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JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

**Reference: Conduct of the 2004 federal election and matters related thereto**

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**JOINT STANDING COMMITTEE ON**

**ELECTORAL MATTERS**

**Wednesday, 3 August 2005**

**Members:** Mr Anthony Smith (*Chair*), Mr Danby (*Deputy Chair*), Senators Brandis, Carr, Forshaw, Mason and Murray and Mr Ciobo, Mr Melham and Ms Panopoulos

**Members in attendance:** Senator Murray, Mr Ciobo and Mr Anthony Smith

**Terms of reference for the inquiry:**

To inquire into and report on:

Conduct of the 2004 election and matters related thereto.

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**Committee met at 1.09 pm**

**CHAIR (Mr Anthony Smith)**—I declare open this public meeting of the inquiry of the Joint Standing Committee on Electoral Matters into the conduct of the 2004 federal election. To date, the committee has received 174 submissions. Many were detailed, well written and self-explanatory, and accordingly the committee does not need to hear from every person or organisation that has made a submission. Submissions have raised numerous issues, which the committee is carefully examining. While examining the submissions, the committee identified a number of issues which it needs to take additional evidence on in this fourth round of hearings.

I would like to thank today's witnesses for appearing. I remind them that, although the committee does not require them to give evidence under oath, this hearing is a legal proceeding of parliament and warrants the same respect as proceedings in the parliamentary chambers. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. The evidence given today will be recorded by Hansard and will be covered by parliamentary privilege.

[1.10 pm]

**DENEMARK, Associate Professor David Norman, Associate Professor, Department of Political Science and International Relations, University of Western Australia**

**CHAIR**—I welcome our first witness, Associate Professor David Denemark. We have received your submission, which has been numbered 174 and, just a couple of minutes ago, was approved for publication and authorised for printing. Are there any corrections or amendments you would like to make to it in any way?

**Prof. Denemark**—No, there are not.

**CHAIR**—I invite you to make a brief opening statement outlining some of the key issues in your submission, and then we will move to questions.

**Prof. Denemark**—To begin with, I should clarify the number of hats that I am wearing today. One is as a social scientist. I regularly use survey research in my teaching and in my own research, so I speak as a social scientist who wants the best quality and most substantial databases that we can create in this country. That is one hat: as a social researcher.

The second hat is that of principal investigator for, and someone involved in the editing of, the last and the forthcoming books produced by the Australian Survey of Social Attitudes. I think the survey has helped begin the process of asking what sorts of access should be afforded social researchers, so many of my points will address the submission of the Australian Survey of Social Attitudes, or AuSSA.

I have also been asked to sit in for the University of Western Australia. Professor Doug McEachern, the Pro-Vice-Chancellor for Research and Innovation, had to be in Canberra today, so I am representing the University of Western Australia as well. It should be said, as you no doubt have in your records, that Professor McEachern has endorsed the ANU submission, which in turn speaks to the request by AuSSA to have electronic access to the electoral roll. So I speak wearing at least three, but comparable, hats.

There are a few points that I think are central to the submission and to our concerns. The first, of course, is access to the Australian electoral roll. This issue arose because of the exclusion of private companies from access to the electoral roll since the changes to the Electoral Act following restrictions under the Commonwealth's privacy legislation. We would argue that this has a major impact on social research in Australia, as the electoral roll has been the sampling frame of choice for all social science surveys for most of the past 30 years. Restricting access to this framework raises major questions about the comparability of new surveys to the existing ones, as it would require new and probably lower quality samples.

We also feel that there would be a high likelihood of a decline in the response rates to social surveys if less good and more out-of-date samples were to be used. There are two further negative effects that we feel would result if this were done. The first is that survey data would be a less representative cross-section of Australia's views on key issues and policies, so we would



have a less good snapshot of what people in Australia think. The second negative effect relates to the fact that international surveys tend to stipulate certain response rates. The Australian Survey of Social Attitudes survey had a 45 per cent valid return rate. If this were to reduce much further, what effectively could happen is that other, international survey programs might limit their involvement with AuSSA. For example, the AuSSA runs within its modules of something called the International Social Survey Program, and they might well say, 'We no longer think that AuSSA should be the vehicle, the conveyor, of these key international modules, as we stipulate certain levels of response rates,' and we fear that a less good sample frame might well result in lower response rates.

The AuSSA also takes to the field the World Values Survey. These international surveys are crucial because they connect Australia with the world of international research. For example, there are 39 nations participating in the International Social Survey Program, and Australia is one of these nations. Australia's links to international patterns of attitudes on a whole variety of social and political issues are sustained by our involvement in that program. All of this, we feel, might well be jeopardised by utilising less good sample frames—with obvious implications for overseas research collaboration, which I think universities across Australia are keen to maximise now.

We feel that the Australian Electoral Commission has used a very narrow reading of the relevant sections of the Electoral Act to limit the access of social research to the electronic roll. Our position is that there is no reason why medical research or research related to an electoral event should be privileged above other forms of social research. We feel that this is especially the case in surveys of the national stature of AuSSA, which must go through identical ethics committee approvals as medical or electoral research—for example, the Australian Election Study, which does have access to the electronic roll. In the case of AuSSA, it is the ANU Human Research Ethics Committee that approves the survey project as involving no problems for human subjects. This is firmly within the guidelines of the National Health and Medical Research Council on the use of human subjects. Our survey, we feel, is comparable with those that are given access.

It seems to me that a quick comparison of the Australian Survey of Social Attitudes, which has been denied access to the electronic roll, and the Australia Election Study, which has been given this access, is instructive. Both are non-commercial, academic surveys of Australian attitudes on a wide-ranging set of social and political issues and the policies that affect our lives and thus, we feel, promote the public interest. Both the AuSSA and the AES must be approved by an ethics review process to ensure the privacy of the respondents and are, as I have suggested, in compliance with NHMRC guidelines. Both use the same procedures, logistics and personnel for processing and safeguarding the samples at the Australian Social Science Data Archive, or ASSDA. For both surveys, no academics handle the data; all names and addresses of the respondents are destroyed once the questionnaires have been returned. Both surveys, once completed, are lodged with the Australian Social Science Data Archive, and both are made available to the public once they are completed. In short, we argue that there are no thematic or procedural grounds, in terms of privacy, that justify denying approved, certified academic surveys such as the AuSSA access to the electronic roll.

Here are two possible recommendations to consider. The first is an administrative solution. Here we would request that the Joint Standing Committee on Electoral Matters recommend to

the AEC that they broaden their interpretation of the act to include social surveys that have been approved under the NHMRC ethics guidelines as being eligible for the electronic delivery of samples through the AEC. Alternatively, there could be a legislative solution. Here we would request that the act be amended specifically to include social surveys that have been approved under the ethics guidelines, major social surveys conducted by universities using the NHMRC guidelines. Essentially the only difference between these two solutions is that one is administrative and the other legislative.

The last point is to do with the question of costs. We are aware that the Australian Electoral Commission is bound to say that there are costs involved in administering a broadening of the act to include social research. We recognise that the costs will have to flow on and must be carried, but we feel that that is a reasonable contribution to be expected by major surveys like this. We also feel that it need not necessarily open floodgates to any and all comers. We feel that, if especially the filter of NHMRC approved surveys were to be included in the act or in an administrative solution, this would avoid having any or all uses of the electoral roll entering into the demands on the AEC's time and administrative procedures.

**CHAIR**—Thank you; that is a good overview. Senator Murray, do you have any questions?

**Senator MURRAY**—Thank you for your evidence, Professor. The government and the parliament reacted to public concern as to the way in which the electoral roll was being used, and they effectively closed it down to all but a few permitted uses. Inevitably, you get applications for the broadening of those uses, and most claim to be in the public interest. For instance, many organisations that earn money from raising money for charities have wanted access to the roll made available to them.

With respect to your own organisation and the case that you have made: if we deal with an administrative solution first, one is of course for the AEC to accept that there are criteria which should guide their approval. As far as I am aware, they do not have published criteria, and that is pretty well what you are accepting: that the NHMRC insignia would indicate a bias towards approval. Do you think, though, that if allowance were made for yourselves it would open up the possibility of a lot of others—groups that we cannot conceive of sitting here but that you might know of—also wanting access to the roll?

**Prof. Denmark**—I think there would certainly be other claims, as you say. The not-for-profit organisations might well say that they deserve access as well. I think there is a difference, though, in the sense that social research conducted by these sorts of projects utilises the university aegis, the ethics committee and a review process to affirm that they do not involve the violation of the privacy of respondents. It seems to me that there must be a qualitative distinction between the two.

We are also suggesting that, if we do not find a way to open the door a crack, there is the potential for these sorts of surveys, which run on budget shoestrings for the most part, to lose the incentive to put forward these sorts of projects. Having been part of the AES and now the AuSSA and having regularly gone through the process of applying for Australian Research Council support but regularly having budgets cut, I can say that we regularly ask our participants to contribute time and energy beyond their teaching and research duties.

**Senator MURRAY**—Do any government agencies sit on the ethics committee?

**Prof. Denmark**—I am not certain. In this case, the ANU pursued this. I am not sure who exactly sat on the ANU ethics committee.

**Senator MURRAY**—Does the Australian Bureau of Statistics use the concluded work that is produced by your survey?

**Prof. Denmark**—Not that we know of at this point.

**Senator MURRAY**—I ask because one of the administrative prospects in my mind for the AEC's management of the scheme might be that they consult government agencies where government agencies are the beneficiaries of the information being sought. Quite plainly, the use of the roll has been allowed for the uses of certain government agencies.

**Prof. Denmark**—Certainly that is one of our intentions as a consortium of social researchers, putting forward our research in a way that squares with government uses. For example, we regularly refer to the ABS and the patterns there to ensure that we are broadly comparable with the sorts of patterns of demographic breakdowns, for example, that it shows. Our intention is to have the research made available publicly through the survey data archive at the ANU so that anyone, theoretically, can use the finished data. Of course they would not have access to the respondents, but they would have access to the final, anonymous results. So clearly the ABS is free to use the information as it sees fit.

**Senator MURRAY**—So that I can be sure, and for the record: is the survey done on a cost recovery basis, are they sunk costs by the universities, or do the participants end up making a profit or getting a return from it?

**Prof. Denmark**—Most of the costs of the AuSSA to date have been borne through an operating grant to the Centre for Social Research at the ANU. I can speak a little to current budget needs. As the lead editor of the next book and one of the principal investigators of the 2005 AuSSA, I have just put in a submission to the Academy of the Social Sciences in Australia. They have a workshop program with a \$5,000 budget, which we won the last time. It basically pays for domestic airfares, the accommodation and meals of people going to the ANU to meet and to present drafts of chapters on a range of things—the information that will become chapters in the book, which is being produced by the University of New South Wales Press and will be released next month. Our plan is to do something comparable next June.

What would we ask for? Every presenter—coming from 12 different universities, I think—would have to make a personal contribution. We would pay for accommodation at the ANU and for meals and taxis, but everyone essentially has to contribute time and some of their own money. I met with the principal investigators in Sydney just last week, and again the people attending were asked to pay for their own airfares. In the end, regularly what we find is that we do things through that process of social scientists being willing to contribute their own research funds, if they have any at their home university.

**Senator MURRAY**—I have a last question. If the AEC were to develop or expand their existing criteria, do you think that they should automatically exclude anyone making an application who might wish to profit in any way from access to the roll?

**Prof. Denmark**—It is hard for me to say. I do not know the entire class of organisations that might well profit. What I do know is that those who historically have run the social surveys on which our regular knowledge of the attitudes of Australians about social, political and economic matters are based have basically been not-for-profit, publicly lodged and guaranteed through this ethical process, with guarantees for the privacy of those involved. It comes at a great sacrifice by social scientists, and I think the product is vulnerable if the game is changed such that an additional cost of tens of thousands of dollars, in many cases, to secure a sample has to be borne by the tightly constrained budgets that are involved in any social research project.

