking schoolies week is, and there are lots of people working behind the scenes managing and organising all this, so we got into that and tried to get that message out using all those people who were involved. Is that the sort of comment you wanted?

Senator BIRMINGHAM—Yes. There are no other divisions that stand out?

Dr Drury—Sturt had a very high prepoll vote also, the second highest, with 6,990.

CHAIR—How does that compare with the previous election?

Dr Drury—At the previous election it was 3,774. A letter was sent out by the member to his constituents, I think just drawing their attention to the early voting facility.

Senator BIRMINGHAM—Sturt was the closest we had to a cliffhanger in SA this time. Compared to previous elections, it was not quite the same type of cliffhanger that some of us were used to. However, you know that of course this committee is being asked to look at the treatment of early votes, particularly prepolls, and consider whether they should be treated on the night as ordinary votes. From a resourcing and coordination perspective, how do you see that potential working, Dr Drury?

Dr Drury—I think it is a really important issue. Whatever way we work our way around that, I think it would be even better if we could count those votes before election night and treat them as ordinary votes. That would be the AEC's Holy Grail.

CHAIR—When you say 'count', do you mean in terms of distributing the first preferences?

Dr Drury—That would be good, yes.

CHAIR—They would be the only votes in the country then, wouldn't they, that would be counted pre-election?

Dr Drury—At the moment we check the declarations on the front of the dec votes.

CHAIR—That is different.

Dr Drury—Sorry, yes, I am getting ahead of myself.

CHAIR—That is okay, Dr Drury. We are an intimidating committee!

Mr DANBY—Especially you, Chair!

CHAIR—What you are, in effect, talking about is doing all this scrutiny and preparing the votes to be counted at the close of polls on the night of the election—

Dr Drury—Yes, that would be really good.

CHAIR—as against counting them.

Dr Drury—Yes.

Senator BIRMINGHAM—That certainly helps clarify that, Dr Drury, if that is the direction you were heading in.

Dr Drury—Sorry about that, Mr Chairman.

CHAIR—No, that is fine.

Senator BIRMINGHAM—No, that is okay. We were all excited at the idea of pre-election votes being counted. Can I quickly turn to some comments made in the submission by the member for Grey that I imagine you would be aware of, Dr Drury, relating to voting in the remote mobile polling booths in Aboriginal communities and concerns about the influencing of votes in those communities. Have you seen those comments?

Dr Drury—Yes, I have seen the submission.

Senator BIRMINGHAM—Do you have any response to them?

Dr Drury—My divisional returning officer and one of my exec staff met with Mr Ramsey, as we met with all of our members after the election, and he raised these issues with them. He stressed to my staff that the people who he believed were responsible for this were certainly not AEC mobile polling staff and we advised that it would be better in future if the people who were involved out in the field could report any concerning behaviour to team leaders as it happens so that, if there is any wrongdoing, it can be investigated. I think there were four aspects of the complaint. Would you like me to go through those?

Senator BIRMINGHAM—Yes, please.

Dr Drury—The first aspect was that the voters were being asked if they wished to vote for Howard or Rudd. Again, no complaints were received at the time of polling by my people about that, and comprehensive training was given to our staff on how to manage assisted voting. Indeed, one of the initiatives we put in place following the last JSCEM hearing and the evidence from one of the witnesses following the 2004 election was that we put out an assisted voting

leaflet, which was given to all remote mobile polling staff so that they were aware of the sorts of issues that they would face.

CHAIR—Dr Drury, there is nothing wrong with those words being uttered outside a polling place—even outside a mobile polling place.

Dr Drury—We advised Mr Ramsey that in future, if there were any people who had complaints, it is best to make those complaints—

CHAIR—Let's go to that particular complaint. Those words being uttered is not an offence under the Commonwealth Electoral Act.

Senator BIRMINGHAM—Not if they are uttered by party workers.

CHAIR—As I understand it, they are not uttered by Electoral Commission workers. I understand this complaint relates to workers other than from the Electoral Commission, in light of the evidence that Dr Drury gave earlier.

Mr DANBY—What words are we talking about, Mr Chair?

CHAIR—‘Do you want to vote for Rudd or Howard?’ I understand that has come from party workers.

Dr Drury—It was unclear to me and unclear to—

CHAIR—Let's say it came from party workers. There is nothing wrong with party workers saying that, is there? You can take that on notice. I'm not trying to trick you!

Dr Drury—I think it is very difficult. The situation is that you have people whose first language is not English.

CHAIR—I understand that.

Dr Drury—With all the communications that are happening at this time, it is very difficult I think for anyone to know, for example, that a voter may not have spoken to a person who is assisting the voting in their local language and said, ‘I want to vote for that mob,’ or whatever. The person then may have responded in a way that, if you did not know the first part of the conversation in the local language, might have changed the meaning of or your understanding of that response. I do not know; I was not there.

CHAIR—You are not required to say, ‘Vote for the particular candidate at a particular polling place.’ That would equate to, ‘Do you want to vote Labor or do you want to vote Liberal?’ That is often said outside polling places in the suburbs—how to vote Labor, how to vote Liberal. It does not identify the actual candidate.

Senator BIRMINGHAM—I think we acknowledge that from a party worker perspective there is not a problem. I understand that what you saying, Dr Drury, is that, in the course of a conversation with an electoral official who might be trying to help a voter to vote, there may

come a time when the voter asks questions in a manner that causes an electoral official to respond in such a way that, if taken in isolation, could look inappropriate but may not in itself be inappropriate. You engage translators, I assume, for those mobile booths.

Dr Drury—That is right. Where we can, we have local people who can speak the local language assisting, but sometimes we cannot find people who speak the local language, so communications can be very difficult.

Senator BIRMINGHAM—Do those translators, where they can be engaged, undertake the same type of training in terms of appropriate comments and how to conduct the election as the electoral officials on the ground?

Dr Drury—They would have received some instruction and also they would have received the brochure, but they may or may not have been able to read that or understand that.

Senator BIRMINGHAM—What accreditation do the translators you might engage in those local communities have to have? What are the minimum standards, or are you looking for anybody who might be able to assist?

Dr Drury—Basically the latter: people who are known in the community, trusted in the community, who can help us carry out our responsibilities.

Senator BOB BROWN—Dr Drury, I am interested in the persistent phenomenon all across the country, but here in South Australia as well, of prepoll voting. What is motivating that or what are the factors causing that?

Dr Drury—I remember in the 1990s when I used to work in the Victorian Electoral Commission, every election the queues would get longer at prepoll voting. I think it is people voting with their feet. It is convenient, to be honest. More people know about this and it is people responding in that way.

Senator BOB BROWN—But you are not supposed to do it if you do not live more than eight kilometres from a polling booth.

Dr Drury—They do give that statement, don't they: that, yes, they are entitled to the vote. But clearly, more and more people know about it and like it and, when you look at the stats, the increased rate is exponential for the prepoll. Between 2001 and 2004, it went up 32 per cent in South Australia for early voting and between 2004 and 2007, 36 per cent. As I mentioned in my presentation that was, at least between 2004 and 2007, more than double the increased rate in postal voting, so you can see that it is the early voting that is the convenient one, that people want to use.

Senator BOB BROWN—How many people voted at the airport?

Dr Drury—I will give you the exact number: 1,898.

Senator BOB BROWN—That was a new facility? Was that there in 2004?

Dr Drury—No, we had not done that before at Adelaide Airport.

Senator BOB BROWN—Have you got any indication, beyond convenience, as to why those people voted at the airport?

Dr Drury—I have the breakdown of where they came from. They were interstate travellers, basically, because the votes were for a number of different states.

Senator BOB BROWN—How many were South Australians?

Dr Drury—I do have the stats here. I will find them.

Senator BOB BROWN—That is all right, take your time. You could give it to us afterwards.

Dr Drury—Certainly.

Senator BOB BROWN—I am interested in the increased prepoll voting because it is convenient and we have a mobile population. But there is not any check on the phenomenon of people voting for convenience even if they are not fulfilling the rule—that is, I suspect that a lot of these voters do have a polling booth within eight kilometres of their home on polling day but they have voted early to get it over and done with so that they do not have to undertake the trip to the polling booth on the election day. That is not the intent of the act but it is what is happening. We have to ask ourselves the question: are we going to have a week of voting in an increasingly mobile era? Do we remove the restrictions or do we enforce them?

Dr Drury—We certainly do not deny anyone or put them through the third degree by asking are they telling the truth when they say they are entitled to it. We give them their early vote.

Senator BOB BROWN—And—I presume it is the same here as we have heard from the electoral authorities in New South Wales and Victoria—nor do you afterwards review the prepolls to see if people have complied, if they are legitimate prepoll voters.

Dr Drury—That would be difficult sometimes to do.

Senator BOB BROWN—I do not know that you have the power to do it under the Electoral Act. It would be difficult, wouldn't it?

Dr Drury—You could be sick, or have a sick relative. There might be all sorts of issues that we would not be able to check. How would we know?

CHAIR—On that, Senator Brown, there is one issue I am interested in. The number of absentee votes in the last three federal elections has been running at about 850,000. They are people outside their electorate. I am wondering if we are going to be looking at changes to prepoll voting and, let's say, looking at anyone who is outside their electorate on polling day having the opportunity for a postal or prepoll vote, because if they are within eight kilometres of a polling place they have to go and have an absentee vote. I wanted to put that on the table.

Dr Drury—The issue I was trying to get to, but it got a bit lost when I was trying to answer a previous question, is the extra time that is involved in checking the declaration.

CHAIR—But you do that with absentee votes.

Dr Drury—Yes, but that is the whole point. The beauty of ordinary votes is that you do not have to go through that process. The issue for everybody is that a larger number of declaration votes at one election is bound to affect a close seat and the speed of counting.

CHAIR—Not if we allow the counting of the votes to take place on election night. We do the scrutiny of the votes before election night. I am looking at this in conjunction with the suggestion that some of these declaration votes be treated as ordinary votes on the night.

Senator BIRMINGHAM—Another alternative which some submitters have given to us is that prepoll votes should be treated as ordinary votes in every sense, so the roll is marked off but there is no need for the declaration, which would certainly speed the process up significantly.

Senator BOB BROWN—The number of polling booths dropped. What was that?

Dr Drury—The number of polling places increased in South Australia.

Senator BOB BROWN—On polling day?

Dr Drury—I can give you figures. There were 662 statics on election day, which is an increase over 658 at the previous election.

Senator BOB BROWN—I am sorry, I misheard that.

Dr Drury—And we had more mobiles.

Senator BOB BROWN—You knocked on 72,000 doors and you said these were households that had been written to but had not responded. That is a pretty big job, but it got a 25 per cent result. It is interesting again that it clearly means that facilitating voters under a compulsory election system has to be worked at all the time, doesn't it?

Dr Drury—It does, and the other thing that we are discovering is that, once you have a set of tools, you cannot assume that they are going to continue to work effectively forever. They have to be reviewed and changed as people's attitudes change. We all get lots of junk mail, and stuff that is addressed to us personally is sometimes difficult to distinguish from personal mail. It annoys many people, so people are less likely now to open letters, sometimes that are even personally addressed to them, which ups the ante in terms of our difficulty of getting to people. We can send communications with crests and logos on them so that people can understand that this is from the Australian Electoral Commission. You hope that they treat that as positive.

Senator BOB BROWN—Have you looked at the internet?

Dr Drury—We have trialled people giving us SMS messages that they might need to enrol and communicated with them about that. About a decade ago, or when I was working for the

Victorian Electoral Commission, we looked at whether we could use the internet as a way of promoting enrolment, but we got stuck. We could not carry out enrolments on the internet, because the enrolment application had to be a hand signature. That is the killer for online enrolment.

