

The Chairman
Electoral Reform - Strategic Policy
Department of Justice and Attorney General
GPO Box 149
BRISBANE QLD 4001

Dear Sir,

Below is my written submission.

I am a member of the H S Chapman Society which has an opinion on the electoral process throughout Australia.

I note that the current system of the "Westminster System" has evolved from restricted participation to universal participation for all adult citizens of the realm. To participate is not only a right but an obligation. I have rights to drive a motor vehicle provided that I abide by the obligations imposed on me. There are many facets of my life with rights which are mine provided I abide by the "rules" imposed. - credit cards - dress at a club etc.

Another general principal is that we vote on a certain day. Those candidates attempting to win my vote, release their policies culminating on the Thursday before polling day. An early vote is NOT an informed vote. As an example, I buy a house after all enquiries and searches have been completed.

The majority of the issues raised in the Discussion Paper concerning methods of voting or quantum of allowable donations are in the eye of the beholder and I will leave others to address these.

Part I of this submission will refer to sections of the Electoral Act 1992.

Section 66 Provisional Enrolment

(1)[a] Delete "is 16 or". The Electoral Commission does not need two years.

Section 89 Deposit to accompany nomination.

(1)[a] Delete \$250.00 and insert \$1,000 or \$2,000. Inflation since 1992 means that this hurdle for publicity seeking persons is too low. It is returned for 4%.

Section 95 Failure of election.

(1)[9] New South Wales changed this after a candidate died at 7 AM on Election Day. It now has "before 6 PM on Polling Day".

Section 98 Setting up and operating polling booths

(4) "distribute how to vote matter" should apply for ALL candidates or none in the interest of impartiality.

Section 99 Kinds of polling booths

(4) The 11 day period is too long. "8 days" ensures one does not need to vote on a weekday of the week that is significant to the voter..

(8) ditto.

Section 102 Supply of ballot papers

(3) deals with optional preferential voting. Consideration could be given to make the rules consistent throughout Australia.

Section 104 Scrutineers

(1) In the interest of uniformity of legislation, wherever "adult person" or "person" appears we should substitute "a person entitled to vote at this election".

Section 106 Who may vote.

See above, the elector has the obligation to notify the Electoral Commission within one month of changing address. They certainly tell the electricity supply company and others.

(1)[d]{ii}I recommend deleting "on the day before" the polling day and insert "on a day three days after the cutoff date for nominations".

(3) This provision for which prisoners can vote is different to other jurisdictions.

Section 107 Procedure for voting

(6) Other jurisdictions have three or four mandatory questions to assist the issuing officer determining the person's right to receive a ballot paper.

(8) This section enshrines recording of electors at this booth.

MOST IMPORTANT

The State Council of the NSW Liberal Party passed a motion that the issuing officer ALSO records the fact of the issue on the master roll for the electorate by internet connection.

Sector 108

This section refers to "another person". Other jurisdictions prefer "a person enrolled in this election"

Section 112 Prepoll

At (1) "8 days" is sufficient.

At (7) See above relating to mandatory 3 questions in other jurisdictions.

At (8) Record issue of ballot papers also on master roll.

Section 113

"another person".

Section 118

(1) (1) Delete "3 days after" and insert "8 days before polling day".

(2) (4) "a person".

Section 119 Postal Vote

I agree that the receipt by 6 PM on Thursday is unworkable. The Tuesday seems the earliest physically possible day.

Section 129 Electoral Visiting

In view of the work load of the Electoral Staff and the immobility of those to be visited, then Tuesday would be better than Thursday before Polling Day.

At (6) Distribution of "voting material" should be for ALL candidates or none.

At (9) we have "a person".

Section 121

At (4) I suggest that the person requesting the ballot should write out the answers to the questions, sign and have the signature witnessed by an identifiable person. The *sample* answers can appear on the form as an aside.

Section 122

Optional preference. Consistency between jurisdictions.

Section 134 Notice of Failure to Vote

This reflects on a most important right, duty and obligation.

At (1) [a] {iii} "pay one half a penalty point" should be at least "pay 4 penalty points".

Section 175

At (1) the "fine of 1 penalty point" costs more to enforce than this and should be at least "4".

Section 186

Ditto for penalty points.

Part 2 of this submission will address some of the points in the Discussion Paper.

Page 22 If. Address a potential loophole in relation to volunteer labour.

I would have thought that the definition of "volunteer labour" was that the volunteer carried out the work in their own time at their own expense.

If a third party such as an affiliated organization paid salary, wages, deductible allowances, reimbursement of out of pocket expenses or living away from home expenses, then the value must be a donation in kind. To treat it any other way, discriminates against volunteers for other candidates and downgrades the sacrifice of the volunteer.

Page 27 2 b. ECQ to refuse misleading htv cards

The Victorian model should be adopted. By accepting a document, the ECQ gives an implied seal of approval in the eyes of those who rely on them.

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Page 28 3.1 Proof of Identity

As stated above, the State Council of the NSW Liberal Party unanimously passed a motion calling on the NSW Government to introduce proof of identity being a current driver's licence or alternatives.

Page 30 4.1 Enrolment on polling day

The party requesting enrolment is in fact is admitting that they have not complied with the legislation. Any such request should be accompanied by the payment of the fine for failing to notify the Electoral Commission of a change of address.

The payment would alleviate some of the cost of processing the provisional vote.

Page 30 5 Electronic voting

We all know the internet is not secure, we need to be there in person. My bank warns me that my accounts are not secure and suggests that I shred all documents identifying me. Cyber crime is rife. Voting is compulsory even if I choose to lodge an informal vote. Non attendance at a Polling place implies voting is optional. I find it strange that justification for electronic voting for blind people includes the apparent reason that some chose not to learn Braille.

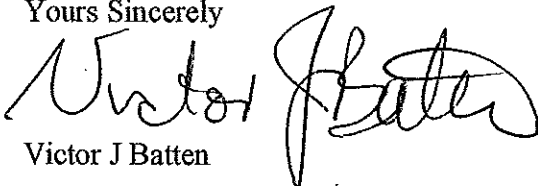
If it is important enough to me I will make the effort to attend. Some things are important enough for me to attend in person. E.g. My doctor when I am unwell. A grand final of my favorite sporting team. If I want a drivers licence and any number of desires, I will attend in person.

Page 32 6 Postal voting

My comments on electronic voting are applicable. My concerns that casting a postal vote too early means that the voter is NOT fully informed. I find it difficult to believe 211,619 voters availed themselves of this option mandated because for them it was genuinely difficult to attend any one polling booth anywhere in the State between 8 AM and 6 PM on a particular ordinary Saturday. This is belittling the importance of the democratic right and the obligation to vote.

The right to vote is my and our Australian democratic right. I and we have obligations in parallel with this right. I thank you for reviewing the legislation. I am most willing to expand on the above including attending before the Committee if so requested.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Victor J Batten', written in a cursive style.

Victor J Batten