**Senator MURRAY**—Thank you.

**Mr CIOBO**—Professor, obviously the issue for the committee is that people who are forced by the compulsory nature of being required to be on the electoral roll may not necessarily want to be solicited even for surveys that have a positive community benefit, which you can certainly argue. We need to trade off that benefit against the compulsory nature of the roll. I have a couple of questions with respect to the Australian Survey of Social Attitudes. Internationally, given that probably most countries do not have a compulsion for enrolment, how are samples drawn and from where are they taken?

**Prof. Denmark**—In the ISSP there would be a variety of different sample techniques used across the 39 countries, in part because they have different electoral rules. What is crucial in this country is that, because we do have a substantial electoral frame and therefore a potential sample frame, we use the best possible technique to gain that sample. As I said, the ISSP have standards for how the samples are conducted. I cannot speak to all the specific means within each of the 39 countries for deriving their samples but they certainly have rules about how the data is handled, how it is collected and the way that the questionnaires are processed.

**Mr CIOBO**—I am interested in what alternatives you have. I assume that in most other countries there is no central roll similar to the one we have in Australia. Are you able to tell me about the experiences in other countries?

**Prof. Denmark**—Certainly there are commercial houses that can generate samples. There are problems with most of them, of course. For example, in the research on the techniques of research one finds historically that, if one uses telephone listings, the people at the bottom end and the top end of the socioeconomic scale tend to disappear from the process; you do not really get an accurate cross-section of the nation's population. The poorest people, being those without telephone access, and the increasing numbers of people using mobiles or unlisted numbers—and one finds this with the wealthy and the famous—effectively disappear, and their attitudes disappear out of the sample frame. Having those groups is one of the real strengths of using the electoral roll as the framework.

**Mr CIOBO**—I have a quick, specific question. I know you made reference to the fact that the process was approved by the ANU ethics committee. If we were to adopt your proposed

recommendation with regard to NHMRC approval, is the prior approval by the ethics committee of a particular university a requirement for NHMRC approval?

**Prof. Denmark**—Sorry, could you restate that?

**Mr CIOBO**—As I understand it, your recommendation is that, where, for example, a survey is in accordance with NHMRC guidelines, we create approval for those surveys. What I am asking you is: in order to obtain NHMRC approval, is there a requirement for prior approval by the university's ethics committee—

**Prof. Denmark**—For us to pursue this kind of a survey?

**Mr CIOBO**—Correct; for anybody that wanted to get an NHMRC approval.

**Prof. Denmark**—Yes.

**Mr CIOBO**—Is it a requirement or is it just good practice?

**Prof. Denmark**—It is a requirement if you have human subjects. At UWA, for example, some of my psychology undergraduate students wanted to interview fellow students about something; all of that had to go through it as well. Even a more informal, small-scale process using human subjects requires this filter.

**Mr CIOBO**—Thank you.

**CHAIR**—Thank you very much for your evidence, Professor Denmark; it is good evidence that we can take on board. We have witnesses in Sydney who are giving evidence on a similar topic; it is certainly one that we are focused on as part of our deliberations. Thank you very much for coming along today and for your submissions. As I said informally at the start, if there is anything that you would like to add in coming days we would be happy to receive a supplementary submission.

**Prof. Denmark**—Thank you. I appreciate the opportunity to address the joint standing committee.

[1.34 pm]

**PATERSON, Mr Philip James, Private capacity**

**CHAIR**—I welcome our next witness, Mr Paterson. Do you have any comments to make on the capacity in which you appear?

**Mr Paterson**—I am here as a private citizen, but I will speak to my experiences as a member of the Liberal campaign committee for the federal seat of Curtin. I will speak on a particular, practical issue which I think warrants attention by your committee.

**CHAIR**—We have your submission before us, which is a clear and concise one-page submission relating to postal voting. Is that correct?

**Mr Paterson**—That is correct. I apologise for the brevity of it, but I became aware of this committee about one day before the closing date for submissions and I just wanted to get something on the record.

**CHAIR**—Brevity is actually rare and is welcomed in this committee. By way of background: the committee particularly looks at mechanical issues to do with the electorate and some longer term issues such as four-year terms and the like. Postal voting is very much a focus of the inquiry. There were problems with postal votes in Queensland, and we have been to specific regional areas of Queensland where it is no secret that there was a major problem in terms of the mail-house, people not receiving postal votes, and special requirements being made for people to vote a day or so after the election. It is something that we have been looking at pretty closely, and we are looking at it in each state.

I will go to the core of your submission, rather than invite you to make an opening statement. Please, at the end, add or correct anything. In your case, you are talking about a delay of around nine days minimum for ballot papers to be mailed back to the AEC.

**Mr Paterson**—Yes, and, to clarify, that is nine days from when the nominations are closed and the ballot paper positions are drawn.

**CHAIR**—In that time, of course, a lot of electors had concerns. They had not received their ballot papers, and you are saying that that led people to wrongly blame local members, thinking that they had somehow delayed them. This was if they had applied through the local member. Is that right?

**Mr Paterson**—Yes, and another point on that is that, because people can apply for postal vote applications soon after the election is called, you have this gap, which the normal voting public would not understand, up until when the ballot positions are drawn.

**CHAIR**—I think the gap was a bit longer in the last election.

**Mr Paterson**—It was. And that was before this.

**CHAIR**—It was because the election was a week longer. You make some points about the centralisation and a specific point about the handling of prepolling at Hollywood hospital, where you are saying there were not enough AEC staff.

**Mr Paterson**—That is really a minor specific issue, but it went on for about 12 hours and there was a lot of distress among a number of elderly patients and also among Electoral Commission staff, who were really hard worked to that point in time.

**CHAIR**—What I, with my colleagues Senator Murray and Mr Ciobo, am getting to the core of is that your complaint relates to the time it took for people to get their ballot papers. It does not relate to people not receiving their ballot papers.

**Mr Paterson**—No.

**CHAIR**—In other words, you are not saying there was a stuff-up in Western Australia.

**Mr Paterson**—Not at all. It just created a lot of pressure on the local Electoral Commission office as well. People were phoning our campaign office and our federal member's office. I think it is really important for politicians, as it is very unfortunate if a local member is being blamed for a process which is a bit complicated to explain to the general public. For that reason, as well, we need to see if we cannot improve that next time around.

**CHAIR**—Thanks for clarifying that, because there were big problems. We have received public evidence and it has had, quite rightly, a deal of attention in the media. There was a problem relating to postal votes, where the AEC thought they had been sent out and voters, right through the election period, said they had not received them.

**Mr Paterson**—That was not the issue.

**CHAIR**—There was a mail-house problem, and that is certainly one we are addressing. But you are saying, apart from the number of days it took, in your experience you did not have problems with people just simply not receiving them.

**Mr Paterson**—No, we did not. But we had so many calls that it took a lot of time between our records and the Electoral Commission office, which we work with daily and very closely, to try to resolve any queries that there were.

**Mr CIOBO**—With respect to the AEC delays that you had, did you contact the AEC in pursuit of any outstanding PVAs?

**Mr Paterson**—Frequently, because we had records from the ones which were originally mailed out that we knew about. A lot of the calls came to our local member because she is the local member and people know her. I would say it was almost daily. I personally, or one of our representatives in the volunteer group, was involved in literally daily contact with the AEC office. So, yes, there was frequent discussion. They were under a lot of pressure and were very appreciative of the problem and tried to get it resolved, but they did not control the mail-out of the ballot papers back to the electors. That was done, we were told, from one central location. That may be wrong, but that was what we were advised by the local AEC office.

**Mr CIOBO**—Were you advised anything more than that? Specifically, for example, I notice you also make reference in your submission to people travelling, especially those travelling overseas et cetera. When you rang the AEC, did they advise, ‘That has been processed. They just need to wait,’ or ‘We do not know what is going on. You should do something else’? What was the nature of the advice you received?

**Mr Paterson**—We were advised of both, but it was really the delay time. They did not and could not get the answers. Particularly in the first couple of weeks there was this great wait. We were obviously making a lot of progress within the last 10 or 12 days of polling day, but I do not think they were able to get the answer. And of course the same people who phoned our federal member’s office were also phoning the Electoral Commission office, so it was coming from both directions.

**Mr CIOBO**—I am interested in the advice that you received when you were calling on behalf of constituents that contacted, in this case, Minister Bishop’s office. What was the advice you were receiving from the AEC?

**Mr Paterson**—It was that generally they did not know. They also relayed the fact that there was this delay in mailing out the ballot papers from some central location.

**Mr CIOBO**—So it was very general, saying, ‘We don’t know what’s going on but there is obviously a delay.’

**Mr Paterson**—Yes. I know they were trying to track it through, but they did not have the answers.

**CHAIR**—Mr Ciobo has made a good point. From memory, when you are working on a campaign—in other capacities we all went through this—the postal vote applications are available the minute the election is called.

**Mr Paterson**—That is correct.

**CHAIR**—In fact, they are available ahead of that, I think. So they would have been sent out to people, and people requiring a postal vote and able to get one under the law would have sent those applications back. So I imagine Ms Bishop, like every other sitting member, would have sent out a postal vote application as soon as the election was called.

**Mr Paterson**—That is correct.

**CHAIR**—But the period before the election was a week longer. Until the candidates have all nominated, nominations have closed and the ballot draw has happened, it is impossible to have a ballot paper. That would have extended the time on this occasion—you concede that.

**Mr Paterson**—I do. We explained that. All the staff were told—

**CHAIR**—Going to Mr Ciobo’s question: what you are saying is that the centralisation was the difficulty, inasmuch as you could not ring the divisional office and they could not say, ‘Yes,



we've got that. We have it logged here. You can tell them they will be getting their ballot papers.'

**Mr Paterson**—Yes. We were often told, 'We think the ballot papers have been mailed.' Obviously, again, the AEC staff were chasing it through, but we would give dates to people and then they would not be met, so the calls would come back.

**Mr CIOBO**—That is why I am interested. You say that you were informed that the ballot papers had been mailed.

**Mr Paterson**—In some cases. It varied over five weeks.

**Mr CIOBO**—Sure. What I am exploring now are those specific cases where you were informed of that situation. So you would call on behalf of a constituent—

**Mr Paterson**—Yes.

**Mr CIOBO**—and the AEC would advise in that particular case—just the one isolated example that we are now talking about—'Those ballot papers have been mailed and they will be received in X days.' Would the AEC specify or say it would be in the next week?

**Mr Paterson**—Early on we were trying to. When it got a bit busy it was less specific in some examples. The answer to your question is really: in some cases yes, in some cases no. The fact that we could not give a clear answer to our member's constituents was of great concern to our local member, to me, to the volunteers involved and no doubt to our local member's staff.

**Mr CIOBO**—I glean from the response you gave earlier, however, that there were also instances where you were advised that the ballot papers had been sent, therefore you could reasonably assume they would be received in roughly the next week, and that did not occur.

**Mr Paterson**—Some were, you see.

**Mr CIOBO**—Some were but some were not?

**Mr Paterson**—Yes. It got overwhelmed in the middle. We had a school holiday period overlapping with the election period in Western Australia, so the actual workload increased beyond the normal number of eligible applicants for postal votes.

**CHAIR**—There was a boost in the number of postal vote applications because of that.

**Mr Paterson**—Yes, certainly in Western Australia. I think that would have added to the pressure on the AEC—and this is a guess—if they did not have additional staff able to handle the extra load compared to a normal election.

**Mr CIOBO**—So in those instances where someone would contact you and say, 'Where's my ballot paper?' you would contact the AEC and they would say, 'They've been sent.' Subsequently the constituent would contact you again and say, 'Look, we're still waiting. It's been two or three weeks.' Were there instances of that?

**Mr Paterson**—We tried to phone the people where we had contact. Again, it started to overwhelm us and about 20 or 30 per cent of the time was spent handling this. Where we had information, we advised people ourselves as a courtesy on behalf of our local member. The Electoral Commission office was separately trying to advise people. It is just that the delays were greater than anticipated in getting the ballot papers back. We were originally told four to five days. We were passing on advice from the Electoral Commission office, but when the ballot papers did not get there, particularly in the case of people about to go overseas, they then came back and were holding our local member responsible as much as the AEC. That was very difficult for all concerned, including the AEC, because you could not say, ‘Yes, it is coming on the 20th.’ It caused—

**CHAIR**—You could only say, ‘We have forwarded your application’?

**Mr Paterson**—Yes. And that we have been advised, where we had been advised, that it would happen on a certain date. It was quite difficult, because for people going overseas, particularly nearer the election day, there was no time to get the ballot paper sent back.