Senator BOB BROWN—How about advertising on the internet?

Dr Drury—That was part of the rollout last year of our ‘The rules have changed’ enrolment campaign.

All the evidence that was given to me—a lot of it being anecdotal, I admit—was that it was a very effective campaign and that there were waves of enrolments that came through at the time of the different phases of the campaign.

Senator BOB BROWN—You had 63 mobile teams, with seven to prisons, four to remote communities and 52 to hospitals. We had evidence, in Sydney I think, about the improved vote that would occur if mobile booths were made available at places where homeless people gather. Have you looked at that option?

Dr Drury—Not homeless voting. Prior to the election we met with a number of peak homeless bodies to talk about how we could work with them to assist with enrolment. Since the election we have gone back and spoken again with one group that I thought were particularly promising, the Street to Home group, where they were focused on trying to make sure that their clients had settled accommodation. That is the only initiative we have carried out with homeless recently.

Senator BOB BROWN—Having a mobile booth go to such places is not on the agenda?

Dr Drury—Not at the moment, and the first thing is to have people on the roll.

Senator BOB BROWN—Yes. How is the level of complaints coming about the election as a whole? Do you know if that is going up, or satisfaction down or up?

Dr Drury—That is one of the statistics I did not collect. Could I take that on notice: the number of complaints we got in South Australia particularly.

Senator BOB BROWN—Yes.

Dr Drury—They were mostly queries and they were from participants in the political process: political parties and candidates contacting me to find out about different—

CHAIR—If you could provide those statistics as a supplementary submission, that would be good.

Dr Drury—I will do.

Senator BOB BROWN—Thank you.

Mr DANBY—Dr Drury, 72,000 people were targeted because of their mail. We got through to 18,000. Would the other 54,000 mainly have been people who later applied for provisional votes?

Dr Drury—I am not sure that I can—

Mr DANBY—Can you characterise them at all? Where are these 54,000 who you know are there but they do not answer your mail?

Dr Drury—We believe—we do not know—that they are entitled to be enrolled. We have people movement data from our various sources, whether it is Australia Post or Centrelink or whatever, which might suggest that we would need to help them, but it might be that they are not citizens or there might be other reasons. We do not know that they should be on the roll and that they should reply. Maybe they did not need to reply because they were not entitled to.

Mr DANBY—Did you have the same phenomena in South Australia as we had in the rest of Australia where the number of provisional voters per electorate markedly decreased compared to previous elections?

Dr Drury—Yes, I did give those stats in my presentation about the numbers. Provisional votes were 2,002 in the 2007 election compared with 4,843 in 2004.

Mr DANBY—That is state-wide, is it?

Dr Drury—That is right.

Mr DANBY—That is about a 50 per cent drop?

Dr Drury—That is quite a drop.

Mr DANBY—The number of provisional votes accepted would have been the same at previous elections, prior to 2004?

Dr Drury—I do not think I have the stats for 2001 but I could take that on notice and provide those.

Mr DANBY—Thank you.

Dr Drury—Mr Pickering has just drawn to my attention that we do have the stat for provisional votes for the 2001 election: 5,567.

Mr DANBY—So slightly higher than the 2004?

Dr Drury—That is right.

Mr DANBY—Thanks, that gives us a bit of a picture. But is the roll growing, static or in decline? We have had evidence that over the last decade the number of Australians who are

eligible to be enrolled has declined from 95 per cent to 90 per cent. Is that the situation in South Australia too?

Dr Drury—It is difficult to say. We look at ABS data and try to work back, work out which category should not be there. In terms of participation rate in South Australia, I think we are just about dead on the national average. These stats are a month or two old.

Mr DANBY—But the point is that the national average of people enrolled compared to the number of Australians has declined, and it is the same in South Australia?

Dr Drury—Yes.

Mr DANBY—That is what I am seeking to discover: that you are not any different from the rest of Australia?

Dr Drury—No.

Mr DANBY—Can I turn to informality of the vote. Mr Antony Green of the ABC talked to this committee about the South Australian state system at elections—the old saving provision being used in the state elections to save some votes that are otherwise now at federal elections declared informal. Are you familiar with that?

Dr Drury—Not in a practical way. I am aware of it.

Mr DANBY—So you do not have any views about, if the savings provision that existed in all federal elections prior to 1996 was reinstated, whether that would decrease the informal vote?

Dr Drury—I do not have a view on that, no. I have not tried to formulate a view on that.

Mr DANBY—It might be worthwhile having a look at that because, if it is still used in South Australia, it might be of particular interest to you. There has been a lot of criticism of the early closure of the rolls this time compared to previous elections. I know you had the three days and you were surprised that people did not make more use of them. What do you think of the idea of automatically enrolling 18-year-olds on the electoral roll at their birthday?

Dr Drury—This is an interesting proposal. I think we first heard about that back in the nineties in the Canadian system where it was called direct enrolment. I think that is what they call it. People participating in the electoral world have to think seriously about what all the options are. That is one of the options.

From an electoral authority's point of view, if that were hand in hand with a reversal of the onus of responsibility for enrolment to the Electoral Commission, so that it was the Electoral Commission's responsibility for getting Chris Drury onto the roll when Chris changes address from Railway Parade to Main Street, I could see that there might be issues at election time, particularly at close seats if Chris Drury had not been put on the roll correctly and in the right division. In a close seat, there might be issues there, particularly if Chris Drury wanted to take some sort of proceedings against the Electoral Commission for not updating his enrolment. But

that is an interesting proposal and I understand there is a trial that is happening in New South Wales. It will be interesting to see the outcome of that.

Mr DANBY—You put a tremendous amount of effort, as the Electoral Commission does around the country, into school education and—

Dr Drury—We do.

Mr DANBY—trying to get young people to enrol. Do you do birthday cards like they do in Victoria?

Dr Drury—Yes. In fact, I was the manager of enrolment in Victoria when that was implemented, and I have been trying to implement that in South Australia since I got here in 2001. As I mentioned in my introduction, I am very grateful that the South Australian assessment board has provided that data to us and, for the last two years, we have been operating a birthday card enrolment promotion program in South Australia which has been, I am very pleased to say, increasingly effective.

Mr DANBY—If we were to go to a system of automatic enrolment of 18-year-olds, all of the effort that you put into this very positive development of writing to 18-year-olds and sending the birthday cards, and the school programs, could be transferred elsewhere.

Dr Drury—We will all be really interested to see the outcome of the New South Wales trial. If the committee is interested, our birthday card response rate is just over 28 per cent, which is improving each time we do a mail-out, which is very good. Some people withdraw from courses, and this data can be up to a year old, so it may not be that they are still students or that we have actually got the address. They may have moved on.

Mr DANBY—What if we were to go back to the system that we had prior to the last election of giving people a one-week period of grace after the election is declared? Prior to the 2004 election were you satisfied that people were enrolled under that system to the same standard that you enrolled other people?

Dr Drury—I would like to be able to say that my staff are very professional and I would believe that the processing work that they did at all elections was of an equally high standard. I am not aware of poor processing or mistaken processing that has taken place by my staff. We put in place a checking regime whereby we look at mistakes that have been made—key-in errors and that sort of stuff—and the error rate across time has been very low.

Mr DANBY—So you put into place the same mechanisms in a process like that that you do with a normal enrolment? If someone comes to you and says, prior to the 2004 election, ‘I’m at this address and I want a provisional vote,’ you would use your—I forget the AEC terminology for it—continuous roll update. You would go and check your databases to see if this correlates with other databases about where this person says he is. You would use all of those kinds of mechanisms to double-check, as you would check another voter who came in and said, ‘I live at such and such address.’

Dr Drury—With provisional voters, we wrote to them in January and February—in South Australia anyway—and told them whether their vote had been counted or not, and if they had not been on the roll we enclosed an enrolment form to assist them to get on the roll.

Mr DANBY—That is follow-up after the fact. But a lot of them unfortunately would seem to have lost their vote. Can you tell us anything about the bounty system under which South Australian schools collected enrolment forms and received payment per form?

Dr Drury—At the moment it is on hold because our enrolment people in Canberra are developing a policy to try to roll this out, I believe, across the country. About a year ago, some state electoral authorities were implementing the program and the AEC was implementing it in other states. So, to assess the effectiveness of the program and to ensure consistency, our people in Canberra are reviewing that and developing a policy right now. But we used to provide, prior to being requested by the Electoral Commissioner to hold that program back until the review had been completed, bounties with what we called our Youth Outreach Initiative, where our divisional staff would make an appointment for at least 10 minutes or so. It is quite difficult sometimes to get into final-year classes; they are really very busy in terms of their programs. But if we could just find a time, after assembly sometimes, to get in there and to get the enrolment message to them and to get them at that point to fill out enrolment forms, the schools got bounties for those enrolment forms.

Mr DANBY—And that was effective?

Dr Drury—We certainly got lots of enrolment forms.

Senator BOB BROWN—How much was the bounty?

Dr Drury—It was \$3.

Mr DANBY—As much as Pauline Hanson got.

Senator BOB BROWN—The Electoral Reform Society is critical of the guide to voters, the official guide for the 2007 federal election. Amongst other things, it says that the 2004 guide had a helpful hint to voters that the 2007 booklet did not have, which is:

... information will be available at all polling places showing you how each party or group has decided to allocate preferences.

That is in the Senate. Do you know why that was dropped from the AEC booklet?

Dr Drury—No, I am not aware of that. We certainly made sure that the GVT information was up on the walls of polling places so that people could be made aware of that. I could take that on notice.

Senator BOB BROWN—If you would. It would be good to know why that particular piece of information was dropped in the new booklet. What about the suggestion that a booklet be produced that is specific to each electorate, so that it has more defined information—for

example, as to where polling booths are and so on—for each electorate? It is an expensive exercise, I know.

Dr Drury—Yes, and timing might be another issue, because we normally are still finalising. Even our advertisement that we put in the *Advertiser* can be printed a week or 10 days out from the election. The logistics of printing and delivering a leaflet with all polling place addresses on them would be—

Senator BOB BROWN—On that point, what percentage of polling places were changed between the last two elections? Do you know?

Dr Drury—I do not have the exact figure. The majority would be much the same, but some have to be changed for different reasons.

Senator BOB BROWN—So it would be possible to say in a booklet, ‘Here are where polling booths were in 2004. Please check before the election.’ But generally people, if they went to the local school, would find that the polling booth was still there?

Dr Drury—There would be some differences. That would be the issue, wouldn’t it?

Senator BIRMINGHAM—I have two issues, Dr Drury: firstly, in relation to Senate voting, how much did the below-the-line vote increase in South Australia at the last election?

Dr Drury—In 2007 as a percentage of the formal vote it was 6.84, and in 2004 below the line for the formal vote was 5.9. It was an increase of roughly one per cent.

Senator BIRMINGHAM—Nearly one per cent. That corresponded, however, with a decrease in the overall informality of the Senate vote, from your opening statement.

Dr Drury—Yes.

Senator BIRMINGHAM—Do you have a breakdown of the informal Senate vote or above the line versus below the line?

Dr Drury—A breakdown—

Senator BIRMINGHAM—Of the rate of informality.

Dr Drury—By?

Senator BIRMINGHAM—By above-the-line versus below-the-line voting?

Dr Drury—No, I do not.

Senator BIRMINGHAM—Could you see whether you have some type of comparative data?

Dr Drury—Yes.

Senator BIRMINGHAM—I realise that there may simply be blank ballot papers or spoilt ballot papers that would not fall into either category, but it would be interesting, particularly in this state, where that below-the-line vote has increased. You appear to have some figures coming to you.

