

**Australian Labor Party (National Secretariat)**  
**Submission to the Joint Standing Committee of Electoral Matters**  
**Inquiry into the 2010 Federal Election**  
**February 2011**

The Australian Labor Party welcomes the opportunity to participate in the Joint Standing Committee on Electoral Matters (JSCEM) inquiry into aspects of the conduct of the 2010 Federal Election and related matters. We hope the inquiry finds the following comments useful in developing directions for the conduct of future elections.

### **Pre-Poll Irregularities in Boothby and Flynn**

The ALP notes that during the 2010 Federal Election around 4,300 enrolled voters were disenfranchised in the electoral divisions of Boothby (SA) and Flynn (QLD) by having their votes excluded from the count.

This disenfranchisement occurred as a result of irregularities in the opening of ballot boxes at pre-poll voting centres in both of these divisions. These irregularities were caused by AEC officials not following proper procedure.

The ALP acknowledges the prompt investigation undertaken by the AEC and supports the subsequent recommendations made by the AEC, including that training and manuals for AEC staff be reviewed following this incident.

The ALP requests that the JSCEM seek a detailed response from the AEC regarding the progress of these recommendations and any other subsequent actions that have or may be taken to ensure that such irregularities are avoided in future.

### **Automatic Enrolment**

The ALP has previously recommended that the JSCEM investigate and recommend that the AEC introduce an automatic enrolment system to further enfranchise eligible Australians.

The ALP renews its calls for an automatic enrolment system to be introduced before the next Federal Election following significant confusion regarding enrolment and successful challenges in both the Federal Court and High Court to enrolment determinations made by the AEC in the 2010 Federal Election.

An automatic enrolment system would complement existing roll verification activities conducted by the AEC and enhance them. While the AEC currently uses several utilities databases to confirm that a voter no longer lives at an address, the AEC could use this data to update the voter's details automatically, thereby reducing the need for a variation to enrolment to be lodged, and preserving the voter's franchise.

Such an automatic enrolment system should also be used to enrol young voters provisionally before they turn 18 by utilising databases such as State and Territory motor registries and school graduation databases.

The ALP suggests that the JSCEM investigate the New South Wales *Smart Roll* which has been introduced and will be tested for the first time at the State Election on 26<sup>th</sup> March 2011.

### **Closure of the Electoral Roll**

The ALP notes that following a successful challenge in the High Court, around 100,000 voters who submitted correctly completed enrolment applications by 8pm on 26 July 2010 were added to the electoral roll and allowed to vote in the 2010 Federal Election.

The ALP has long advocated that the electoral roll be left open for a reasonable period after the calling of an election to allow residents to enrol to vote or update their enrolment.

The ALP believes that the date the electoral roll is closed after the calling of an election should be extended in order to enfranchise as many eligible Australians as possible.

Taking into account the successful production and delivery of a supplementary electoral roll by the AEC one week prior to the Federal Election held on 21<sup>st</sup> August 2010, the ALP requests that the JSCEM investigate what is the latest practical time before polling day that the electoral roll could close in order to properly conduct an election.

### **Digital Enrolment**

The ALP notes that in the lead up to the Federal Election 2010, activist group Getup launched an online digital enrolment portal named *OzEnrol*.

The *OzEnrol* portal allowed users to sign an enrolment form online using a digital pen, mouse or trackpad, so that their enrolment form could be submitted online.

The ALP notes that following a Federal Court Decision a user who used a digital pen on a trackpad for the purposes of providing a signature was added to the electoral roll.

The ALP requests that the JSCEM fully investigate all methods whereby enrolment forms can be satisfactorily completed online using digital signatures in such a way that protects the integrity of the enrolment process and enfranchises online users.

### **Pre-poll**

The ALP reiterates its previous position that the JSCEM should examine a number of changes to pre-poll voting including:

- Broadening the scope of the current legislative provisions relating to pre-poll, so that a greater number of people can access it;

- Increasing the number of pre-poll voting venues in each electoral division, particularly in regional areas, to improve access to early voting; and
- Expanding the opening hours of pre-poll venues with a particular focus on extending pre-poll opening hours on weekends.

### **Postal Voting**

There has been much debate in recent years about the practice of political parties reproducing and distributing Postal Vote Applications (PVAs) during election campaigns.

ALP MPs and Senators have reproduced and distributed PVAs as a service to voters in recent elections including the 2010 Federal Election.

However, as technological advances such as the ability to download PVAs from the AEC website and the potential for an online application for a postal vote, following the related Federal Court decision regarding digital enrolment, the ALP believes that political parties no longer need to be involved in the reproduction and distribution of PVAs.

The ALP requests that the JSCEM investigate the possibility of a PVA that could be digitally submitted online through the AEC website.

The ALP further suggests that the JSCEM recommend banning political parties from reproducing and distributing PVAs and make the AEC the sole entity responsible for producing and distributing PVAs.

### **Provisional Votes**

In the 2010 Federal Election, we have witnessed the continuation of a trend in which a large proportion of provisional votes are being rejected.

In the 2004 Federal Election, around half of provisional votes were accepted and counted. However, in the 2007 Federal Election over 80% of provisional votes were rejected. This trend continued in the 2010 Federal Election, with over 80% of provisional votes being rejected again.

The ALP requests that the JSCEM seek a detailed explanation from the AEC as to why such a high proportion of provisional votes have been rejected in the two most recent Federal Elections.