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JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

**Reference: Civics and electoral education**

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**JOINT STANDING COMMITTEE ON  
ELECTORAL MATTERS**

**Friday, 11 August 2006**

**Members:** Mr Lindsay (*Chair*), Mr Danby (*Deputy Chair*), Senators Brandis, Carr, Hogg, Mason and Murray and Mr Ciobo, Mr Griffin and Mrs Mirabella

**Members in attendance:** Senators Brandis, Hogg, Mason and Murray and Mr Lindsay

**Terms of reference for the inquiry:**

To inquire into and report on:

The adequacy of electoral education focusing on but not limited to:

- the current status of young people's knowledge of, and responsibilities under, the Australian electoral system;
- the nature of civics education and its links with electoral education;
- the content and adequacy of electoral education in government and non-government school programs of study, as well as in TAFE colleges and universities;
- the school age at which electoral education should begin;
- the potential to increase electoral knowledge through outside school programs;
- the adequacy of electoral education in indigenous communities;
- the adequacy of electoral education of migrant citizens;
- the role of the Australian Electoral Commission and State and Territory Electoral Commissions in promoting electoral education;
- the role of Federal, State and Local Governments in promoting electoral education;
- the access to, and adequacy of funding for, school visits to the Federal Parliament; and
- opportunities for introducing creative approaches to electoral education taking into account approaches used internationally and, in particular, in the United States, Canada, Germany, United Kingdom and New Zealand.

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**Committee met at 9.04 am**

**CHAIR (Mr Lindsay)**—I declare open this public hearing of the Joint Standing Committee on Electoral Matters inquiry into civics and electoral education. The committee is interested in finding better ways of inspiring and engaging people, particularly young people, in Australia's electoral processes. Today we are hearing from representatives of the National Capital Educational Tourism Project, Civil Liberties Australia, the ACT Electoral Commission, Dr Bede Harris, the Democratic Audit of Australia and the ACT Legislative Assembly. I remind the witnesses that, although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of the parliament and warrants the same respect as proceedings of the respective houses of parliament. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. The evidence given today will attract parliamentary privilege.

[9.05 am]

**WATSON, Mr Garry, Project Leader, National Capital Educational Tourism Project**

**CHAIR**—I welcome our first witness. Mr Watson, there is a suggestion that Dr Ritchie should join you.

**Mr Watson**—He would prefer to be in the audience, I think.

**CHAIR**—We welcome Dr Ritchie nevertheless. Mr Watson, do you wish to present any additional submission or make an opening statement to the committee?

**Mr Watson**—Yes, I would.

**CHAIR**—Please proceed.

**Mr Watson**—Thank you for inviting me to speak to you. It is Friday and for all of you it is a long sitting week. If I were of your mind I would probably be thinking about getting home tonight. But I want to remind you that, as we speak, within walking distance of this committee, some young Australians are participating in something that is probably unique in democratic countries around the world. In fact, as we talk to each other, students from Cherrybrook Public School in New South Wales are at the Electoral Education Centre here in Canberra. They are learning about the secret ballot, which originated in Victoria. They are learning about the radical idea of one vote-one value. Before we finish today, they will have participated in probably their first preferential ballot and they will learn how it is counted. They are from a federal electorate and their member is here at Parliament House. They probably will have visited Parliament House and seen him or her.

If it were a secondary class, they would have learnt about the proportional preferential system that elects senators. I cannot understate the importance of this activity to the health of our democracy here in Australia. In fact, this sitting week I suspect there are some things that you are proud of and some things that are cause for a bit of embarrassment. I am proud of the fact that this week there were sessions run at the Electoral Education Centre from 8.30 in the morning on the half hour every half hour until about six o'clock at night. I am proud of the fact that they were fully booked some months ago and there is a waiting list for this week. However, that is also the cause of my embarrassment, because I want to talk to each of you about the fact that it is my estimation that, if the Electoral Education Centre had the capacity, it would have doubled the number of students that visited the centre this week. With your will and commitment and, in my view, a paltry sum of money this sitting week, in the first sitting week of the August session next year, which will probably be before the next election, the centre could double the number of students that it educated—if you 10 members and senators really wanted it.

The paper that I provided to you includes the statistic that 122,000 students visited the national capital over the last 12 months. The numbers are increasing—in fact, for the financial year just finished, 127,000 students visited the national capital on a school excursion to learn about civics and citizenship education. What does that really mean? An extra 5,000 students visited and 50



per cent of those were from regional and rural Australia. Some of them were from Western Australia. I met some of the Western Australians on Wednesday. They asked a question at the National Press Club of Julie Bishop. The students come from Queensland, South Australia and Victoria. None of those extra students will have access to the programs at the Electoral Education Centre this week.

For all intents and purposes, the Electoral Education Centre is completely full. They may have a spare session this afternoon, but that does not count because almost all excursions go home on Friday afternoon, as will the committee members. They look forward to their own beds. They go home, get up on Saturday morning and either do sports or watch *Video Hits*—I am not sure which—like you guys do, I suspect. I am here because I want you members and senators to think about the opportunities that we offer. I want you to recognise that what the Electoral Education Centre does in Canberra is bigger than party politics. It is about educating young Australians in their democracy, the best democracy in the world.

Next year, when I wander around this building, as I do quite often—I am told I am recognisable—and I see you in the corridors, I ask you members and senators whether you will shake my hand and say, ‘Hey, we pulled it off; we’ve doubled the numbers at the EEC this month,’ or whether you will shy away from me and think perhaps I am a bit naive and do not really understand the process of parliament. But when you see the kids out there in the main area or in the visitors gallery, I would encourage you to think about the opportunities that we provide to give those kids a basic understanding of our democracy. That is what I am about, members and senators. Thank you.

**CHAIR**—That was a great commercial; we appreciate that. You just made one error: you did not mention that kids from the Southern Cross Catholic School in Townsville are in the parliament today.

**Mr Watson**—Yes. I was talking about the Electoral Education Centre.

**CHAIR**—I know.

**Mr Watson**—And I believe they probably are.

**CHAIR**—Yes, they are.

**Senator MURRAY**—There was a second error and that is the assumption that everyone goes home; they do not. Quite a large number are working over this weekend.

**Mr Watson**—Yes, that is true and not all of the students go home. But, in general terms, that is what happens.

**Senator HOGG**—At page 4 of your submission, you give us a graph of where the people who are visiting the centre come from. It seems as though—at first glance without a deep analysis—it is very much skewed towards New South Wales country and Sydney and seems to drop off for virtually the rest of Australia. That tends to indicate that, if you come from rural, remote or even regional areas, access to your facility is fairly limited indeed. Is that the case?

**Mr Watson**—A minor correction: it is not my facility.

**Senator HOGG**—I know, but I mean the facility you are with.

**Mr Watson**—I do not work for them. Perhaps I should clarify that. The job of the project that I run is to encourage schools to visit the national capital—

**Senator HOGG**—Right, I am sorry.

**Mr Watson**—and visit the range of cultural institutions.

**Senator HOGG**—I took it that you were also embedded there.

**Mr Watson**—No, but I happen to be particularly passionate about the democracy side of the issue. Actually, I think the graph shows that it is partly about distance from the national capital, but the graph does show that where most kids live they do have some access. I think the fact that New South Wales country and regional is slightly higher than Sydney is not insignificant in relation to visitation. Certainly, the further away you are, the more expensive it is to visit your national capital—that is logical. But also there are fewer schoolkids. Most schoolkids live within 1,000 kilometres of the national capital. There are fewer kids in Hobart than in New South Wales country regional; that is just the fact of the demographics.

There are a number of programs, as members and senators would be aware, to encourage kids. The new PACER program has a sliding scale of approximately 500 kilometres variance to attempt to make it a much more level playing field for schools to come from wherever they are.

**Senator HOGG**—Whilst it is early in the PACER scheme, do you believe that there is any evidence that the scheme will address the issue of making access available to those in more remote areas? Otherwise, we are going to end up with a nation that is skewed totally for the major metropolitan and regional areas.

**Mr Watson**—It is my belief that the new scheme is much fairer than the previous schemes. This is not because the previous schemes were intended to be unfair, but because it simply tackles the distance issue in a fairer way. It breaks the country up into more reasonable segments. Even though Perth, I think, is 3,900 kilometres away it has a further segment for schools that travel over 4,000 kilometres which recognises that some schools, say, in Western Australia have to travel just to get to Perth. I think it is genuinely a fairer attempt to address the issue of distance and cost.

**Senator HOGG**—Is this reflected in your forward bookings?

**Mr Watson**—Yes. In fact, since the PACER has come into being, as of 1 July, we have had over 600 schools already taking up the program and that is really in little more than a month. I do not know the exact figures but there is well over \$1 million worth of commitment.

**Senator HOGG**—Could you take this on notice because I think it will interest the committee. Could you give us some idea of the breakdown and how the profile, in your view, has changed as a result of the PACER program? In other words, are you now seeing children from schools in

areas that previously were not identifiable on your records as either visitors or even potential visitors? I am thinking now of some quite remote areas.

**Mr Watson**—I do not think I will have results in the next couple of months that will give you that information because the PACER program is only just being promoted. However, since the PACER program started I have been at national teacher conferences in Alice Springs and in Adelaide. Anecdotal evidence is that teachers from the more remote areas are really pleased about the opportunities that the PACER program offers. I can give you as much as I have but promotion takes some time.

**Senator HOGG**—I accept that. This committee inquiry will go on for some time yet. So in, say, two months from now, if you could also give us a more updated assessment, it will enable us to appreciate just where you are.

**Mr Watson**—I would be very pleased to. I must say, because I speak to teachers every day, that the anecdotal evidence is that they are very pleased with the changes and with the increase in resources. In fact, the PACER program should give more resources to every school that applies.

**Senator HOGG**—You raised the issue that if you had more funding in terms of the program at the Electoral Education Centre, more students could be accommodated. Have you got a figure on that for us?

**Mr Watson**—I do not but there is space at Old Parliament House where the program actually runs. I believe you are going to see the program. It is simply about duplicating those three rooms where they run the program—just doubling it. There is space. The heritage issues at Old Parliament House do cost money. I do not have a figure but I know it is about simply doubling what you are already doing there.

**Senator HOGG**—Is there someone who would be in a position to be able to give us some sort of fix on the cost?

**Mr Watson**—I suspect the Electoral Commission could, but my sense would be that it is about redeveloping three rooms—of that order—in Old Parliament House.

**Senator HOGG**—Could you deal with the people that you normally deal with and see whether you can get a costing for us?

**Mr Watson**—Yes, I would be very happy to do so.

**Senator MASON**—What sort of unmet demand do you think there is? How many students are missing out, do you think?

**Mr Watson**—My estimate is that between 15,000 and 20,000 would miss out in this calendar year.

**Senator MASON**—Because there is simply not the capacity?

**Mr Watson**—Yes, simply because of capacity. Some schools will ring and find out that those weeks are fully booked and not even go on the waiting list because the waiting list will be quite high. My understanding is that at times the waiting list has had 15,000 students on it. My stats tell me that in the last financial year 127,000 students visited Canberra on a school excursion. Around 80,000 currently visit the Electoral Education Centre. You would have more accurate figures on that—78,000, 80,000, 85,000, 88,000. Most of those students are in years 5 and 6. The vast majority would want to visit the centre. 108,000 students visited the Australian War Memorial, I believe. Simply looking at those figures would give you a clear indication. I know, because I talk to the coach operators and the booking operators, that the first two bookings that you make when you are organising a school excursion to Canberra are to Parliament House—the Parliamentary Education Office, getting in to question time et cetera—and the Electoral Education Centre, because if you can't land those two bookings, the school says, 'Should I really come?' All of the other bookings tend to hinge around those two places.

**Senator MASON**—What sort of synergies are there between the PEO and the Electoral Education Centre?

**Mr Watson**—There are three programs that specifically offer high-level democracy. Firstly, the Parliamentary Education Office offers great programs. Secondly, Old Parliament House do democratic history and old debates et cetera—a fantastic program. Thirdly, there is the Electoral Education Centre, which explains how democracy actually works. I think those three programs work hand-in-glove, quite frankly.

**Senator MASON**—Do you think those three components are essential for an overview of Australian democracy?

**Mr Watson**—Absolutely. Our research—and I have given a copy of the research to the secretariat—also shows that teachers value it extremely highly. In fact, the satisfaction levels of the Electoral Education Centre show that they are the second highest, just behind Questacon. The mean satisfaction level is 4.76 out of five.

**Senator MASON**—This is from teachers?

**Mr Watson**—Yes. Teachers adore the Electoral Education Centre.

**Senator MASON**—Let's hope the students do as well!

**Mr Watson**—In the end, teachers are happy if they see their kids being taught well. In fact, I would have to say that most students would say, 'Why would we bother going to this?' but when they walk out the other end they are rapt with the process. That is my experience.

**Senator BRANDIS**—I would like to congratulate you on the program that you run. It seems to me to be an extremely good program.

**Mr Watson**—Thank you.

**Senator BRANDIS**—My oldest child has participated in it. She did that last year. I thought it was terrific. This is not meant to be a criticism, but it sounds to me from what you have told us

that, other than enlarging the scope of the program, you are not suggesting any particular ways in which it can be improved. On the basis of your feedback and your own audits, are you essentially of the view that you have got the balances just about as good as they could be?

**Mr Watson**—In general terms, the research on schools visiting the national capital—it is independent, it is not my research—is just scary in how good teachers rate the experience of a visit to the national capital. In fact, I did not think we could get higher mean satisfaction scores than those we got in our research in 2003. I expected it to decrease slightly, and it increased in our research for 2005. I am amazed by it sometimes, and any objective researcher would be knocked out by the level of satisfaction in general. In relation specifically to the federal Electoral Education Centre in Canberra, I have seen many students go through there, I am well aware of their programs, and they are as good as it gets. In fact, in my opening comments, I think I said it is a great, great thing. They balance the issue of talking about democracy without talking about politics, if you understand what I mean by that.