Dr Drury—The total informal vote above the line is 24,258 and 254 is below the line. Can I incorporate this information in a response back to the committee?

Senator BIRMINGHAM—Yes, that would be fine, Dr Drury, to give you time to analyse it, certainly. The Mayo by-election is coming up. This is straying a little out of our terms of reference, but what awareness or education campaigns is the commission running in Mayo?

Dr Drury—It is pretty much modelled on the federal election campaign. Press advertising will be very similar. We are doing media releases along much the same sorts of lines. We are trying to get into the press and get our messages across in a similar sort of way as the federal election, but without electronic.

Senator BIRMINGHAM—Can I just flag that on Monday, when I spent most of the day up there, I was surprised by the number of voters who asked me if voting was compulsory. I think the fact that it is a by-election maybe causes a little bit of confusion, and perhaps some additional work over and above that of a normal federal election, which people are used to, may be necessary.

Dr Drury—We certainly stress that on all our ads at the bottom. We say, ‘Voting is compulsory.’ We have thought about that issue and we are planning to try to get on talkback radio and get that point across, because that is a very good medium. We will certainly take that on board.

CHAIR—Thanks for your attendance today. Obviously, if there is any of that supplementary material, it would be appreciated if you could forward that on to the committee.

Dr Drury—Certainly.

[10.35 am]

CRABB, Mr Deane Fullarton, Secretary, Electoral Reform Society of South Australia

CHAIR—I now welcome Mr Deane Crabb from the Electoral Reform Society of South Australia to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. Mr Crabb, we will follow an unusual procedure, because Senator Brown has got some commitments. I will let you give an opening statement shortly but, before then, Senator Brown wants to ask you some questions before he has to duck out briefly.

Mr Crabb—Right.

Senator BOB BROWN—Thank you very much. I wonder if you would explain to the committee the quota preferential system.

Mr Crabb—The quota preferential system, I guess as you are aware, in Tasmania is called the Hare-Clark system. Basically, there is no difference. The Senate is also a quota system. To get elected, you have to get a quota of the votes. The normal procedure for calculating the quota is to divide the total number of votes by one more than the number of people to be elected and you just add one. That is the formula to use when there is a single-member electorate. You have got 100 per cent of the votes. You divide by two—one more than the one to be elected—so it is 50 per cent, plus one to make sure you have got a winner. It is the same when you have a multimember electorate; you use the same formula. There are disputes about whether that is the best formula, but that is the most common formula to use.

Senator BOB BROWN—Has your society looked at how this would apply in South Australia?

Mr Crabb—For South Australian elections?

Senator BOB BROWN—No, for the federal elections.

Mr Crabb—Not specifically. The Electoral Reform Society is the South Australian branch of the Proportional Representation Society of Australia and normally the national body does the analysis. Unfortunately, there has been a hold-up in doing their final analysis and they have not got those figures out as yet.

Senator BOB BROWN—I would be interested to see how that system would be applied, when we have got the state boundaries and territory boundaries dividing the country into eight electorates for the federal election, and if the society does have any information I would be very pleased if it would provide it to the committee—not now.

Mr Crabb—The New South Wales branch of the Proportional Representation Society has done an analysis. There is some dispute between them and the national body because the New

South Wales branch used fairly big electorates—and I do not appear to have the figures here—but the national body was stuck with the Constitution and then so many seats in each state, and they are trying to get an odd number—like, in South Australia we have a dozen, and I think they have either one-five and one-seven or one-five—no, there is a three in there somehow—

Senator BOB BROWN—Anyway, I would be very pleased for the committee to have any information on that.

Mr Crabb—Yes, I can get those figures.

Senator BOB BROWN—And there is a potential question about how this would go constitutionally, but it is left to the parliament, isn't it, to determine the voting system? It could be changed by an act of parliament, in other words.

Mr Crabb—That is right, yes. You cannot cross state boundaries to get an electorate. Within each state there are so many seats allocated once a redistribution is organised and they can be put into multimember seats, yes.

Senator BOB BROWN—Thanks very much. I might have a question or two when I come back.

CHAIR—Thanks, Mr Crabb. You can make an opening statement now, if you wish.

Mr Crabb—I have not really got an opening statement, but we realised after we had put the submission in that we did omit one aspect that we would like to raise, and I would just like to raise it now briefly, if I could.

CHAIR—Of course. Feel free.

Mr Crabb—It is the filling of casual Senate vacancies. We prefer the countback method that is used in Tasmania. When Senator Bob Brown first got elected to the Tasmanian parliament, he got into parliament by a countback. In 1997 there was a referendum, as you are probably aware, that changed section 15 of the Constitution. Now the political parties can appoint the replacing member. If someone vacates, the political party fills that position. But that does not address when a political party is disbanded or has gone out of existence or has split. Also, it does not help with independents, and this has come to our attention particularly with the election of Senator Nick Xenophon, who is an Independent. He had health problems previously. If anything happened to him, how would his replacement be appointed?

CHAIR—I think there is a provision for how that happens. I will have a look at that.

Mr Crabb—In the case of Senator Nick Xenophon, he had a running mate, so the precedent would be to put that running mate in in his place if he resigned or retired or something happened to him. The problem would be if the running mate did not want to stand or could not become a senator for some reason. What would you do then? The same thing is happening in South Australia for the Legislative Council here in this House. When Xenophon got elected, Bressington got elected on his coat-tails. He has now moved to the Senate, so his third running mate, Darley, is now in the Legislative Council.

CHAIR—I am confident that there are provisions there.

Mr Crabb—I do not believe there are, but that is what I would like. I think it needs to be addressed. We would like the countback method because that covers all eventualities—if the party goes out of existence or something like that. There was the situation where Senator Steele Hall resigned from the Senate to come back to the South Australian parliament and the state government manipulated it, you could say, and that is when Janine Haines first got into parliament. But if you had a countback, that would clarify it at all times, whereas I do not believe the Constitution sets it out, except for political parties.

CHAIR—We will have a look at that and see if we can get some clarification. Is there anything else you wanted to raise?

Mr Crabb—No.

Mr DANBY—You are in favour of the extending of the closing of the rolls, not just resuming the pattern prior to the last election, where we had a week's period of grace for voters to seek to correct their enrolment?

Mr Crabb—When we said 'extending', that is what we meant, going back to the previous—

Mr DANBY—And there are other proposals to extend it right to the edge of election day. Does your organisation have any view on that?

Mr Crabb—We would support that if it could be done and if there are not administrative problems for the Australian Electoral Commission. They have a huge job to do, and the sooner they can close the rolls the sooner they can get onto other business.

Mr DANBY—Therefore, I assume that you are in favour of automatically enrolling people on the electoral roll as they become 18, if it is possible, as is done in other countries.

Mr Crabb—Yes, automatic enrolment of anyone who becomes eligible. When you have citizenship ceremonies and people become citizens, they are given an application form. They have become Australian citizens, obviously. Why don't they automatically get enrolled on the electoral roll? Their details would be up to date at that particular point in time.

Mr DANBY—You talk about discrepancies in the size of electorates. How would you address that, given that an ethos of the Australian electoral system seems to be to have the same number of voters per seat? For example, how could we change the size of the seat of Kalgoorlie in Western Australia, if we wanted to have 90,000 in Kalgoorlie and we wanted to have 90,000 voters in our chairman Mr Melham's seat? How could you possibly do something about that?

Mr Crabb—I do not see Kalgoorlie as a real problem because it is a huge electorate now and you would be making it bigger. Nowadays, with electronic means—internet, emails, faxes and everything—it is not as bad as it used to be. The real problem in trying to do anything, particularly under the Constitution at the moment, is that Tasmania is entitled to five members in the House of Representatives and, if you use Tasmania as your base, you will end up with a lot

more members of parliament for the whole of Australia. That would be a bigger problem, to me, than worrying about Kalgoorlie.

Senator BIRMINGHAM—Do you advocate that Tasmania should have less or the rest of the country should have more?

Mr Crabb—If you are going to stick with Tasmania having five, obviously there would have to be a lot more right across the country. So you would increase it on a population basis.

Mr DANBY—So you are not satisfied with the current sort of modus vivendi we have, where the rest of the country varies 10 per cent above or below a line set by the Electoral Commission based on advice from the ABS, but we leave Tasmania at 65,000—

Mr Crabb—And we also leave the territories out as well.

Mr DANBY—Yes.

Mr Crabb—Yes, I think that is probably the best way. But there still are those discrepancies. I think I have mentioned in my paper the discrepancy in the size of electorates at the moment in WA.

Mr DANBY—Are these state electorates or federal?

Mr Crabb—Federal.

Mr DANBY—Federal electorates?

Mr Crabb—Yes. It has been a while since they have had a redistribution, and the numbers must have just fitted in and they did not need a redistribution before the last election. It has got out of kilter a bit, if you are going to talk about equal size electorates in terms of population. If you changed it to proportional representation with multimember electorates, the discrepancies between the electorates would not matter so much.

Mr DANBY—I am pleased to see also that you favour the removal of the four per cent limit for electoral funding for voters. Is that just in the Senate, to avoid the scandalous situation we had with candidate Hanson being paid money, with no receipts or expenses being advanced to the Electoral Commission so that the taxpayers could see where their money had been spent?

Mr Crabb—No. We would like to get rid of the four per cent for both houses of parliament. They say that each vote is worth X number of dollars, so if you vote for a minor candidate who gets less than four per cent of the vote, in effect your vote has no monetary value, and I think that is a bit unfair. You could look at it the other way and say, 'Well, if you do that, you're saving the government money,' but that should not be the way. If anyone gets votes, they should be entitled to that amount of money; even if it is only a handful of votes or 50 per cent of the vote, it should not matter.

Mr DANBY—I think it is \$2.10 per voter. I do not want to bang on about this, but the reverse of that is also true: if you get more than four per cent of the vote and you get \$2.10 per voter,

you should not be able to do that as a money-making exercise, without putting in any receipts for advertising expenditure or literature or organisational postal votes.

Mr Crabb—I agree entirely. You should not be able to collect money just because you get a big percentage of the vote. You should only be able to claim what you actually spend.

Mr DANBY—Are you aware that in Queensland the money that the Electoral Commission reimbursed to Pauline Hanson's party was transferred from that party's account to another account after the election?

Mr Crabb—I have heard about that but I do not know the full details. I think the way to overcome it is that you can only be reimbursed for your actual expenses in the election campaign, if you get that percentage of the vote.

Senator BIRMINGHAM—Mr Crabb, thank you for your time today and for taking the time to lodge your submissions. Can I firstly go to the size of electorates and the discussion you were just having with Mr Danby. Obviously, the electoral laws have a number of triggers to bring about a redistribution. Those triggers can be the automatic redistributions that happen every couple of electoral cycles, or a disparity between states as to the number of seats that they are entitled to under the formula that is used, or a disparity within that state as to the difference in the number of electors within electorates. How are you advocating that those laws be changed to overcome the examples that you have cited?

Mr Crabb—We are probably not really advocating anything. We just think that it needs to be looked at. People talk about 'one vote, one value', and they normally mean electorates of the same size and population. Then they see these differences and they think, 'Oh, that's unfair,' and you get criticisms of the electoral system. So it is something that needs to be considered at all times. Probably the system that is in place is not too bad really, but we are highlighting the discrepancies that still occur. Some of them are constitutional, like Tasmania and the territories that I talked about. In others, as you pointed out, the trigger has not been set off to have a redistribution at particular times. As you are aware, for state electorates in South Australia we have a redistribution after every election. That has been the process for a while and there are concerns that boundaries keep changing all the time and sitting members of parliament suddenly find that they no longer live in their electorate. There are quite a few concerns, and there is a bit of a groundswell among politicians to consider changing that. But it is a continuous problem, if we are going to have single-member electorates, how we keep them in sync with each other.

