



The Liberal National Party of Queensland  
**WARWICK BRANCH**

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**SUBMISSION TO  
THE JOINT STANDING COMMITTEE ON ELECTORAL MATTERS**

in relation to

**THE FEDERAL ELECTION OF 7 SEPTEMBER 2013**

from

**The Liberal National Party of Queensland  
(Warwick Branch)**

**Authorised by Resolution  
of the General Meeting of the Warwick Branch  
on 11 February 2014**

compiled by

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(LNP Warwick Branch Secretary)**

## SUMMARY OF RECOMMENDATIONS

This Submission recommends four changes be made to the Commonwealth Electoral Act thus:

- 1. That persons aged seventy-five years and older be exempt from compulsory voting.**
- 2. That above the line voting be abolished in all future Senate elections and replaced by a system of optional preferential voting for the number of Senate vacancies at the election.**
- 3. That compulsory preferential voting for the House of Representatives be abolished, and replaced by a system of optional preferential voting similar to that in use in NSW and Queensland State Elections.**
- 4. That a system of local adjudication be instituted to deal with local disputes in relation to local electoral matters.**

### Background Information

These recommendations are made following certain events witnessed by members of the Warwick Branch of the Liberal National Party (LNP) leading up to and during the Federal election of 7 September 2013.

Founded on the banks of the Condamine River, and at the junction of the two main inland thoroughfares of the New England Highway and the Cunningham Highway, Warwick is a main centre in the Federal electorate of Maranoa, and is situated in the extreme South-East corner of the electorate.

Maranoa is the largest Federal electorate in Queensland. It has an area of 731,297 km<sup>2</sup> which makes it in area, more than twice the size of Germany, and more than three times the size of the United Kingdom. Within Maranoa, distances are far greater than those in any Metropolitan electorate. For example, the distance from Warwick to the AEC Divisional manager's office in Dalby is 164 kilometres, the same distance as from Canberra to Moss Vale, or from Canberra to Young. Maranoa has 172 polling places and a local problem with one such polling place is the reason for our fourth recommendation. The above recommendations are made against the background of this huge electorate and details of these recommendations now follow.

Recommendation 1:

**That persons aged seventy-five years and older be exempt from compulsory voting:**

Reasons for this recommendation

There were eight Special Hospital Polling Teams which visited hospitals and aged care facilities in the Maranoa electorate at the time of the 7 September 2013 Federal elections. The purpose of these teams was to enable workers, residents, patients and other people then in these hospitals and aged care facilities to vote in circumstances when it would not otherwise be convenient for them to attend one of the static polling places then operating in the electorate.

Some of our Warwick Branch members accompanied these polling teams for the purposes of distributing how-to-vote cards, assisting elderly people to vote, and also for scrutineering the polling process. Our scrutineers later reported that there were some distressing scenes when electoral officials tried to elicit votes from aged electors too old or infirm to understand the machinations of a Federal election. In this context, no criticism of electoral officials is intended. The problem was not the officials, but the electoral law which requires all adult citizens to vote, irrespective of age.

It is true that our scrutineers reported that some elderly residents of aged care facilities had no problem voting at these elections. Our scrutineeres also reported that some aged residents did not know there was an election, and when advised of the election did not know who to vote for. Some did not understand they had to vote for every candidate in order of their preference, and others became stressed when told they must do so in order to cast a valid vote. Some could not differentiate between a State and a Federal election, and wanted to vote for Campbell Newman (the Queensland Premier). The sight impaired and the hearing impaired and the attention impaired had difficulty understanding the purpose of the election and there were others who resented the intrusion of the polling team into the comfort zone of their restricted social horizons. Because of the compulsory voting requirements our scrutineers noted a high level of stress amongst these aged voters.

With an aging population, these problems are likely to increase so that with each successive election there will be an ever increasing number of aged persons stressed by the requirement of compulsory voting, and in our view it is now time to put an end to this harassment of the elderly. It is therefore our recommendation that persons aged seventy-five years and over should continue to vote if they want to but that in all future elections they be exempt from compulsory voting.

Recommendation 2:

**That above the line voting be abolished in all future Senate elections and replaced by a system of optional preferential voting for the number of Senate vacancies at the election.**

Reasons for this recommendation

LNP supporters who attended polling places at the 2013 Federal elections to hand out how-to-vote cards, were overwhelmed by complaints from voters who protested at the inconvenience of having to vote on such a large Senate ballot paper for what should have been a simple task for electing six senators. Many people said they voted above the line for convenience, but complained that they had no control over how their preferences were to be distributed. Some asked us to request the incoming government to change the Electoral Act so as to entrench a proper democratic electoral process for future Senate elections.

An example of how undemocratic the 2013 Senate elections were can be seen in the example of the election of the Australian Motoring Enthusiasts Party (AMEP) to a Victorian Senate seat. This Party's candidate won only half of one percent of the first preference count, yet defeated a candidate of the Liberal Party which had forty percent of that first count. The way this was done was by cross-preferential deals between the minor and single-issue parties. The purpose of these deals was to manipulate the lower order preferential votes so as to give the AMEP candidate at the final preferential count a winning majority of all preference votes counted.<sup>(1)</sup>

Just prior to the election, in an article in *The Australian* of 4 September, Senator Ron Boswell opined that this Senate election would see an outrageous fiddling of our electoral system in which complicated deals between people no one has ever heard of would have a result in which people voting for a minor party would not know how that party's Senate preferences would be distributed.<sup>(2)</sup>

Senate elections could easily be converted into a simple, transparent, honest ballot in which each elector indicates a personal preference in the same way that personal preferences are indicated in House of Representatives elections. The fact that a Senate election is for multiple candidates should not complicate the matter at all. For the voter, there would be no difference in casting a preferential vote for six Senators than for casting a preferential vote for six or more candidates in a Lower House electorate. To achieve this goal we recommend the Electoral Act be amended so that to cast a valid Senate vote the elector would only need to choose any six candidates for a half Senate election, or any twelve for a Double Dissolution. Under this system, electors could still vote an order of preference for all candidates on the Senate ballot paper if they wanted to, or vote according to how a party's how-to-vote card directs, but would only need to vote for the number of Senate vacancies at the election.