**Senator BRANDIS**—Yes, I think I do.

**Mr Watson**—They have some great electronic devices that support their education programs, they have good resources, and their teachers are quite passionate. What more can you want?

**Senator BRANDIS**—One other small point: you are probably aware that next week in Canberra the minister for education, Ms Bishop, is convening a national summit to address the issue of the teaching of Australian history in schools.

**Mr Watson**—I am very aware of that.

**Senator BRANDIS**—I note on page 3 of your submission, on the graph you rate Australian history as the second most important, under civics and citizenship, which I suppose is a bit more generic, isn't it? I also note that in the fourth dot point higher up on the page, you say that understanding Australia's history was rated by 91.6 per cent of teachers as one of the benefits of the program. Do we take it from that data that there is an enthusiasm among students in the age cohort that you cater for to learn more about Australian history?

**Mr Watson**—I would say that there is an enthusiasm. Okay, if you went to a group of students and said: 'We've got a choice here, guys. We've got an excursion to Canberra, the national capital, or we've got an excursion to Cairns or an excursion to Wet 'n' Wild,' you would understand the answer to that.

**Senator BRANDIS**—Yes, sure.

**Mr Watson**—However, the way Australian history is taught by the cultural institutions in the national capital certainly captures students and gets a very high response from the teachers.

**Senator BRANDIS**—It captures their imagination.

**Mr Watson**—Absolutely.

**Senator BRANDIS**—So you get 11-year-olds walking out of the place saying, ‘Gee, Henry Parkes was really cool.’

**Mr Watson**—I do not think they would say Henry Parkes was cool. They are more likely to say, ‘Joseph Banks blew me away.’ I mention that because at the National Museum at the moment there is a particular exhibition about Cook’s endeavours. One of the things about the PACER program, coming back to that, that is particularly good is that it develops a partnership between the cultural institutions that are unique in the world in terms of their education officers and their ability to provide high-quality programs, and the delivery of civics and citizenship education, and, as a consequence, the delivery of education in history.

The graphs show what the teachers have said, not what I am proposing. I believe that the current partnership between the five history attractions, which are Old Parliament House, the National Museum of Australia, the Australian War Memorial, the Australian Archives and the National Library—and they are only the ones that have it as their No. 1 priority—is unique as well, and the opportunities for improving and developing that are fantastic. At the National Library, they get to see Billy Hughes’s false teeth. What could be cooler than that?

**Senator BRANDIS**—What more could you ask for? That is great. It is always refreshing to see somebody who is so enthusiastic about what they do.

**CHAIR**—Absolutely.

**Senator MURRAY**—You have mentioned the false teeth. I remember Max Boyce, who was a famous Welsh comedian, describing someone trying to find his false teeth in a boxful of false teeth—a very interesting analogy. I think Senator Brandis is right in connecting civics and citizenship with Australian history. I am a strong supporter of a very high standard of history teaching in Australia. I am concerned that, whatever we or you and your colleagues do, we will be unlikely to reach the vast majority of Australian students. Therefore, I am interested in national coordinated projects—for instance, for those who cannot come and participate, the capacities for virtual interaction. Is there the opportunity for state students to go to their state parliament and connect into this system as well, so that you get a coordinated national approach? I am not aware, and I will ask the education department when it eventually appears before us, whether this is a COAG item for education and how that is to proceed.

Let me give you a specific example. My state of Western Australia is the size of western Europe. It is extremely expensive to come down from Kununurra, Broome or Derby to Perth. Similarly, it is extraordinarily expensive to come down from North Queensland to Brisbane, and so on. But for those students who do make it to the state capitals, there should be a means of connecting and assistance towards costs. With that introduction, my question to you is: do you think it is possible to coordinate and connect state educational visit systems with the federal system and to encourage, promote or initiate the PACER system at the state level as well, so that we get a genuinely national effort rather than just a federal effort in this area? Have teachers fed you back any views on that in your surveys and discussions?

**Mr Watson**—It is a complex question but I think there are three answers. The first one is that the cultural institutions that I am talking about, including the Electoral Education Centre, usually offer web based materials, they often offer travelling exhibitions, as well as the actual visit to the

site. In fact, some of the best web based materials for school students are offered by the history and civics cultural institutions here in Canberra. In fact, it is a bit of a spin-off of the actual visit itself. Because you need good staff, good education officers to coordinate, manage and pull off the visit, they also tend to be pretty good at organising web based resources, doing travelling exhibitions and those sorts of things. In fact, the parliament has a great travelling program with its Parliamentary Education Office going out all over Australia to schools. The War Memorial has its Museum in a Box. So there are a number of programs which schools that cannot visit can access. In a sense, they have a spin-off relationship from the actual visit itself. That is my first point.

My second point is that in general the national guidelines on civics and citizenship education are being filtered down to the states' curricula specifically. The cultural institutions, including the Electoral Education Centre, are particularly attuned to what is happening in the states' curricula and how they can craft their product to meet the key learning objectives of those states' curricula, and they are quite clever at doing that. In fact, it is an ongoing debate. Last week the director of the History Teachers Association of Victoria was lecturing the education officers of the cultural institutions about the particulars of the Victorian history curriculum and how they can craft their programs to partner the curriculum objectives. So that is my second point.

I guess my third point is specifically related to the Electoral Commission. They do have centres—there is a centre in Victoria, which I have been to, and there is one in South Australia, I believe. There is still one in Perth, which is run by the Western Australian branch. In fact, in the ACT, there is a layer where the legislative assembly provides education and resources, and then there is the layer where the national Electoral Education Centre provides the federal view. The states are quite active in their legislative assemblies; they get together from time to time. They work collectively, but there are more resources in the federal sphere. The federal cultural institutions are very aware of their mandates to provide opportunities to all Australians.

**Senator MURRAY**—With respect to the physical facilities and visits you refer to, all the states, and probably all the territories as well, replicate those. There are state archives, state libraries, state museums et cetera, with probably the exception of the national War Memorial. But I am concerned that when a student in Western Australia visits the WA state facilities, they get federal input, so the connectivity between the two is picked up, and when the WA students meet here, they get some state input, so they can connect the two. They are not two separate systems; they are integrated systems. I am not sure how well that has been developed, and I hope that will be explored as we pursue the inquiry.

But getting back to my central proposition, it seems to me that it will always be unlikely that every student who could benefit from these programs will ever make it here. To me, you have to try to get as much done in the states as possible. If the main communicators, apart from a direct experience, are teachers, is there sufficient done with respect to a rebate program for teachers so that they are cycled through these systems and experiences, so they can at least relate to and convey them first-hand to their students in states where the students are unlikely to come here?

**Mr Watson**—I have two answers this time. The first one is that if every final year primary school kid visited the national capital, it would be about 240,000 or 250,000 students. About 70 per cent to 80 per cent of the current market is final year primary. Therefore, if a student visited twice, that would be about half a million students—and I readily admit to you the cultural

institutions would be chasing me out of town if that actually happened next year. However, there is a gradual increase in the number of final year primary, for example, visiting, and the new PACER program will give more access—there is no doubt about that.

The second part of my answer is that the National Capital Education Tourism Project runs a number of programs where we talk to teachers about the resources available and where we bring teachers to Canberra. In fact, one of your research officer's parents is coming to our program in August where we are bringing approximately 50 teachers from all over Australia for a weekend in Canberra. That is partially funded by the Department of Industry, Tourism and Resources to bring teachers, and we are running two of those this year.

This year we have run five teacher seminars where we have taken the education officers out to Queensland, New South Wales and, earlier this week, South Australia. Our intent is to take those teacher seminars to Western Australia and Tasmania next year. So we do run some modest programs both to take the education officers for the cultural institutions to talk to the teachers and to bring teachers from the states and territories in to experience what the cultural institutions offer. We could always do with more resources for those programs, but they are two attempts to bridge the gap, I suppose.

The other thing we do is run a teacher's pass, which is sponsored. So, if a teacher comes into Canberra, we give them half-price accommodation with their family, free entry to all the cultural institutions and various add-ons to support them to get the teachers to see that, when they visit the national capital, we consider them to be Rolls Royce customers and very special. That is something else we do.

**CHAIR**—There is a graph at the top of page 6 of your submission. That is the school visits graphed against time of year. There is kind of a bell curve. Do you have any ideas about how that might be smoothed out?

**Mr Watson**—That is a great question and thank you for it. We live our life on that bell curve because, as you can see, in August—the month that I was talking about—around 22,000 kids visit. We are attempting to get more kids to visit in the first half of the year. Part of our marketing is about that. In fact, in the last six months, we have increased numbers in the first half of the year by about 5,000 students. However, it will always be a very difficult ask because it is not until February that they know who their teacher is in grade 6 and most kids have to raise the money to attend, therefore it simply takes time. That is why third term is commonly the time when most students come. We are funded by the Department of Industry, Tourism and Resources. We are marketing specifically first-term opportunities. We have discounts for accommodation and special programs from the attractions to attempt to increase the first-term offerings. Later I will give members and senators our first-term marketing flyer which went to every school in Australia about a month ago.

**CHAIR**—We would appreciate that.

**Mr Watson**—I will get it to your staff.

**CHAIR**—Can I propose a radical suggestion to get your reaction?



**Mr Watson**—Yes.

**CHAIR**—We saw a graph that indicated that people from regional and metropolitan New South Wales are by far the largest number of attendees here. What if you mandated that people from close in cannot attend in the peak time? How is that for a radical suggestion?

**Mr Watson**—I would be pretty nervous about that. I suppose I am more interested in the carrot than the stick. We are marketing very strongly—as much as we have resources to do.

**CHAIR**—That is a no.

**Senator HOGG**—I just have two questions. One is a process question. When the schools are making the booking, is that a one-stop shop? Do they have to go to the PEO, an electoral education centre et cetera, or is there one focus for them to go to?

**Mr Watson**—That is a great question. The answer is that they can do it themselves one by one if they want, but over half of them use tour operators. They ring the tour operator, tell them where they want to go and they book the accommodation the coach—the transport, whatever that might be—and the range of attractions. And the attractions more and more are getting online with that. In fact, the electoral education centres in the next couple of months will have a booking system online, so you will be able to interrogate from anywhere in Australia. Did I answer your question?

**Senator HOGG**—Yes, in a way.

**Mr Watson**—No, there is not a one-stop shop.

**Senator HOGG**—The other question relates to page 2 of your submission. It has been said here this morning that the students are skewed to years 5 and 6. It seems to me that there is a gap in a very important area: at the middle and upper end of secondary, where students are coming to the stage where they are going to be confronted with the actual voting process. Have you suggestions as to how to bridge that seeming gap to me at this stage, and what is actually happening on the ground?

**Mr Watson**—I would like to make two points in relation to that. The first point is that there was a moment a number of years ago when the Electoral Commission asked itself the question about whether it should be focusing on primary school rather than putting its resources into final year secondary school. My advice and my previous submission was that you need to tackle it at a number of spots along the education trail. To not be open where the teachers see that kids are most open to civics and citizenship education, which is at the final year of primary school, would be disastrous. So that is my first point.

We market very heavily to high schools to attempt to increase that, but it is a much more difficult ask because of the way the curriculum tends to silo. In final year primary school you have your teacher, who teaches you all of these things. In high school, you have to get them at year 10 or 11 level. In year 11 and 12 it is pretty well impossible because you are doing the HSC and the focus is on delivering specific learning objectives for the HSC. We spend a lot of time

marketing to the year 10 area, but it is more difficult because of the silo nature of high schools. Does that make sense, or did I not answer?

**Senator HOGG**—That makes sense, and I think it is very important to the inquiry that we are conducting. Thank you.

**CHAIR**—Mr Watson, we are going to have to wrap it up there. Thanks indeed for coming along today. You are a terrifically positive person and you are in the right place. We would appreciate receiving the additional material that you have offered to send us. That would be very interesting.

**Mr Watson**—Thank you very much for listening to me. I appreciate it.

[9.49 am]

**HARVEY, Mr John Peter, Member, Civil Liberties Australia**

**KLUGMAN, Dr Kristine Kay, President, Civil Liberties Australia**

**ROWLINGS, Mr William Murray, Chief Executive Officer and Secretary, Civil Liberties Australia**

**CHAIR**—Welcome. We do not require you to give evidence under oath, but these hearings are legal proceedings of the parliament. We have received a written submission from you. Do you want to present any additional submissions or make an opening statement to the committee?

**Mr Rowlings**—I will make a brief opening statement. Summing up our submission, behaviour is the first thing I will talk about. Basically, the members of the parliament need to modify their behaviour before anything positive happens, because it is no use running any public education when the daily reports of question time on the news give a picture that negates the positive impact of any promotional material that is put out about the House of Representatives and the Senate. So we would say that behavioural change is the foundation of any promotional activity—and that is quite common in most campaigns of public relations, marketing, advertising or whatever.

Secondly, we would hate to see the result of this committee being a massive advertising campaign before an election to promote civics education. That is not an outcome that we would welcome. There would be a danger that something like that could be recommended, and we certainly would not support that.

Thirdly, we agree that we need to concentrate on school children, but our emphasis is quite different from that of the previous speaker. You need to concentrate on them when they are ready to vote. It is almost a waste of time teaching 10-year-olds about the system. In most cases it will be at least eight years before they can vote and, while coming to Canberra is wonderful entertainment, I think the research could be better targeted at finding out what retention is involved in the learning capacities of those children.

I think that the difficult questions you asked at the end about what should happen in the last two years of high school and, in particular, what should happen when an election is called are far more relevant. There should be a vast ramp-up of education throughout the school system at that time because you will only educate people when you have their attention, and you have their attention when they are about to vote. So that is the time to educate students.

We have also suggested an innovative way of involving children in the parliament. We think the model of children walking onto soccer fields hand in hand with players is worth considering as a breakthrough. The idea of bringing children into the House and allowing them, once a year, to have a real live debate on something is also suggested by us because, if you start to engage the children and give them the opportunity of seeing that they can actually make a difference, then you will change their perception of this place.