Senator BIRMINGHAM—Would you, for example, advocate removing the requirement of the seats being constructed on a state geographical basis so that an electorate could spill across borders, if that made more sense, in terms of ensuring equality of numbers?

Mr Crabb—I think it would help. If we are going to consider it as the Australian parliament and everyone is representing Australia, state boundaries perhaps should not be there. The states might have a different opinion on that, because that could mean another wedge to try and get rid of state parliaments, as some people argue. The people in the south-east near Mount Gambier have a lot in common with the people across the border in Victoria. They do have a different time zone but, other than that, they cross boundaries and borders quite well. In Queensland and

New South Wales, obviously they cross boundaries all the time. So sticking to the state boundaries does not necessarily need to be set in concrete for all time.

Senator BIRMINGHAM—Looking at political donations, I note that your submission states:

... all voters should be able to claim any donations they make as tax deductions.

Are you speaking purely about individuals in that regard, or do you have an opinion on how organisations or associations, non-individual persons, should be able to contribute and what tax deductibility they should receive?

Mr Crabb—No, we are talking only about individuals. Individuals vote in the elections and therefore it should only be their money that is a tax deduction. We suggest a limit of \$1,000, but that is an arbitrary figure which could be changed and, obviously, you would not want too big a figure.

Senator BIRMINGHAM—Why do you advocate that?

Mr Crabb—To get people involved. One of the aims of having elections is to get people to participate, and that came out in the convention earlier this year.

We are trying to get people to participate, and they should be allowed to put funds towards the political party they support or the things they support, and they should be allowed to have a tax deduction.

Senator BIRMINGHAM—You would extend that to include membership contributions and those types of contributions to political parties?

Mr Crabb—Yes, if that is going to help people become members and to participate in the electoral system.

Senator BIRMINGHAM—Do you have a view as to whether corporations, associations, unions, other entities, should be entitled to donate or whether there should be restrictions on their capacity to donate?

Mr Crabb—The society really does not have a view on that, so I will probably have to pass on answering that question. Personally I would say, as I said before, that it is individuals that vote in elections, therefore it should only be individuals that can claim a tax deduction.

Senator BIRMINGHAM—Okay. I am not sure that I have got my head across this, and unfortunately I missed Antony Green's presentation to this inquiry, but could you explain briefly the weighted inclusive Gregory method and why you think that is a preferred method for calculation of Senate transfer values.

Mr Crabb—Yes. It is a little bit complicated, and I have brought this up before at previous joint committees. Every vote has a value of 1 and, as you work through surplus votes and transfer votes and things, they get different values at different times. But the way that it is used in the Senate at the moment, they basically average all the votes. The surplus votes are averaged

by whatever is still needed, and so votes can change in value. They can actually go up in value, which really should not be allowed, and the weighted thing is a proportion of what their previous value was, rather than coming in with a new averaging value, which could increase some votes. When the Senate system started, a lot of it was still done by hand, but now, when it can all be done and is done by computer, we should be able to have a better, more accurate formula. I noted that Antony Green had supported what they decided to do in Western Australia, too. I do not know whether that explains it—

Senator BIRMINGHAM—No, it did.

Mr Crabb—or makes it more complicated!

Senator BIRMINGHAM—It helps with the thought process, and I will have to go back and look at Mr Green's evidence.

Mr Crabb—You really need to sit down and look at an example, and I think Antony Green did have some examples showing what could have happened.

Senator BIRMINGHAM—Certainly. You have provided some data that is appended to your submission, looking at what you have termed 'effective votes' and 'ineffective votes'. Can you explain to me exactly how you have determined what is an effective vote and what is an ineffective vote? If I look at particularly the lower house seats, I see there are instances where Greens and minor parties have ineffective votes but other instances where they do not. I am wondering how you have determined their votes to be either effective or ineffective in these cases.

Mr Crabb—The definition we use for an effective vote, in my calculations here, is the votes that actually elected the member of parliament. If the member of parliament got over 50 per cent of the vote, the total vote, obviously it was all effective in electing that person and the remaining votes were ineffective, and they were never distributed; you did not need to distribute any preferences in that case. So that is where the minor parties, as well as the other major party, would have the ineffective votes.

If it were a very close electorate and you had to distribute all the preferences to get the winner—say Labor won 50.1 per cent of the vote and the Liberals won 49.9—obviously it is the 50.1 per cent which is effective for that electorate and it is only the other major candidate whose votes were ineffective, because you have distributed the preferences in those cases.

Senator BIRMINGHAM—It is a strange sort of notion. You are saying that in some instance somebody's second or third or fourth or sixth preference—

Mr Crabb—They were effective.

Senator BIRMINGHAM—is still effective.

Mr Crabb—Yes, and other times they were not because someone got a majority of the votes straightaway. The term 'effective voting' came from Catherine Helen Spence when she first wrote a publication back in 1861 and advocated proportional representation. She used the term

‘effective voting’, but she was more concerned about making sure that people’s votes were effective in electing someone. She found that more important than getting votes for women, for example. She is obviously seen as the person that helped to get votes for women in South Australia, which is not quite what she wanted.

CHAIR—Mr Crabb, can I take you back to the opening statement in relation to casual vacancies for the Senate.

Mr Crabb—Yes.

CHAIR—I have had a chance to refresh my memory of the Constitution. We are dealing with section 15 of the Constitution. The 1977 referendum, which is what changed that section, basically decreed that state governments and territories were required to appoint replacements from the same political party, but did not address the question of independents, which means that the same provisions that have always applied will apply: that if there is no-one left in a political party, it will be up to the state or territory to select. There is no countback, as you rightly said, but it seems to me that it is a big leap to go to a countback where there has never been a countback. The main thrust of the 1977 referendum was to stop the abuse of the Queensland government under Bjelke-Petersen and what happened under the New South Wales government—

Mr Crabb—That is right. I am aware of that.

CHAIR—in blatantly appointing people who were not of the same persuasion. But the referendum did not go to the extent that it would take away the role of the state and territory legislatures in the event that you had someone resign or die who was not a member of a political party or was one of a kind, so to speak.

Mr Crabb—Yes, but I think it is an issue that the committee needs to look at, because there is still that anomaly. If something happened to Nick Xenophon, and his running mate did not want to stand, how does the state government or the state parliament decide—

CHAIR—It would be up to his political party to pick his replacement and nominate.

Mr Crabb—He has not got a political party.

CHAIR—Then the discretion becomes one for the state. The problem if you do a countback is: what happens if his running mate is no longer of the same persuasion or if his running mate dies or does not want to nominate? I am not discounting what you are saying. What happens is that it reverts back to how it has always been: that the state or territory legislature gets to pick the replacement.

Mr Crabb—Yes. Forget the countback. That is what we would like to see. But I am saying that if anything happened to him, how does the state—

CHAIR—If it is not a political party, it is a matter for the state.

Senator BIRMINGHAM—Mr Crabb, let's park Senator Xenophon to one side for a moment. I flag that I filled a casual vacancy. Say I left the Senate for whatever reason and the other two people below me on the Liberal Party ticket at the last election were unable to fill the spot: how would your method better reflect the will of the voters who elected two and a bit Liberal quotas than, in fact, the Liberal Party nominating somebody to fill that spot?

Mr Crabb—You re-examine the votes when you do the recount, so it would be whoever the Liberal Party gave their next preferences to, of the candidates who have not yet been elected. That is the procedure that is used in Tasmania now. That is how Senator Bob Brown got first elected to the Tasmanian parliament. It was a Democrat that resigned and they had a recount.

CHAIR—It requires a referendum, in effect, Mr Crabb.

Mr Crabb—That is right.

CHAIR—The system was changed in 1977 because—

Mr Crabb—What I am saying is that the system needs to go a bit further.

CHAIR—Yes, I hear what you say.

Mr Crabb—And there is an Independent that raises this issue again. I guess it was the same with Senator Harradine as well.

CHAIR—Sure.

Mr Crabb—There is also the issue of how you are going to get a replacement when parties split or do whatever they do sometimes.

CHAIR—It happens. It is the recognised political party. If a renegade Labor person were nominated and they were expelled, under the Constitution they would not be able to take their place. That is specifically provided for.

Mr Crabb—I accept that, but I am just saying that you are throwing it back to the state parliament.

CHAIR—I am not.

Mr Crabb—No, the Constitution does.

CHAIR—The Constitution put it there from day one—the founding fathers, and whatever women were there.

Mr Crabb—If something happens to Xenophon, the state government here could put a Labor replacement in.

Senator BIRMINGHAM—Xenophon is an unusual circumstance.

Mr Crabb—Yes, I realise that.

Senator BIRMINGHAM—In most instances you are dealing with major parties, and in fact the system of a countback, rather than the system that we currently have, increases the risk that you will end up changing the composition of the Senate through the filling of a casual vacancy.

Mr Crabb—If you kept everything else in the Senate above the line and below the line, what you would find if you had countback was that, rather than have three Liberal candidates standing for the Senate, you would probably have five or six.

CHAIR—They would be more conscious as to who they would nominate.

Senator BIRMINGHAM—If you could change the whole system.

CHAIR—Yes.

Mr Crabb—But regardless of the countback, it is an issue that needs to be looked at at some stage because there are problems that could arise.

Senator BIRMINGHAM—Thank you.

Senator BOB BROWN—This may have been canvassed while I was out, so forgive me if it was. Above-the-line voting should be abolished. What about preferential voting above the line—that is, and I have a bill proposing this in the Senate, that voters would be able to themselves vote 1, 2, 3, 4, 5, 6, 7 for the parties in the order of their choice above the line.

Mr Crabb—I am aware of the bill that you have put up. I would probably still oppose it because it does not allow the voter to select the order that they want those candidates within those political parties. You are stuck with the preselected list.

Senator BOB BROWN—They can vote below the line, of course.

Mr Crabb—Yes, that is right. The other thing is that not all groups have an above-the-line box at the moment. If you are an ungrouped person, you are stuck at the end of the Senate paper and there is no opportunity to vote for you above the line.

Senator BOB BROWN—Yes, if you are an ungrouped independent.

Mr Crabb—That is right.

Senator BOB BROWN—That is right. You have spoken in the submission about advocating provisional blank Senate voting forms, so people can work out before they go to the polling booth how they want their Senate vote to go.

Mr Crabb—That is right, particularly if they are voting below the line.

Senator BOB BROWN—Is there anything preventing your society or somebody else from making available such template voting?

Mr Crabb—Not as far as I know. We did provide one for members and people who wanted to copy, but it was hard to arrange. We went to the Australian Electoral Commission how-to-vote tickets and got one of those and had to white-out all the names because we did not have a format of our own. Then we emailed that out to our members that wanted to vote below the line in their particular way. If you can take it to the polling booth, if you have it set out, it makes it so much easier and helps to ensure you do not make an informal vote.

Senator BOB BROWN—What you are advocating there is that people think about their voting, rather than running into the complexity when they get to the ballot box, so giving up and voting above the line; ticking a box.

Mr Crabb—If you want to vote below the line and you get so far and realise you have two more numbers left and three more boxes, you have obviously made a mistake somewhere. If you could take a sample copy of how you would like to vote with you, you are more likely to transcribe correctly.

Senator BOB BROWN—Thank you.

CHAIR—Thanks very much for your attendance today, Mr Crabb. If you have any additional material or you want to comment on any other submissions—

Mr Crabb—Senator Brown asked for stuff on analysis.