A separate issue is that the Electoral Commission was actually very unwilling to have ballot papers sent to overseas addresses, even when there probably would have been time for them to come back. People were just being told to go to the AEC web site and in London go to the high commission. We had one couple who waited 3½ hours in a queue there and they had applied three or four weeks before the election. They had left before they got the ballot paper and we could not get it followed up through the AEC, which I thought was actually quite wrong.

**Mr CIOBO**—Can you expand on that specific case further?

**Mr Paterson**—This is only one example.

**Mr CIOBO**—But we need specifics.

**Mr Paterson**—Sure. We had a couple who applied for a postal vote application—in fact, they were friends of our local member. I dropped the papers and things into them just before they headed off to the UK and because the ballot papers did not get back, and it was, from memory, within a couple of weeks of the election, we were advised by the AEC that it was too late to get the ballot papers sent to them. I did not have the actual address in London, but I managed to phone a few people and find out and I went back and told the Electoral Commission the actual address and they still were not willing to mail the papers about. So these people ended up in the queue in London.

**Mr CIOBO**—In Australia House.

**Mr Paterson**—Yes. It took me quite a bit of time chasing around and emailing people.

**Mr CIOBO**—But was it too late because of the delay in processing the application or was it because you lodged them late? I am unclear.

**Mr Paterson**—Partly that and I think partly because the pressure on the local AEC office meant that they were buried with enough problems locally and were not particularly keen to have them come back. They were very keen to get people to—

**Mr CIOBO**—But the actual application—had you lodged that much earlier?

**Mr Paterson**—My word, yes, the applications were lodged. All of it was to do with getting the ballot papers back. Obviously if their applications were only lodged four or five days out, there is a cut-off on the Monday, I think, of the final week that prohibits it. No, this was done weeks in advance. But, again, that is one example. I would not like to generalise from that, but there was definitely a focus on trying to encourage people to vote off the web site and in the locations in the eastern states or overseas—even though under the act, I think, if you have an overseas address and there is time for the ballot paper to come back in the mail, you are perfectly entitled to expect the ballot paper to be mailed to you and to then mail it back. There is time after the election to allow for processing. Again, it was not widespread, but it occurred in certain instances, and I remember them because we do try and look after people, as you gentlemen no doubt all do with your electorates.

**Senator MURRAY**—Mr Paterson, amongst the crew of volunteers working for Ms Bishop for the election, did you have prime responsibility for this area of postal votes?

**Mr Paterson**—I was the coordinator for the volunteers, and in that role, because so many of the applications came through, the answer would be yes. We had someone separately who would process them and then either I or that person would deliver the applications to the electoral office on a daily basis.

**Senator MURRAY**—So you effectively had a proper organisational structure with people with dedicated tasks?

**Mr Paterson**—Very much, and we ended up with five files of photocopies of applications, which is presumably about 2,500 or 3,000, without knowing the actual figure. Yes, and we were very careful because there is no way any local member wants to have someone go missing in action. For all queries where the ballot papers had not come, we certainly checked our files. We might have had one, at the most, out of the whole election which went wrong—and one is one too many.

**Senator MURRAY**—So you would describe this as a professionally managed situation?

**Mr Paterson**—Goodness, yes.

**Senator MURRAY**—That is important, because it gives added credibility to your—

**Mr Paterson**—We keep records, as it is critical. Our member, Julie, is incredibly focused in looking after her electorate.

**Senator MURRAY**—Let me get the quantum in my mind right. I presume that, like most other constituencies in the House of Representatives, Ms Bishop's would have about 80,000 electors?

**Mr Paterson**—A little bit over that.

**Senator MURRAY**—How many postal vote applications did you send out in the first place?

**Mr Paterson**—We would have mailed the electorate, as is common practice.

**Senator MURRAY**—Let us assume 80,000 went out. Could they return it either to your office or to the AEC, or just to your office?

**Mr Paterson**—Either, their choice.

**Senator MURRAY**—How many did you get back, do you think?

**Mr Paterson**—I would say we got back five lever arch files. I think about 500 would be a reasonably accurate guess. I am sure the AEC could give—

**Senator MURRAY**—In total or per file?

**Mr Paterson**—No, in total. Five hundred a file is a rough guess. I would have said 2,500 to 3,000 applications. And we file them alphabetically for the very reason that you would expect some calls to come in.

**Senator MURRAY**—Is there any delay in sending them from your office out to the AEC?

**Mr Paterson**—No. We took the applications daily. Firstly, because it was an arrangement I worked out with the manager of the local office and, secondly, because no-one would want them lying around in a member's office.

**Senator MURRAY**—But there is a danger in a slack or unprofessional office that they would lie around, isn't there?

**Mr Paterson**—There is always a danger, yes.

**Senator MURRAY**—Do think it is a worthwhile approach to cut out the electorate office completely? In other words, let the electorate office send out the 80,000 so you have got the coverage you want, but let the return go only to the AEC?

**Mr Paterson**—It is certainly a possibility. Obviously every local member would like to know who has and who has not called, particularly because the complaints—as I mentioned earlier—get focused at the local member. It is certainly another way of doing it but if you are dealing with an unprofessional office then that would be a greater risk.

**Senator MURRAY**—Did any material accompany the original mail-out saying, 'We are sending this out to you. When you return it, this is what will happen and, once we receive it back or once the AEC have got it, there will be such and such a period, and you will then get your ballot papers around such and such a time'?

**Mr Paterson**—Not that specifically. We print a form and the AEC have their standard information which goes down on it as well. There was certainly no guarantee about the time for it to come back.

**Senator MURRAY**—Let me put it a little differently because I am as concerned for their work with fielding calls unnecessarily as for your work fielding calls unnecessarily. You have your 2,500—would you be able to give us an estimate of how many of those 2,500 rang you? Would it be 500? Would it be less?

**Mr Paterson**—It would certainly be less than the 500 but enough to be noticeable. Obviously I did not answer every call, because I was just coordinating things.

**Senator MURRAY**—So it was at least 10 per cent: 250?

**Mr Paterson**—I think that would be a reasonable guess.

**Senator MURRAY**—To save you and the AEC—because there are 250 calls coming in, I assume 250 calls going out from you to the AEC, then 250 coming back—

**Mr Paterson**—And the AEC getting the same.

**Senator MURRAY**—That is a lot of calls.

**Mr Paterson**—It is a circuit. It is definitely a circuit.

**Senator MURRAY**—Would it be a help if the AEC were to design a standard letter which would accompany all the stuff going out which would assure the constituents as to when they would get their application?

**Mr Paterson**—If the AEC could guarantee that they would get it within a certain date that would be fine. It is an alternative.

**Senator MURRAY**—They are unlikely to be able to do it by certain date but they could certainly do it within a range of dates.

**Mr Paterson**—They could explain the normal practice, because you have to really make it clear to people who are not familiar with the system that the election is called, the nominations close, the positions are drawn for the ballot paper and then the process starts. We explained verbally because we had notes for anyone answering the phones, for volunteers or whatever. It was the same system to explain how the system worked. If the AEC were to take total responsibility for that, that would be one possibility. But again if we had not had the backlog this time—which was not a problem in previous elections—then the current system would, to my way of thinking, work equally as well. But it is an alternative.

**Senator MURRAY**—The other problem you have outlined is the mix between a manual system, which is what you were running, and a computerised system, which is what the AEC run. The AEC would log everything on their computer and if you rang up and said, ‘Mrs Jones

from Nedlands has not got her ballot paper,' they could tap it in and know straightaway, and it would not matter, frankly, if they were in Bombay or Sydney.

**Mr Paterson**—No, it would not at all.

**Senator MURRAY**—The computer link is direct. But from your perspective it is very difficult to be phoning a far-off office. That is the point you are making, isn't it?

**Mr Paterson**—Or phoning a far-off constituent rather than an office.

**Senator MURRAY**—I see.

**Mr Paterson**—I would not go direct to the locations; it was more having contacts for the individuals. Again, one or two bad problems can accentuate it. It was just that this time around, compared to previous elections, it was a much higher proportion of applicants. That was partly because of the holiday period and partly, I assume—although who knows—because of the central mail out. We were told—again, I do not have any independent verification of this—that all the ballot papers came from the one place. So there were processing delays in the link that would occur regardless of the system used to initially—

**Senator MURRAY**—My little accounting mind is now multiplying 150 by 250 phone calls into and out of the AEC and around the place. It does seem a big waste of time. Shifting now to the Hollywood hospital issue, can you explain to me why it was stressful. How does it work? Does the team move from bed to bed or do the patients line up somewhere?

**Mr Paterson**—All of the above. From memory, there are over 20 aged care or hospital facilities within the federal seat of Curtin.

**Senator MURRAY**—Yes, but just describe the typical one.

**Mr Paterson**—I was not there, but obviously we send out scrutineers because not just anybody can hand out ballot papers to people. Ballot papers are handed out by Electoral Commission staff and we send a scrutineer to follow that. In some locations—again, it depends on the health or age of applicants—they went to common meeting homes, such as some of the aged care retirement homes. The problem at Hollywood was unique because there were, I think, about six or seven different teams going out at once.

**Senator MURRAY**—What does a team consist of?

**Mr Paterson**—The Electoral Commission with a mobile booth—

**Senator MURRAY**—I am sorry to be so very specific, but how many people from the AEC are in each team?

**Mr Paterson**—One or two, I think. From memory, I was told that there were about 10 staff there. The only reason I am bringing this one up is that the Electoral Commission considered that it was understaffed. We had one or two scrutineers out and I received a call at about—

**Senator MURRAY**—I am sorry to interrupt, but I want to get a specific idea clear in my mind. Part of the point that you have made is that it is very stressful for the constituents. Obviously, it is a difficulty if you are ill and there are large numbers of people milling around. That is why I want to know the numbers. If there were two AEC people I assume there would be two scrutineers.

**Mr Paterson**—No—we would have had probably only one or two overall, because we were not aware of the—

**Senator MURRAY**—One for the entire 10 teams?

**Mr Paterson**—Yes, and that would have been for the day. We were not aware in advance how many teams were going around.

**Senator MURRAY**—I see.

**Mr Paterson**—Normally it is spread over half a day. This is the only location I am aware of that went from nine o'clock until—

**Senator MURRAY**—And Labor would also have a scrutineer there?

**Mr Paterson**—Sometimes you would not bother, but this one went all day. Instead of three hours it went for 12. In that time different patients come and go.

**Senator MURRAY**—It sounds to me as though each patient is not confronted by more than a maximum of two or three people. So why would it be stressful for the patient?

**Mr Paterson**—It would be stressful if they had to wait for hours not knowing what was happening.

**Senator MURRAY**—Where would they wait though—in their bedroom or in the ward?

**Mr Paterson**—I was not there. It could be all of the above. But I know from the Electoral Commission that their staff were getting very stressed too, because it took a lot longer than was originally planned.

**Senator MURRAY**—As a question on notice, could you perhaps write to us on a supplementary basis—it does need to be lengthy—being very specific about this issue? If you were not there it is difficult to follow. Perhaps you could ask the people that were there to give us a clear idea what happened; why it was stressful for the constituents; why, in your people's opinion, it was stressful for the AEC; and perhaps why it was stressful for the scrutineer. You could also ask if they have any recommendations as to how it can be improved.

**Mr Paterson**—Sure.

**Senator MURRAY**—Smaller care operations are generally easier to handle.

**Mr Paterson**—Very much so.

**Senator MURRAY**—But you were dealing here with many hundreds of people, and there must be quite a few places around the country like that. They may throw up particular problems. I am pretty certain, having been on this committee for nine years, that we have never addressed that issue before. So I would appreciate a fuller outline, if you could provide one.

**Mr Paterson**—I will certainly do that from my end. I would remind you that the Electoral Commission officer in charge would be well aware of the details, because of the staff they have. They could chase up their local manager.