Most education in this area tends to concentrate on children, and that is partly because they are easy to get to. That is why all bodies try to target schools. It is well known in the industry that that is where you go. But there are a whole heap of community groups who are actually voting. We were talking about targeting 10-year-olds, who do not vote, whereas there are masses of community groups of all sorts, from multicultural and ethnic groups through to Probus and Rotary groups, that should be targeted because there is very little understanding, as you would understand, of the parliamentary processes and systems.

Finally, we put in a plea for ourselves. Of all the people who are working in this field, civil liberties groups are often the most prominent in talking about civil liberties, rights and parliamentary systems and making submissions to places like this. For example, we would make a submission at least once a fortnight, and so would our organisations in Melbourne and Sydney particularly. Those organisations get no funding under any of these systems. So the groups that are out there on a daily basis defending rights, liberties and so on do not get any support from anyone. We would suggest that, if you are rethinking how you go about it, it might be well to throw into the mix that you rethink whether that is an appropriate allocation.

**Dr Klugman**—The analogy of teaching a man to fish comes to mind. If you teach people to lobby, they understand the political process. If you make it possible for people to lobby, they understand better about the political process. Much of the evidence that I think you will be hearing will be very much about a one-way process—shoving stuff out from parliament or the electorate sector to people. Political communication is a two-way process. I wrote a PhD on this.

**Senator BRANDIS**—What was your PhD about?

**Dr Klugman**—Political communication, particularly the use of the new technologies in political communication. People only learn when they want to learn. They will learn about parliament when they need to learn. As Bill said, when they are about to vote they will want to know more about parliament. If they want to get their interest group point across, they will learn about parliament—they will learn how to lobby and how the parliamentary process works. It is a complete waste of money to have a campaign when, as Bill says, what they see on the television at night of the behaviour of members of parliament and senators flies in the face of any picture of responsible government and functioning democracy that you want to portray.

**Senator MASON**—Not the Senate, surely!

**Senator BRANDIS**—What a lot of nonsense!

**Dr Klugman**—You explain to me how else some of the antics would be perceived. I know a bit about politics and how what goes on in the House and the Senate is perceived by people in the electorate. How are they supposed to respect the parliament?

**Senator MASON**—Not the Senate!

**Dr Klugman**—It never happens in the Senate? Okay.

**Senator MURRAY**—I am pleased you are prepared to be a bit provocative and robust. What it indicates to me yet again is how far apart are perception and reality. I sometimes think that the

presentation of parliament is a bit like the presentation of a family—if the only times you ever saw the family you saw pictures of discord, argument or the family disruptions which occur in every family, you would get the wrong impression of the family.

**Mr Rowlings**—Quite right.

**Senator MURRAY**—The problem that faces us is that the electorate and indeed the community at large are not aware of the common courtesies in the interactions which occur in committees and private hearings. In a circumstance like this, where you have three political parties represented, the courtesies are very evident to you. My question to you is: how do we get the total reality of parliament presented to the community and not just that which is of course attractive to media, which is discord, discourtesy and things of that sort?

**Dr Klugman**—I do not think you can change what the media covers.

**Senator MURRAY**—Of course not.

**Dr Klugman**—You are not about to censor the media and tell them what they can report. I think it does mean a change in behaviour. People do mostly watch the news and see short takes of what has been happening in parliament and question time particularly. That is the reality. I know what happens behind the scenes because I have been involved in politics. I know how much time is spent in committees in serious deliberation like this. But most people do not. Most people are not interested in politics and do not want to know, and their perceptions come from what they see on the TV news and the brawls they see in parliament.

**Senator MURRAY**—But when people are brought to parliament, as an educational experience, a historical experience, as entertainment or just out of interest, they tend to participate in or be present at those moments when contest occurs—question time, for instance. We do not see when we have a hearing the back of the committee room packed with schoolchildren, tourists or anything of that sort. So the real business, if you like, is not examined, and I am not sure how you overcome that. But, to me, the conventional view of politicians and politics—and I found it expressed in your own attitudes and views, I must say, Dr Klugman, without meaning any disrespect—does not reflect the quality, the seriousness, the depth or the real nature, the real intimacy, of the parliament with respect to policy and political issues.

**Mr Rowlings**—I think it is fair to say that we represent the community then.

**Senator MURRAY**—Exactly. The question is how we can communicate—

**Mr Rowlings**—In our submission we have made suggestions to you about how to involve people at the time they are willing to learn, which is in the later years of their education—albeit it is more difficult to get to them at that stage because they have other pressures on them. We suggested involving younger children in a real, live parliament and giving them a chance to vote and debate on issues that will bind the rest of Australia and bind children of their age. Until you give them a live experience, the only thing that they will see is what is on TV at night, which is usually 20 seconds of question time when the House is in uproar—and, yes, it is the House and not the Senate.

**Senator BRANDIS**—It is sometimes the Senate.

**Mr Rowlings**—Mostly it is the House.

**Senator MURRAY**—One thing did attract me as a very interesting idea, and that is your perspex walls on real vote counting. It is not always feasible by nature of the places in which vote counting goes on, but where it is feasible that, to me, adds significantly to the public process.

**Mr Rowlings**—Thank you. That was Mr Harvey's suggestion.

**Senator MURRAY**—It is an interesting idea, because everything else about our political process is extremely public and transparent, but vote counting is not.

**Mr Rowlings**—Yes, except, as you rightly point out, the most transparent parts appear on the news, and that is where people get their information from. All surveys show that the nightly television news is the prime source of information for people in Australia. So, if what is shown on that news of a night is behaviour in parliament that you would not like to be happening, no matter what you do in education and so on, the reality is that people will see that. That is their perception—what they see on the nightly news—and that is the dilemma.

**Senator HOGG**—That is pitched at year 10 student level.

**Mr Rowlings**—The nightly news?

**Senator HOGG**—Yes.

**Mr Rowlings**—And a year 10 student level is the comprehension ability of the Australian public.

**Senator HOGG**—It says something about our media reporting—but anyway, that is another issue.

**Mr Rowlings**—They pitch it at that level because that is the level of understanding. That is why newspapers and television aim at that level. And you are quite right: that is the level they aim at.

**Senator BRANDIS**—I am not sure that I completely understand what is the behaviour or, to use your word, Dr Klugman, the antics of which you speak. I am not saying that there are not occasionally instances of misbehaviour in parliament. We can all think of infamous instances like, for example, the time Senator Bob Brown stood up and abused President Bush in the middle of a formal parliamentary occasion, which was not in the course of parliamentary debate. But my impression is that you are not talking about instances like that but you are talking about, as you say, the day-to-day conduct of question time. What are these antics of misbehaviour? Surely, you do not just mean raised voices and vigorous political exchange?

**Dr Klugman**—No, but name calling, the attitudes of disrespect.

**Senator BRANDIS**—Disrespect for whom?

**Dr Klugman**—Of the opposition—of the opposition for the government.

**Senator BRANDIS**—Disrespect by the opposition for the government?

**Dr Klugman**—Both. The body language of the people is completely—

**Senator BRANDIS**—Hostile body language.

**Dr Klugman**—hostile and angry, and people don't like it.

**Senator BRANDIS**—I suspect—

**Mr Rowlings**—You only need to look at last night's television coverage—chicken noises and chicken suits.

**Senator BRANDIS**—That is a stunt. People who engage in these stunts will be judged by the public accordingly; I accept that.

**Mr Rowlings**—You had Wilson Tuckey outside the House abusing the Leader of the Opposition. We are not making this up.

**Senator BRANDIS**—And the Leader of the Opposition abusing Wilson Tuckey.

**Dr Klugman**—That is what is seen.

**Senator BRANDIS**—My point is that, of all the adjectives that are often used in connection with Australian democracy, and in particular Australian parliamentary democracy, one of the most commonly used is 'robust'. Although people do not like deliberate rudeness—I agree with you about that—I must say that my sense of the general public is that people do like robust exchanges and would be much happier with a system in which there was the freedom to have robust exchanges than a controlled system in which that robust freedom of exchange was somehow censored.

**Dr Klugman**—Coming from a civil liberties perspective, I am not for a moment—

**Senator BRANDIS**—That is why I am wondering.

**Dr Klugman**—saying that anything should be censored. Look at the survey results. Look at the disrespect with which the community views members of parliament. They are down with real estate agents and car salesmen, and it should not be so. The people in the parliament here should be respected people, and they are not. If you look at the survey results, you will see that they are just not.

**Senator HOGG**—If you can get the media to run some decent lines on some decent issues, you may well turn the whole thing around.

**Dr Klugman**—With respect, it is not up to me.

**Senator HOGG**—I cannot speak for the others but I have spoken in the parliament on some very genuine issues, very sincere issues, and the media do not even want to touch them, unless they are sensational and unless they can fulfil their need. If that is your criticism, don't level it at the political system; level it at the media.

**Senator BRANDIS**—The other thing I might say is that it is not immediately apparent to me that the nature of this behaviour of which you speak in the Australian parliament is any different from the nature of the behaviour in the House of Commons or in the South African parliament or in the Canadian parliament or in the Israeli parliament or in any other—

**Senator MASON**—It is much better than in the Korean parliament!

**Senator BRANDIS**—Indeed. It may well be that in parliamentary systems as opposed to systems in which the executive does not sit in parliament, the mode of debate is different. So there might be more courtliness, for example, in the American congress than there is in the Australian parliament, but that is because the system is not designed to be so acutely oppositional. But wherever you have a parliamentary system in the orthodox Westminster sense, that is the way that system always works, such as in Australia. Australians might be a little more vigorous than most people in the world, but I do not think our system suffers for that. I think it is one of the glories of our system that we can have these robust, vigorous exchanges in the House of Representatives and in the Senate and the different points of view that are entertained among the public about which people feel passionately can be passionately displayed in the parliament itself.

**Mr Rowlings**—What do you want us to do? Tell you that it is okay to misbehave? This is the Prime Minister saying what he thinks about it. It is not us saying it; this is the Prime Minister saying it on 3 June this year.

**Senator BRANDIS**—I think you may take it as a given that nobody favours misbehaviour, but it is a question of what constitutes misbehaviour. It seems to me that vigorous and sometimes angry exchanges across the table about issues of acute concern to the country like refugee policy, terrorism legislation or workplace relations laws—things that really matter—are not a bad thing in a democracy but a good thing.

**Mr Rowlings**—Can I just point out that we have spent about 20 minutes discussing your behaviour in parliament, and it is mentioned on the first page of our submission.

**Senator BRANDIS**—It is what you chose to address.

**Mr Rowlings**—If you think that that is the most important thing, that is fine.

**Senator BRANDIS**—It is the issue you chose to address. In fact, it is the first issue that you listed in your submission.

**Mr Rowlings**—Exactly.



**Senator BRANDIS**—I am just asking—

**Mr Rowlings**—It is the issue that the Prime Minister lists as well.

**Senator BRANDIS**—I have other issues too.

**Mr Rowlings**—It is the issue that shows up in surveys.

**Senator BRANDIS**—Let me turn to something else.

**Senator MURRAY**—May I just interrupt? I think this discussion is very important because you are talking about how you give a proper perception of parliament as a whole to the children, to those who wish to be educated in the electoral process. Our answer is that the media and, indeed, the public do not assess the parliament as a whole. They only assess slices of it.

**Senator BRANDIS**—That is your view, Senator Murray, and I respect it, but I do not blame the media. My thesis is that the more robust public discussion is, the freer and better a democracy we have.

**Senator MURRAY**—I accept that.

**Senator BRANDIS**—I think in the old Soviet parliament people were extremely courteous to each other.

**Senator MURRAY**—I accept your point.

**CHAIR**—Gentlemen, we need to move on.

**Senator BRANDIS**—Let me move on to my next point. Might I inquire: do any of the three of you—or, if somebody other than you was the author of the submission, does that person—have any professional experience in the education of secondary school age children?

**Mr Rowlings**—I do not believe so.

**Senator BRANDIS**—So you do not purport to be educationalists?

**Mr Rowlings**—No, and I do not think we suggest that in the document.

**Dr Klugman**—I taught in the Magistrates Court administration. I have taught in that area but, no, I have not taught schoolchildren.

**Senator BRANDIS**—Can I take you to page 4 of your submission. The discussion of school programs really starts at the foot of page 3, where you say:

We wish to comment solely that it is largely a waste of time undertaking electoral education in these places unless an election is close ... or imminent ...

You go on to say:

The reason is that the overwhelming majority (99.9%) of people at this time of their lives—

you are talking about secondary school age people—

are more focused on their studies and a range of mating behaviour and rituals than on politics and parliament.

Trying to get people so wholly engaged in such, to them, vital other activities is a waste of time ...

First of all, what is the derivation of the 99.9 per cent figure?

**Mr Rowlings**—It is to grab your attention—and it seems to have worked.

**Senator BRANDIS**—So that is a rhetorical claim? It is not derived from anywhere?

**Mr Rowlings**—Exactly.

**Senator BRANDIS**—And this observation that secondary school age adolescents who might be interested at that time of their lives in a range of mating behaviour and rituals—do you say that therefore they will not be able to be interested in politics?

**Mr Rowlings**—They are not going to be interested in politics unless there is an election in the offing. That is the point that I think we make. When there is an election in the offing and if they are coming up to vote in the next three or six months, then they will certainly be interested.

**Senator BRANDIS**—I suppose, given that you are not experts in this field and I am not an expert in this field either, we can only judge by anecdotal evidence. Can I say that in my observation of kids down to the age of 11 and 12—and certainly of secondary school age up to grade 12—I never cease to be amazed at just how interested they are in the world about them, which includes the system of government. I do not know if you were in the room when we had Mr Watson, the previous witness, who runs the educational programs here in Canberra. I could not help but be moved by his enthusiasm and what he told us about just how interested kids are in the very things that you assert, on the basis of no particular knowledge, that they have no interest in at all.