CHAIR—Yes. Feel free to forward that to the secretariat. Your attendance is appreciated and so is your submission.

Mr Crabb—Thank you very much.

[11.07 am]

PHILLIPS, Dr David Michael, National President, FamilyVoice Australia

CHAIR—I now welcome the representative from FamilyVoice Australia to today's hearing. Do you have any comments on the capacity in which you appear today?

Dr Phillips—Prior to 1 July, FamilyVoice Australia was called Festival of Light Australia, which is why the submission is in the name of Festival of Light Australia but I am now appearing on behalf of FamilyVoice Australia.

CHAIR—One of my first questions will be to ask why the change. Although you are not required to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. As you have indicated, we have received a submission from you. If you have an additional submission, please feel free to present it. If not, if you want to make an opening statement to the committee, please do so. And, for the record, do you want to explain the name change?

Dr Phillips—We have had the name Festival of Light for some 35 years. In this day and age, if you google Festival of Light you will come up with the Hindu festival Diwali and the Hanukkah festival which is Jewish.

CHAIR—You are expanding.

Dr Phillips—Exactly. We are now all round the world. There are festivals held in various cities around the world which have fireworks displays and they call those 'festivals of light'. The recent Adelaide Festival of Arts, which is held regularly here in this fine city, went under the name of Festival of Light this year, picking up Colonel Light's original design of the city. It was just too busy on the internet and we decided that we would like a name which is more precise, so we have come up with the name FamilyVoice. We have adopted the latest trend: two capitals, no space in between, just like FuelWatch. We think this is a trendy way to go. Our motto now is, 'We seek to be a Christian voice for family, faith and freedom.' It is in relation to the freedom element of our concerns that we made the submission here today.

CHAIR—Just for a bit of history, who was the original founder of Festival of Light?

Dr Phillips—It was founded in Adelaide in 1973 by a group of people called together by the Reverend Lance Shilton who was rector of Holy Trinity, North Terrace, Adelaide. My wife was at the inaugural committee in someone's lounge room—she is sitting just behind me here now—and was promptly elected deputy chairman on day one in 1972, which was before the public announcement was made in 1973. We have been involved for that entire time.

CHAIR—And you have appeared on a number of occasions before the committee?

Dr Phillips—We have indeed. We made a presentation in 2001 and 2004 to this Joint Standing Committee on Electoral Matters, and now after the 2007 election. The main reform that

we have presented on all three occasions, which I will come back to, is to abandon ticket voting for the Senate and allow preference voting above the line. I will come back to that at the end of my introductory remarks.

I should explain that FamilyVoice, like Festival of Light, is a politically neutral organisation. We seek to defend Australia's system of constitutional government under law. We think that is a system to be cherished and we want to uphold the integrity of that process. Our views on this stem from a number of things which are set out in section 2 of our submission. We believe individual freedom is an important part of our democratic heritage that we have here in Australia. It respects the freedom of individuals and their right to respect and dignity. We uphold the freedom of association. People should be able to form political parties and tennis clubs and those sorts of things and there should be a recognition of that freedom of association.

All this goes together to make up what has been known as civil society. Alexis de Tocqueville coined that term, I believe, many years ago. We believe that is a very important element of our society and our democratic structures and we want to see that: the protection and enhancement of civil society as a fundamental principle that should guide how we structure our electoral system and funding of elections. Within that we believe there is always an opportunity for abuse of whatever system you have and systems need to be put in place to limit the opportunities for abuse, but they need to be balanced against the need to recognise individual freedoms and freedom of association.

As I said, one element of freedom of association is the freedom to form political parties. We believe that could be encouraged by continuing tax deductibility of political membership dues and donations to political parties. We believe the best safeguard against abuse is public disclosure of significant or large donations and there is an issue as to where to set the threshold. We can explore that more later if you wish.

The integrity of the electoral system: there is the integrity of the electoral roll itself. We supported at the last inquiry the early closing of polls. This has been a great success, and we endorse that as something that should be maintained. Also, there were tighter rules for proof of identity: they, too, we believe, have been a great success and should be retained.

CHAIR—What is your measure of success? Sorry to cut in.

Dr Phillips—I will come back to that, after I have finished the introductory remarks.

CHAIR—Yes.

Dr Phillips—The voting system: we endorse compulsory voting and preferential voting. Australia seems to be one of the few countries in the world that has it, but we think it is a great tradition to have here in Australia. Finally, Senate voting above the line: we think the current system is open to corruption and abuse, and it is the worst element of our whole voting system in Australia. We said that in 2001, and it was ignored; we said it in 2004, and it actually got into the report of the committee. This time I note, Senator Brown, that you have a bill before the Senate to introduce preferential voting above the line as an option for voters who do not want to put individual preferences below the line. While we would probably want to see some small

amendments to that bill, nevertheless we strongly support the principle of tidying up the Senate voting system.

The voting process: we are not aware of any large-scale corruption at the present time, but we are concerned that the voting process is open to abuse. Rather than wait until such time as abuse occurs, we believe that there should be a look at tightening the system now, comparable with what is used in banking. If you go to a bank to withdraw some money, you are usually asked for some form of identification. So I think that needs to be addressed.

In conclusion, we want to uphold civil society and the most urgent need for reform is the Senate voting system. Thank you, Mr Chairman.

CHAIR—You said in your opening—and I think I intervened—in terms of the early close of rolls and proof of identity, that they were a success. How do you define ‘success’?

Dr Phillips—By the numbers of people who actually enrolled, in our submission: 134,000 18-year-olds, for example, were enrolled back in an earlier election; this time the number was 205,000, a 66 per cent increase over 2004. What appears to have happened is that the Australian Electoral Commission has engaged in a much more vigorous campaign of encouraging people to enrol early. Everyone knows when an election is coming.

CHAIR—Well, they do not actually, because we do not have fixed four-year terms, which is one of the reasons—

Dr Phillips—But the speculation in the press is so great that you cannot escape it.

CHAIR—I understand that.

Dr Phillips—People say, ‘What else is there to read in the newspapers?’

CHAIR—Where is the evidence that more wouldn’t have enrolled if there was still the seven-day period that previously occurred?

Dr Phillips—We oppose that on principle.

CHAIR—Why is that?

Dr Phillips—Under the previous arrangement, where there was a seven-day period of grace, it produced a huge spike in the number of enrolments, it produced a huge workload for the Electoral Commission and, under those conditions, although the commission claimed that it used the same degree of scrutiny for those either enrolments or changes of details, we believe the commission should not be put under that sort of pressure where the scrutiny actually applied might be considered to be in doubt.

CHAIR—Was there any evidence that the scrutiny was any less than it should have been, or that people were improperly enrolled that should not have been enrolled? People bandy these things around. What worries me, Dr Phillips, very simply, is that many thousands of people get disqualified. It is like proof of identity. You say it is a success. I assert, and I think there are

plenty of figures to show, that it disenfranchised a whole range of people who could otherwise have been enfranchised. Let me say how. In a postal voting application you sign a form to get a postal vote. When you get your ballot paper, you actually sign an envelope as well, with the return. They compare both ballot papers. That ballot, if it conforms in other respects, is introduced into the count.

For provisional votes in the old days, people who showed up and were not on the rolls, claimed a vote, signed a document. If their name had previously been on the roll, there was a comparison of their signature, which they signed on election day, with the signature that they signed on their enrolment form. If they were similar, that vote was admitted into the count. That is not the case now. And you had a proof of identity there without a driving licence. It is called a signature. I am just interested in your response. How do you regard it as successful when many thousands of people have their votes removed, as a result of an amendment, after something that had happened for years that was not shown to be corrupt?

Dr Phillips—Our view has been—and we put this to the 2004 committee—that there should be prudential systems in place to have a system which is not open to abuse or corruption. The example we used was of opening a bank account. In the banking system, nobody would advocate saying, ‘There’s no evidence of fraudulent opening of banking accounts, so we won’t check identity.’ A system has been put in place and to open a bank account you have to have your 100 points and there has to be proof of identity. We see that that works perfectly well with the banking system; we cannot see why a similar prudential system cannot be used for an electoral system, which is just as important. To go on an electoral roll is as important as opening a bank account. If a practical system works for bank accounts routinely and everyone in Australia is familiar with that, a similar system for going on the electoral roll is a prudential measure which should be in place, without having to wait until proof of abuse.

CHAIR—I go back to the provisional votes. There is actually a comparison with this signature of the original enrolment form, together with the signature on the day of the election. With a postal vote application, there is no reference to the original application for enrolment; it is the original application that is signed, comparing it with the second signature when they fill out the ballot paper. Why couldn’t fraud occur there? Indeed, it seems to me that that nonperson, someone else, could have made the application on behalf of someone else, signed, and signed the second form. It is actually more secure on provisional votes, yet they get knocked off the roll.

Dr Phillips—Our bottom line is that we want integrity in the process and, if you have identified a loophole, we would be happy to look at that.

CHAIR—Thank you.

Mr DANBY—I want to come back to the success of these changes. The electoral commissioner who testified earlier said that at the 2001 election there were 5,000-plus provisional votes accepted in South Australia, in 2004 there were 4,000-plus, and at this current election slightly more than 2,000. So fewer provisional votes being accepted in South Australia is success, by your criteria?

Dr Phillips—I would think so, yes. The corollary of that, I take it, is that a higher proportion of people were already on the electoral roll when they came to vote; they did not need to lodge a provisional vote.

Mr DANBY—That is not a corollary at all. The evidence was that there were the same number of people who came to get provisional votes all around the country—

Dr Phillips—Four or five thousand—

Mr DANBY—and fewer were accepted because of the standard of identity that was put into the act at the last election. So what happened was that there was a change in the number of people accepted from 80 per cent in most electorates who applied for provisional votes at the 2001 election to 20 per cent at the recent election.

Dr Phillips—Maybe I misunderstood what you said. I thought you said that the number of provisional votes in the recent election was reduced, compared with the 2004 and 2001 elections.

Mr DANBY—The number of provisional votes accepted was reduced.

Dr Phillips—Not the number cast?

Mr DANBY—No.

Dr Phillips—I think I would need to look at the figures in more detail before I could give you a conclusive answer on that.

Mr DANBY—All right. That is the only question I have, thanks.

Senator BIRMINGHAM—Dr Phillips, thank you for your time. It is a pleasure to welcome the new, trendy version of Festival of Light to the table.

Dr Phillips—Thank you.

Senator BIRMINGHAM—‘Trendy’ is not a word I have heard you use before! To finish on the issue of provisional votes, you have cited the figures of the proportion of 18-year-olds who were enrolled and the growth in enrolment of 18-year-olds. Your contention is that that work done by the Electoral Commission prior to the closing of the rolls provided potentially an even better level of accuracy for the roll than appeared previously.

Dr Phillips—Certainly my impression as a simple elector, reading the paper, was that the Electoral Commission worked a lot harder in putting advertisements in the paper, encouraging people to enrol. As I remarked earlier, when an election is in the wind, speculation occurs in the media for months on end—is it next month or the month later?—and the Electoral Commission knows this and, by the amount of advertising in the paper, I think they worked very hard to get enrolments ahead of the election, whenever it was called, and they succeeded.

Senator BIRMINGHAM—You think it is not unreasonable, then, to think that, if there were a higher level of accuracy to the roll, there would be a lower corresponding level of provisional votes cast?

Dr Phillips—Yes.

Senator BIRMINGHAM—Turning to funding issues, you recommend that the committee should support tax deductibility of political party membership dues and also of contributions or gifts to political parties. Why is that?