**Senator MURRAY**—The AEC are present here. I am sure they will inquire of such people.

**Mr Paterson**—I spoke to Electoral Commission officer when the feedback came through and got some feedback from there.

**CHAIR**—Thank you very much, Mr Paterson, for your submission and for appearing before us.

**Mr Paterson**—Thank you, gentlemen, for the opportunity. I wish you well.

**CHAIR**—Thank you very much. I just want to reiterate that we would be grateful to receive any further information.

**Mr Paterson**—Shall I address that back through you as chair?

**CHAIR**—Just as a submission, and we will accept it as a supplementary submission because you have appeared.

**Mr Paterson**—I will certainly find out what I can. Should I speak to the Electoral Commission manager as well, or leave that for them to follow up?

**Senator MURRAY**—We would never prevent you from doing that but, as I have just said to you, the AEC are present. They do go through *Hansard* and, generally speaking, they respond to these sorts of things.

**Mr Paterson**—Good.

**CHAIR**—The AEC are putting in numerous submissions on issues. You are welcome to talk to them, but you can rest assured they will be covering all of the issues raised in any event so it is probably better taking Senator Murray's suggestion. You simply talk to those people who are more involved than you on that specific issue.

**Mr Paterson**—I will say that to our scrutineers, particularly the one who phoned me at about 25 to eight in a totally stressed-out state.

**CHAIR**—That is not unusual.



[2.01 pm]

**WOOLLARD, Dr Keith Victor, Secretary, liberals for forests**

**CHAIR**—Welcome. We have received your submission which has been numbered 166. At a private meeting earlier today it was authorised for publication. Are there any corrections or amendments you would like to make?

**Dr Woollard**—No, thank you.

**CHAIR**—We are aware of the background of the liberals for forests here in Western Australia. We have read your submission and I think everyone here in Perth is aware of the liberals for forests here. If it suits you, I would like to open the questioning with a number of questions—you may know or may not know the answers to some—and I will then let the other gentlemen question you. You are aware, because your submission covers this, that there have been other submissions about the liberals for forests campaign in New South Wales. We have heard from other witnesses, particularly those in northern New South Wales where liberals for forests ran. I take you particularly to the seat of Richmond, where a number of issues were brought to our attention and which we are pursuing. The first issue was the liberals for forests how-to-vote card in the electorate. Going straight to the first question: was your how-to-vote card here in Western Australia similar to that? Are you aware of what it looked like?

**Dr Woollard**—No, it was devised locally. The one in New South Wales—I would not be able to answer that question.

**CHAIR**—Cutting straight to the point: you did not, here in Western Australia, seek to have a liberals for forests how-to-vote card that was designed to mimic the Liberal how-to-vote card with the effect of trying to confuse voters?

**Dr Woollard**—Certainly not. We would not wish to confuse voters.

**CHAIR**—I asked you that because we will come to the situation in New South Wales. As a matter of course, do you pay people to hand out how-to-vote cards for you here in Western Australia?

**Dr Woollard**—No, not as a matter of course. It has happened.

**CHAIR**—You are aware that we had a number of people give evidence—in fact, the local papers at the time and the evidence given, from memory, came from the Greens candidate—that in the seat of Richmond backpackers were paid cash to hand out how-to-vote cards for liberals for forests.

**Dr Woollard**—I have no direct information about the individual poll workers in Richmond or anywhere else outside this state.

**CHAIR**—And that would be because, whilst you were founded here, the structure in New South Wales would operate independently in an election?

**Dr Woollard**—Yes, there is no strict administrative control over the people who work with us. We are all volunteers, and there is no intent to impose any rules or regulations. We are not a substantial organisation.

**CHAIR**—So if somebody wanted to run as a candidate for liberals for forests in the seat of Richmond in New South Wales they would presumably join the party.

**Dr Woollard**—Yes.

**CHAIR**—How would they be selected in New South Wales? Do you have a state branch there?

**Dr Woollard**—We have people there, yes. They would talk to me, as the senior member of the structure, and we would discuss it among ourselves. If they are approved at my level, that is fine—they go forward.

**CHAIR**—You are the president?

**Dr Woollard**—Yes.

**CHAIR**—Witnesses have given evidence, and Sydney papers have reported, that foreign backpackers were paid cash, given \$100 notes, to hand out how-to-vote cards. Are you aware of any reporting requirements of the Electoral Commission—and, for that matter, requirements of the tax office—that liberals for forests have complied with?

**Dr Woollard**—Liberals for forests candidates in the east would be required to submit their reporting requirements. All the ones from Western Australian have gone in and were supervised by me. I was the agent for everybody in—

**CHAIR**—So you have just done all of Western Australia?

**Dr Woollard**—I have done all of the Western Australian ones. I have not seen any others.

**CHAIR**—Thanks for that. I wanted to ask those questions up-front, realising that you would not necessarily have the answers to them. The reason we have to ask you is that the candidate for the liberals for forests has refused to appear so far. We have invited her to appear in Sydney, which might be more convenient for her because, although she ran for Richmond, we believe she lives in Neutral Bay. We are going to Sydney on Friday, 12 August. We have invited her to appear but, to my knowledge, to date she has not responded. Mr Ciobo has some questions for you, specifically about the look of the ballot papers. We would like to get your reaction on that and some other issues.

**Mr CIOBO**—Could you outline for the committee the structure of liberals for forests?

**Dr Woollard**—I could not to do so without giving a bit of history.

**Mr CIOBO**—That is all right.

**Dr Woollard**—Liberals for forests was set up as a Western Australian group, two state elections ago, on the basis of an opinion poll. It was widely publicised at the time that there was considerable concern in the community about the logging of old-growth forests. I paid for an opinion poll to see if people would vote for a more conservative party which would not log the old-growth forests—I was trying to cut across the two-party system—and it received overwhelming support. It was the largest party in terms of that opinion poll. Of course, opinion polls are of modest value, but it certainly provoked a lot of people to get together with a small group of us to form a political party. We ran at the state election and, I think, we had some effect on the outcome, which was a good thing in terms of policy. It has remained a policy driven body with very modest resources. It has no income, it has no paid staff and it has no expenses. It is just a group of volunteers which, as most people involved in the political process know, is a process which tends to reduce itself over a period of time.

Liberals for forests is a very modest organisation. You could count the number of active people very easily. That does not mean we do not have a lot of members. Like most political organisations, we have a very small number of people working very hard to make it all happen and a lot of less active supporters. Liberals for forests has continued to function as it can with the resources it has. That means a few people talk to me and I talk to a few people, and we try and get done what we can. We make no claim to have more substance than that, but we obviously represent something that people find attractive as a political philosophy. With the Greens, we adopt much of the environmental agenda that fits somewhere to the left of the Labor Party.

That is basically what liberals for forests is. It sits out there as a concept, as an idea that you do not have to be left wing or even to the left of the Labor Party in order to have strong environmental credentials, and those environmental credentials probably are not adequately represented within the conservative parties—the Liberal and National parties—at the moment. So there is some small ground of support for what we are trying to do. We have virtually no resources, so whatever costs are entailed all come out of our own pockets. We basically work the system as well as we can, given the nature of the Australian electoral system. I do not know whether that makes it clear.

**Mr CIOBO**—You have not really answered my question. I am interested in your structure. Do you have a steering committee? Are you a federation? Do each of the state operations of liberals for forests run autonomously? You say that you talk to some people, they talk to you—can you flesh that out, please? What is the actual structure of liberals for forests?

**Dr Woollard**—The structure is that I am the president and secretary of the party. There is a committee.

**Mr CIOBO**—Is that only in WA or is that Australia-wide?

**Dr Woollard**—No, that is Australia-wide.

**Mr CIOBO**—So you are the national president?

**Dr Woollard**—I am the national president. There is only one president in that sense. The only functioning things we have in other states have been candidates, and that is fine. They all work through me. There is no other structure in the other states. They all work through me.

**Mr CIOBO**—Do you select candidates that run for liberals for forests?

**Dr Woollard**—Yes, in a practical sense.

**Mr CIOBO**—So a candidate that was interested in running would contact you?

**Dr Woollard**—Yes, they would talk to me, and then I would talk to the relevant people over here. All the people who are of importance in the structure are over here. There is only a handful of us. I do not pretend it is anything more serious than that. We do not spend a lot of time sitting around in committee meetings. We basically try to get on with what we can do within our busy lives.

**Mr CIOBO**—Do you have a constitution?

**Dr Woollard**—We do indeed have a constitution and it is registered with—

**Mr CIOBO**—Does that lay out the structure?

**Dr Woollard**—the Electoral Commission. Pardon?

**Mr CIOBO**—Does the constitution lay out the structure?

**Dr Woollard**—It lays out a potential structure, yes, which includes all sorts of complex structures which, when it was devised, we thought might be relevant if it turned out to be a major institution. None of them have any relevance in terms of the way it can function at the moment.

**Mr CIOBO**—So the structure laid out in the constitution bears no resemblance to the actual operational structure that the party currently has?

**Dr Woollard**—It is not possible to implement the details of the structure, but the constitution provides for branches all sorts of things. But there has been no formation of those branches, so it does not exist.

**Mr CIOBO**—Are you incorporated?

**Dr Woollard**—We are incorporated under the Associations Incorporation Act, yes.

**Mr CIOBO**—You are?

**Dr Woollard**—Yes.

**Mr CIOBO**—I am not familiar with what the requirements are in WA, but if they are similar to those in Queensland I take it you have annual requirements to comply with with regard to ensuring you remain incorporated?

**Dr Woollard**—We do indeed, yes. We do our very best to make sure we comply with any regulations along those lines.

**Mr CIOBO**—In terms of the last federal election, could you tell me which seats liberals for forests ran in?

**Dr Woollard**—The actual numbers—no. There were basically a range run by the people in New South Wales that wanted to run. They were obviously the Senate candidate in New South Wales—

**Mr CIOBO**—I am interested in House of Representatives seats.

**CHAIR**—Could I perhaps assist there. Did you run in seats here in Western Australia, for a start?

**Dr Woollard**—Yes, we ran in the upper house in Western Australia.

**CHAIR**—I mean here in the federal election.

**Dr Woollard**—I am confusing the state and the federal now, because they got together. The state election here was our main target. We did run in the Senate, yes.

**CHAIR**—But you did not run in lower house seats here in Western Australia?

**Dr Woollard**—Not last time—we did not have enough resources, no.

**CHAIR**—I am just trying to help you. My information is that you ran in New South Wales only: Cunningham, Dobell, Greenway, Lowe, Page, Parramatta and Richmond. Would that ring a bell?

**Dr Woollard**—Yes.

**CHAIR**—So that would be seven.

**Dr Woollard**—They are not familiar names to me, but yes. Thanks very much for that.

**Mr CIOBO**—So you agreed to liberals for forests running in seven seats in New South Wales?

**Dr Woollard**—Yes.

**Mr CIOBO**—How did you determine which seats you would run in?

**Dr Woollard**—That was determined by people in New South Wales—

**Mr CIOBO**—Together with you?

**Dr Woollard**—Of course.

**Mr CIOBO**—In making those decisions, what were the reasons for deciding to run in the different seats?

**Dr Woollard**—Purely advice from the people over there. They were—

**Mr CIOBO**—What did they advise you?

**Dr Woollard**—up to giving the expertise. They basically said that we have people over here. They were willing and keen to run in those particular seats.

**Mr CIOBO**—But there must have been more reason than that. I remain unconvinced that someone from Neutral Bay was so mad keen to run in the seat of Richmond. What are the reasons why liberals for forests decided to run in the seats that they ran in? You were part of the conversations. What were the reasons?

**Dr Woollard**—I presume they were done for electoral advantage, as with any group that wants to run in an election. They must have perceived they would provide an electoral advantage. Why else would you run in a seat? Your party, I am sure, makes strategic decisions about which seats it will run in. Why shouldn't we make strategic decisions? The nature of those strategies is not necessarily clear to me and if it were I am not sure it is the business of this committee to know our political strategy anyway, to be honest.