**Mr Rowlings**—I think he was talking about primary school children coming to Canberra and the wonderful results that are shown by the entertainment programs that they put on when they come to the House.

**Senator BRANDIS**—Most political activists join the Young Liberals or Young Labor at the age of 16 and 17. They do not miss the mating behaviour and rituals either. It is not a zero sum gain.

**Mr Rowlings**—And what percentage of the Australian population of that age do you think join Young Liberals and Young Labor?

**Senator BRANDIS**—Probably about the same percentage as in any other age cohort until you get up to about the age of 55, when political party memberships tend to expand proportionally.

**Mr Rowlings**—We are not talking about mass joining here, are we?

**Senator BRANDIS**—No. Australians do not join political parties en masse. I do not know about the Labor Party, Senator Hogg, but certainly in the Liberal Party the largest age blocks tend to be people under 30 and over 55.

**Mr Rowlings**—That is true of all sorts of volunteering, by the way.

**Senator BRANDIS**—At the foot of page 4 you talk about ‘empowerment’, which is a word we would all recognise in documents of this kind:

The basis of this further civics education should be empowering individuals and community groups (including sport, ethnic, indigenous, etc) to better ‘use’ the political and electoral system to their advantage.

In other words, the education should be more focused on teaching lobbying techniques than esoteric parliamentary or political facts.

Teach a person how to lobby and they can fish for answers and outcomes all their lives; teach them how the system works, and they are simply flush with facts.

I will make a remark and give you the opportunity to respond. I find that a disgustingly cynical view of our civil society: the view that we should be teaching young people that what our political institutions are about is working out how to use it for your advantage rather than respecting it, knowing about it, appreciating and participating in it. I find that a level of cynicism which is disgusting.

**Mr Rowlings**—We have no comment on that.

**Senator BRANDIS**—Okay. Thank you.

**Senator MASON**—You do not address issues about the content of civics education or history education in your submission. You do in passing, but not in any detail.

**Mr Rowlings**—We were asked to comment on these headings, so therefore there is a comment on each heading.

**Senator MASON**—It is not a criticism at all. In terms of the content or curriculum of any civics education, do you think we should celebrate liberal democracy and its defence of civil liberties or should we celebrate the great diversity of political systems that is apparent on the face of the earth?

**Mr Rowlings**—I think you need to teach about the Australian system. Is that what you are asking? Is that what you are driving at? Or do we teach about a range of other systems?

**Senator MASON**—Should we celebrate liberal democracy? You are representing civil liberties, which are integral to a liberal democracy. Do we celebrate that or do we simply say that all political systems are equal and ‘Isn’t it wonderful to have such diverse political systems throughout the earth?’ Should the curriculum be about celebrating democracy?

**Mr Rowlings**—My personal view is that it should be about our own political system rather than the broader scope of other political systems. You normally have a limited time span when you can attract the attention of people so focused on other issues. They will particularly focus when there is an election imminent, which is what we have said.

**Senator MASON**—Okay, so we should study our system because it is our system and not because it is in any way qualitatively or morally superior to other systems?

**Mr Rowlings**—It is not a judgment we would make. It is not part of the education process, no.

**Senator MASON**—Even though you represent civil liberties, it is not a judgment you would make?

**Mr Rowlings**—We do not compare with other countries. I think your colleague was talking about impoliteness a while ago. The concentration is on our own system and not on other systems. Other people, for example Muslims, would have the system of Sharia law. We do not comment on that. That is not our brief.

**Senator MASON**—I think our system is superior because civil liberties are so important—but anyway.

**Mr Rowlings**—Again, you are expressing personal opinions, all of which add to the great diversity.

**Senator MASON**—They are personal opinions, but I think you can substantiate it. You can substantiate liberal democracy as a superior political system.

**Mr Rowlings**—Excellent.

**Senator MASON**—All opinions are not equal on the question: what are superior political systems? I would debate with anyone that a totalitarian system is superior to liberal democracy. You could have the debate. All opinions are not equal. This is not the 1970s.

**Mr Rowlings**—I assume that you teach that in other parts of the curriculum.

**Senator MASON**—I think it is absolutely integral, particularly from a civil liberties point of view.

**Senator BRANDIS**—It is civics education.

**Senator MASON**—It is civics education.

**Senator BRANDIS**—The whole point of civics education in a country like Australia is to teach people, among other things, to celebrate and appreciate the values of a liberal democracy.

**Mr Rowlings**—Add it to the mill—wonderful. What do you want us to say? It is like motherhood—we agree with you.

**Senator MASON**—It has not always been motherhood, Mr Rowlings. This is why we raise the issue. Celebrating liberal democracy is a more recent phenomenon in this country.

**Mr Rowlings**—What do you mean by ‘recent’?

**Senator MASON**—Liberal democracy was not necessarily celebrated—how do I put this?—quite so enthusiastically 30 years ago.

**CHAIR**—We need to cut this off at this stage.

**Mr Rowlings**—It is an interesting debate.

**Senator BRANDIS**—I just want to tie this off. I was very direct with you about what I thought to be the very high level of cynicism in your submission. I was not trying to be gratuitously rude to you. Senator Mason has been pointing out that, when we talk about civics education, surely we mean something more than using the system; surely we mean something about appreciating, valuing and supporting the system.

**Senator MASON**—And celebrating it.

**Senator BRANDIS**—And celebrating it, to use Senator Mason’s words. Hence the question: is it a core objective of a healthy civics education system in this country that the students come away with a greater appreciation for and love of liberal democracy?

**Dr Klugman**—Absolutely; I could not agree more.

**Senator MASON**—Thank you.

**Dr Klugman**—And I think it will not be engendered or promoted by the behaviour of members of parliament.

**Senator MASON**—That is a slightly different issue.

**CHAIR**—We have come back to where we started. Thank you, Dr Klugman and gentlemen. I appreciate your attendance today.

**Mr Harvey**—May I add just a small comment. In relation to the last topic, I suppose, and in relation to the behaviour topic as well, I think something that has a bearing on all of it is a broad sense in the population of argument, a sense of logic, a sense of where an argument leads, what follows from what and what does not. One basic thing, as an obvious example, is the difference between a real argument and an argument ad hominem—whether you are going to attack an argument on the basis of its invalidity or attack the person who made it on the basis of what you

assume about the person. I think a greater education and a greater sense of that sort of thing would go a long way in many of these areas.

**CHAIR**—Thank you.

**Senator BRANDIS**—I agree with you, Mr Harvey.

[10.23 am]

**GREEN, Mr Phillip, Electoral Commissioner, ACT Electoral Commission**

**PURVIS, Ms Alison, Deputy Electoral Commissioner, ACT Electoral Commission**

**CHAIR**—Welcome to today's hearing. Let us hope we will not have the same friction as with the previous witnesses! I am sure we will not. Thanks for being with us today. We do not require you to give evidence under oath but you will be aware that these are hearings of the parliament and that they have the same standing as the proceedings of the respective houses. We have received your written submission to this inquiry. Do you want to present any additional submissions or make an opening statement to the committee?

**Mr Green**—I will make a brief opening statement, if I may.

**CHAIR**—Please go ahead.

**Mr Green**—As you are aware, the ACT Electoral Commission is responsible for elections for the ACT Legislative Assembly. We have a statutory function of promoting public awareness of electoral matters and of the ACT assembly through education and information programs. We believe that well-informed voters are a crucial aspect of running a free and fair election, which is what our mission is in the ACT. However, we are a very small electoral commission and we have limited resources. We only have six staff so we have to find clever ways of using those limited resources to reach as many people in our target audience as possible.

We do have on our staff a dedicated education officer, who is an ex-teacher and an ex-presenter at the AEC's Electoral Education Centre, but all staff at various times have some electoral education function—that is, in presenting classes for students, preparing materials or working on our internet site. We use the internet in particular to reach a much wider audience than we could through face-to-face approaches. One thing we try to do in our small jurisdiction is empower teachers to go out and deliver electoral education sessions without the need for our staff to be present. One of our approaches is to provide in-service programs and materials on our internet site for teachers, to allow them to go out and present electoral education sessions.

In our submission we give a few suggestions for things that could be improved in electoral education. We recognise we are a small cog in a large machine. We are just one of a whole range of players—that is, not just electoral commissions but also education departments, as they have a big role to play. We believe that one of the most effective ways of delivering civics education is for schools to put civics and electoral education into their curriculums and make that part of the school curriculum. If that does not happen then we are really fighting an uphill battle.

**CHAIR**—Ms Purvis, do you wish to make a statement?

**Ms Purvis**—No.

**CHAIR**—Thank you. Senator Hogg will lead off with questions.

**Senator HOGG**—I have only a couple of questions. We have met with a couple of your colleagues in other regions, and I am wondering about this. Do you meet as a collective to discuss this whole issue? Are you in some way envied by them because of the proximity that you have to a large range of facilities here? Does that really assist you in promoting the awareness that is necessary out there in the broader community?

**Mr Green**—We deal and meet regularly with our colleagues from the other states and from the Australian Electoral Commission. In fact, in October last year the ACT Electoral Commission hosted a national conference of electoral educators, which I think was the first conference since 1995.

**Senator HOGG**—The first since 1995?

**Ms Purvis**—Since 1994.

**Senator HOGG**—All right, so it is a long time.

**Mr Green**—We felt that we had developed programs in isolation from other electoral commissions, and we thought there was quite a need to get together and to pool our resources, our knowledge and our experience. The main focus of the conference was on information sharing and making stronger contacts between the commissions and with the parliamentary education offices in the various states. We felt that the conference built quite a lot of bridges between the different organisations and enabled us to get a better feel for the things that were happening in the other states. Where we want to take that in future is to make a lot more use of resources developed across Australia, to perhaps make some of those more common and to spread what are small resources across the country to maximise the benefits of those for the other jurisdictions.

**Senator HOGG**—I just need to understand that correctly. Have you been developing educational resources in isolation from other AEC offices throughout Australia? Is that a reasonable assessment?

**Mr Green**—Yes. Obviously, we are aware of what all the other electoral commissions do, and we make use of materials that are developed in other jurisdictions when we are developing our own materials, but in general we have developed materials looking at what the other states and territories do.

**Senator HOGG**—My question went to this issue. Are you, as opposed to your colleagues, better placed to handle the education process, given where you are placed? That is, do you achieve better outcomes in terms of electoral awareness with students in particular?

**Mr Green**—The focus of the Australian Electoral Commission in their Electoral Education Centre here in Canberra is almost entirely on federal electoral systems. Also, because it is a national centre and it caters for students from all over the country, most of their students are outside of our jurisdiction so they are really not part of our target audience. We are really concerned with students in the ACT. Those students from the ACT who go to the Electoral Education Centre do get a good education in electoral matters, way beyond anything that the ACT commission can deliver. We do benefit from that here. I would like to see more cooperation



between the ACT commission and the AEC because, while in our education sessions we always put the federal nature of our political system into context—so the ACT is seen as being underneath the federal umbrella—the federal electoral education sessions tend to focus primarily on the House of Reps and the Senate systems. We certainly see an opportunity for much more cooperation between us and the AEC.

**Senator BRANDIS**—Thank you for that submission. Referring to dot point 1, on page 7, may I say that my own inexpert experience merely as a parent but not an educator would support that view. I was just saying to Senator Murray before that the earlier we introduce primary school students into citizenship education and, indeed, other matters as well, the better. I was wondering if you could just direct me to the research you refer to which verifies that proposition. If you cannot off the top of your head, perhaps you could take the question on notice.

**Ms Purvis**—Certainly.

**Mr Green**—There are a couple of footnotes on page 5.

**Senator BRANDIS**—Are there? You mean page 6, don't you?

**Mr Green**—Footnotes 2 and 3.

**Senator BRANDIS**—That is the research you have in mind in that first dot point on page 7, is it?

**Mr Green**—I think so. It was actually my education officer who wrote that part of the submission.

**Senator BRANDIS**—I am quite interested in this. Would you mind taking that question on notice?

**Mr Green**—Yes, we can do that.

**Senator BRANDIS**—Don't go to too much trouble but, if there is other research that you can point to, would you mind giving us a written answer?

**Mr Green**—Certainly.

**Senator BRANDIS**—Thank you

**Senator MASON**—You are to be congratulated on a comprehensive education scheme. Was that your idea? No false modesty, Mr Green; you go ahead.

**Senator BRANDIS**—There is less false modesty in this building than in any square mile of the Commonwealth of Australia!

**Mr Green**—We are one-third of the ACT Electoral Commission in front of you. We are the managers so we are responsible for most of the things that we do. Our education officer, Jan Pryor, who is a trained teacher, also had a big part to play in it.

**Senator MASON**—I am sure that there is an advantage in the sense that obviously it is the ACT, the national capital, but it would be interesting, Chair, if some of this could be duplicated in other states by the AEC.

**Senator MURRAY**—Mr Green, because I have had quite a long interaction with you and your office through this committee, may I compliment you again on the record for the way in which you and your office have interacted with this committee over the years. It is very much appreciated, I am sure, by all of us. The question I have is about how the Commonwealth can assist in furthering civics education for students who may not be able to access or come to central sites—they may not be able to come to Canberra or to a particular program. It is not as much an issue in the ACT, but I am sure it is an issue.

Do you think that one of the great areas of assistance the Commonwealth could provide might be in the practical and technical area—that is, because of the importance now of the web and of interactive materials through the web network, in the area of the design and the linkage facilities, the visuals, the graphics and materials which would enable, for instance, a student in Townsville or in Kununurra to access the same material even though they or a teacher cannot come here? Do you think that is an area which needs much more input and which is well within the capabilities of perhaps the Commonwealth to provide? It will not be as financially onerous but might be much more helpful.