Dr Phillips—Because it fosters civil society. We believe that it is very important for citizens to be able to have freedom of association to form whatever political party they wish, and if individuals want to support those political parties in putting forward candidates, campaigning for candidates, that is part of the functioning of civil society. It is different from a tennis club, in that there is a purpose to it, but we believe that civil society is one of the core elements of our democratic system, and how can governments foster that? The most neutral way of fostering that is to allow tax deductibility of donations to such civil societies?

CHAIR—Why \$1,500?

Dr Phillips—We are flexible on the actual amount. It is a question of the trade-off between encouraging civil society and not opening the system to abuse and corruption. The safest system is to have a large number of financial contributions of small amounts from a wide cross-section of people, because the influence of any one person is minimised. Where the risk comes about is if one particular person or company or organisation contributes a large sum of money in expectation of favours. That is when there is a risk of corruption. We suggest \$1,500. It could be set at other figures. But it needs to be kept low enough to encourage a large number of smallish donations.

Senator BIRMINGHAM—Should there be a cap on the maximum donation allowed?

Dr Phillips—No, because that is contrary to a free society. If people earn money, they should be able to spend money at their choosing. We believe that the best protection against corrupt spending of money is public disclosure. If the committee wishes to recommend tighter rules on public disclosure, philosophically we would support going in that direction, but the public needs to be able to know who the big players are and whether they are having undue influence. If they are all on public record, then the newspapers and the television stations can publicise the fact—‘This particular player contributed a huge bucket of money’—and you can see that that particular player had a vested interest in a particular project. If that is public knowledge, if a government then gives a favour to that organisation, it will incur political odium for doing so.

Senator BIRMINGHAM—Should unlimited contributions be allowed not just from individuals but from entities as well?

Dr Phillips—Yes. We do not support the limiting of contributions. We do support a strong system of disclosure of large donations.

Senator BIRMINGHAM—Turning briefly to proof of identity, if I am reading your submission correctly, it is your contention that—

Dr Phillips—Is this for enrolment or for voting?

Senator BIRMINGHAM—Let's cover both—enrolment and voting. You have argued that for enrolment the current provisions should be maintained.

Dr Phillips—Yes.

Senator BIRMINGHAM—And for voting you believe we should have stricter provisions?

Dr Phillips—Yes. We put forward two possibilities for voting, but again we believe it needs to be practical, easy to administer and not something which is an onerous burden on people, and so we look for analogies in our everyday life. To take the banking analogy again, if you go to a bank and want to withdraw some money, they will generally ask for proof of identity, and the easiest form for a lot of people is a drivers licence. It is not the only form, but it is a convenient form that many people have. People who do not drive or do not have a driving licence presumably can still do banking, and the banks would have some other way. I am not sure of all the details about how the banks operate. But that takes about 10 seconds at a teller. It seems to us that a similar system would also take about 10 seconds at an electoral polling booth.

Senator BIRMINGHAM—You are essentially proposing that all voters show some form of photo ID, and I assume then that, if they were unable to do so, they would go down a provisional voting path.

Dr Phillips—That would be a real possibility, yes. In my local polling place there are a number of tables dealing with voters, and one table over in the corner to deal with hard cases, which I suppose is provisional voting and so on. People could have a simple form of identity. Does it need to be photo identity? We are open on that. But they could show some form of identity. If they cannot, then they go to a special table, and maybe it is a provisional vote or maybe there are extra questions asked. If you ring up a bank for some banking information, they will over the phone establish your identity through a number of questions, and so it may be possible for someone on a special table to establish a person's identity, without any documentation, by asking a number of questions. We are open on the details, but we do believe that at the present time there is nothing to stop John Brown in a particular electorate from going and voting in every single polling place in the name of Bill Smith, who is a fellow down the road.

CHAIR—But what concerns me, Dr Phillips, is that if we were to introduce your system, thousands of people would be disenfranchised—and that is what happened with provisional voting. The level of so-called double voting and corruption is actually minimal. It is minimal, and I am worried about throwing the baby out with the bathwater. We have a system of compulsory attendance that is well accepted and well served. When you say 10 seconds per person at a polling booth, can I tell you, as someone who has worked on every election in New South Wales for the last 30 years, that the queuing issue would be massive in such an instance, and the resource issue would be massive, all for the sake of what? I do not mind if people come and give us demonstrated cases of multiple voting after multiple voting that have affected

elections and say, 'You've got to do this to overcome this problem,' but what we have is a presumption of guilt on every voter and a complete change in the system which I think, personally, will wreak havoc. The reason I have intervened is to put that there to give you an opportunity to comment, and then Senator Birmingham can finish.

Dr Phillips—The alternative recommendation, recommendation No. 10, is that my recollection—and your memory of voting is better than mine I suspect—

CHAIR—Not necessarily.

Dr Phillips—In terms of the way the system functions on the other side, anyway.

CHAIR—Yes.

Dr Phillips—I come from the front side of the polling place. You are on the other side and know what goes on behind the scenes. My recollection is that some years back—I am not sure how long—you were designated a polling place.

CHAIR—You had subdivisions and then you had to vote within your subdivision. If you did not, you did the equivalent of an absent vote. Then subdivisions were removed because there was a recognition of the mobility within electorates, and absent votes now occur outside an electorate. What worries me is that, if you start introducing all this paperwork, then you are going to get the system attacked by the average punter, because they are going to rebel against all this red tape that is required. I have no problem with punishing people who are multiple voting, and increasing penalty provisions and having a deterrence effect, but I have a real problem with punishing the 98 or the 99.99 per cent of people who are doing the right thing. I am sorry, I just wanted to get it on the record. Senator Birmingham.

Dr Phillips—Let me just say that we want something which is simple and practical to administer. We do not want a system that imposes a significant administrative burden nor do we want to alienate the average voter.

CHAIR—That is why I want substantial evidence of where all this multiple voting is occurring. People can assert it. Bring the committee evidence. I have sat on this committee, on and off, since 1990. I have heard the same arguments and I am still waiting for the multitude of evidence. I can remember the allegation about dead people voting in the Richmond election in 1990. It turned out that the dead people being taken off the roll was what the mark signified. They were not voting. I have never forgotten it.

Dr Phillips—The other option is subdivision voting with no proof of identity required, and maybe a combination of the two. We are open to anything that is practical.

Senator BIRMINGHAM—And, Dr Phillips, we heard of one other option from a company in Melbourne who had helped to administer a trial in the UK, where you do still have to vote at your designated polling booth. They introduced a trial of an electronic roll that was networked and maintained in live time across a number of sites, thereby allowing voters to go in and be instantaneously marked off across all sites. There is a high cost involved in that, but in years to come it may be a very practical method to achieve the surety that somebody's name is marked

off, and marked off the roll everywhere. I will not pursue other issues. I know that Senator Brown will tackle the Senate voting question.

Senator BOB BROWN—Dr Phillips, thank you. You pointed out that Australia's compulsory preferential voting system is fairer than most places in the world. What about the option of a proportional voting system—that is, a Senate style voting system in the lower house?

Dr Phillips—We oppose that. We believe there should be different voting systems for the upper and the lower houses. For the lower house, we believe the single-member constituency results in stable government. It is usually a two-horse race; there is a choice between two major parties. There are some independents in the lower house, but not very many, and it generally means that the government that wins the election commands a majority on the floor of the House and is then stable for the rest of that term. We think that is desirable. In Italy you have proportional voting for the lower house and you have as many governments as years since the Second World War. It is a very unstable system.

Senator BOB BROWN—But what about Denmark?

Dr Phillips—I am not familiar with Denmark.

Senator BOB BROWN—Multiple voting since the Second World War and one of the most stable governments in the world.

Dr Phillips—That is a contrary example, but we think the single-member constituency does, in general terms, favour stable government. We believe the Senate should be elected by a different system so that it provides a genuine house of review; it is elected in its own right, representing the people of Australia but on a different basis; and it brings a different perspective. And proportional representation in the Senate means that there is a much greater opportunity for significant minor parties to have people represented in the Senate, which then represents the diversity of opinion within the nation. It also means that the government of the day, which always commands a majority in the lower house, is held to account in the Senate, because the government seldom commands a majority in the Senate and does need to work with minor parties or other parties in order to get legislation through.

Senator BOB BROWN—I was interested, of course, in your support for the above-the-line preferential voting to get around what I agree is a system that is very open to question: that we have to tick preferences at the moment. You mention that you would have some minor amendments to suggest about that, and I noticed in your presentation that you suggested that groups not be allowed to have a box above the line. Have you got some reason for this? This is not registered political parties but where you get a group of candidates getting together. You are suggesting in your submission that they not be allowed to have a box above the line and therefore to be part of the preferential voting options.

Dr Phillips—Part of the argument is that there are a large number of candidates now—30 to 50—and a lot of people find voting below the line a difficult process. Some people still fill in every square when voting. Keeping the number of groups represented above the line to a modest number is desirable to keep above-the-line voting practical and easy for ordinary people.

Senator BOB BROWN—So your concern there is that, if you do not stipulate that they have to be political parties, you might get a growth of ungrouped people.

Dr Phillips—Yes.

Senator BOB BROWN—In fact, every Independent might simply say—

Dr Phillips—Exactly, yes. We would like there to be some sort of a threshold, that to appear above the line there is a threshold, and there would need to be evidence that the group or the party does have a significant following in the community at large. The current rule, as I recall it, is that a political party, to be registered, must have 500 supporters or members. If a group or a party has 500 supporters, that seems to us to indicate a significant degree of support in the community. It would be excluding the fellow who is upset that kerbing and guttering has not been put down in his street for the last 30 years and he has got absolutely jack of it so he is going to run for the Senate and fix it up. He wants to form a group so that he can appear above the line, so he and his two neighbours form a group, and they appear above the line. The threshold should be that any group which can establish a genuine degree of support in the community—500 members—can then appear above the line.

Senator BOB BROWN—Any other recommendations for amendments to this above-the-line proposal?

Dr Phillips—I would need to look at your bill again.

Senator BOB BROWN—I would be very pleased if you did, and could you get back to either the committee or—and I am sure the chair will not mind—to me.

CHAIR—No, that is fine.

Senator BOB BROWN—I would be very pleased to have any recommendations. Thank you.

Dr Phillips—Okay, we will look at that and get back to the committee or to you.

Senator BOB BROWN—Thank you.

CHAIR—Thanks for your evidence today. If you do want to do a supplementary submission, feel free to do that and send it to the secretariat, and if you want to do just a note to Senator Brown in relation to that matter, that is not a problem. We very much appreciate your attendance, Dr Phillips. You have been a longstanding person of interest in terms of submitting to the committee—and your wife. We appreciate it.

Dr Phillips—Thanks very much, Mr Chairman, and members of the committee. It is close to our hearts.

[11.53 am]

FROST, Mr Trevor Bruce, Community Educator, Royal Society for the Blind of South Australia Inc.

CHAIR—I welcome the representative from the Royal Society for the Blind of South Australia to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. We have received a written submission from you. If you wish to present any additional submissions or make an opening statement to the committee, please feel free to do so.

Mr Frost—Thank you. The submission was from a Mr Tony Starkey who unfortunately is overseas at the moment. I have come into this at a fairly late stage.

CHAIR—That is okay.

Mr Frost—I have been able to read a fair amount of material, but, if I was required to make an opening statement, it would be that my understanding of the current situation in this country is that blind people are unable to cast a secret vote, they are unable to cast an independent vote, and they are also unable to cast a verifiable vote. The approach—again, as I understand it—of most blindness agencies in this country is to strongly advocate, in some cases demand, that a solution be developed that would allow the blind population of this country to overcome those obstacles.

CHAIR—We have already had some submissions to the committee and some evidence at previous hearings, Mr Frost. You are aware that there was the trial that took place at the last election?