The simplest way to achieve this would be to abolish above-the-line voting, and replace it with a system of optional preferential voting for the number of Senate vacancies at the election.

Recommendation 3.

**That compulsory preferential voting for the House of Representatives be abolished, and replaced by a system of optional preferential voting similar to that in use in NSW and Queensland State elections.**

There are three reasons for this recommendation:

These are:

1. People resent being forced to vote for candidates they don't like.

It is our experience that people resent being forced to vote for candidates not of their own choice. Here in Maranoa which is National Party heartland, some people refuse to vote Labor, even as their last preference. In a Federal election, when advised that they must vote by order of preference for all candidates on the ballot paper, some voters refuse, with the result that their vote is informal. In the Queensland State elections we don't have this problem. People may vote for who they want, and don't need to vote for anyone else, and under Queensland law, their vote is perfectly formal.

2. Having two different preferential voting systems is confusing.

Those of us who are associated with the political system know and understand that State elections are different from Federal elections and that State and Federal electoral laws are different.

However, it is our experience that some voters can't tell the difference and quite often when conducting exit polls at a Federal election we learn that some voters just placed [1] against the candidate of their choice and did not preference the other candidates. When advised that they therefore voted informally, these voters claimed that "This is the way I voted last time," which of course was at a State election, when such a vote would have been perfectly valid.

3. The voting systems of NSW and Queensland are far superior

We have had many complaints about the Commonwealth voting system by electors who claim they are forced to vote for candidates they don't like.

On the other hand, we have never had a complaint against the Queensland voting system used in Queensland State elections..

We therefore recommend that compulsory preferential voting for the House of Representatives be abolished, and replaced by a system of optional preferential voting similar to that in use in NSW and Queensland State elections.

Recommendation 4..

**That a system of local adjudication be instituted to deal with local disputes in relation to local electoral matters.**

The reason for this recommendation is that prior to and during the 2013 Federal election, a dispute occurred between members of the Warwick LNP Branch and the Australian Electoral Commission's Manager of the Maranoa Division. This dispute concerned the selection of Glennie Hights State School as a polling place.

This dispute was a local matter and it should not ordinarily concern the Committee. However, because there was no mechanism to resolve this dispute in time before the election, we consider it necessary to advise the Committee since a dispute of this nature could have occurred at any polling place in any Federal electorate anywhere in Australia.

Elements of the Glennie Heights dispute

The front entrance to the Glennie Hights State School faces Gillam Street. Because the school is built on the side of a hill, its front entrance is below the level of this street. During the previous State election some elderly voters were unable to use this entrance to the school. Using their own cars, our members attending this polling place were called upon to ferry some elderly voters around the school perimeter to another more suitable entrance to the school. Because of this problem, prior to the 2013 Federal election we asked the Maranoa Divisional Manager to select the nearby Slade campus of the Warwick Christian College as the Glennie Heights polling place. The Divisional Manager refused. Our members then asked that if the State school is to be retained as a polling place, then the Elizabeth Street entrance be advertised as the preferred entrance. This street was then listed on the Commission's website as the entrance for this polling place. However, newspaper advertisements just prior to this election listed a different street on the other side of Warwick, nowhere near the Glennie Hights State School. To avoid confusion and to assist voters at this polling place, our members erected signs in the street outside the school, directing voters to the Elizabeth Street entrance. These signs cost our members \$200.

This problem would not have happened if Slade Campus had been selected as the Glennie Heights polling place. We cannot imagine that the Administrative Appeals Tribunal would have travelled the 156K from Brisbane to Warwick to view the entrance to a State school and to make a decision on this dispute in time before the election. We tried telephoning the Brisbane office of the Electoral Commission, but that phone number was always engaged.

We therefore suggest that the Committee recommend that the Act be amended to allow for a local eminent person to resolve local electorate disputes of this nature, for example, the local Magistrate, Mayor, Council CEO, High School Principal, the local police commander or hospital administrator or other such person of local eminence.

## CONCLUSION

In conclusion, we respectfully wish to submit that the Australian Electoral Act is in serious need of significant amendment.

In this context:

We need to stop harassing our elderly citizens, by abolishing compulsory voting for all persons over the age of seventy-five years.

In relation to the Senate, we need to abolish the undemocratic absurdity of preventing voters from knowing where their preferences will be distributed. This can be done by extinguishing above-the-line voting and adopting a system of optional preferential voting for the number of Senate vacancies at the election.

In relation to the House of Representatives, we need to abolish the undemocratic process of forcing people to vote for candidates they do not like, by introducing a system of optional preferential voting similar to that in use in the NSW and Queensland State elections, and finally,

We need a system of local adjudication to deal with local disputes in relation to local electoral matters.

This concludes our submission.

Malcolm Mackellar  
LNP Warwick Branch Secretary  
for The Liberal National Party of Queensland, Warwick Branch.

14 February 2014

### References:

- (1) From 17,083 votes to a seat in the Senate, in *The Australian*, 4 Oct. 2013, p.6.
- (2) Boswell, Ron (2013) Preferences a minor mess, in *The Australian*, 4 Sept. 2013, p.4.