**Ms Purvis**—It is certainly a growing area, and an area that teachers here in the ACT are looking to use much more. The program that the local education department is putting in place is a program called myclasses, which I understand is an Australia-wide program where teachers have resources at their fingertips, if you like. They do not have to search the web; they do not have to go surfing to find the resources they need—those are all put in one place for them. I understand that some of the areas that have already been covered in that include mathematics and literacy and those sorts of areas, where they put together a set of resources for teachers and they can access it through this program called myclasses. It also has a whole lot of interactive, useful materials that teachers can use in their teaching of children. They can put those into what we call a portfolio and then students can access them from home or at school through the web. It means that the teacher can manage the particular area of study they are looking at through that process.

We understand that civics and citizenship has not yet been written for myclasses; there is no central module yet. We certainly have asked the myclasses people to link our site to their processes, but there is as yet no central resource that pulls together all the civics and citizenship material that is available. That is a growing area and a useful thing that the Commonwealth could be involved in.

**Senator MURRAY**—In this parliament I have observed that some of the educational programs involve role play and that enables the children or students to understand more precisely how a debate is constructed and the rules of managing a parliamentary occasion and so on. In my business life we used to use role play quite heavily both to elicit understanding and to change behaviour because you cannot simply persuade people by telling. Do you think that web based systems should also include strong role play components? These are quite difficult to design and need very intelligent systems to do it, but I have visited the most remote areas with extraordinary computer facilities, so it is feasible. I have the impression that your office is quite

advanced in its thinking in these sorts of areas so I have asked you this question to see if you have given it any thought.

**Ms Purvis**—Certainly the range of materials that can be put on the web is exciting and we encourage all sorts of ways of students interacting with ideas—role-plays is one of those. Recently I was looking at some avatars, they are called—some little figures that they are using in the Northern Territory to get health education across. They are a new and exciting way of interacting with various communities and another way that it would be good to look at.

**Senator MURRAY**—Thank you for that, Ms Purvis.

**Mr Green**—Just in terms of role-play, we have found in the electoral education we have delivered that the very best way to teach people how to run an election, how to vote in an election and how to count an election is to get the students to do it themselves. One of the features of our website is a set of materials that empowers teachers to go out there and run their own elections, particularly for student representative councils, which, as far as the students are concerned, are real elections with students as candidates. That is one way we use the web to provide materials for people to do the role-play in the schools.

**Senator MURRAY**—Do you know whether that system is followed in other states or territories?

**Ms Purvis**—SRC elections? I am not sure.

**Senator HOGG**—In terms of students in the upper secondary area, do you run an awareness program about getting themselves on the federal roll and, if so, how do you stage that program over the electoral cycle and what difficulties do you experience?

**Mr Green**—We, with the rest of the country, have difficulty in getting 17- and 18-year-olds to enrol. As part of all our electoral education sessions we do focus on the need to go on the electoral roll and how you do that. We have a bounty program where we write to all the schools and colleges in the ACT that have students who are 17, 18 and 19 and we pay them a bounty—I think it is \$2.50 per enrolment form. We get data, particularly from the motor registry here in the ACT and that gets fed in to the AEC's programs so a lot of young people in the ACT get on the roll through direct mail as a result of getting their drivers licence. So enrolment is the focus of quite a range of things that we do, and at election time we have an advertising campaign in which we focus on the fact that the rolls are closing and the need to get on the roll. Because we have fixed terms that is something we can plan well in advance and we can time it so that it reaches maximum impact. As with the rest of the country, we find that the proportion of eligible electors in the 17, 18, 19 and 20 age groups enrolled tends to be less than for people in the older age group.

**Senator HOGG**—Do you have a view as to how that can be turned around, as part of your awareness program?

**Mr Green**—We have been putting a lot of thought into this. We are actually wondering whether the continuous roll update program for young people needs to shift focus away from the continuous nature of it to try to maximise the bang for our buck at election times. We do find it is

a very cyclical trend. At the moment, which is between elections, about 60 per cent of 18-year-olds are on the roll. That was at 30 June, from figures I have just been compiling for our annual report. At election time it was over 80 per cent. I am sure an awful lot of 18- and 19-year-olds are not motivated to get onto the electoral roll until an electoral event happens. I am beginning to think we should be putting more resources into making sure the roll at election time has as many people as possible in each age group rather than spreading our resource thinly across the whole of that four-year election cycle.

**Senator HOGG**—In the ACT you have only two electorates. That does not necessary make for the complexities that might exist in Sydney, Brisbane, Melbourne and the like where there can be a reasonable number of electorates within not so great a distance. Do you find much of a movement of young people between the two electorates in the ACT or are they pretty sedentary?

**Mr Green**—For our purposes, we have three electorates.

**Senator HOGG**—Yes, one is on the border. I understand.

**Mr Green**—We have not put a lot of research into that kind of analysis—as to whether young people are moving across the borders. My feeling from anecdotal evidence is that people up to the end of year 12 would tend to remain at home. Speaking from personal experience, it is much cheaper to stay at home than to move out, even after year 12, but I think a lot of students do move out.

**Senator HOGG**—Yes, I have found that with my three.

**Mr Green**—Canberra has a lot of people coming into Canberra from surrounding regions to go to university. Once people start to go to university and get jobs then they do move around.

**Senator HOGG**—On that issue, what sort of awareness program do you run at the university itself?

**Mr Green**—At election time we try to do enrolment drives. We run the ANU Students Association elections, which are typically at the end of August or early September each year, which is just about when our roll closes in our election year.

**Ms Purvis**—We do that every year, and at every students union election we have enrolment forms present.

**Senator MASON**—Very important elections.

**Ms Purvis**—Yes, very important.

**Mr Green**—We do not run the Canberra University elections so they are a bit harder to reach. But in the roll close periods we do try to get enrolment forms out to the universities.

**CHAIR**—In your submission you have listed a number of the things that you do. One of them is conducting student representative council elections in schools. You went on to say that you use the ACT's Hare-Clark system. We have received some evidence that suggests that students'

experience in participating in student elections turns them off the electoral system because they basically find that it is not a system they believe in, in that the elections basically get rigged by the teachers. So when they go to real elections they have this experience in their school life so they do not take a lot of interest in elections. Have you detected that at all? Do you think that electoral commissions ought to run all school elections?

**Mr Green**—Anecdotally.

**Ms Purvis**—We have heard of stories. When we are in a school running an election, we do it usually from go to whoa. We take the nominations, we get the ballot papers ready, we attend the school to help with the voting, we get the young people involved as polling officials and those sorts of things and then we stay with the students and count the election. They actually see the whole process from beginning to end. I suspect, in that case, the cynicism is less.

**CHAIR**—Yes, I would think so.

**Mr Green**—I also think the use of our Hare-Clark system, because it is such a fair system, means that the students come away thinking: ‘Wow! This is great.’

**CHAIR**—Did you say ‘fair’ or ‘incomprehensible’?

**Mr Green**—Fair. Like the Senate, only simpler!

**Ms Purvis**—It is actually very interesting watching them watch a Hare-Clark count. They start by being quite confused by it and then, in the middle, the lights start to go on: ‘Oh! We get that.’

**Senator BRANDIS**—You mean you have found some people who are not confused by the Hare-Clark system?

**Ms Purvis**—We have.

**Senator BRANDIS**—That is encouraging.

**CHAIR**—With your education programs in primary or secondary schools, which one do you think is most effective in preparing students?

**Ms Purvis**—It is an interesting thing taking both the different age groups. The primary school students are very receptive and open to asking questions and hearing the answers to questions. As you go to the older age groups, the peer pressure starts a little bit more and they are little bit cooler. They are not so keen to ask questions, to be different and to come up and help with the particular role-plays and those sorts of things that we do. It is quite different.

**CHAIR**—Finally, on your teacher training recommendations, do you think all teachers should be trained in civics, citizenship, electoral matters—

**Mr Green**—Far be it from us to suggest how education departments should run their teacher training. Off the top of my head, only those teachers who actually teach it, I would have thought,

would need the training. It really depends on whether it is something that all teachers teach or whether it would be more of a specialised thing.

**CHAIR**—Should there be a refresher on an ongoing basis for teachers?

**Mr Green**—I am sure that would be of value.

**Ms Purvis**—Yes, absolutely. We find that the mobility of teachers is a difficulty, because we get a teacher, they are trained up, ready and enthusiastic and then they move schools and the whole thing starts again.

**CHAIR**—As there are no further questions, thanks for your attendance today and the evidence that you have given to us. We do appreciate it.

**Proceedings suspended from 10.48 am to 11.04 am**

**HARRIS, Dr Bede, Private capacity**

**CHAIR**—Dr Harris, welcome to today’s hearing. You may be aware that we do not require you to give evidence under oath, but these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. You have sent us a written submission. Do you want to present any additional submissions or make an opening statement to the committee?

**Dr Harris**—Yes, thank you. I would like to make an opening statement. I am a lecturer in constitutional law and I often find it difficult to teach students basic principles of constitutional law when they come to university, bearing in mind that you cannot make any assumptions about their knowledge. You cannot assume that they are aware of the fundamentals of government, and a lot of what I teach them seems to come as a surprise to them. That does not bother me particularly, because I enjoy teaching the students and conveying the information, but it is unfortunate that people who will not have the opportunity to study law in a formal sense would appear not to get an adequate opportunity to understand their Constitution. I do not mean by this to damn whatever efforts people are undertaking or their commitment to that, but there is clearly a need to enhance whatever is being done at the moment.

I am aware, of course, that our Constitution is difficult to understand because the text of it does not correspond with reality, because so much of it is dependent upon convention. But I think the difficulty people have in understanding how the Constitution works, coupled with an electoral system that really values the votes only of people who live in marginal seats, tends to generate apathy on the part of the public. This is simply a feeling I have rather than anything based on any hard evidence, but it would seem to me that the general mass of people are not interested and not engaged in the political process and in constitutional matters because they think there is no point and that such engagement is unlikely to lead to any change.

In order to enhance and improve our system of government in Australia, we need to engage in a process of public education. I think there needs to be a direct approach to people through some sort of public education, taking at least the form of a mail-out of information about the Constitution—such as a booklet which explains both the positive and the problematic aspects of it. Then, after the public has had time to digest those, perhaps there could be a series of public hearings—similar to those that were conducted in Victoria prior to their enactment of their charter of rights and responsibilities—where people are encouraged to make submissions on what they think of their Constitution and how they think it could be improved. That is what I would like to say initially.

**CHAIR**—Thanks for that. You suggest a mail-out. You would see the federal government doing that?

**Dr Harris**—Yes, I think it would be primarily a federal responsibility. Given that in a federal system one must think of a constitutional system as being on two levels, perhaps there should be a parallel process run by each state in relation to their constitutions.

**CHAIR**—Are you seeing this as part of what you would call a need for an education program directed towards the general public?

**Dr Harris**—Yes, not just towards people at school.

**Senator HOGG**—Could I just cut across there. The chairman asked specifically whether it should be a federal government responsibility. Should it be the responsibility of the AEC, as opposed to being a government responsibility as such?

**Dr Harris**—I thought the distinction was between federal and state governments.

**Senator HOGG**—It may well include state electoral commissions, as opposed to the state governments. In other words, it could be that the education process may well be politicised as opposed to being fairly neutral in political terms. That is why I am raising that.

**Dr Harris**—I understand what you mean. I think, given the independence of the AEC, that would probably be the best agency at the federal level to deliver that sort of program.

**CHAIR**—Let me just ask Senator Hogg—and this is unusual—

**Senator HOGG**—I am not allowed to answer questions!

**CHAIR**—Dr Harris, you might get involved too.

**Senator HOGG**—Ask Dr Harris, and I might contribute. That is the more appropriate way.

**CHAIR**—Why is the AEC responsible for the Constitution—surely that is more of a government matter? There would never be any question of politicisation of the Constitution.

**Dr Harris**—Perhaps I can draw upon the experience I had when the referendum on the republic was held. You will recall at that time that a booklet was put out which gave an opportunity to both the yes and the no camps to express their views. I found that booklet to be not that useful in the sense that there was no, dare I say, objective explanation of what the changes were. I was lucky enough to be asked to moderate public meetings at the time of the referendum to explain to the people at those meetings what the changes would and would not be without expressing any opinion myself. I think that it would be important for an institution that is able to draft an independent and objective commentary on the Constitution to do so. I do take that point that there would be a lot of people with hobbyhorses and drums to bang on particular issues, but I think it would be useful if—let us take one example—the Electoral Commission said: ‘Right, in Australia we have a system of responsible government. The government depends on the support of the House but we also have a requirement that, to function, the government must be able to enact its budget. There is a problem here with the bicameral system and the potential of the Senate to block the budget. What do you think we should do about this, if anything?’ That is a pretty neutral casting of the issue.

**CHAIR**—Moving on, you said in your verbal submission that the public were not engaged in the process. We are finding that students particularly are not engaged in the process. How do you find your university students in relation to their engagement?



**Dr Harris**—I try my best to provoke them and it is very difficult, actually. Students do not seem to have an interest in big questions of justice. I usually begin my constitutional law tutorials by talking about the Nuremberg trials—the idea that what was done in Germany was legal within the German legal system and yet it was unjust and that is why we had the Nuremberg trials. Then I throw to the students: ‘What do you think justice is and what do you think about Australia?’ Very few of them seem to be worried about the idea that, by and large, whatever the majority says goes in the Australian constitutional system and they do not see a problem with the potential of the majority to abuse their power. I am a bit taken aback by how little engaged people are about fundamental issues of justice.

**CHAIR**—In your submission you also said:

As an initial step, there needs to be a survey of civics education in schools in order to determine its effectiveness ...

And you went on to say we should:

... move towards a uniform approach to such education.

We also have a submission saying that there should be a research centre at ANU, perhaps, on these sorts of things which might do that. However, I think we have a fairly clear understanding already of the ineffectiveness of civics education. Would a survey be useful or would it just tell us what we already know?

**Dr Harris**—If you have already discerned that through this process and the submissions you have received then perhaps not.