Mr Frost—Yes.

CHAIR—And we are looking at whether we should expand that. Has there been any feedback from your membership, that you are aware of, as to how we might improve what occurred on the last occasion?

Mr Frost—To me personally, no. There is something that seems to be being ignored here. I have read several submissions from quite large blindness agencies in this country that have spoken about possible ways of overcoming these obstacles. Nowhere in any of this material have I read anything about the age demographics of the blind population.

CHAIR—Right.

Mr Frost—The average age of a blind person in this country is around 79.

CHAIR—Seventy-nine?

Mr Frost—Seventy-nine. Our client database, for example, shows the average age of our clients is around 78, 79 years of age and, because of that advanced age, they are predominantly females, because females live longer than males. Everything that I have read in the way of suggested answers to these problems revolves around quite complex technology. If I can use my mother as an example: like myself, she is legally blind. She is well and truly into her 80s. She has never sat in front of a computer in all of her life. If she were to sit in front of a computer, she is unable to see the keyboard, so she is not even able to respond to any audio prompts and things like that.

I would put to the committee that this is the situation of most blind people in this country. Nearly half the people we deal with are over 80 years of age. So when you talk about electronically assisted voting—I am not talking from the organisation here; I will probably get a smack on the wrist for this—personally, I think it is a bit of a nonsense to expect most blind people to sit down and operate a computer in a polling booth. I am familiar with my particular keyboard that I use with my computers. I do notice that whenever I sit down to another computer, I have to kind of get familiar—

CHAIR—Familiarise yourself.

Mr Frost—with the keyboard, yes. So even if they are computer-literate, they will be using unfamiliar equipment under pressure and a certain amount of stress.

CHAIR—How mobile are these people?

Mr Frost—Most people imagine that, in order to call yourself blind, it must follow that you cannot see. Again, this is a very common misunderstanding out there. Most blind people can see. According to the social security system and the medical profession—in fact, according to the World Health Organisation—I am a blind person, but I can see. I am more comfortable with a term like ‘partially sighted’. I might meet the standards to be classified as a blind person but, with mobility, I have very few problems. But, again, this is the case with the majority of blind people. When you are talking about the majority of blind people being elderly, obviously they are more frail, more cautious with their movements, less adventurous with their independent movement, and that sort of thing, so there are other factors as well.

CHAIR—How do you say that we should proceed in order to enable the majority of these people to be able to exercise a secret ballot?

Mr Frost—Personally, I am bewildered about what can be done about the situation. I take a fairly—I do not know if ‘pragmatic’ is the right word, but I accept that I cannot demand that they produce an automobile that will allow me to drive, and yet this is the right of the majority of the population. There are certain things that are just not possible, and I almost suspect that this is one of those situations. One of the alternatives that are put forward is electronic voting.

The majority of blind people cannot and do not want to use a computer; in fact, they are totally intimidated by computers. For the partially sighted population, it has been suggested that electronic magnification is a solution, and it is: it is a great solution. Unfortunately, this equipment costs, for an effective unit, about \$4,000. My understanding is that there are about 660 polling booths in South Australia alone. I think that works out to about \$2.3 million for

equipment that would need colossal storage space. They go into boxes with padding and so forth, and you are considering a cube of almost a square metre. So warehousing space for the majority of the time would be phenomenal, and this is something that would only be used every two to three years, for a minority of voters.

Braille is not an option. Again, in a practical sense, we have 10,600 clients that receive a quarterly newsletter with information, new developments, products—things like that. They are able to receive that in their choice of format: audiocassette; large print; put them on computer disk; by email; and also in braille. Of those 10,600 clients, only 40 request it in braille. Again, I come back to what I said: most blind people are partially sighted. They have no need to use or learn braille. So the options that are put forward—and, again, I am not toeing the industry's line—in my personal opinion are not practical solutions.

In an ideal world, yes, blind people should be able to cast a secret vote independently, and be able to verify that their wishes go into the ballot box. At the moment, that is not possible. I cannot imagine a solution, that is cost effective and practical, that would make that possible.

Senator BOB BROWN—Thank you, Mr Frost. I am wondering about electoral officers making house calls and taking instructions, and filling out the voting form according to the person's wishes. There is trust in that, but I cannot think of a more trustworthy system.

Mr Frost—Again there would be, dare I say it, elements in the blind communities that would argue that that is not a secret, verifiable vote.

Senator BOB BROWN—It is not. I agree. What is the option? It is not to have a vote, isn't it?

Mr Frost—I do not know. I cast a postal vote. For me, that works fine. I am able to do this without any pressure, at my leisure, take any amount of time I need to cast that vote, but I do it with one of these expensive, \$4,000-plus pieces of equipment. Not many blind people have that sort of equipment. Again, not many elderly people have that sort of equipment.

Senator BOB BROWN—If they do not, would they be able to use it, if presented with it?

Mr Frost—Yes, I would say they would be. This equipment is very costly and sophisticated technology, but it has been recognised by the manufacturers and developers that this is going to a section of the community that is predominantly elderly. So the controls and the method of use have been simplified as much as they possibly can. Again I come back to my mother, in her late 80s, who has one of these machines—it was provided to the Department of Veterans' Affairs; she was a war widow—and she uses it effectively.

Senator BOB BROWN—Let's put cost aside for a moment, although I know we cannot at the end. How about an electoral officer taking one of these machines to each person who requests it to cast a postal vote, as you do?

Mr Frost—You have to imagine what we are talking about here. This is a platform that you put your printed material on. It is what they call an XY table. It will move in any direction. Above that is a video camera that films that text on the table. Above the video camera is a

monitor, where you read that magnified image. The table enables you to scroll the text across the screen. It sounds complicated, but I come back to what I said before: I am a legally blind person and with this equipment I have been clocked reading at about 125 words a minute, about the speed I am talking to you now. It makes a mockery of the word 'blind' when technology will allow you to read at speeds like that.

Elderly people cannot achieve those speeds. They are much slower in their reading. Going back to your questions about whether or not it would be useful for an electoral officer to take one of these to someone's home, you are talking about a bulky piece of equipment. To get it in and out of its packaging—and they are delicate, so you need to be careful in handling them—

Senator BOB BROWN—It is problematic?

Mr Frost—is problematic, yes. You are also talking about 15, 16 or 17 kilos in weight. The monitors these days increasingly are LCD screens, so that has dropped the weight dramatically, but it is still problematic.

Senator BOB BROWN—Thank you.

Senator BIRMINGHAM—Thanks, Mr Frost. Are there any instances of these machines or similar equipment that you speak of being available at community facilities or available at the royal society itself for members to use?

Mr Frost—They are certainly available in our city office here in Adelaide. We have the full range; every option that is available in this country. People are encouraged to come in and use them. As an organisation, we can subsidise the cost for our clients. In some situations we find people that meet the criteria for this subsidy but they still cannot afford the balance, so in those circumstances we have what we call a long-term loan pool where we can lend them equipment on more or less a perpetual loan.

These video magnifiers have also been tried by the South Australian Electoral Commission in selected polling booths, usually in suburbs where there are little concentrations of the blind community. My understanding is that they are not well utilised in these situations. There is almost a reluctance to use them. Some blind people are obsessively trying to avoid appearing conspicuous.

Senator BIRMINGHAM—Are they well utilised at the society?

Mr Frost—Yes. I have one on my desk at work; so for myself, certainly, I use it.

Senator BIRMINGHAM—By others coming in to the society?

Mr Frost—By others coming in, not so much. If somebody is persistently coming in—if we, for example, encounter someone that we notice has a regular pattern of coming in with their correspondence and bills and things like that—sooner or later that person is approached and asked, 'Would you like one of these?' We look for a way for that person not having to travel into the city to use it; to get one of these pieces of equipment into their living room. That might be with a subsidy. For example, an employed person is eligible for workplace modification funding

from the Commonwealth. Returned servicemen and war widows get funding from Veterans' Affairs; university students can apply for trust funding for it. It is just that for, Mr or Mrs Citizen—and more often than not it is Mrs Citizen—who does not fit any of those financial assistance channels, we have to try and work it. Again, because we deal predominantly with elderly people, we lose our clients on a regular basis and, quite often, families donate equipment back to us. We normally have two or three names in our head and, when we have donated equipment, it is passed on to them.

Senator BIRMINGHAM—I realise it would not overcome the issue of travel, and that for the elderly that becomes a problem, but would another option be for indeed the society's officers to be the hosts of a specific prepoll voting booth for the week or so leading up to the election?

Mr Frost—Yes. I am sure the organisation would cooperate with anything like that.

Senator BIRMINGHAM—Do you think that would provide a benefit service that would be utilised by the members?

Mr Frost—Yes. I do not think there would be widespread use of it. I look at my own situation and I look at my mother's situation. They are immediate to me. I cast a postal vote and always have and do not have the slightest problem with it. Okay, I am not a typical blind person in terms of age. My mother has family support. She is picked up, driven to a polling booth; a family member will work her through the process and she is happy with the situation. What this committee has to deal with is not the majority of blind people who have a satisfactory way of voting or a way of voting that they are comfortable with but, dare I say it, that noisy minority that wants that secret vote, that wants to do it independently and wants the satisfaction of knowing that that vote is verifiable; that in fact their wishes have been met.

Senator BIRMINGHAM—Thanks, Mr Frost.

Mr Frost—I do not know what the answer to that is, quite honestly.

CHAIR—Thanks for your attendance here today. If you or the society have any additional material that you want to place before the committee, please feel free to write to the secretary with that material and it will be included as a supplementary submission. Let them know that. Thank you very much.

Mr Frost—Thank you.

[12.12 pm]

EDWARDS, Dr Kathy, Private capacity

CHAIR—I now welcome Dr Kathy Edwards to today's hearing. Do you have any comments to make on the capacity in which you appear?

Dr Edwards—My full name is Katherine Jane Edwards. I am appearing as an individual before the committee, although I am a researcher with some expertise in the area of young people and their access to electoral participation.

CHAIR—Although the committee does not require you to give evidence on oath, I should advise that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. We have received a submission from you. If you have an additional submission, feel free to present that, or if you want to make an opening statement to the committee, go ahead.

Dr Edwards—Thank you. I have prepared a short opening statement, because my submission was fairly substantive, but what I really wanted to do was to highlight its essence. It pertains to the closing of the electoral rolls. The official reason given for decreasing the period before the closing of the electoral rolls was the possibility of electoral fraud, and in my investigations I could not find any evidence of such fraud occurring. Possibly such evidence may have been presented before this particular committee. The Australian Electoral Commission are confident, looking at the previous submissions, that they can meet their statutory obligations in respect to the closing of the electoral rolls, given the usual week's period that we used to have before the last election.

My submission highlights the importance, I think, of values in this debate, and these are the values of social, political and democratic inclusion, as well as equality. In particular, it discusses the situations and predicaments of young people and their access to enrolling to vote and makes the point that, for many young people, this access may be compromised through life-stage events or forms of marginalisation, and it makes the case, I think—and this really is its essence—for making it easier and not harder for young people to enrol and vote, including increased enrolment periods following the calling of an election and the issuing of writs.

In the absence of any real evidence of established or sustained electoral fraud, to the best of my knowledge whilst writing this submission, I thus hold that it makes logical and ethical sense to reinstate the previous closure period and also to consider perhaps for the future increasing this period even further to make voting as accessible as possible, noting that in some countries it is possible to enrol to vote even up to the day before or on the day of an election.