**Mr CIOBO**—For whose electoral advantage was it? Liberals for forests?

**Dr Woollard**—Of course it was for the electoral advantage of liberals for forests.

**Mr CIOBO**—I notice that a number of the seats you ran in did not have Liberal candidates. They only had National Party candidates. Why would that have been?

**Dr Woollard**—Because it was perceived to be the appropriate thing to do by the people over there. I do not have any knowledge of the way the strategy would work. In a state like New South Wales I could—

**Mr CIOBO**—I thought you were part of the conversations.

**Dr Woollard**—The conversations were that they had people they wished to run over there and they thought that these were the seats that would be best suited politically.

**Mr CIOBO**—And those were seats that did not have Liberal candidates?

**Dr Woollard**—Not at all. I have no idea why they would choose them.

**Mr CIOBO**—You never discussed that with the people in New South Wales?

**Dr Woollard**—No, I discussed with the people in New South Wales where they would like to run candidates, and they named the seats. That was fine by me. Why would I have any other interest in that at all?

**Mr CIOBO**—I am asking.

**Dr Woollard**—I thought I had answered. I do not know. That would be a strategy they would run. Even if I did know, I am not sure one needs to pass on political strategies in this format, anyway.

**Mr CIOBO**—With respect to booth workers, you made a comment earlier on that your party is a more conservative party than others on the left of centre. You said that you have no income and that it is all volunteers. You made reference to the fact that in the past there have been booth workers whom liberals for forests paid. What amount would that be? Who made the payment?

**Dr Woollard**—There was only one episode and I do not mind telling you about it because I was involved. It was in the seat of Brand; I ran against Kim Beazley in the previous federal election. There were shortages a short period before the election and we simply did not have some booths covered. I was happy to make modest payments to a group of people whom one of the people working for me found. They were young people. I have no idea where they came from. They were happy to help out. They knew what they were doing. They were all adults. There was some modest payment. I have no idea what that was—the sort of figure that young people would work for.

**Mr CIOBO**—Who paid them—you, as an individual, or liberals for forests?

**Dr Woollard**—I would have paid those people.

**Mr CIOBO**—And you have no idea how much you paid them?

**Dr Woollard**—This is four years ago. It might have been \$100 for a day's work. I would not be quite sure—whatever was appropriate for a person. I did not physically organise these people or pay them. Somebody asked me for the payments and I made those payments. Then they were all declared.

**Mr CIOBO**—You gave a lump sum payment to a third party?

**Dr Woollard**—Not a third party; an agent—one of my volunteers. It was not in any sense a sum of money that he had in genuine possession. He was just an agent.

**Mr CIOBO**—I am getting confused. He said that he had X number of volunteers who were happy to work for \$100 a day. Say it was five volunteers; so he asked you for \$500 so that he could pay them. Is that how it worked?

**Dr Woollard**—It might have. To be honest, in the hurly-burly of an election campaign the details of that sort of thing are very difficult to be sure of. I cannot remember.

**Mr CIOBO**—You remember giving some cash but you cannot remember how much.

**Dr Woollard**—No, I certainly cannot remember the volume. It was a very small part in the last couple of days of the election in what was rather an expensive campaign—as declared to the Electoral Commission.

**Mr CIOBO**—Did you or your agent ensure that taxation was taken out of those payments that were made to those people?

**Dr Woollard**—I have no recollection of that. We were very careful to comply with all the requirements, including the recording requirements to the AEC. Yes, I assume they did.

**Mr CIOBO**—So you got their tax file numbers and filled out an employment form?

**Dr Woollard**—I filled out a lot of employment forms, yes.

**Mr CIOBO**—Did those people you hired to work for you on the day fill out an employment form?

**Dr Woollard**—I have already said to you that I cannot remember the details of each individual. I do not remember the specifics of that paperwork. If you want the answers to those sorts of questions, I would have thought that you should provide them in advance so that I could answer them.

**CHAIR**—We want to cover a few things. Mr Ciobo has raised a few very technical questions. Is it easier to provide some of those answers on notice?

**Dr Woollard**—I will look for the information.

**Mr CIOBO**—I have a fair bit more.

**CHAIR**—I am going to come back to you, Mr Ciobo, but I want to ask a general question. Mr Ciobo has raised some important issues and I know Senator Murray will also. I want to go back to the reason for your existence—and I should have mentioned this at the start. I am sorry to cut across the other questions but I just want you to know the basis of some of this questioning, coming out of our Tweed Heads hearing. When you established the party, particularly here in Western Australia where you have quite a high profile, you were not at all seeking to mislead voters as to who you were. In fact, it was the opposite. No matter what people thought of liberals for forests, when you formed it everyone knew what it was. In fact, they knew that if they were voting for liberals for forests it was a separate group. You have already given evidence that in no way did you ever try to duplicate the how-to-vote cards of the Liberal Party in order to confuse voters. Would you regard a deliberate attempt to deceive voters into voting for your party, through a misleading how-to-vote-card, as wrong? That is, you want everyone voting for you to know that they are voting for you—that they are not thinking they are voting for the Liberal Party. Would that be a fair statement?

**Dr Woollard**—That is a motherhood statement which of course I would have to agree with. Anybody would.



**CHAIR**—Mr Ciobo I think has some of my documents, and I will go back to him. This is the Liberal Party how-to-vote layout. You notice the colours. This is the liberals for forests how-to-vote layout, using the same colours—

**Dr Woollard**—It looks green from here.

**CHAIR**—and the same sort of layout, and, as Mr Ciobo said, it was used only in seats in New South Wales where there was not a Liberal candidate; only in National Party seats. We have had evidence from voters—who, of course, are the ultimate judges on this—that they thought in many instances that it was a Liberal Party how-to-vote card. You have seen the submissions because you have responded to some of them. They felt that it was a deliberate attempt to deceive—to make it look like a Liberal how-to-vote card—to direct preferences to the Greens and ultimately to the Labor Party in a seat that was decided by about 300 votes, where liberals for forests, I think, polled 1,500 votes. Would you ever do such a thing in Western Australia?

**Dr Woollard**—It is a very standard form. I have not seen it before.

**CHAIR**—With the ‘liberals’ in capital and the ‘for forests’ in small print?

**Dr Woollard**—What you are asking here is about political strategy. I think you have to get back to that fact. You all have your own political wheelbarrows to push. Needless to say, from that side of the—

**CHAIR**—Can I put this to you—

**Dr Woollard**—You should listen to my answer, please.

**CHAIR**—Sure.

**Dr Woollard**—I do not mean to be rude.

**CHAIR**—No, sorry.

**Dr Woollard**—Thank you very much. So you do have your political wheelbarrows to push from your side of the chamber here. I understand that and I appreciate that. The small group of people involved in this organisation—none of whom are full-time politicians apart from my good wife, who is not actually a member of liberals for forests in parliament; she is an independent liberal—will stress various aspects of this. I think the ‘liberal’ aspect of this is probably as important as the ‘for forests’ aspect. I am now responding to a question which has not been particularly raised with me before, so I have to create an answer. This is not formal policy but it is a suggestion as to how it might be considered. The liberal component of that is attractive to people. We are liberals. The word ‘liberal’ goes back some period of time, long before Robert Menzies set up your party, the Liberal Party, as the owner of that in this country. It does not belong to the Liberal Party in any sense.

**CHAIR**—What about booth workers?

**Dr Woollard**—They do claim those things. The word ‘liberal’ can be used broadly, in the same way that the word ‘labour’ can be used broadly. If people in New South Wales were stressing their liberal basis and credentials, they were entitled to do so. This has been to the Electoral Commission. They made it very clear that the word ‘liberal’ is available for general use, and you are complaining and whingeing about the fact that they were using the word ‘liberal’. I think they are entitled to use the word in any way they like. It does not belong to the Liberal Party. They are putting themselves forward as people who adopt liberal policies.

**CHAIR**—You have made the point very clearly.

**Dr Woollard**—They are genuine liberal policies in the traditional, not the conservative, aspect of the word.

**CHAIR**—You are saying that you see nothing wrong with a hired booth worker handing out a how-to-vote card that is designed to look like a Liberal how-to-vote card and saying to people as they go in to vote, ‘How to vote liberal,’ causing a good portion of people who have picked up that card to think they are voting for the Liberal Party.

**Dr Woollard**—The last component of the statement is clearly your personal opinion and not substantiated by anything but three letters here, which I suspect strongly were from party workers.

**CHAIR**—We will make a note to send you—

**Dr Woollard**—Please, I did not interrupt you doing your talk; why do you keep interrupting me? I am entitled to speak at this meeting.

**CHAIR**—I am sorry. There is a chair and a witness and where you make a factual error I will, as with every witness—

**Dr Woollard**—I did not make a factual error; I said that you made your statement without substance.

**CHAIR**—It is good that you are here, but all witnesses are equal and where any witness makes a factual error, as you did, we correct it.

**Dr Woollard**—I did not.

**CHAIR**—It is obvious that you have not read the *Hansard* of those hearings. We will send you those and you will find that the people who made submissions and gave evidence were not party workers. In fact, if I took you to submission No. 38, you would see that. We will send that to you. That was an assumption that you made.

**Dr Woollard**—People are entitled to use the word ‘liberal’ in their promotion, and I think the continued campaign against it is bound to fail. As you know, the Liberal Party took it to the Electoral Commission and then to the Administrative Appeals Tribunal. Three Federal Court judges looked at the case made by the Liberal Party and the AEC and they were almost rude about the substance behind the claim that the Liberal Party are the only people entitled to use the

word 'liberal' politically, even on the ballot paper, where there are greater restrictions, let alone on things like how-to-vote cards, T-shirts or even in conversations with people.

Liberals for forests are very strongly entitled to use the denotation 'liberal' to describe our philosophy. It is a philosophy. It may be a broadly spoken philosophy. Much of what the Democrats promote is a more liberal philosophy than that of the Liberal Party. If they wish to describe some of their views as liberal, that is fine. If we wish to describe our candidates as liberal in any way, I am sure we are entitled to do so under the law of this land. Both morally and ethically, asking loaded questions about deceit of people is perhaps an unusual way for the chair of a committee to behave.

**CHAIR**—We are talking about evidence we have received. You do not see any similarity with the how-to-vote cards that Mr Ciobo now has. In the interests of clarity, may I say that people put in submissions saying they felt deceived. This issue was not raised by this committee. It was raised by the national media on the Monday after the election. You can have your point of view, but you cannot disagree that a certain proportion of voters came out of the polling booths thinking they had voted for the Liberal Party on the basis that they thought the how-to-vote card was a Liberal how-to-vote card. It looked like a Liberal how-to-vote card. You cannot say that as chair I am making an assumption. I am reporting to you what was reported to us.

You can argue about the intent, and we are glad that you are at least here; but, in fairness, these are established facts and pieces of evidence. It is not a barrow we are pushing; it was in the local papers in Richmond and the Sydney papers on the Monday, and it got quite a bit of coverage. You can argue what the intent was. You can say, 'That doesn't look like a Liberal how-to-vote card,' if that happens to be your view, or you can say that the fact that the "Liberals" is bigger than the "for forests" is entirely your choice to make. But what I do not think you can test—or imply that this committee is wrongfully pursuing this issue—is that the voters themselves raised this.

**Dr Woollard**—Are you finished?

**CHAIR**—I am just putting that point to you. We would have loved to question the candidate in Richmond.

The other piece of evidence—and this would not have been the case in Western Australia, where, in fairness to you, the evidence is that you are an open party that contests elections—is that the candidate in Richmond, to anyone's knowledge, did not appear at and certainly did not even participate in candidate forums or put anything in the free space in the local paper—and there might have been a variety of reasons for that—which compounded the issues. If, at the end of the process, voters say that they were confused, that they did not think they were voting to preference the Australian Greens or the Labor Party and that in fact they thought they were voting for the Liberal Party of Australia, would you feel bad about that?

**Dr Woollard**—I am trying to understand the thrust of what you are saying as somebody who is chairing a committee that is supposed to be looking into these things on the basis of respect for the process rather than as a partisan person who is trying to push a particular wheelbarrow. I have a difficulty, but I will try to respond on that basis. This is the only group contesting the word 'liberal', and it has been dealt with fairly harshly in various forums. We have four labour

parties, yet the other side of politics and the Democrats do not complain about the DLP and vice versa. Everybody else can live in that environment except the Liberals and The Nationals. They obviously have this problem with the use of the word 'liberal'. I hope we will continue to be able to use it effectively.

