



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY


SELECT COMMITTEE ON THE 2016 ACT ELECTION AND ELECTORAL ACT

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Submission

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INQUIRY INTO 2016 ACT ELECTION & THE ELECTORAL ACT

I thank the Committee for the opportunity to make a submission to the above inquiry under the following Terms of Reference:

LOWERING THE VOTING AGE

In some quarters (and political parties) this is a perennial demand, usually due to the expectation youthful zeal to change the world will see activists increase their party's vote. However this should not be interpreted as benefiting our major existing political parties.

Whether or not young people 16 to 18 years would have the capacity to fully appreciate the responsibility of exercising a vote appears to be doubted by other parliamentary reviews and the Australian Electoral Commission (AEC).

Granted the same argument could be made for those over the age of 18 years – and is an argument for non-compulsory voting – but why make the situation worse? Lowering the voting age anyway would not in itself be an end to the matter, because the wider social implications could be considerable: various licences including marriage, serving in the armed forces, adult wages for example. Surely if you have the right to vote you should have these other rights allowed?

More practical considerations arise than these possible teenage extra responsibilities however, because if the voting age was reduced in accordance with Australian law such a vote would be compulsory.

If the teenager did not vote and was accordingly fined, who would pay the fine? Not all 16-17 year olds have access to more than pocket money so would the burden fall upon their parents? Could they afford to pay or should they be expected to do so?

Given the reviews by other parliaments mentioned earlier it appears there are not that many 16-18 year olds interested in political participation, so voting in this age bracket could be made optional.

Apart from destroying the compulsory nature of voting how do you differentiate? Different colours on the electoral roll for the optional young? What if they change their minds, adding or subtracting could be a financial and administrative nightmare.

I note of the 31 countries which have compulsory voting but only enforced by ten, some four (Argentina, Austria, Brazil and Ecuador) have a minimum age of 16 years. It would be interesting to know the voting numbers in the 16-18 year group and how teenage non-voters are handled.

These latter questions are academic however, because I believe the issue should not be considered for the reasons outlined earlier.

IMPROVING DONATION RULES AND DONATION REPORTING TIMEFRAMES

The matter of electoral funding, expenditure and financial disclosure is complicated by rules and regulations which cause problems for experienced political parties and must be bewildering to new participants.

We should offer a simpler version if democratic rights to stand are to be respected.

The recent amendment to the Electoral Act which generously increased funding from \$2 to \$8 per vote per candidate should be the basis of party funding for an election. The individual candidates' electoral expenditure cap of \$40,000 should remain and the third-party campaign expenditure should be directed solely to the party itself (this is not clear in the inquiry reports).

The problem lies with funding for small and non-party candidates, particularly those standing for the first time.

The major parties fielding a full team of five candidates in each electorate already enjoy the \$8 per vote from the previous election while their individual candidates also have a \$40,000 electoral expenditure cap. Neither of these financial benefits are available to independent candidates or small parties.

It is not possible to guesstimate in advance the voters such other candidates would receive in order to be allocated \$8 per vote, however if the expenditure cap was adjusted upward fairness and equity, or a semblance of these virtues, could be achieved.

For example, the major parties fielding five candidates have a total expenditure cap of \$200,000 per electorate. A small party fielding say, two candidates in an electorate could be entitled to \$100,000 per candidate expenditure cap, while single non-party candidates could be allowed the entire \$200,000.

I suggest the chances of such large amounts being raised and used by such candidates is remote, but again fairness and equity is addressed. Those small parties or individual non-party candidates who reach the four percent vote threshold would receive the \$8 per vote entitlement and thus only receive the \$40,000 per candidate electoral cap if they chose to stand again, otherwise the total amount would apply.

I cannot see how any small party or individual would benefit financially from these allocations (any more than they do so currently) and financial reconciliation with the AEC would be no more complicated.

INCREASED VOTER PARTICIPATION IN ELECTIONS & ENCOURAGING POLITICAL ACTIVITY

The AEC carried out a very comprehensive information campaign for the 2016 election demonstrated by the 88.3 percent casting a vote with only 2.5 percent informal (some of which would have been deliberate).