Mr DANBY—To address your quite sensible point about electoral fraud, there was evidence brought before this committee many years ago by the one credible source that has actually advanced it to this committee, and that is the Electoral Commission, who advised us that in the period between 1990 and 2002 there were six electoral events, including a referendum—12 million votes each time, so 72 million votes—and that in that period there had been 72 proven

cases of electoral fraud. That is one fraud per million votes, which at the time a number of members of this committee took as great evidence why we should not change periods of opening of the roll and make other changes based on so-called electoral fraud. I wanted you to have that evidence and to respond to your remarks. It is Dr Edwards, isn't it?

Dr Edwards—It is.

Mr DANBY—Are you aware that over the period of the last decade, the total participation rate for enrolment has fallen from about 95 per cent to 90 per cent of all Australians?

Dr Edwards—I was not aware. The figures that I have from the Electoral Commission put the total eligible population up around 95 per cent and I think in relation to young people it was around 80 per cent. I would have to check those figures.

Mr DANBY—I think it is worthwhile going back and having a look at this, because I think everyone, including people who make submissions to this inquiry and us, needs to get a firmer fix on this. If that has happened, it means that 10 per cent of eligible Australians are not on the electoral roll, and that is not good enough in a compulsory voting system, in my view.

Dr Edwards—I think one of the issues here is the simple difficulty—and I realise that is a contradiction—in gathering statistics about voting. The statistics that I have relied on in the basis of this submission may well be old. They may have changed since I wrote this, or even a couple of months before I wrote this, but during my time as a researcher what I found was that we do not really know much about who, out of the eligible population in Australia, votes and who does not vote. Any statistics used are subject to processes that are as rigorous as possible but may not be—and probably are not—accurate.

I do know that the Australian Electoral Commission was engaged in a process of complex mathematical statistical modelling to try and get more accurate statistics, but even still I think there is room for a margin of error there, to the best of my knowledge. That is how I would respond. I would agree with you that we probably need more information about who votes and who does not and, in that percentage, whatever it is, of people who do not vote, why that might be and how we can increase their access to the franchise.

Mr DANBY—If, say, in 1996 the Australian Bureau of Statistics said that there were X number of Australian citizens who were eligible to vote and the Electoral Commission recorded that 95 per cent of them voted and then at the 2007 election the Australian Bureau of Statistics said we had X number of people who were eligible to vote and only 90 per cent of them voted, that is something this committee, the Electoral Commission and the public in general should be pursuing with great vigour, in my view.

Dr Edwards—I agree with you.

Mr DANBY—Another statistic I would like you to comment on is the number of young people between the ages of 18 and 25 who are not on the electoral roll. One of the angles that spokesmen of the previous government have taken in trying to, I can only assume, cover their embarrassment for the large number of young people not enrolled is to say that in 2007 only 100,000 people missed the close of the rolls deadline, whereas in the 2004 election 168,000

people did. That is all very well, but it assumes the same rate of application by young people. The Electoral Commission, by its own statistics, said that young people were, in very large numbers, not on the roll. Do you have evidence about whether they did or did not apply? Did the fact that the roll was closing on the day deter people from seeking to apply?

Dr Edwards—To the best of my knowledge, there has not been any research conducted around the last federal election. There may well have been social service organisations that conducted research amongst their clients or constituencies. I am not aware of any public recording of any results from that research. I am still trying to get to the essence of your question, because I do not think I can answer it in concrete statistical terms.

Mr DANBY—I suppose the essence of my question is: the response we get from representatives of the previous government is that only 100,000 people this time missed out on enrolling. What I want to know is about the rest of those young people between the ages of 18 and 25 who are not on the roll. What happened to them? Did they not apply because they knew the roll was closing and they did not have time to fix it up? Is there some evidence out there about these people? If there is not, do we need to go in and dig to find out what happened to them?

Dr Edwards—What you have asked me is actually a really big question and, if I were to answer it in one word, it would be ‘complexity’. There are a number of reasons why young people do not enrol and vote, and they are very complex reasons. Obviously, young people themselves are not a homogenous group. The time in which young people are expected to enrol and vote for the first or second time is a very complex time of their lives, and that is probably fairly universal across the population of young people, and I think one of the reasons that young people may not enrol and vote is that it is a very busy time of their lives. They are doing exams. Look at the date of the last election: it was very close to that whole exam period. They are thinking about what they are going to do after exams.

There are many young people who are socially marginalised, for whom day-to-day survival is a priority, and possibly for some young people there are a whole range of factors around their attitudes towards politics, and there is a whole range of attitudes around politicians’ or parliamentarians’ attitudes towards young people as well, that I think probably feed off each other.

It is a very complex area, and I think the essence of my answer to you would be that one of the things that we can do to make sure that that figure decreases is to make it easier for young people to enrol and vote. As well as looking at the problem, let’s pre-empt a solution, or one of probably many solutions, and increase the period in which young people who do want to enrol and vote can enrol and vote.

CHAIR—You have advocated going back to the 2004 system at least, and maybe extending that period. In a compulsory voting system, can you think of any reason why we shouldn’t automatically, as people turn 18, put people on the roll?

Dr Edwards—I can think of a few reasons, and I am not a lawyer, I am a political scientist, but one of those reasons may be that, under privacy legislation, that could not be done. But there is a big question mark over that comment, because I do not know. That is just a speculative

reason. Another reason would be: put them on the electoral roll where? Our electoral roll assumes that you have an address to enrol at. The system of enrolling to vote is very much based around place, address, where you live. That is how you are represented, even within a state context and having a local MP for that area. Young people in particular tend to be fairly mobile, so even if you were to put them down at mum and dad's address, the chances are they may not be there, that they may actually live in a number of different addresses over the next few years.

CHAIR—Wouldn't you have to balance that against 25 per cent of them not being on the roll, if you could do it?

Dr Edwards—It depends. I am more interested in their access to voting and being on the roll than just having them on the roll for being on the roll's sake, and I think you are more likely to encourage young people to enrol and vote by making it easier for them to do so in a way that is meaningful to them rather than automatically enrolling them at mum and dad's address. Someone may well knock on the door and be told, 'Yeah, well, Mary'—or 'Johnny'—'doesn't live here any more. They live in such and such.'

CHAIR—But the system at present is that, if they have got a good Electoral Commission in their state, they might get a birthday card. They might, as in South Australia, have a bonus system for enrolling via their school. Certainly they have to go through some form of bureaucracy and filling out forms and that kind of stuff. I just wonder whether it would not be, in their world view, easier to just have them automatically enrolled, as I understand they are in other countries, than to go through this huge bureaucracy, this huge problem of advertising, this huge problem of chasing them before the elections. It is a matter of balance. Why don't we make it easier?

Dr Edwards—It is an interesting research question.

CHAIR—Yes, I have thrown it back to you.

Dr Edwards—Yes.

Senator BOB BROWN—Thank you very much, Doctor. I have two questions. One is about the proposal for mobile polling booths to go to places where people who do not have fixed addresses or are homeless gather. Do you think that would work?

Dr Edwards—I cannot answer that question on the basis of any research that I have personally done. I can answer it on the basis of reading a lot about those homeless organisations who have suggested that, and I think it is a very good idea and an idea that really does deserve to be tested, but I also think that it would need to be complemented by a system that made it easier for people to enrol and vote, because what is the point of having a mobile booth that rolls up somewhere where homeless or marginalised people might congregate if those people are not on the roll in the first place?

Senator BOB BROWN—Do you think the proportion of marginalised people not voting has grown faster than the proportion of people in the high-income sector, for example?

Dr Edwards—I do not know that there are any concrete statistics that I can give you to answer that question. My hunch or my hypothesis would be that, yes, I suspect that the costs of voting and enrolling to vote—‘costs’ in inverted commas, meaning the effort that people must go to—would be much higher for people who are marginalised, people who have constant changes of address, people who have the priority of some sort of survival in their life. I think that, yes, those costs would be higher, in terms of increasing the difficulty of enrolling to vote, than if you were living at a stable address in a stable suburb where you know that you have got a wage coming in every week, or that someone in your household has, and where those issues of survival are not a priority.

Senator BIRMINGHAM—Dr Edwards, thank you for your time and submission today. Statistics given by FamilyVoice Australia in their evidence earlier today suggested that the proportion of 18-year-olds enrolled had increased at the last election, and their contention was that this was a result of the increased activity and focus by the Electoral Commission, and so on. In the end, whether we are talking about homeless or otherwise disadvantaged persons or younger persons, isn’t it those sorts of proactive measures and campaigns undertaken by electoral officials that will increase the voter enrolment, rather than what arbitrary date is set for the closing of the rolls?

Dr Edwards—I do not hold the nation’s purse strings. I am a researcher; I am an academic. I think you should spend a lot of money on all sorts of different ways of encouraging people to enrol and vote. In other words, I do not see it as an either/or situation. I think that education campaigns and advertising campaigns are fantastic. There are reports that I have highlighted in my submission that do suggest that many homeless people, for example, are not aware that there is an election on, and that may particularly be the case for non-federal elections, and I think that they should be complemented by making enrolling to vote more accessible by increasing the period between the calling of the writs and the closing of the rolls.

I see all of those things working together. And that gets back to what I am saying about values in terms of political equality, social inclusion, democratic inclusion. I would highlight those values and say that whatever schemes are out there, whatever schemes are possible, let’s think about them, let’s use them, rather than having a very rigid system and then excluding people from enrolling and voting.

Senator BIRMINGHAM—I understand what you are saying: that the two can complement one another. The hypothesis that I am putting to you, though, is that for a homeless person who does not know the election is on, as you said, or for a young person who is not engaged who wishes to enrol, the reality is that proactive measures by electoral officials are far more likely to get them enrolled than a longer period of time for enrolment. You would agree with that, wouldn’t you?

Dr Edwards—No, I would not actually agree with that. Again, I would highlight that the situation is very complex—and assuming that we are all agreed that having as many eligible Australians as possible, including young people, enrolling and voting is a good thing—and we would probably need more research, we would probably need a multiplicity of methods, and I certainly would not say on the basis of any evidence that those sorts of measures would be better than other sorts of measures. It is far too simplistic to say that.

CHAIR—Dr Edwards, some time ago a policy position was taken to allow provisional enrolment for 17-year-olds. People who turned 17 could provisionally enrol so that, in the event that an election was called and they turned 18 from the time of the calling of the election to the election, they would be able to vote. In terms of getting younger people on the roll, do you see any benefits to provisional enrolment being extended to 16-year-olds? That might allow the Electoral Commission to be more effective in schools with children of that age. In your professional view, would it make any difference?

Dr Edwards—I do not have any hard and fast research to be able to base an answer on. I do recognise that the schooling ages across Australia mean that, for example, in South Australia I think young people's age at leaving school is still 16 or 17. I grew up here and I left school at 16, and I understand that it is slightly older in other states, including New South Wales. So, yes, I can see in that context that certainly would make logical sense, particularly in those states where young people are leaving school closer to 16 than 18. I also think, though, that they would be enrolling at mum and dad's address and we would have to do something about those young people who then move on from mum and dad, and make sure that they stay on the roll or have the ability to stay on the roll, or have the ability to enrol and vote at any other addresses that they may live at down the road.

CHAIR—Thank you for your attendance today before the committee. Your submission is helpful.

Dr Edwards—Thank you.

CHAIR—I reiterate that, if there are any submissions that are made before the committee or any evidence given that you want to comment on in relation to young people, please feel free to put a supplementary submission before the committee and we will obviously take that into consideration. Thank you. I thank everyone for their attendance and declare this public hearing closed.

Resolved (on motion by **Senator Brown**):

That this committee authorises publication, including publication on the parliamentary database, of the transcript of the evidence given before it at public hearing this day.

Committee adjourned at 12.39 pm