You are asking a number of questions which I do not think really have any relevance. You are talking about the candidate. You made a long diatribe about the candidate's performance in that electorate. We are a small party, and clearly we will have candidates who will not be able to mount a campaign. I suspect that all the parties that committee members represent will have candidates who effectively put up their hands as volunteers to help out but who do not do any genuine campaigning, so this is no different. I do not know why it is necessary to raise it in that fashion.

**CHAIR**—No, I can see—

**Dr Woollard**—Why did you raise it, then? If it is not different from your party, why did you raise it?

**CHAIR**—I raised it because, as I said, it compounded the issue.

**Dr Woollard**—You are basically saying that it is relevant in this particular case, because you want to have a go at me.

**CHAIR**—No, I am not trying to have a go at you.

**Dr Woollard**—Of course you are—why would you raise it otherwise?

**CHAIR**—There is no need for oversensitivity on the issue.

**Dr Woollard**—No. I am trying to understand how to interpret your behaviour as chair, because I have to be very careful. You are the chair and you are in a position of authority and you are here representing the Australian parliament, which is an important structure.

**CHAIR**—We are here inquiring into the election and matters related thereto.

**Dr Woollard**—Yes, of course you are.

**CHAIR**—That is our brief, and this is a matter related thereto.

**Dr Woollard**—On behalf of the authority of the parliament of this country and, therefore, you obviously would need to behave in that manner, and I am sure you will. It is not for me to cast aspersions on the fact that you might use the chair, and it would be wrong for me to assert that you might, to pursue a particular political line that might be favourable to your party. That is an issue that other people may—

**CHAIR**—That would be an incorrect inference.

**Dr Woollard**—Of course it would be.

**CHAIR**—Let us not be diverted. One question I did ask you has not yet been answered, so I will have one more go. Would you feel worried if a voter took your how-to-vote card in the seat of Richmond, thinking they were voting for the Liberal Party—or, for that matter, any other party—and felt afterwards that they had been deceived? Would that worry you?

**Dr Woollard**—The whole electoral process concerns me. I would like to make sure that every aspect of it works perfectly, but no aspect of it works perfectly. I suspect that there will be people who vote incorrectly. Having as a student worked counting votes, I know there are clearly a small proportion of people who have great trouble. There will always be a small proportion of people who get confused and do the wrong thing on election day.

If it is a large number of people who are genuinely confused, I would be more worried. And if it were a large number of people with no association with a particular political party who did—and I do not mean their workers; I mean their friends, relations, somebody you ring or somebody you chat to—that is a different issue. Liberals for forests was a novel thing for most of these people and they may feel odd about it. But I should point out that in the House of Representatives, as opposed to the upper house in this country, where we have this system which is less satisfactory, in many respects, of preferences being allocated by the parties, if they wanted to put the National Party second, they could do so. That would make no difference.

The ballot paper in that seat gave the affiliations of each candidate. Those people would have had to physically put the National Party's candidate behind Labor in order for Mr Anthony not to have got elected. So those people did that. You are stretching belief here by saying that people who are intelligent enough to put in a formal submission to your committee could not read their ballot paper and realise they were putting the National Party candidate behind the Labor Party candidate on their ballot paper.

**CHAIR**—Or they followed your how-to-vote card.

**Dr Woollard**—Very few people do that. Anybody who deals with small parties will know that people very rarely follow how-to-vote cards if they do not abide by the process. Anybody who has studied this—there are people who look at these things—will tell you that it just does not work. You can tell people until you are blue in the face that you want them to vote this way on a how-to-vote card but, if they do not like it, they will not do it—which is good. I have a degree of respect for the Australian electorate because they often ignore how-to-vote cards. As I put in my last submission, I would like to see the back of them.

**CHAIR**—The back of how-to-vote cards?

**Dr Woollard**—Yes. I may not get much chance to raise this but, briefly, I put it to the committee that one of the great reforms for this country in terms of how we run election days on behalf of the people would be to ban all electoral advertising material within 200 or 300 metres of a polling booth. We would get rid of all this nonsense about poll workers and how-to-vote cards. It would be very simple to allow people to have how-to-vote cards in supplies outside of the booth area and without anybody there so that people could voluntarily pick up what they want. It would save a hell of a lot of trees.

**CHAIR**—You used a hell of a lot in Richmond. I have one last question. The reason I raised all that is that I want to get to the possibility—and I have heard your evidence now where you do not see any similarity; let's not go over that—

**Dr Woollard**—I did not say that there was no similarity on record, did I?

**CHAIR**—Sorry if that was an incorrect inference.

**Dr Woollard**—Thank you.

**CHAIR**—What I was trying to get to was the possibility that liberals for forests representatives in New South Wales act differently from liberals for forests representatives in Western Australia, which was my starting impression, and that, in fact, this might have been done without your knowledge.

**Dr Woollard**—They are pretty bland statements. If you want to know whether I had seen that how-to-vote card beforehand, the answer is no. Having heard your analysis, which is helpful and having had a few minutes to think about it, if we were going to run in seats where there were no Liberal Party candidates, would we put ourselves forward as liberals strongly and vigorously as we could? The answer would be, absolutely, yes. We are offering an alternative to the Liberal Party and we are liberals. If we were to do so assertively and aggressively in a seat so that people did have a choice, we should do so—of course we should do so. We know politically what we are there for, and if we can have an influence on the election, that would be just wonderful because it would hopefully make the conservative parties take the environmental issues a bit more seriously, which I think they do.

**CHAIR**—So you were not aware of the how-to-vote card and you certainly did not see it.

**Dr Woollard**—I did not see it, no.

**CHAIR**—Is this the first time you have become aware of it?

**Dr Woollard**—Yes.

**CHAIR**—Since the election?

**Dr Woollard**—That is the first time I have seen it, yes.

**CHAIR**—It is the first time you have seen it.

**Dr Woollard**—As far as I know. I do not remember seeing it before.

**CHAIR**—And you became aware of the issues through the submissions that you have seen?

**Dr Woollard**—I was aware of the media that ran immediately after the election, but that was largely driven by politicians. Brendan Nelson spoke strongly on the issue—a very good friend of mine, Brendan, a former AMA president; we are good mates. He obviously saw political opportunity to have a go at this and he drove it, and the National Party—I think Ron Boswell—

did as well. The media campaign, as far as I could see, was clearly driven by political interests and politicians, not by the general public.

**CHAIR**—One final question and then Senator Murray will ask his. We can go over time a little bit; it is just one that I forgot to ask at the start. At any point since the election has the candidate for liberals for forests Fiona Tyler or, for that matter, the Senate candidate for Liberals for Forests in New South Wales whose name escapes me—here it is, Glen Druery—contacted you to discuss any aspect of this how-to-vote card issue?

**Dr Woollard**—No.

**CHAIR**—Not since our meeting in Tweed Heads?

**Dr Woollard** —I think Glen was in the United States. He was cycling 4,000 kilometres the last I heard. He did very well indeed.

**CHAIR**—In a race?

**Dr Woollard** —He is a very intense racer. He did the around the world race; it is 12,000 kilometres, I think. He came 12th. He is amazing. He is a remarkable person, Glen. We have spoken about the cycling but nothing about the how-to-vote card.

**Senator MURRAY**—I want to deal first, Dr Woollard, with the issue of payment of full-time, part-time or casual staff by a political party. Would you agree with the proposition that the ability to pay full-time, part-time and casual staff is dependent on the size and resources of the party?

**Dr Woollard** —Of course.

**Senator MURRAY**—It is true, isn't it, that you do not have a paid director of your party?

**Dr Woollard** —Nobody is paid. Nothing

**Senator MURRAY**—Any paid full-time officials?

**Dr Woollard** —Zero. No part-time or casual—nothing.

**Senator MURRAY**—Well, let us get to casual. It is true, isn't it, that numbers of parties, to your knowledge, do have full-time paid directors, campaign directors, office functionaries, administrators and bookkeepers. And you see nothing wrong with that, do you?

**Dr Woollard** —No.

**Senator MURRAY**—No, I agree. And it is likely they have part-time workers, too, on that basis. And you have none.

**Dr Woollard** —That is right.

**Senator MURRAY**—So, given that it is perfectly reasonable and understandable to have full-time and part-time workers working for political parties that can afford it, is there anything wrong with both major and minor parties paying casual workers? For instance, they will pay an agency to distribute direct mail drops. Is there anything wrong with that?

**Dr Woollard** —No.

**Senator MURRAY**—And they will pay people to put up posters or advertising material during election campaigns. Is there anything wrong with that?

**Dr Woollard** —No.

**Senator MURRAY**—And, of course, some people who do not have the members or supporters to cover every possible polling booth in a state or country, might well pay polling booth workers as well.

**Dr Woollard** —I suspect that is the case. As you say, it is no different to any of the other money that political parties might expend on the election. It is just one small component of it.

**Senator MURRAY**—So the inference that spending money on polling booth workers is somehow wrong—and I do not impute that inference to my colleagues, but I have heard it said—is, in your view, strange.

**Dr Woollard** —If that is what they were imputing, I would have thought it was extremely odd.

**Senator MURRAY**—It has been my judgment of some of the media commentary I have seen—

**Dr Woollard** —I do not think they would, because it would be hypocritical for them to do so.

**Senator MURRAY**—I have seen media inferences, but it might just be my own reading of it, as opposed to what has been intended. Let us put that aside and accept that payment in politics for full-timers, part-timers and casuals does occur.

Let us now move to the issue at hand. It seems to me that there are four potential problems with respect to voters not understanding who they are voting for. I think, despite the great regard all parliamentarians and politicians—and I will include you in that—have for the Australian electorate, because you learn the hard way the common sense that is out there, there are numbers of voters who may be regarded as unsophisticated and capable of being misled.

So, with that introduction, I see four potential problem areas. The first area is where names of parties are similar. Names like Progressive, Republican, Australian, Democrats, Labor, Liberal and so on can be repeated by numbers of parties, and that can result in confusion. The second area I have observed—and it is an unusual one—can occur when how-to-votes are being handed out. For instance, think of somebody from the Christian Democratic Party and somebody from the Australian Democrats party. The Australian Democrats party person may shorten it and say ‘Democrats’ as they hand out the how-to-vote card and so might the Christian Democratic Party



person. So either a Christian Democrats voter or an Australian Democrats voter could be misled—similarly with liberals for forests and Liberals, Progressive Labor Party and Labor Party, and so on. Frankly, I cannot see a way around that. The third area is genuine voter error by people who are hard of hearing or who have difficulties with sight—for instance, something might be blurred to them or difficult to read—or who are illiterate. We had evidence in South Australia that something like 17 per cent of South Australians have literacy or sight problems. That is a very high number. So you might get genuine voter error.

But the fourth area is really the area my colleagues have been focusing on, and that is what is known in trade practices law as misleading and deceptive behaviour designed to pass yourself off as someone you are not. It seems to me that there are only two ways to deal with this. One you have suggested, and that is simply to ban how-to-vote cards altogether and then you do not have the problem. The second is to have how-to-votes registered—and I am giving you a long lead-in deliberately. This matter has previously been discussed with the AEC, and what they do not want to become are people who have to check all the details on a how-to-vote card.

My view is that it is possible to run a registration system if only two items are to be checked by the AEC. One is that there is no misleading passing-off behaviour, which you can pretty well do on most things, and the other is that it is properly authorised. But you cannot, I do not think, give the AEC the responsibility for whether the numbers or the layout on the how-to-votes are correct or whether the size of the font is the same on both the Liberals and the liberals for forests how-to-vote cards. My question to you is this: if registration of how-to-votes were required, say, not later than the Tuesday preceding the election on the Saturday so that potential passing-off problems could be avoided—and I must stress to you that, to my knowledge, these allegations have been made with respect to many other parties, not just yours—do you think that would be an acceptable solution to what is seen as a problem?