**Senator MASON**—Dr Harris, you lecture in constitutional law. Do you think your students find it an exciting subject?

**Dr Harris**—They find it interesting, yes. They are quite surprised about some of the things they learn and how informal many of the constitutional rules are. They also find that there are a lot of unremedied issues in the Constitution. I think that, at the end, they are probably surprised by the lack of constitutional development in this country. I also teach Corporations Law. In every year of the last decade we have had massive reforms in the corporations area. Corporations Law, in my own heart, is not nearly as important as constitutional law—

**Senator MASON**—They are linked these days, aren't they?

**Dr Harris**—Yes. We have had very little forward movement in constitutional law. I suppose my own attitude towards this is affected by the fact that I spent most of my formative years in Zimbabwe and South Africa, where what constitutional rights should be and what a constitution should contain were matters of everyday discussion. In New Zealand, too, where I also spent some time teaching, some very progressive changes were made in the constitutional arena with the New Zealand Bill of Rights Act.

**Senator MASON**—Canada has had a similar thing with its Charter of Rights and Freedoms.

**Dr Harris**—Yes. It is very difficult to know how to get things moving in Australia.

**Senator MASON**—On Monday we were talking about the Constitution. I think the committee agrees that it is an important part of civics education for children, young adults and all Australians to understand at least the basic mechanics of the Constitution—that its basic aim is to divide up power. Whilst the mechanics are important, what is more important in selling the importance of the Constitution and in making it more interesting is the story of the Constitution. There is a great story in South Africa, there is a little bit of interest in New Zealand with the Bill of Rights and in Canada with the Charter of Rights and Freedoms. Senator Hogg, you would remember that on Monday we mentioned the United States. I have been to the United States on many occasions. I have been to schools where the kids love talking about the founding fathers—Jefferson, Monroe, Madison, Washington and Benjamin Franklin. Do you think we have the same capacity in this country? Forgetting the mechanics, which is your profession, do you think it is possible to sell the Constitution as an exciting document that has been developed by exciting founding fathers?

**Dr Harris**—Yes, I do.

**Senator MASON**—Our story, to be honest, is not quite as interesting as the United States.

**Dr Harris**—No. In fact, in informal discussions before we began, some people were remarking that there has not been a revolution—that it has all been too peaceful. You do not want conflict—

**Senator MASON**—We were talking about that on Monday.

**Senator HOGG**—I think he wants us to organise one!

**Senator MASON**—That is great at one level, but it makes your job harder.

**Dr Harris**—It is similar to British constitutional history. You cannot put your hand on any one spot where the British constitution developed. They had the reform acts in the 1830s and the extension of the franchise. It all happened very incrementally. I wrote a book called *A New Constitution for Australia*, which hypothesised about what we would do now if we had a blank sheet of paper and could start writing the Constitution all over again. Very few people were interested in it, which reinforced my view about how apathetic people are.

**CHAIR**—It would probably start off: ‘No state governments.’

**Dr Harris**—We could debate that. I concluded that assumptions were made, even in the conventions, that the institutions would be the ones that people were familiar with from the colonial governments and the United Kingdom. Of course, I am aware that the conventions were elected, but the franchise at that time was, of course, gender and race restricted. Nevertheless, they were elected. It is what I would call a ‘top-down constitution’ or a ‘big building-block constitution’. It said, ‘Yes, we are going to have a parliament and responsible governments’—that is one block—‘and we are going to have electoral districts.’ There were a whole lot of assumptions imported into the Constitution. It establishes how the building blocks will work. It does not begin with the role of the citizen, what a citizen is, what rights the citizen has and how we give effect to those rights through our construction of the Constitution.

**Senator MASON**—That was how Jefferson started.

**Dr Harris**—Yes. You start from the bottom. You do not start with the institutions; you start with your theory of the relationship between the individual and the state. There is very little about that in Australia's constitutional jurisprudence. It is almost just a massive exercise in the interpretation of a 19th century statute.

**Senator MASON**—We discussed this on Monday. It makes the Constitution so much harder to sell.

**Dr Harris**—Yes, it does.

**Senator MASON**—There is a bit of a story about the founding fathers, but it is hard to sell.

**Dr Harris**—It is difficult.

**Senator MASON**—We need salesmen like you, Dr Harris, to sell the excitement of the Constitution.

**Dr Harris**—One must always respect the fact that it was peaceful and democratic, but I do agree that it is difficult to sell. I try to point out to my students what the Constitution does not say. I said to them that if an alien from Mars came on a mission to find out how Australia is governed and took away the Constitution and reported on that in Mars, it would give a completely misleading impression because they would all be looking for the person called the 'Governor-General', in whom executive power is vested. They would be saying, 'This is the person we should get control of.' That is a very simple example but it shows that our Constitution does not say what it actually does.

**CHAIR**—You are a great witness, Dr Harris. Senator Murray, do you have any questions?

**Senator MURRAY**—Dr Harris, you might not know that I am originally a Zimbabwean. There are two of us in the parliament—Senator Allison is the other one.

**Dr Harris**—I did not know that Senator Allison was Zimbabwean.

**Senator MURRAY**—We are not as rare a breed as people might think. Thank you for your submission. I thought your interaction with Senator Mason went right to the point. The Constitution is a very difficult piece of legal architecture to get people excited about. There is not just a sense of regret behind that; to me, there is a sense of danger. I find that Australians in general, particularly those who have not come from parts of the world where war and strife have formed their political views, are not as nervous about their liberal democracy as they should be. Earlier we had a discussion in which Senator Mason said—I thought, quite rightly—that our liberal democracy needs celebrating because of its very real virtues in an imperfect political world.

The question for me is: how do you make Australian citizens, starting with them as students, more sensitive to the fragility of some of the things we take for granted—the basic protections, architecture and foundations which our Constitution satisfies within the conventions of liberal

democracy? I do not think the convention is sufficiently expressed in statutes or in the Constitution. Do you think it is in the interests of civics and citizenship education—indeed, history education—that it would be better to present the Constitution in its much broader framework rather than in its narrower persona? I think its narrower persona is difficult to sell, but in the broader framework of representing an international philosophical political position, and in the context of contesting political systems, it has far more meaning. Have we been looking at the wrong way in which to try to make the Constitution more interesting?

**Dr Harris**—Definitely. I do not think you can talk about institutions until you have talked about theory. You have to ask people: what do you think the Constitution should say about people? What rights do you think they should have? How should they participate in government? What do you think it means to be a person in a free country? And let us look at the different political theories that you can use to address that. What is the balance between the individual and society? Once you have answered those questions then everything else is mechanical. But insufficient attention is given to theory.

**Senator MURRAY**—My view is that we should almost take a British approach—because of the lack of a constitutional document of any precise nature. We should describe our system and its virtues. We should ask how the Constitution adds to that and not regard it as the foundation stone of our system—which I think the Americans do. I think our system stands aside from the Constitution in many respects. The conventions, the views and the values stand on their own and are added to by the Constitution.

**Dr Harris**—But sometimes the Constitution and the laws that the Constitution permits to be enacted can detract from that. I think that our electoral system, with its absence of any sort of proportional representation in the lower house, severely undermines the concept that every individual should have an equal voice in the electoral process.

**Senator MURRAY**—Isn't that an area that elucidates the point I am making? The Constitution was relatively light on with regard to how the electoral system should operate, and left it to the legislature to develop—which it has—in the context of a broad liberal democracy framework. The Constitution simply says: 'You are going to have a vote; now go out and design the system for it.'

**Dr Harris**—But you cannot just leave that sort of thing to parliament because if the theory of democracy is that each citizen ought to have an equal impact on the political process that has implications for the electoral system. The Constitution should make it clear what the parameters of the electoral system should be, and not just leave it to parliament to make it up.

**Senator BRANDIS**—Dr Harris, thank you for those observations, which I found very interesting. But I do not really agree with you, in this sense: I do not think our Constitution loses anything for being a relatively prosaic document as long as people have a sense of its significance. I think the Australian Constitution is a bit like the Latin mass: people might not necessarily follow every word, but they have a sense of its symbolic and transcendent significance nevertheless.

**Dr Harris**—But, at the end of the day, there are going to be points at which people come into conflict with the law, and the Constitution should set down a framework which is black and

white and which people can look to to resolve that. I think the Constitution has to be a bulwark against the abuse of power by the majority.

**Senator BRANDIS**—I accept that, but we are not going to replace a Constitution with a soaring rhetorical paean to democracy such as you find in the Declaration of Independence or in the amendments to the American Constitution. That is why I make this point about the Constitution representing something beyond its mere words. That is why I think civics education is so important. When we talk about our system and the Constitution I do not think we should necessarily be teaching students—unless they are law students—about the particular provisions of the Constitution; what we should be teaching them about is democracy. It is in the high concept of democracy, rather than in the prosaic words of the Constitution, that we are going to capture people’s imaginations.

**Dr Harris**—I agree that you have to inspire in the students an appreciation of democracy, but their next question will be: how is this theory implemented in Australia? The answer is: through the mechanism of the Constitution. Then they will ask: how does the Constitution work and does it actually deliver what you say it promises?

**Senator BRANDIS**—Do you think they do say that? Or do they—because, with all its limitations, I think we all have a sense that Australia is a pretty well-functioning democracy—merely accept that, without requiring the statutory verification of it?

**Dr Harris**—Sorry, do they accept what?

**Senator BRANDIS**—That Australia is a democracy?

**Dr Harris**—They do accept that, but they are unconcerned with the defects of it—for example, the idea that you can win a general election with significantly fewer popular votes than the opposition. They do not think that far ahead, unless you point it out to them, because the Constitution conceals that possibility.

**Senator BRANDIS**—I know that has happened a couple of times but that can happen in the most sophisticated democracy, can’t it?

**Dr Harris**—The risk of it happening if you have proportional representation is very, very small. I was in New Zealand when they introduced the MMP system. At least you knew then that whatever government was formed had a majority of voters behind it. I think we should want our students and young people to ask those questions, and to say: ‘This is a wonderful theory you are teaching us. Now show us how it works in the document.’

**Senator BRANDIS**—That is where I do not agree with you because, apart from teaching law students and perhaps politics students, I would not have thought you need to make the language of the document itself accessible to teach students, particularly secondary students, about the way Australian democracy works.

**Dr Harris**—But isn’t it their Constitution?

**Senator BRANDIS**—I am not saying you should not, but I do not think you need to.

**Dr Harris**—When they are 18, they are actually going to participate in that process.

**Senator BRANDIS**—Sure, but they can read part III about the House of Representatives. That gives a reasonably fair description of the division of the nation into electoral divisions. In other words, not all of the Constitution is in language so obscure that it does not fairly describe what in fact goes on.

**Dr Harris**—That is true, but I suppose what I am aiming for is the optimal situation. Why restrict what you give them? Why not show them the whole picture and the detail of it?

**CHAIR**—Dr Harris, thank you indeed for appearing today. You have exercised our minds significantly. Once again, we do appreciate you appearing.

[11.34 am]

**BRENT, Mr Peter, Member, Democratic Audit of Australia**

**KELLY, Mr Norman John Patrick, Member, Democratic Audit of Australia**

**SAWER, Professor Marian, Leader, Democratic Audit of Australia**

**CHAIR**—I welcome the representatives of the Democratic Audit of Australia to today's hearing. The committee does not require you to give evidence under oath but you should be mindful that these are legal proceedings of the parliament and therefore have the same standing as the proceedings of the respective houses. Thank you for sending us a copy of your submission. Do you want to present any additional submission, or do you want the opportunity to make an opening statement?

**Prof. Sawer**—Perhaps I could make a very brief opening statement.

**CHAIR**—Thank you, Professor.

**Prof. Sawer**—The Democratic Audit of Australia is, I suppose, a participant in civics education. Our Audit discussion papers are widely used in the teaching of Australian politics and in democracy courses at universities around Australia, so this is a subject about which we are concerned. Moving down to the school level, we have been less directly involved, though we have given annual sessions in the summer schools on civics sponsored by the Australian National University, which are attended by secondary school teachers from around Australia. So we have participated at that level.

What we found, however, when thinking about the subject of civics and electoral education for the purpose of our submission, was that Canada offered a very good example of how this could be done in a way which engaged students' attention very directly. Their Student Vote project has been gathering momentum since 2003. This year about 450,000 students and 2,500 schools participated in the Student Vote exercise, which runs parallel with elections—in this case the federal election in January of this year. The evaluations of those Student Vote exercises show that afterwards students are much more likely to say that they are interested in voting and, indeed, will vote. About 78 per cent of participants said after the 2004 Student Vote exercise that they were now much more interested in voting. So this seems to be a very successful exercise and something we wanted to bring to the attention of this committee.

In the other part of our submission we drew attention to some intractable—it seems—problems of electoral education in Australia, including the interaction of the different electoral systems in different jurisdictions and sometimes perhaps insufficient emphasis being put on that by electoral commissions, who are naturally concentrating on educating people in how to use the electoral system for which they have responsibility. I think some commissions are more sensitive to that than others. I think the ACT Electoral Commission is exemplary in the way it puts forward the differences between the federal electoral system and the ACT electoral system and

draws that to the attention of those participating in its programs. But elsewhere that is one of the intractable issues, I suppose.

I am very happy to take questions on these issues. My colleague Mr Kelly wishes to present briefly on some issues around enrolment, and Mr Brent, my other colleague here today, will talk a little bit further about website issues.

**CHAIR**—Could I just advise you, before we hear from Mr Kelly, that we have been in contact with the Student Vote project in Canada and we are hopeful that they are going to come to Australia to personally meet with the committee. We thank you for alerting us to that project. It will be a good outcome if they do come.

**Mr Kelly**—There are a few things I want to say in addition to the submission we made to the committee based on further research. My primary interest has been looking at the electoral systems, enrolment issues et cetera. I would like to draw the committee's attention to the case of the Northern Territory. If you look at the figures there you see that they have a combination of the lowest enrolment figures in the country—for youth enrolment at least, and I expect for overall enrolment—combined with the lowest turnout rates at elections. I will look firstly at the issue of youth enrolment.

