

Quaker Peace & Legislation Committee



WATCHING BRIEF 21-2: AUSTRALIA'S ELECTORAL SYSTEM

As Quakers we seek a world without war. We seek a sustainable and just community. We have a vision of an Australia that upholds human rights and builds peace internationally, with particular focus on our region. In our approach to government, we will promote the importance of dialogue, of listening and of seeking that of God in every person. We aim to work for justice and to take away the occasion for war.

January 2021

This Brief outlines the outcome of a recent Parliamentary report which raises challenging questions. It proposes abolishing compulsory preferential voting, adding a requirement for ID at polling booths, reducing controls on media commentary, and playing down the impact of political donations on the democratic process.

Background

Elections for the House of Representatives and Senate are held usually on a three-year cycle. A federal body – the Australian Electoral Commission (AEC) – is responsible for the conduct of federal elections under the Commonwealth Electoral Act 1918 (as amended in 1985). This role includes determining electorate boundaries and sizes, holding and updating the national Electoral Roll, organizing the voting arrangements and recruiting staff to record and count the votes. It provides for scrutineers to view the count on behalf of candidates. It then makes a public announcement of the results in a timely manner.

Because voting is compulsory, the Commission goes to great efforts to ensure that voters can access the polling places. It may offer electronic voting options as well as pencil/paper ballot papers.

New Report

The Parliamentary Joint Standing Committee on Electoral Matters recently reviewed the May 2019 federal election and tabled a report in December 2020. The full report is accessible at www.aph.gov.au by accessing the relevant committee icons.

Recommendations from the report include:

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1. The candidate qualification checklist should be revised to provide information about the date and country of birth for candidate, parents and grandparents.
2. The compulsory preferential voting should be replaced with optional preferential voting, and Robson Rotation of order of candidates on ballot papers should be introduced.
3. The AEC should develop an electronic electoral roll before the next election.
4. The pre-poll voting time should be limited to two weeks.
5. Pre-poll votes can be counted from 4pm on polling day.
6. The current media blackout should be removed to assist commercial broadcasters.
7. The AEC work with the ACCC and ACMA to develop policies around political advertising.
8. Those handing out election material on behalf of a candidate should be restricted to no closer than 6 metres of a polling stations.
9. Voters should provide ID when voting (eg licence, passport, health card, seniors card, concession card). Otherwise the voter must be issued with a 'declaration vote'.
10. Anyone wishing to enrol or change enrolment must provide suitable ID.
11. The nexus between the number of seats in the House of Reps and Senate should be broken, and House terms be changed to a 4-year non-fixed basis.

The Labor Party issued a dissenting report which opposed:

- The removal of compulsory preferential voting as an attack on compulsory voting.
- The use of Robson Rotation on ballot papers as confusing to voters who rely on 'how to vote cards'.
- The counting of votes before 6pm on polling day.
- Voter ID laws as likely to be a barrier for disadvantaged voters.
- The abolition of by-elections.

Their report urged greater transparency of political donations, legislation on truth in advertising, and fixed four-year terms for the House of Reps.

The Australian Greens made a dissenting report. That made the following points:

- The report is an 'attack on democracy' and ignores submissions calling for campaign finance reform and more rigour in controlling political advertising.
- Compulsory preferential voting is important for ensuring diversity in our political system.
- The proposal for voter ID at polling stations is unwarranted and will especially affect disadvantaged and indigenous voters.
- A campaign to improve voter literacy is a more appropriate approach.
- The media blackout helps moderate the impact of last-minute advertising blitzes and should be extended to the social media.
- Fixed term elections would be fairer and make the electoral process more stable.
- There should be a cap on electoral spending as is done in Canada.
- Most Australians favour legislation to regulate political advertising so as to ensure truth in political advertising.

Commentary

The Human Rights Law Centre reported (11 Dec 2020) that leading civil society groups had condemned the report of the Joint Committee as "weakening the fairness and equality of

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Australia's elections". They regretted the absence of any proposals to reduce the distorting influence of massive political donations (e.g. from Clive Palmer). They see the proposed ID laws and ending of compulsory preferential voting as suppressing voter rights and community participation.

Alice Drury from the HRLC said "we urgently need limits on political donations and election spending to restore balance, fairness and trust in Australian elections". Joeline Elberth from the Australian Conservation Foundation said the Committee had sought to restrict charities and not-for-profits from participating in elections. Mark Zirnsak from the Uniting Church said that spending caps would free candidates from owing favours to large donors.

Quaker Perspectives

In our *Advices and Queries* we are encouraged to take seriously our responsibilities as citizens, and to be alert to practices which discriminate against people on the grounds of who they are. This suggests that our approach to the electoral system should emphasise the value of enabling everyone to vote in the fairest possible way. The features of the current system that appear to suit these criteria are (a) compulsory preferential voting, as it offers voters the maximum opportunity to have their views taken into account; (b) the absence of a requirement to provide ID at the time of polling, on the basis that the electoral registration process has already been effective and reliable; (c) the maintenance of a degree of control over media reporting in the lead-up to the poll; and (d) limits on the amounts of donations that can be given to candidates by individuals and organisations.

We invite you to let us know your comments about the electoral system and the suggested changes put forward in the report.

Canberra
January 2021