**Dr Woollard**—Thank you for the short lead-in. I have not really considered the issue. I am not sure I can give you an expert view. I can give you a lay view on it. It sounds simple on its face, but I would be tossing it around in my mind and thinking that the passing-off issues normally have to be dealt with by the courts and they take an inordinate amount of time and have great difficulty in sorting out passing-off issues. I am just wondering whether that might not be exactly the sort of thing that the AEC would not want to do—deciding that somebody's green and blue decor should be changed to a purple and grey one, particularly if it was the Tuesday before the election when there was no chance to actually fix the problem if you had already printed your how-to-vote cards. I do not know just how many how-to-vote cards the big parties print, but it is millions. Please do not take this as a liberals for forests view; it is just my trying to figure out how the system would work—and you have given it much more thought than I—but what would happen if they said no on Tuesday if they thought that the Liberal Party's how-to-vote card was too close to the Labor Party's across Australia?

I remember that some years ago the Labor Party adopted red, white and blue, which have traditionally been Liberal Party colours, as I remember. If some enthusiastic person in the AEC had said, 'Hang on; you are passing yourself off as Liberal by adopting red, white and blue as your colours,' on the Tuesday before the election, the Labor Party would have been left in some difficulty. I put that forward as a problem to be solved. Maybe you have a solution for that. I would have to resort to my 200-metre ban on distributing electoral material. Have you gone through these issues already?

**Senator MURRAY**—I have thought about them, but I am interested in your views. If you have further views that you might develop as a result of thinking about this, I know the committee would welcome a supplementary submission. I will give you a third proposition. The third proposition is that nothing would happen—that it carry on as before—but that the Electoral Act allowed for deliberately deceiving a voter with respect to a how-to-vote card to be a specific cause for complaint to the Court of Disputed Returns. So if, for instance, a result was disputed, it would be a matter that the court would have to take into account. That is not the law at present—the Court of Disputed Returns operates on its own recognisances and with respect to jurisprudence—but that is a possibility. You can see that, where you end up with a hung parliament, for instance, this might be conceivably an important issue.

**Dr Woollard**—I agree. One could imagine that if it were a permissible ground for appeal to the Court of Disputed Returns, like many other issues, it would be seized upon. In close elections, rather than a lot of money going into chopping down trees, it would be going into lawyers' pockets, because they would be perusing the details and trying to create a case in very close seats such as Richmond, perhaps, that this was the case, and they could drag it through the courts. What you are saying is that the Court of Disputed Returns could look at that as an issue now, but it would not be required to take it into account.

**Senator MURRAY**—No, it is not required to take it into account.

**Dr Woollard**—If they were required to take it into account, as to how much that would add to the thing, again, a legal opinion would be needed on how the courts function. I really cannot answer the question with any useful contribution.

**Senator MURRAY**—That is all right. I just wanted to pop it into your mind in case you decide to—

**Dr Woollard**—It is on the record. I will certainly give it some thought.

**Senator MURRAY**—Yes, so that it is on the record, and in case you decide to respond. I have one short area of questioning left, but before I move on to that, and I will formally put this, through the chair, to the secretariat, my memory is that somewhere—it is not in WA but it might be in New South Wales or Tasmania—how-to-vote cards are registered in one of the state or territory jurisdictions. Perhaps we could ask the secretariat to find out exactly how those operate and what the law is.

**CHAIR**—That is a good question. They are registered federally for the Senate, as Dr Woollard pointed out—

**Senator MURRAY**—As lodged tickets, yes.

**CHAIR**—and you are saying that, in one state, the lower house—

**Senator MURRAY**—I think so—if they could check. Strangely enough, Mr Druery is regarded as the national expert in the field of harvesting preferences. Many people regard that as just another great political skill and that one should not frown upon it. However, Senator Brown is one of many—and he has put it to the committee as a submission and as a proposition—who

has urged this committee to consider the option of getting rid of lodged tickets and allowing preferences to be allocated for parties above the line or to individual candidates below the line.

As you know, at the moment it is one above the line and one to 80, or whatever it is in New South Wales, below the line. The proposition is that it would be one to however many parties there are above the line or all the candidates below the line. That would get rid of lodged tickets, it would get rid of preference negotiations, it would get rid of the undue influence that some minor parties—I do not point the finger at yours—are deemed to exercise and it might put paid to preference harvesting of the kind Mr Druery has been both admired and castigated for. What is your reaction to that idea?

**Dr Woollard**—Could you explain it a bit better for me? Sorry, I did not really understand. If you tick a party box above the line, where would your votes go?

**CHAIR**—It would be like voting for the Senate.

**Dr Woollard**—So you would still have a preregistered ticket?

**Senator MURRAY**—I will respond this way: let us assume there were just five parties there.

**Dr Woollard**—Are you talking about the House of Reps or the Senate?

**Senator MURRAY**—I am talking about the Senate. Let us assume there were five parties there—parties only, not individuals—and each had three candidates. So you have five parties times three candidates, so that is 15. Below the line you would number 1 to 15. Above the line you would number—let us be provocative—liberals for forests 1, Democrats 2, Liberals 3, Labor 4 and National Party 5. That is how it would operate above the line, as I understand the concept. So there would be no lodged ticket; it is just an ordinary preference above the line for the party or an ordinary preference below the line for candidates. It retains the double system, but it withdraws the lodged tickets. It gets rid of preference harvesting and, importantly, and it is the point Antony Green makes in a very interesting paper to this committee, it gets rid of voter ignorance—not confusion but ignorance. There would be no voter voting only for No. 1 below the line. That is where those votes are going. It is impossible.

**Dr Woollard**—I agree with you that that system is one of the warts in our electoral system. It is designed pragmatically, I know, and it is very important to have a system that works but, as Mr Druery himself described, it is one of the warts on the system. I think every party and everybody involved in the political system has to basically use the system as it is presented to us. As you say, people can regard that as a good or bad thing, but all the parties do it. I got a lot of phone calls in the couple of days before the election—

**Senator MURRAY**—Could I ask you formally to give some thought to it and come back to the committee?

**Dr Woollard**—Is there any written description of it?

**CHAIR**—Perhaps it might assist if the committee could provide you with the relevant submissions that have been put in. There is more than one, I think. On reflection, perhaps you could make a supplementary submission on that.

**Dr Woollard**—Purely as somebody who is peripherally involved, I would be happy to contribute to the debate, but I do not claim any expertise.

**Senator MURRAY**—The point I want to make to you, and it is why I specifically raise it with you, is that the present lodged ticket system is deemed by many to benefit smaller parties more than it benefits major parties. Major parties get their quotas in the Senate almost automatically, whereas small parties rely, as you know, on preference flow. So your views on the matter would be interesting.

**Dr Woollard**—I obviously have a clear bias towards having more small party representation in the parliamentary system because of the value of it, but I am also impressed by the success of the Liberal Democrats in the UK. Obviously where you do not have a preferential system it is still possible for these things to build. Maybe there is a self-defeating purpose in all of this: if people want smaller groups in the parliament, perhaps they will shift to them in greater numbers with their primary votes—but maybe not. If I can make some useful contribution on those general issues, more as an individual than as a representative of a political party, I am happy to do so.

**Mr CIOBO**—I am conscious of the time, Dr Woollard, so I will try to be as expeditious as I can. I will make one statement just so you know my approach to this committee. I am very interested in situations where there may have been misleading and deceptive conduct with regard to parties and voters which may have had an impact on the election. I am not implying that you have done that. At this stage I am simply trying to get an explanation, because there have been some very serious allegations made that liberals for forests actively engaged in misleading and deceptive conduct in, for example, the Richmond electorate.

So that is my opening statement and I will directly ask some questions of you if I may. With respect to Richmond, in your testimony you referred earlier to the fact that as a small party you could not really afford to engage in a campaign—so that would possibly explain the reason why your candidate, Fiona Tyler, was not seen at all and contributed nothing and did no mailbox/letterbox drop or advertising prior to election day itself in the seat of Richmond. Would that explain that?

**Dr Woollard**—That is the statement you have made. I have no way of verifying it.

**Mr CIOBO**—All the evidence that we have received indicates that. Do you know anything to the contrary?

**Dr Woollard**—I have no comment to make. Honestly, we could not make any useful contribution to that. If you have evidence, you are entitled to look at it.

**Mr CIOBO**—That is the evidence we have received. Would you have any evidence?

**Dr Woollard**—No, I do not have any other evidence.

**Mr CIOBO**—The concern therefore, given that this how-to-vote card bears some resemblance to the 2004 Liberal Party of Australia how-to-vote card but is in fact almost an exact replica of the 2001 Liberal Party how-to-vote card, is that—in a seat where there was no prior campaigning by the liberals for forest candidate, in a seat in which no-one would have received information from the liberals for forests candidate, in a seat where your candidate at no stage turned up to any meet-the-candidate evenings or public forums and in a seat in which your candidate did no prior letterbox drops or other forms of advertising—the first contact the voters of Richmond had with liberals for forests was on polling day. Can you explain—and I take it that you would have been party to such conversations—the reason why, for example, liberals for forests chose to kit out your booth workers with shirts of the same colour as the blue-and-white ones that Liberal Party workers traditionally wear?

**Dr Woollard**—I think I have already made it very clear that these people are going to present themselves to the community as an alternative to the Liberal Party and should do so vigorously and effectively in the best way they see fit.

**Mr CIOBO**—As an alternative to the Liberal Party or as the Liberal Party?

**Dr Woollard**—As an alternative to the Liberal Party.

**Mr CIOBO**—Would you have concern if they, as an alternative, embraced the adoption of tactics that misled and deceived people into believing that they were in fact of the Liberal Party?

**Dr Woollard**—You are trying to put words into my mouth as to ‘misleading’ and ‘deceptive’.

**Mr CIOBO**—No, I am asking you a question.

**Dr Woollard**—You have already said that you were not going to imply that we were misleading and deceptive, and I am pleased that you are not implying that.

**Mr CIOBO**—I am putting a statement to you. I am asking you for your reaction.

**Dr Woollard**—But asking such leading questions is clearly inappropriate and improper.

**Mr CIOBO**—Dr Woollard, I am putting a statement to you and inviting you to comment.

**Dr Woollard**—You are trying to put words into people’s mouths. I will not allow you to do so.

**Mr CIOBO**—I am inviting you to comment on this statement: would you be concerned—

**Dr Woollard**—I have already said that I will not allow you to ask those sorts of questions and put words into—

**Mr CIOBO**—Okay, so you are not answering that question.

**Dr Woollard**—I am answering the questions. I put a very appropriate answer to them. These people put themselves forward as liberals and alternatives to the Liberal Party, and they did so

very effectively. If it caused people to vote for them, that is what we are all about. We are putting ourselves as an alternative to the Liberal Party, and that is an appropriate policy thing we have. We have very good policies out there and if some small proportion of the population think we are good enough to vote for that is good. They have a ballot paper to look at and make their decisions about how they put their votes. That ballot paper has written beside the name of the individuals 'liberals for forest', 'National Party', 'Australian Labor Party'. You are inviting disparaging views of the electors—and you are welcome to do so—that somehow they will not make their own decision. I have got great faith in them. I think they will make their own decision regardless of the implications. You are really not implying anything about liberals for forests. What you are implying is about voters in that electorate not being smart enough to be able to look at a ballot paper and read the ballot paper. Andrew Murray tells me that 17 per cent of people do have literacy and sight problems in South Australia. Maybe it is not as bad as that in New South Wales. We will wait and see.

**Senator MURRAY**—That was evidence. I have got no way of knowing whether that is true or not.

**Dr Woollard**—Of course; I understand what you are saying. So I think I have given a very good answer to your question. What I will not allow you to do is to put in my mouth words like 'misleading' and 'deceptive', especially when your introductory comments said that you were not going to imply they were misleading and deceptive. I accept your opening comments and reject the nature of your question, thank you very much.

**Mr CIOBO**—There are nearly 100 polling booths in the Richmond electorate. Do you know how many of those polling booths were manned by liberals for forests?

**Dr Woollard**—No.

**Mr CIOBO**—Evidence that we have received as a committee indicates that virtually all of those were manned by liberals for forests. Do you know how many of those people were paid?