Over the past five years of data from 1989 to 2004 for 17-year-olds enrolling there has been a slight increase from six per cent to 10 per cent. I have copies of a handout which I will give to you of these figures which may be handy. For 18-year-olds there has been a slight increase from 42 per cent to 45 per cent, but for 19- and 20-year-olds there has been a marked decrease. For 19-year-olds it has decreased from 62 per cent down to 52 per cent. For 20-year-olds it has decreased from 73 per cent down to 65 per cent. When you compare that to the national averages for those age groups you can see how markedly lower enrolment in the Northern Territory is. This ties in with the higher Indigenous proportion of the population in the Northern Territory. When I did some further research into what is occurring in the various jurisdictions, I found that there were only two jurisdictions that did not have specific continuous roll update programs targeted in schools. The Northern Territory is one and New South Wales is the other. In the Northern Territory it would seem, given these enrolment figures, that there is a real need to actually get into the schools to increase this enrolment take-up. In those jurisdictions where targeted schools programs exist you are getting good improvements in enrolments for 17- and 18-year-olds. I think Victoria is the best. They get a 20 per cent take-up based on the school program.

The second issue then is looking at the turnout rate at elections. For those people who do manage to get on the roll you still have a very low turnout. That figure has dropped. I have shown you the figures for the last six elections. You can see a marked decrease in the last two elections in the Northern Territory from the high of 90 per cent in 1998 down to 84 per cent at the last federal election. There is concern that these turnout and enrolment rates will decrease further due to the earlier close of rolls at the next election. When you compare them to the rest of the country, you see that these turnout rates are far lower. They are 10 per cent below the national average and eight per cent below the average of the next jurisdiction, which is Western Australia. If you look at Western Australia, you see that Kalgoorlie has a low turnout of about 84 per cent—but, once again, it has similar issues of a higher Indigenous population and issues to



do with remote access et cetera. So, as a result of these combined issues, there is a very serious problem in the Northern Territory.

Based on this, I believe it is quite important that there is a targeted program of some sort, whether it be the Aboriginal and Torres Strait Islander Electoral Information Service—which was abolished in 1996—or something similar. There seems to be a need to actually target Indigenous populations to get them involved in the electoral process so that they are able to participate in democracy as such. I have gone on in this handout to talk about some of the other issues such as the problems of fixed election dates making it more difficult to provide targeted campaigns by the AEC in getting people to enrol.

People, naturally, are not interested until they know that they have to do something. Not having an election date to focus on means people are switched off. It also means that the AEC has to distribute its advertising budget over a broader time period to anticipate a possible election rather than a more concerted campaign. The early close of the roll means that there is a real danger that people—young people, in particular—are going to miss out on being enrolled. We can see that there is a reasonable disparity across the jurisdictions as to enrolment take-up for young people. Having an earlier close of the roll will increase the danger of people missing out on enrolling. As such, they will then switch off from engaging in the political debate during the election campaign period. Doing that for young people means that you are setting a pattern which can repeat throughout their lives, which can be potentially a very dangerous system.

The other issue is the inconsistency of systems, which Professor Sawyer has already referred to. I was also a contributor to another submission to the inquiry, submission No. 21, by a group of lecturers and teachers of political science at ANU. I have just made some comments on that submission, but that is separate to the reasons we have been called.

**Mr Brent**—I am coming at this not so much from the point of view of what is a good thing to teach students, but from the point of view of how we get people interested or connected—to form a connection with our political and electoral institutions. It is all very well to have a curriculum that teaches this, that and the other but if people are not very interested it does not really do much. I have a few thought bubbles. We could make the AEC website somehow more interactive with people. I am not technically that savvy, but maybe we could do something with SMSs on mobiles, so people could form a connection with it and form a connection with the institutions in general. If it becomes part of their life, they are more likely to think about it rather than be prodded into learning things about it. I know this is quite unrealistic, but we could, say, introduce OPV instead of compulsory preferential. It is easier to understand.

Basically we could simplify the whole electoral system. I think it is too complicated for both houses. Lots of people do not understand it. If you do not understand it you are not going to form much of a connection with it again. It could be something like what they used to have in Queensland—contingent voting, which is easier to explain than preferential voting, which is conceptually quite difficult, especially in the upper house.

This is just a thought bubble of mine, but you could possibly have on the ballot paper a few lines below the voting section that says, ‘Tell us what you think,’ and you could have popular campaigns, grassroots campaigns forming, which would be non-binding so we would not have to worry about crazy ideas becoming government policy. It could be a way of people forming

grassroots movements to get a message across and then the AEC could tabulate them. You might have some really wacky stuff coming up, but it would at least be a way for people to communicate with politicians.

The primary vote of both major parties continues to fall. That is because people feel the parties are becoming more and more similar. There are a lot of issues out there. Whether they are One Nation type issues or pro-refugee or anti-refugee issues, people at least feel like they are being heard. I think that is healthy and encourages them to feel connected with all these institutions.

**CHAIR**—You suggested putting something on the ballot paper; would you be equally happy to have a separate piece of paper asking the question rather than it being on the ballot paper?

**Mr Brent**—Yes. My idea is pretty loose at the moment.

**Senator BRANDIS**—I was quite attracted to the observations you make on the first page of your submission about the Student Vote system in Canada. You say:

It confirms the findings of most studies, that it is 'doing politics' that is most successful in building a sense of citizenship efficacy and engagement.

About what age are we talking about for students engaged in that program?

**Prof. Sawyer**—It is not specified in any of the information I have seen about Student Vote. This might be something you will need to put to Student Vote representatives if they come.

**Senator BRANDIS**—You do not specifically say so in your submission, but do you have a view as to the ideal age at which to begin educating school students in civics education?

**Prof. Sawyer**—I do think that it needs to be integrated into the school curriculum from primary school up because I think our democratic achievements are a very important part of Australian national identity.

**Senator BRANDIS**—I am delighted to read in the middle paragraph on the third page of your submission that you seem to endorse the recommendation of this committee in 2005 that we should move to compulsory above-the-line preferential Senate voting. That proposal has been, as you would be aware, criticised by some in the political science community—in particular Malcolm Mackerras, assuming he might be regarded within that rather generous description—as running the risk of increasing the level of informality and therefore not being a beneficial reform. Let me give you the opportunity, if you would like, to address that criticism. In particular—I do not mean to ask you a leading question, but why not?—do you say that the increase in transparency and the elimination of the noxious practice of preference harvesting by the major parties more than compensates in a democratic audit for any risk of greater levels of informality were that reform to be introduced?

**Prof. Sawyer**—The Democratic Audit has expressed the view quite strongly that voters should be able to express their own preferences above the line when voting for the Senate. However, I do not believe we have a settled view on whether that should be full preferential or whether it

might better be partial preferential in order to avoid the problem which Mr Mackerras has drawn attention to of the risk of increasing informal votes.

**Senator MASON**—Following on from Senator Brandis, in other words, you have not decided whether you would go back to, in effect, numbering the squares from one to however many—that used to be the practice back in the eighties—or you would support preferential above-the-line voting. In other words, you have not decided which one of those two preferences would be more appropriate. Is that what you are saying?

**Prof. Sawyer**—No. We believe in the continuance of an above-the-line option but we believe that voters should be able to express their own preferences between parties above the line.

**Senator MASON**—And they should be able to find documents relating to the allocation of preference on the AEC website.

**Prof. Sawyer**—Quite so, and some emphasis on how important it is to know where your vote might end up.

**Senator MASON**—Even though I am in the Liberal Party, I know you know much more about the Liberal Party than I do. However, in the concluding paragraph of your submission, and this follows on from some questions that committee members asked of Dr Harris before, you say:

In the 19<sup>th</sup> century Australia was the site of much innovation to involve people in the electoral process.<sup>3</sup> These innovations were subsequently taken up by the rest of the world and remain standard practices today. Perhaps we can be innovative again.

To help Dr Harris in his quest for an exciting constitutional story, do you think there is one? Do you think that the story of the development of the Australian Constitution is one that can perhaps rival the American story?

**Senator BRANDIS**—We need a new narrative!

**Senator MASON**—Yes, we need a new narrative, says Senator Brandis.

**Senator BRANDIS**—I was being ironical.

**Prof. Sawyer**—I think the story of a nation that votes itself into existence through the ballot box is or could be quite an exciting one. I have edited a book on this subject myself, *Elections: Full, Free and Fair*, which was a Centenary of Federation book, but I hope it brings forward some of the excitement of Australian democratic innovations in the 19th century.

**Senator MASON**—So the material is things like democratic franchise, votes for women, the secret ballot and so forth. In other words, there are some Australian innovations that are an important part of the story.

**Prof. Sawyer**—Absolutely, and my colleague here is now, I suppose, the world's leading expert on the history of the secret ballot. It is the subject of his doctoral dissertation, and I think he

would argue that this was something which changed the way electoral administration happened right around the world. It changed the carriage of elections right around the world. It took a lot of the violence, drunkenness and corruption out of elections. We made elections into a civic festival—

**Senator MASON**—But less exciting with less corruption, obviously!

**Prof. Sawyer**—But women could participate safely, for example. That must be a good thing, surely.

**Senator MASON**—It is an interesting story.

**Mr Brent**—I will just point out that I wrote that paragraph that you quoted, and I had in mind that thing I mentioned before, just some wacky ideas. At the time, the idea of the government supplying the ballot paper was pretty wacky; people supplied their own. The idea of the government supplying the names, printing them and having people choose one occurred to someone or some people in January 1856 and spread around Australia and then around the world. It was really just a thought bubble from ‘Tell us what you think.’ I was thinking maybe we could innovate again and try slightly out-of-field things.

**Senator MASON**—But there is a great story to tell them. That is your point. There is a great and exciting story to tell.

**Mr Brent**—Yes.

**Senator BRANDIS**—Professor Sawyer, I loved your choice of words to describe elections as a ‘civic festival’. I think that is a marvellous expression, which I may well appropriate.

**Senator MURRAY**—May I add to the festivities by complimenting Democratic Audit on the contribution you make to Australian understanding in this wide and important field. My question goes to the issue of education. I think your submission and remarks draw attention to in part the need to switch from a less functional view by the AEC of its website and information to a more educative view. That implies bringing educational expertise into the design of websites and the way in which information is contained. I do not think they have that expertise. In my mind, the best way to reach large numbers of teachers, students and indeed citizens who will not be able to come to a central point such as Canberra, or even a state or territory parliament, is through an interactive website. To my mind, the best contribution the Commonwealth could make is to contribute expertise through educators, IT people and so on. Do you think that is possible to do without people raising the bogeyman of bias and influence being put into the system?

**Prof. Sawyer**—I am sure that there must be a way to do it. At the moment, the AEC website is a wonderful provider of information, but it is not an educational tool.

**Senator MURRAY**—Would you agree with my description of it being functional?

**Prof. Sawyer**—Yes. For some purposes, such as the one I outlined in my submission, it may not even be sufficiently functional in terms of allowing you to find out what happens if you vote above the line, for example, for the Senate.

**Senator MURRAY**—In my view, an interactive, educative system, should integrate the federal and state views as well—so, if somebody in Western Australia wants to know how the Western Australian system fits in with the Australian system, they would be able to link into that and learn that. Do you think such a system needs to be stand-alone, provided through the education department's portal, through the Electoral Commission's portal or through the parliament's portal—

**Prof. Sawyer**—I have not thought about—

**Senator MURRAY**—Sorry to interrupt—as you know, the parliamentary education system stands distinct from both the education department and the AEC, and I am not sure how these should be linked and developed.

**Prof. Sawyer**—I think it is an interesting proposal that the electoral component might be separate from the main part of the AEC website. I am not quite sure how that would be operationalised. I think that the Electoral Commission is rightly concerned to maintain its reputation for absolutely nonpartisan, above the partisan fray, electoral administration in Australia. It has had a very proud reputation in that regard. The worry, once you start making things interesting, is whether there will not be some overtones of partisanship. So maybe—

**Senator MURRAY**—I will conclude this way. I will ask you on notice if you are able to, and if you feel you can, to perhaps give some thought to that issue of how an interactive educational website should be developed and by whom, given the discussion we have had.

**Senator HOGG**—I have a question about your additional submission, Mr Kelly. Table 4.2 on page 2 states that it is at 7 September 2004. Is there any later update on that table?

**Mr Kelly**—No, not that I am aware of. The Electoral Council of Australia puts out these reports each year. In the 2004-05 report there is no further information on how it stands, so that is the most recent I have been able to find.

**Senator HOGG**—Is it possible to get an update of this?

**Mr Kelly**—I could find out and get back to the committee.

**Senator HOGG**—Also, is there a feeling as to where those figures might rest now, anecdotally, from you, from any of the work you have done?

**Mr Kelly**—It is hard to say how it may have shifted since this snapshot at the close of the rolls before the election in 2004. There had been a three-month program to get people enrolled. There is another table, which I can provide the committee, from this report—table 4.1—which shows the status before that three-month program of enrolment, so I will send it to the committee.

**CHAIR**—We appreciate your attendance here today. Before we adjourn, we need to do some supplementary business. There being no objection, it is ordered that the supplementary submission by the Democratic Audit of Australia dated 11 August 2006 be accepted as evidence and authorised for publication. There being no objection, it is ordered that the document entitled

'Discover what it means to be an Australian in your capital', which was tendered by Mr Garry Watson this morning, be taken as evidence and included in the committee's records as exhibit No. 7.

**Proceedings suspended from 12.04 pm to 1.32 pm**

**BERRY, Mr Wayne, Speaker, ACT Legislative Assembly**

**JONES, Ms Margaret Anne, Acting Manager, Strategy and Parliamentary Education Office, ACT Legislative Assembly**

**KIERMAIER, Mr Max, Acting Clerk, ACT Legislative Assembly**

**ACTING CHAIR (Senator Mason)**—I now welcome the Speaker and other representatives of the ACT Legislative Assembly to today's hearing. I invite you to make an opening statement.

