



The Hon Tony Burke MP
Shadow Minister for Finance
Manager of Opposition Business
Member for Watson

Mr Andrew Southcott MP
Chair
Standing Committee on Procedure
House of Representatives
Parliament House
CANBERRA ACT 2600

Dear Mr Southcott 

**INQUIRY INTO PROCEDURES FOR
COUNTING AND REPORTING THE VOTE IN A DIVISION**

Thank you for the opportunity to contribute to the Committee's inquiry into the procedures for counting and reporting the vote in a division in the House of Representatives, with particular consideration of electronic voting.

My response to the Committee's terms of reference is as follows:

Reforms to meet certain principles

- I am not opposed to electronic voting or other voting reforms in the House of Representatives. However, it is my view that any reforms to the procedures for counting and reporting the vote in a division in the House of Representatives must meet each of the following principles (in bold):
 - **Subject to the House resolution on proxy voting arrangements, Members must physically attend the Chamber to have their vote recorded**, to ensure it is Members themselves who cast their vote and that they are publicly seen to cast their vote;
 - **Subject to the House resolution on proxy voting arrangements, it must be immediately apparent to people in the Public Galleries how a Member has voted**, to ensure that the choice made by a Member on the particular question before the House is clear to the people of Australia;

- **The time that Members are required to spend in the Chamber during a division should be limited to the time it takes to accurately record their vote**, recognising that Members have many parliamentary and executive duties outside of the Chamber while the Parliament is sitting. The time that Members spend in the Chamber during a division should be minimised where possible to enable Members to more effectively undertake these other duties. Members must vote, but once they have voted, they should be able to leave the Chamber to return to their other duties; and
 - **Voting Procedures must ensure the accurate recording of a Member's vote**, to ensure the absolute integrity of votes in the House of Representatives, recognising the significant impact of decisions made by the Parliament on the people of Australia.
- There would be many proposals to reform the procedures for counting and reporting the vote in a division in the House of Representatives which would meet each of the principles outlined above. In my view, the Committee should consider any proposal which meets these principles.

Proposal

- The Committee may like to consider the proposal outlined below which meets the principles previously mentioned.
- It is proposed that Members would not have to wait until the division bells had *stopped* ringing to vote, but instead Members would be able to vote as soon as the division bells had *begun* ringing. Members would vote 'Aye' by physically passing to the right of the Speaker's Chair ie. from the Chamber to the outside of the Chamber through the door on the immediate right side of the Speaker's Chair. Members would vote 'No' by physically passing to the left of the Speaker's Chair ie. from the Chamber to the outside of the Chamber through the door on the immediate left side of the Speaker's Chair. A Member's vote would be electronically recorded by a Member touching their individual electronic voting card against either the 'Aye' receiver or 'No' receiver placed next to the relevant door. Members would only be able to vote while the division bells were ringing and not after they had stopped ringing. It is proposed that the division bells be rung for 5 minutes for each division, including subsequent divisions called within 3 minutes of a previous division. Members would not be permitted to pass from the outside of the Chamber to the Chamber through the doors to the immediate left or right of the Speaker's Chair while a division was in progress.
- The benefits of this proposal are manifold, but most notably in relation to time savings for the House of Representatives more generally and for individual Members.

- The following table outlines the time spent on divisions in the House of Representatives during 2015 (based on statistics provided by the Chamber Research Office):

Type of division	Number of divisions in 2015	Time for ringing of bells	Average time for counting	Average total time for division	Total time for divisions in 2015
‘Ordinary’ division	68	4 min	6 min 34 sec	10 min 34 sec	11 hrs 58 mins
‘Subsequent’ division within 3 minutes of previous division	51	1 min	2 min 24 sec	3 min 24 sec	2 hrs 53 mins

- In 2015, an ordinary division of the House of Representatives took on average 10 minutes and 34 seconds from the moment the division bells began ringing until the results of the division were announced. Under the above proposal, this time would be cut to 5 minutes.
- Also in 2015, under the current time saving measures in Standing Order 131, the time taken for a subsequent division was on average 3 minutes and 24 seconds from the moment the division bells began ringing until the results of the division were announced. The time taken for subsequent divisions under current arrangements is obviously shorter than under the proposal above ie. 3 minutes and 24 seconds compared to 5 minutes. However, when the time taken across both ordinary divisions and subsequent divisions is viewed together, the House of Representatives would still experience a time saving under this proposal, especially considering that most divisions are ordinary divisions which take on average 10 minutes and 34 seconds.
- In addition to the House of Representatives experiencing a saving in the amount of time it spends on divisions, the proposal above would also allow a separate and significant drop in the amount of time that individual Members spend voting, as Members would be able to immediately leave the Chamber once their vote was accurately recorded, and in fact would leave the Chamber simply by the act of voting.
- As this proposal relies on electronic voting, it has the same benefits which other discussion papers and Committee reports have previously noted in relation to electronic voting eg. the additional transparency and immediacy of voting results being available outside the Chamber for wider publication.

- This proposal must overcome the practical difficulties and cost associated with implementing a new electronic voting system. However, with the advance in technology, continually shrinking technology costs, and adequate preparatory work, these difficulties should not be insurmountable. Nevertheless, these considerations warrant close examination by the Committee, especially in a time when budgets are constrained.

Ayes to the right, noes to the left

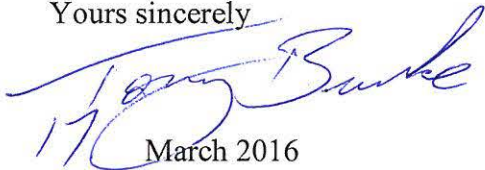
- In relation to electronic voting, the Committee specifically asked for consideration of whether to retain the tradition of Members moving ‘ayes to the right, noes to the left’ or whether Members should vote in their place. It is my view that the tradition should be retained even with electronic voting. A proposal to do so is outlined above.

Abstention from vote

- In relation to electronic voting, the Committee specifically asked for consideration of whether an option to abstain should be provided or whether abstention should continue to be indicated by a Member not attending the Chamber. It is my view that a separate abstention option should not be provided and abstention should continue to be indicated by a Member not attending the Chamber.

I look forward to the outcome of the Committee’s inquiry.

Yours sincerely



170 March 2016