With 99.8 percent of the eligible population enrolled and the electronic voting method expanded as well as 39 percent of our population using the Elections ACT website, it is difficult to recommend how voter participation could be improved.

Being a small compact city/state we have advantages over the other larger regions of Australia as regards to obtaining electoral enrolment and, being the National Capital, an interest in being enrolled, hence the high number of our population on the roll.

The expansion of electronic voting and the liberalisation of pre-poll voting to anyone who wishes to do so helps in participation as does easy assistance to those with disabilities.

The high percentage of participants (88.3) is further testimony to the AEC's efficient information campaign. However further improvement might be unsuccessful.

Two factors could inhibit this aim. The ACT has a large number of residents interstate or overseas at any particular time, more than enough with or without the best of intentions to make up a significant proportion of the 11.7 percent shortfall of non-voters.

Another group might be non-English speaking elderly migrants fearful of the implications of voting, easily identified perhaps but difficult to address due to privacy concerns. Further, some of this small 11.7 percent would not vote on principle, maybe objecting to the compulsion.

The issue of encouraging political activity is more complex.

With a significant proportion of our population employed in the public service and many thus directly involved in politics there

probably is a reluctance to take a further role in the process. No doubt too – and this applies also to the private sector workforce dealing with government – people do not want to be closely associated with party politics – and what else is there in pursuing ‘political activity’?

Finally, there is a majority of the population even in Canberra as can be seen by political party memberships who are not interested. There are other enthusiasms, priorities and what-have-yous’. Occasionally a local issue might galvanise them but their attention span is limited to fixing or not fixing the matter.

For obvious reasons the young, often without responsibilities, and the old, who have handed over their responsibilities, are those who are most politically involved. The crucial middle group are too busy with families and careers.

ANY OTHER RELEVANT MATTER...

I have not attempted to write on all points listed for consideration by the Committee, covering below those on which I want to comment. Some others have been discussed elsewhere in this submission.

Probably the most public comment arising from the 2016 election was the use of and the proliferation of corflutes throughout the electorates.

Various suggestions have been made to reduce this visual pollution and the night anarchy that prevails in removing opposition signs. Limiting the number per candidate or per party would require policing and in any event would unquestionably disadvantage small parties or individuals who could not afford the cost of the flutes.

Granted the signs were not on display for long and were swiftly removed when penalties were threatened after the election. However the real question is whether or not they serve any major

purpose, thick upon the nature strips of major roads as so many of them were, jostling for position and distracting drivers.

The very nature of our Hare Clark voting system relies upon name recognition which encourages candidates to participate in this sign scramble, although why a candidate imagines name and face plastered all over the electorate encourages a vote is mystifying.

As pointed out earlier policing of the number of signs per candidate is clumsy and probably would not decrease their concentrated use on major thoroughfares. I suggest banning their use in all public places and restricting them to display only in private residences where permission would be needed.

The use of temporary portable A-frames campaigning at shopping centres could be allowed. Perhaps then candidates could concentrate in pamphlets getting their message across rather than their face.

While I would prefer polling booths to display details of all candidates inside the polling booth, thus obviating the need for canvassing outside, I accept there are practical issues to be resolved before this can be done (although the Robson rotation of candidate names makes even outside canvassing of limited value).

The fencing of schools makes compliance on polling day easier to police and often renders canvassing impossible if voters can drive into the school grounds within the boundary, nevertheless I support the 100 metre rule until a better alternative to canvassing can be found.

I strongly support electronic voting but accept its use at all polling stations might be some time off due to cost and the necessary education of voters. Perhaps we could begin with electronic voting being mandatory for all pre-polling voters unless the AEC is confident the method can be further extended in 2020?

One further point which is of no concern or responsibility of the AEC or Elections ACT is that the development of Canberra sees an increase in the number of polling booths and, in consequence, the manning of more and more booths by canvassers.

The AEC managed to maintain a balance, albeit in different electorates in 2016, by closing four and opening three new booths, however this convenience will not last and could pose a problem for political parties, hence a need for alternative ways to acquaint voters with their candidates other than at 100 metres from a polling place.

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