**Mr Berry**—We were invited to make a submission to this inquiry, given our knowledge of some of the things that we do in our assembly, which we think travel pretty well with the community. In commenting on those matters you have to take into account that the assembly is a little different from all of the other governments around Australia in that most parliaments are quite remote from much of their community, whereas in the ACT most of the community can get to the assembly within about 20 minutes in a motor car. So it is quite a different kettle of fish—

**ACTING CHAIR**—Is that an advantage or a disadvantage?

**Mr Berry**—If you want notoriety, it can be an advantage; if you want to run incognito, it is a little more difficult. But, for the purpose of civics education, it is an advantage because we are able to more broadly contact all of our schools, in particular, and those members of our community whom we seek to make some contact with on these matters. We have only one level of government. State and local government functions are carried out by the assembly, so it is unique in that sense and would be a lot different from many of the other jurisdictions. With me today is Ms Jones, who, in a former life, was a schoolteacher. She has also been a terrific help in running our civics program because she knows quite a lot about our schools system, having worked in it.

One other aspect, which we think is quite unique, is the way that we deal with new citizens in the ACT. We invite them to a new citizens evening to explain to them how our assembly works. Again, the closeness to our community makes that a fairly practical thing to do but nevertheless it is an interesting way of dealing with new citizens. I might leave it at that. Thank you for inviting us here.

**ACTING CHAIR**—Ms Jones, do you have anything you wish to add?

**Ms Jones**—No, I will wait for the questions, thank you.

**Senator HOGG**—I would like some sort of analysis of the reaction from the schools and the teachers on their visits to your parliament. Can you give us a run-down?

**Ms Jones**—Most of the school students who come to the assembly are from year 4 through to the senior years. The highest proportion would be in years 5 and 6 and years 7 to 10. Our programs are a little bit different to the way some other parliaments run their general visits. We tend to negotiate with the school about what they want and they select a range of activities. We

usually put together a package that suits their needs. It runs for about three hours—a half-day program—when they come in. We are also quite flexible in that we can suit their timetabling and specific areas.

A big bonus with our programs for the schools, which we always get excellent feedback on, is the accessibility of our members and also the staff from other sections of the secretariat like the committee office and chamber support. They come in and talk about specific activities, especially for students in the older grades, like papers and procedures or the committee system.

We usually start off a general school program with a Hare-Clark election and we do a mock election process. We have all the booths and the children take on the role of officials. We explain how the electoral process works and they go through the function of role playing which takes about 45 minutes to an hour. That is another strength of our program: we work very closely with Elections ACT to develop all our programs because we try to give the students who come through a holistic view of what the whole process is about. Why do you elect these people? Why do you have to go through an election? When they are elected, what do they do when they come into this assembly? Who are the members and what are the rules that govern this house? How do we have an input into what goes on in our parliament or into the process of policy development? The students really enjoy the interactivity of the election.

We also have a film, which we made a few years ago, that is captioned to try to cater for people with English as a second language and that is also for younger students who might learn more from the auditory process than from the visual process. We also have a PowerPoint presentation where we have video inserts of the action in the chamber and in question time. If it is a sitting day, the students will go into the chamber and see the chamber in action. When students come into the chamber Mr Speaker always welcomes the students as do the other members. When they go back to their school they can look up the *Hansard* and actually see where they were welcomed in the *Hansard*. So they can see the process that if anything is said in the chamber, it is recorded and then you as a member of the community can look it up and see what is actually happening and being said in the chamber. This shows that connection between the parliament and the community.

**Senator BRANDIS**—The name of the school is mentioned in the welcome?

**Ms Jones**—Yes it is, it is mentioned in the *Hansard*. Mr Speaker mentions them by name when they are in there.

**Senator BRANDIS**—He does not mention particular students though, does he?

**Ms Jones**—No, only the school by name, not individuals. It does not have to be a school group. We have visiting parliamentary delegations and non-parliamentary delegations such as officials from the South-East Asian nations. So whoever comes in is welcomed formally into the chamber.

Another strength in our program is that, once we have confirmed the school is coming for a visit, we send out an invitation to all the members and ask them if they are interested in speaking to the students. When the students are young they tend to have more low-key questions, like



‘Why do you do this job?’, ‘How did you get to become a member of parliament?’ or ‘What sort of car do you drive?’

**ACTING CHAIR**—We ask ourselves those questions, Ms Jones!

**Ms Jones**—You do. So some of those questions are quite low-key. But for the older students, if there is a specific area they are studying and they want to ask the members about that, we invite the teachers to send us in some questions ahead of time. Then we will set up panels. So we will have an opposition, a government and a crossbench member to speak and respond to students. We usually split the group into about 14 or 15 students for those situations so there can be quite a bit of interaction. On most programs we run I will have up to eight members responding and wanting to be part of that process, but we have to narrow it down to about three speakers.

**Senator HOGG**—What is the response of teachers?

**Ms Jones**—The teachers like it. My knowledge is from primary school and there the curriculum is so crowded with SOSE, Studies of Society and the Environment, in the ACT that you tend to teach parliamentary education on a two-year, cyclic basis. Often they will combine years 5 and 6, and both grades will learn about the parliamentary process at the same time. Some schools target it for a term of study, so we tend to have local schools coming through our program for six months every two years and they are regular attendees.

Some of the teachers who come in have no knowledge, or very little knowledge; some of them have never been to the assembly. So to try and cater for that we run two professional development days a year for teachers. But they are not always fully attended because, if the teachers come during the day, the schools need to get relief teachers in and they lack the resources to pay for that, so we do not always get a high number. Our largest number was 25 teachers who came in for an evening session which we ran from about 5 pm to 8 pm. Also the Discovering Democracy program funded a program at the end of last year, and we got about 30 teachers who came through, but that was because there was funding for their relief. I think that is a major issue with the teachers.

A lot of the teachers say they do not have a great depth of knowledge, especially about their local system, and they enjoy being able to come in to the Assembly. We put a full day program together and they do the same process. We teach them what the kids will be doing when they come on a visit, but we also provide them with extra materials to help them go and teach the program more efficiently when they go back to their school. And they usually say, ‘Oh, I didn’t know this; I didn’t know that.’

At the other end of the spectrum, we also have people coming from the University of the Third Age, who are people who are retired and are still interested in learning about different areas of study. Some of them say, ‘I didn’t know much about the local assembly, so this is really valuable coming in here and learning about it.’ So the feedback is positive.

You find some teachers are quite educated, especially in the high schools. They know about the system because they are delving right into politics. But you do not always get to meet the full range of students in high schools, because a lot of students do not do it as a compulsory activity.

**Senator HOGG**—Can I just stop you there. Are you saying that it is skewed in the high schools towards those who are doing legal studies and the like?

**Ms Jones**—It seems to be in the older years, especially years 9 and 10. Some of the year 7s and 8s will come through on a general visit, but for most of the students who come through in years 9, 10, 11 and 12 it is because of some specific study they are doing. We also run programs like the interschool parliamentary debates for students in years 8, 9 and 10. That is a full day's debating program where we have four students from each of 10 schools who come to debate a series of topics. In those situations you say you want to have any student with an interest in having a look at the parliament, but we find we tend to get the students who have a keen interest in politics or parliament or some of the issues we are discussing.

**Mr Berry**—Quite often you see the same faces.

**Senator HOGG**—You see the repeat offenders!

**Ms Jones**—When we do the constitution convention in year 11, we see the same faces coming through, but they just love it; they just think it is a wonderful experience. They all get to sit in the members' seats in the chamber and actually use the microphones and debate using the timers, in the same processes as the members, so it is quite a good day.

**Senator MURRAY**—Mr Berry, I want to ask you about migrant education. In the federal parliament up to 45 members are foreign-born and numbers of them, like me, came here as adults. The kind of citizenship induction ceremony used to be very weak with respect to this area. You got no assistance at all. So I am impressed by your initiative. It is obviously something that might be valuable across the nation. Obviously, child migrants will be able to use the school systems. For adult migrants—for people like you, who are going to go a little further—would having a standard set of materials available in the main migrant languages to assist in conveying information at the sorts of citizenship evenings you have conducted be a good idea?

**Mr Berry**—I think it would if there were some sort of standard approach that could be applied across the country. This first came to my attention because I had a refugee chap working in my office for a time. He had, not that long before, taken out citizenship. At the time he thought to himself, 'I wonder what goes on here aside from citizenship ceremonies'. After a bit of a discussion about it, we decided to do these citizenship evenings, where we would invite all of the new citizens back to the assembly, give them a tour and some nibbles and a chance to ask questions and just have a look around the place. It has been very well received. Not everybody comes along, but many do. They get the chance to meet members. Members are almost always available because their electorate offices are, in effect, in the parliament as well. So they are able to meet some members.

If it is possible, these programs would be good to have around the country. It is very easy for us because our community is not that remote from us, and we are able to invite people in and behave a little more like a town council in having them in to the assembly to describe how their government works. It would be a good idea if some sort of formula can be found to assist them in a better understanding of how our democracy works. We ask them to participate fully in our democracy, but many of them who take out their citizenship certainly do not fully understand how our democracy works.

**Senator MURRAY**—What are the most common areas of ignorance, or questions that citizen migrants ask? Is it the compulsory vote or the preferential vote or, in your case, the Hare-Clark system? What areas are they most confused about?

**Mr Berry**—Surprisingly, at these citizenship evenings there are not many questions about how the electoral system works. The most interest is shown in the general running of the place—who sits here, who sits there. Because in the ACT members have a lot of exposure, most people who come to the place have a bit of an understanding about where the various members come from, what controversial matters are around, and what matters are so controversial that it would be bad manners to ask any questions about them. It is usually just to find out what the place looks like, have a look around the place, see the conditions that members work under and ask general questions about the running of the assembly. Things like the committee process and those sorts of things are a bit foreign to most people, who do not come into contact with it. So there is a general interest in that. They are also taken on a guided tour and they have explained to them how these things work. We try to cram that into a timeframe that is not mind-numbing.

**Senator MURRAY**—All parliamentarians that I know of value, and sometimes celebrate, our small ‘1’ liberal democracy. I wonder with respect to citizen migrants whether they ever ask you questions about the rights and liberties that they might not have had in their home countries and whether they are interested in what protections, rights or that sort of thing they have—if you like, questions of higher law; questions of the Constitution.

**Mr Berry**—We get questions about what the powers are of the assembly, how the assembly was established and what provisions in the self-government act, our Constitution if you like, allow for certain laws to be made and what laws we cannot deal with. We quite often explain that part of the self-government act which describes how, if it wishes, the Commonwealth might intervene in affairs in the ACT. Those sorts of general questions are asked. My sense of it though is that amongst migrant new citizens there is a better feeling about the importance of democracy than you might get from us ordinary Australians.

**Senator MURRAY**—I ask you that deliberately because if the committee were of a mind towards the end of its inquiry to think about what sort of package material should be available as a standard format for citizen migrants education then obviously we would need to consult with representative samples of citizens on these issues. Is there any sense that they have just not been prodded to see what things really interest them? Do you tend to be passive—in other words, you wait for their questions—or do you prompt them and ask: do you know about this, that or the other?

**Mr Berry**—What we try to do is to show them where the openings are: give them an insight into how their democracy works in the ACT and invite them to be curious about access to all of the decisions that are made in the assembly. We show them how to get there in the short time that we have them with us. It is essentially a taste of how the assembly works and a demonstration to people who come there of how they might gain better access to information if they wish to. In the short time we have available to us of course we cannot go into some of those heady issues that most politicians deal with from time to time. To avoid controversy amongst our members, we steer away from the most controversial aspects so as to ensure that that taste of how the assembly works takes precedence over all other things to basically trigger the inquisitive minds of people who are interested.

**Senator MURRAY**—This committee has been given information before in other inquiries which shows a much higher level of informality in constituencies with very high percentages of migrant citizens. They are quite often described in ethnic terms, but they are actually migrant citizens. This leads me to the view that they are not familiar with the voting terminology, systems, methodology and so on. Do you think it would be going too far for there to be available a process of role-play—in other words, here is a ballot paper, try and fill it in, this is the process?

**Mr Berry**—I have not thought of that. It might be something useful, but I think it would take a lot more resources to be able to assemble something like that. If it had some of the same features as the programs that we run for school students—for example, where there is an element of role-playing—it would take a lot more resources.

**Ms Jones**—We also have adult migrants who are doing the Adult Migrant English Program through the CIT, the Canberra Institute of Technology, at Reid. They do a citizenship course as part of their studies. Towards the end of their course we arrange a visit with the CIT, they come to the assembly and we do a role-play in conjunction with a representative from ACT Elections. The role-play is a mock Hare-Clark election like we do with the students, but it is an election on something that they are interested in, like they are bringing their families to Australia and they want to take them to a couple of major, significant sites, and the election is on which ones they would like to take them to. We also get them to sit in the seats and do an ad hoc debate about some issue that they have been discussing at the Adult Migrant English Program. We have members come in to talk to them as well, so we do a bit of interactive work with them.

**Mr Berry**—I will add to that. There is always an element of surprise amongst new citizens about the level of access that they are able to have at the assembly to members and actually being able to meet with them. I think they are somewhat surprised at the level of access. In some of the countries that they have lived in, of course, most of the members of parliament are surrounded by some sort of a security arrangement which prevents them from actually meeting people. That is something that they seem to enjoy.

**Senator MURRAY**—As you know, in Australia we call the security ‘mindors’.

**CHAIR**—Mr Berry, I apologise for not being present while you were giving your evidence. I thank Senator Mason for assisting. Behind you we have a number of students from the Southern Cross Catholic School in Townsville. They are really part of what this is about. Thank you for your evidence today. We do appreciate that.

**Committee adjourned at 1.57 pm**