



Submission to the Inquiry into and report on all aspects of the conduct of the 2016 Federal Election and matters related thereto

Addressed to:

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Joint Standing Committee on Electoral Matters
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1 November 2016

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Summary

The Science Party makes the following recommendations, with the safety of individuals, levelling the playing field for all political parties and independent candidates, the integrity of the voting system, and transparency in government in mind:

- Remove the requirement to make public the street address of the person authorising electoral material;
- Regarding social media, authorisation of an official party or candidate account should be sufficient to cover all material published by that account;
- Truth in advertising rules should not be legislated with regards to electoral campaign material;
- The Australian Electoral Commission should maintain its current modest levels of bureaucracy rather than pursue more onerous disclosure rules;
- If Australia moves to an electronic voting system, it should be a hybrid electronic/paper voting system;
- Much faster reporting requirements for political donations over a reduced threshold of \$1,000, and the creation of an electronic system to facilitate this reporting;
- Abolish above-the-line Senate voting;
- Identical registration requirements for all registered political parties, parliamentary or otherwise; and
- Remove the the 4% primary vote threshold for public funding of primary votes.

1. Provisions requiring authorisation of electoral material

1.1. Inclusion of physical address

Current AEC regulations require that electoral advertising material must state the name and street address of the person who authorised the advertisement.

For smaller parties who rarely have office space, the address given is often a person's home address. This exposes the people at that address to potential intimidation or harassment. Members of the Science Party have received concerning, but not necessarily threatening communications in the past. One could imagine a situation in which a member of the public may take offence to a position of a parliamentarian for a variety of reasons. Although the focus of political assassinations is often on global leaders like Prime Ministers and Presidents, members of parliament and candidates are similarly exposed and generally have no security attache. Recently, British MP Jo Cox was murdered in the lead up to the Brexit poll, which may have been due to her pro-immigration political beliefs. In Australia, MP John Newman was murdered just outside his home.

The Science Party recommends removing the requirement to give a street address of the person authorising electoral material. To supplement the name-only authorisation, the named individual should be registered with the AEC as an official authoriser of electoral information, with the option to keep their personal address hidden from the public until required in the case legal action or other regulatory requirements.

The AEC already has information that is connected to registered officers, such as telephone numbers, that are not revealed to the public but can be drawn upon when needed, and this would be a simple extension that could help protect the safety of individuals who take a risk by putting themselves into the public sphere for scrutiny.

1.2. Social media

Authorisation of an official social media account should cover all content shared by that account. When content is shared on social media using the functions intended for that purpose, a link is created back to the account that originally uploaded the content.

The Science Party recommends that authorisation of an official party or candidate account be sufficient to cover all material published by that account. This should take the form of an authorisation statement easily accessible on the social media account homepage (or similar).

2. The potential applicability of 'truth in advertising' provisions to communication to voters

Australia is in the interesting position of having had truth in advertising laws related to electoral campaign materials instituted in 1983 and repealed in 1984. While public support for such rules is reportedly high¹, the Science Party supports the findings of the Joint Select Committee on Electoral Reform of the time, in that legislation to enforce truth in advertising would be difficult to implement and enforce, as some of the claims made during an election campaign are subjective, and liable to lead to unintended consequences and worse outcomes overall.

The Science Party believes that truth in advertising rules should not be legislated, due to the difficulty of enforcing such rules in a relevant timeframe during an election campaign, and the disproportionate effect the rules might have on small parties and independent candidates who cannot afford expert legal counsel.

¹http://www.tai.org.au/sites/default/files/TAI%20-%20National%20-%202016%20July%202016_results_truth_in_advertising.pdf

3. The application of disclosure rules to and the regulation of all entities undertaking campaign activities

The Science Party has interactions with the NSW Electoral Commission and the Australian Electoral Commission (AEC). Our interactions with the AEC have been a largely positive experience in comparison to those with the NSW Electoral Commission, and we believe that this is in part due to the onerous laws adopted in NSW that have struggled to prevent suspect donations while making it hard to comply with the law.

The Science Party believes that the AEC should continue to maintain reduced levels of bureaucracy such that political parties can focus on being successful campaigners on policy rather than being experts in navigating bureaucratic rules.

4. The potential application of new technology to voting, scrutiny and counting

The Science Party believes that electronic voting has the potential to reduce the cost of running elections and increase the speed of returning results for elections. It also has the potential to reduce informal votes by reducing error rates in those votes, and to improve privacy for vision-impaired and mobility-impaired voters.

