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From: John Hodges [REDACTED]
Sent: Friday, 1 February 2013 9:20 AM
To: Electoral Reform
Subject: Submission re: Review of Electoral Act 1992

This is a submission about Compulsory Voting for consideration as part of the Queensland Government Review of Electoral Act 1992.

Recommendation: That compulsory voting provisions of the Electoral Act of 1992 should be abolished

OR

failing that, that the penalty / fine for not voting should be set to a maximum of \$1.00 in total (including all postage, legal and administrative costs) **AND** this fine should be incorporated in the Principal Act as a maximum and not in a Subordinate Legislative Instrument such as a Regulation (so as to require the Parliament to amend it).

In support of my opposition to compulsory voting, the following propositions are advanced:

1. Most of the points listed at p.35 of the Discussion paper as "Arguments against compulsory voting" are supported These " include: it is undemocratic to force people to vote – in democracies such as the United States; Britain, Canada and New Zealand, voters have the choice; the ill-informed and those with little interest in politics are forced to the polls; it may increase both the number of informal votes and "donkey votes"; and resources must be allocated to determine whether those who failed to vote have "valid and sufficient" reasons."
2. Compulsory voting represents extraordinary abuse of the language and with it also of fundamental principles of freedom implied in a "democracy" because it relies on a linguistic contortion which turns a democratic "right" (the right to vote - or not to vote) into an obligation to vote backed by sanctions.
 And yet the Orwellian farce continues at the hands of the punishers with the pretence that somehow this is an expression of a fundamental democratic "right" - If the farce of compulsory voting is to continue it should be denied the shield of terms such as "democracy" when in fact it is the opposite: It is nothing more or less than the State using its power to compel citizens to do something, to vote, which may be against their will, using the threat of sanctions. It has nothing to do with democratic freedoms.
3. If compulsory voting were to be abolished, no citizen's "Rights" would be in the least impacted. No voter is made worse off if compulsory voting is abolished. The right to vote remains entirely unaffected. No rights are taken away or interfered with, except possibly the right to be prosecuted if indifference to the outcome of the election causes a citizen to exercise a right not to vote.
4. Anomalies that have developed in the administration of the legislation highlight the farce which is compulsory voting: They expose its fundamental flaws. One example is absent voting in Local Government Elections - There isn't any; but voting is nevertheless compulsory, just as it is for all other elections where absent voting is provided.

So compulsory voting in Local Government elections imposes additional obligations: A voter who has failed to plan his or her movements far enough in advance to arrange a pre-poll or absent vote must ensure that he or she is located in his or her electorate on polling day to cast his or her vote or subsequently write an explanatory note in response to demands and threats of fines from the

Electoral Commissioner, and not be certain that unplanned absence from the electorate on polling day will be accepted as a sufficient reason to avoid a fine.

I therefore submit: That compulsory voting provisions of the Electoral Act of 1992 should be abolished

OR failing that, that the penalty / fine for not voting should be set to a maximum of \$1.00 in total (including all postage, legal and administrative costs) **AND** this fine should be incorporated in the Principal Act as a maximum and not in a Subordinate Legislative Instrument such as a Regulation (so as to require the full Parliament to amend it: thereby adding a modicum of transparency to the obligation and sanctioning process).

John Hodges

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1 February, 2013.