

28 February 2013

Electoral Reform, Strategic Policy
Department of Justice and Attorney-General

DISCUSSION PAPER: Electoral Reform

We are writing to submit our views for consideration by the Department of Justice and Attorney-General, regarding a selection of topics from those canvassed in the above Discussion Paper. Our comments are detailed below under the headings used in the Discussion Paper.

1 Political donations

Regarding the section 1.4a Remove or change the caps on political donations, we support maintaining caps on political donations. We do not believe that more money in a donation equates with greater participation in the political process, but we do think it's possible that uncapped donations could lead to excessive influence of well resourced individuals or groups over less well resourced members of society which may lead to less political participation from those marginalised individuals or groups.

Regarding the section 1.4b Apply the cap on political donations to all donations and not just those which are intended to be used for campaign purposes, we support this proposal.

Regarding the section 1.4c Political donations from corporations and other entities, we agree with the position that a complete ban on political donations from corporations and other entities is required to ensure that the public has confidence in the electoral system, and we support the introduction of such a ban in Queensland.

How can the existing laws in relation to political donations be made more effective? — by maintaining capped political donations in Queensland, applying the cap to all donations and not just those intended to be used for campaign purposes, and allowing political donations to be made only by individuals on the electoral roll.

2 How-to-vote cards

Regarding the section 2.1d Ban how-to-vote cards, we support the introduction into Queensland of the position taken in Tasmania where there is a blanket prohibition on handing out how-to-vote cards on polling day. We believe that how-to-vote cards represent significant wastage of resources (materials, time and money) and that they are an inefficient way of providing the necessary information to voters. We also think the use of how-to-vote cards potentially provides an unfair advantage to more highly resourced candidates.

Should how-to-vote cards be subject to increased regulation? — Yes, by banning them

3 Proof of identity

We think that the arguments provided in the 2009 Green Paper against the introduction of proof of identity requirements, and the additional arguments that such a requirement in Queensland alone would lead to voter confusion and that there is little evidence of electoral fraud suggesting that such a measure is even necessary, are sufficient reason to dismiss this suggestion. It could

certainly be expected that should such a measure be introduced, significant numbers of genuine voters would be denied their right to vote due to failing to meet the identification requirements, and this would be more damaging to the political process than the vanishingly small risk of electoral fraud.

Should voters be required to produce proof of their identity on polling day? — No

5 Electronic voting

We do not support the introduction of electronic voting machines at polling places, as this provides no real improvement on current processes, would be costly, and has been demonstrated to result in significant problems and errors in other jurisdictions.

We do support a trial of internet voting, for all groups of voters not only voters with a disability. This would offer much greater flexibility to voters and has the potential to significantly reduce the costs of polling. Careful attention would need to be paid to security, privacy concerns, and the ability to safeguard the integrity of the voting process, as well as user design (must be easily accessible and easy to use).

Should electronic voting be introduced in Queensland? — possibly, a trial should be conducted of internet voting for all voters with recognition of the significant security and vote integrity issues involved. The use of electronic voting machines at polling places is not supported.

7 Compulsory voting

We think that there are several strong arguments to support the continuation of compulsory voting. In particular, compulsory voting helps to ensure that parliament reflects more accurately the “will of the electorate”, that governments must consider the total electorate in policy formulation and management, and that it allows candidates to concentrate their campaigning energies on issues rather than encouraging voters to attend the poll.

We think that introducing voluntary voting would result in enormous wastage of resources in time and money to try to get voters to attend on polling day, to the detriment of more important issues of policy receiving due attention during an election campaign. The suggestion that the resources allocated to determine whether those who failed to vote have “valid and sufficient” reasons is wasteful and could be recouped if voluntary voting was introduced is completely eclipsed by the enormous resource allocation that would be required to encourage voters to vote.

The suggestion that compulsory voting would need to be abolished for Australia to consider itself a mature democracy is ludicrous – Australia has become a mature democracy in no small part because of the fact that compulsory voting has required the participation of all its eligible citizens in the political process. The removal of compulsory voting would simply weaken our democracy, not mature it.

It is very important to maintain compulsory voting in order to avoid the inevitable disenfranchisement of certain groups and individuals seen in other countries where voluntary voting has been introduced.

Compulsory voting is the simplest, most economically efficient and best way of ensuring participation in the political process, and it is this high level of participation that safeguards our democracy and requires governments to consider all citizens in making and enacting policy, rather than only considering engaged citizens. The inefficiency and wastage involved in having to cajole people to vote, should voluntary voting be introduced, is absolutely clear from the experience of many other jurisdictions where it has been introduced, as is the disenfranchisement and disengagement of some individuals and groups in society resulting from voluntary voting.

Should compulsory voting remain for Queensland State elections? — Yes, most definitely

9 Any other matter

We would like to be able to vote for an upper house – we support the reintroduction of an upper house to Queensland.

Yours sincerely,

Lenore Keough and Andrew Brown