What most electronic electoral systems lack is a paper trail sufficient to prevent fraud, and to show the voter that their vote has been cast in the order that they have intended.

The Science Party recommends that if we move to an electronic voting system, it should be a hybrid electronic/paper voting system where:

- 1) A voter is presented with an electronic touch screen that shows the parties and candidates for election. The voter then can order the votes according to their preference in party or candidate.
- 2) When the voter has finalised their voting preferences, they are asked to confirm their preferences, then print out a paper copy of their voting intentions. This printout contains a serial number, a scannable barcode and the order of preferences. This can be used for cross checking of election results. In the event of a dispute, the physical ballots should be taken as being authoritative.

Before making any recommendation that Australia moves towards a purely electronic voting system, we recommend that the committee views the YouTube video *Why Electronic Voting is a BAD Idea - Computerphile* by Tom Scott² for a summary of the security risks involved with electronic voting.

²https://youtu.be/w3_0x6oaDml

5. The current donations, contributions, expenditure and disclosure regime

The Science Party believes that the single most urgent and important reform regarding political donations is real-time reporting of donations. While there are arguments for and against restricting political donations, in terms of who or what entities may donate and how much, real-time reporting would allow voters to see before election day who is funding the campaigns of each party.

Open and efficient government is one of the Science Party's core principles, and real-time reporting would be an important step toward transparency in government. Therefore:

The Science Party recommends that all political donations above the reporting threshold to parties that have a sitting member of parliament be required to be reported within 24 hours, and that all parties without a sitting member of parliament will be required to submit donation information within 5 working days of the donation.

The Science Party believes that different rules based on Parliamentary Party status is a fair and equitable measure.

The Science Party recommends that the political donation disclosure threshold be changed to \$1,000.

With a threshold of \$1,000, disclosure burden would increase, but the burden would still be small relative to the donation amount. To reduce the burden of disclosure:

The Science Party recommends the creation of a donation reporting portal for the AEC which will allow human entry of donations, as well as an API that will allow automated reporting of donations to the the system.

6. Senate voting rules

The recently-abolished single transferable vote (group voting ticket; GVT) was established to combat rising informal voting at a time when far fewer groups contested the Senate. Due to the greater range of options available in recent elections, the system was no longer fit for purpose, requiring voters to number over 100 boxes in some states, or to hand all of these preferences to one candidate group. The Science Party has previously advocated for Senate voting reform in the form of partial preferential voting below the line³.

The leader of the Science Party, James Jansson, had previously submitted to the JSCEM mathematical modelling that showed vote exhaustion due to a lack of preferencing may result in split votes and hence a non-representative senate. The legislation that ultimately passed stated a requirement of at least 6 preferences above the line, which appears to have largely been followed

³<http://allianceforprogress.org.au/optional-below-the-line>

by the voting public. As such the fears regarding widespread exhaustion of votes have largely been unrealised.

The ability of the voting public to follow instructions that require numbers to be placed in some, but not necessarily all, boxes show that voters are probably capable of numbering a limited number of below the line votes successfully.

The Science Party recommends that above-the-line voting for the Australian Senate be abolished. A minimum requirement for numbering boxes below the line (e.g. a number equal to the number of seats contested) should be retained.

Doing so would return the Senate to a house represented by individuals, rather than parties, as a valuable check to the parliamentary party system of the House of Representatives.

7. AEC registration for federal political parties

The Science Party believes that the playing field with regards to political parties is strongly weighted towards the larger parties and incumbents in particular. If a party with a sitting member is unable to maintain the required membership to remain registered then they should come under the same scrutiny as all other parties with no sitting members. Membership audits should be undertaken on either all parties or no parties.

The Science Party recommends that the requirements for continuing registration be identical for all registered political parties, parliamentary or otherwise.

8. Public electoral funding

Primary votes at federal elections receive public funding on the provision that a candidate wins at least 4% of the primary vote. This threshold for electoral funding is a burden that prevents electoral participation by smaller political parties. With 15,781,105 registered voters in Australia, a party that gets just shy of 4% of the vote could receive over half a million votes yet still not be eligible for electoral funding.

The public funding system helps incumbents. Given that the incumbents have the power to award themselves an arbitrary amount of funding, the threshold simply exists to exclude smaller parties and benefit larger ones in a way that could be seen to be a conflict of interest.

The Science Party recommends that the 4% primary vote threshold for public funding be removed and all primary votes be funded.