**Dr Woollard**—No.

**Mr CIOBO**—Are you familiar at all with the resourcing of that seat?

**Dr Woollard**—No.

**Mr CIOBO**—So, as the national president, you have no idea about what your party was doing in the Richmond election?

**Dr Woollard**—I was well aware that they were going to run a vigorous campaign and they were going to try to get people elected to the parliament. They came very close to doing so, which is a good thing—in the process they had an effect. Obviously, what is concerning you is that they had an effect, and that is what politics is all about—people winning and losing.

**Mr CIOBO**—No, my concern is that you have potentially misled and deceived people—

**Dr Woollard**—Hang on. You have turned from saying you were not implying that to saying we are.

**Mr CIOBO**—I was not then; I am now.

**Dr Woollard**—I think that is a rather inflammatory and defamatory comment to come from that side. I know you are protected, but is it appropriate?

**Mr CIOBO**—From my perspective, that is the evidence that I have received.

**Dr Woollard**—Mr Chairman, is that the sort of thing you are supposed to say to witnesses: that you are misleading and deceptive?

**CHAIR**—Mr Ciobo is entitled to question you.

**Dr Woollard**—Is he?

**CHAIR**—If you find the questioning difficult, you are welcome to raise it with me.

**Dr Woollard**—It was not a question; it was a statement. He said, ‘My concern is that you were misleading and deceptive.’ That is a statement, not a question. It does not ask for an answer. I would like it withdrawn, please—if I could.

**CHAIR**—He has put it to you.

**Dr Woollard**—He started off his statement, saying—

**CHAIR**—I did not hear what you said. You would like to—

**Dr Woollard**—I would like him to withdraw the statement that he was concerned that I was misleading and deceptive.

**Mr CIOBO**—I most certainly will not withdraw it.

**Dr Woollard**—You are obviously protected. It is not a very fair position.

**CHAIR**—You are, too.

**Dr Woollard**—I understand that, but I will not say anything like that about Mr Ciobo.

**Mr CIOBO**—That is good. Liberals for forests had booth workers at approximately 100 polling booths and, again, evidence that we have received—and this is not hearsay; this is direct evidence—indicated that those booths workers claimed that they were paid between \$100 and \$200 for working on those booths. Are you familiar with any of that?

**Dr Woollard**—No. I am familiar with media reports—that is all.

**Mr CIOBO**—As the national president of liberals for forests, you are not aware of that?

**Dr Woollard**—I doubt that the national president of your party would be aware of how the poll workers were organised in any particular seat.

**Mr CIOBO**—That is a separate issue.

**Dr Woollard**—Is it? I do not think it is a separate issue. I think if you want to ask that question, you should ask it of anybody else.

**Mr CIOBO**—So I take it you are not aware?

**Dr Woollard**—No. I think I have made it very clear all the way along. This question is just repetitive, Mr Chairman. These statements have been made again and again, and I have said I was not directly involved in that seat or in any of those New South Wales seats. I think you have overlooked the point of the question.

**Chair**—No, I think there is some fairness in that. Dr Woollard, what you are saying, and please tell me if it is this simple, is that you are the Western Australian national president, but you are here in Western Australia and, as for what went on in the days leading up to or on election day, your blanket answer—and I am not trying to put words into your mouth—is that you do not have any knowledge, because you were not involved on a day-to-day basis. Is that right?

**Dr Woollard**—On the specific issues that you are raising of course not, no—any more than the president of your party would be able to answer the question about what your party did in that particular seat.

**Mr CIOBO**—Sure. I take it then that most people were not paid by liberals for forests but were paid by other individuals?

**Dr Woollard**—As far as I know. I have no idea where the payments came from. I did not do the returns.

**CHAIR**—In terms of assisting you both, what you are saying—

**Dr Woollard**—I think Mr Ciobo has already asked that question as well.

**CHAIR**—Anyway, it was all decided on the ground in Richmond or in New South Wales. Would that be correct?

**Dr Woollard**—Yes.

**Mr CIOBO**—Dr Woollard, if the payment was made by liberals for forests, I would assume that you, as national president, would know that payments were being made to booth workers. That is the reason why I ask, because that is entirely within the ambit of a political party. Given that you do not know, is it fair to then reach the conclusion that they were not paid by liberals for forests?



**Dr Woollard**—As far as I know, they were not paid by liberals for forests, as a party. That is a matter of record. I am not sure what relevance it has.

**Mr CIOBO**—The reason it has relevance is that you are required to provide disclosure to the Australian Electoral Commission, including instances where third parties pay other parties or other organisations or make an indirect donation to your organisation on behalf of your organisation. In this case, if third parties, or a third party, were paying for the employment of people by liberals for forests, that would need to be disclosed. With regard to Richmond, with nearly 100 booths, if you said that there was—and this is from the Tweed Heads testimony—as a conservative estimate, one liberals for forests worker at each of those 100 booths—

**Dr Woollard**—If I said—I did not say anything like that.

**Mr CIOBO**—This is what was put at the Tweed Heads hearing.

**Dr Woollard**—You used the word ‘you’, for some reason.

**Mr CIOBO**—I used it in a collective sense. If one liberals for forests booth worker was paid \$100 across 100 booths, that is a payment of some \$10,000. I take it then that liberals for forests will be disclosing that information to the Australian Electoral Commission?

**Dr Woollard**—You have raised a bunch of allegations. I have only heard from you and some scuttlebutt in the media, so I will deal with it as it arises. Liberals for forests will always do everything it can to make sure that it follows the letter of the law in all respects, as I am sure your party does, and we will continue to do so. We have always worked very hard. It is pretty tricky when you are all volunteers, but we try our hardest.

**Mr CIOBO**—Thank you.

**CHAIR**—Once again I thank you for appearing. I know the questions were frank; it is an important issue. I sincerely thank you for coming. As I said at the outset, the reason we are asking you all these questions is that we would have preferred to have dealt with them in Tweed Heads. You are the national president. We would still like to talk to the candidate for Richmond, and we will pursue that. At this point it is up to her whether she appears or not. We appreciate that you do not necessarily have the answer to every question of what happened in each seat. Thank you again for coming, for your evidence and for agreeing to make a supplementary submission on some of the less contentious issues that arose from the election.

**Dr Woollard**—Thank you for your time. Can I just make a small statement?

**CHAIR**—Sure.

**Dr Woollard**—The individuals who ran for this party were all very much volunteers—non-political people—and if somebody does not wish to appear before this committee I must admit after today’s experience I would have to support them, because you are very assertive and aggressive. You may be assertive and aggressive because I am seen as somebody who can take it, and I am happy to do so, but, clearly, applying this sort of pressure and unpleasantness to a

volunteer who is just helping out with a policy thing on saving forests would be absolutely inappropriate and I would strongly advise them against it.

**CHAIR**—I should you inform you as a matter of course that this committee has been given extensive powers by the parliament precisely to inquire at all levels into matters that we think are important for our electoral system, and that power does extend to subpoena if we want to hear from a witness. There is precedence for subpoenaing witnesses to appear before this committee. In fact, not so long ago—in 1999 or 2000—people were subpoenaed. That power is given precisely because when people are involved in the electoral process they ought to be accountable for it. Thank you very much.

**Dr Woollard**—I will let you have the last word. Thank you.

**Proceedings suspended from 3.12 pm to 3.28 pm**

**McRAE, Mr Brian Ross, Vice-President, One Nation, Western Australia**

**CHAIR**—Welcome. Do you have any comments to make on the capacity in which you appear?

**Mr McRae**—I stood as a candidate for the seat of O'Connor in the federal election and I am the vice-president of the One Nation party in Western Australia, so I am here representing my own views and also those of the party.

**CHAIR**—Okay. We have your submission—submission No. 42—which has been authorised for publication; thank you for that. Is there anything you want to correct or amend?

**Mr McRae**—No, there is not.

**CHAIR**—Before I ask you to make an opening statement, Mr Ciobo wants to make a point with respect to the previous witness, Dr Woollard.

**Mr CIOBO**—I omitted to note, in questioning Dr Woollard, that he was in fact the authoriser of the how-to-vote card that he claimed that he had not seen. So perhaps when Dr Woollard addresses the questions that he said he would take on notice he might seek to address that.

**CHAIR**—Probably the best way to go about that is for the committee secretary to forward the remarks Mr Ciobo just made, which will be in a printed *Hansard*, to Dr Woollard and, in fairness—

**Senator MURRAY**—And a copy of the authorisation, because it is on the side of the how-to-vote card.

**CHAIR**—Yes—and he can treat that as an invitation to respond. Thanks, Mr Ciobo.

**Mr CIOBO**—Thank you.

**CHAIR**—Mr McRae, we have your submission. I read it on the plane, and you have made a number of points. Would you particularly like to make an opening statement? It might suit the committee better if you were happy to go to some of the issues you raised about informal voting. Is there anything particular that you would just like to highlight up front?

**Mr McRae**—I have a brief statement. I feel that one of the big problems we have with our electoral system is the rising number of informal votes. This has the impact of maybe interfering with our representative system of government. One of the big problems is that the very people who vote informally are the first ones who complain when there is a government they do not like. It is all very well to say that this is due to voter apathy, which to a fair degree it is; but it also has a fair bit to do with the political system, inasmuch as that the political parties, which were not part of our original Constitution—and neither was the Prime Minister—are there for better or worse. I have made these observations over a few elections from comments made mainly from voters and from people who worked in polling booths. One of the big comments

that people make at polling booths is, 'I wouldn't vote for any of them.' This is probably a little unfair too. Politicians across the board are probably not enjoying very high esteem amongst a lot of voters, but, by and large, most politicians do the right thing when they get into parliament. Unfortunately, a lot of them are elected on a platform specific to their electorate, but when they get into parliament they are encouraged to toe the party line. People then think, 'What effect can we have on the parliamentary system? Why worry about it?'

In a preferential vote, a lot of voters do not understand the electoral system. I do not think that there is any way you are going to change that over a short period of time. A lot of them make informal votes because they do not know a lot of the candidates and they do not believe they can make a difference. Quite often, they are not able to not vote for someone they would not like to vote for. There are two ways around this. The first one is that, on our how-to-vote cards, if the voter needed to fill in only a few boxes for it to be a formal vote, that would give him the opportunity of maybe not voting for someone he did not want to vote for, yet there is still the opportunity for the two major parties to be voted for, plus maybe minor parties.

**CHAIR**—Are you talking about optional preferential voting?

**Mr McRae**—Yes, that is right.

**CHAIR**—So this would be a situation where you could put just '1', or you could put '1, 2 and 3' but you would not have to go all the way to '8', if there were eight candidates?

**Mr McRae**—Yes, that is right.

**CHAIR**—That is the system that operates at a state level in New South Wales and Queensland.

**Mr McRae**—Yes. I know that at the state election here—

**CHAIR**—You have a full preferential system here at the state level, don't you?

**Senator MURRAY**—Yes.

**Mr McRae**—To prove a point, I did a vote card with no preferences on it, and it had an interesting effect in the Bunbury electorate. One Nation tend to put the sitting member last. I do not think that is a very fair way of doing it either, because quite often you are directing your preference against somebody who maybe should stay in parliament. The Langer system is available, where you can just put '1, 2, 2, 2' or '1, 2, 3, 3, 3', but, once again, if voters do not understand that, quite often you are voting out somebody, irrespective of what party they are from, when maybe they should be there. The unfortunate thing is that, I believe, most voters do not really have an understanding of the electoral system. In order to stop this informal voting, we need to make it easier for them. Probably the most fundamental thing in parliament is to have proper representation between parliament and the voter. Once that starts to break down, the system breaks down. If you look at the increasing number of informal votes, the indication may be that the system is breaking down and there is some time to address it now.

**CHAIR**—All right. I will open that up to questioning. That is a live issue, and we thank you for your submission. We have had evidence in New South Wales that you would not have seen—and we would not expect you to have seen it—where people said that they are confused about the difference between the state and federal systems. There seems to be something to support that, as Senator Murray has said. In seats where there is a large number of candidates, if they come out of a state election where there is an optional preferential system and then go to a full preferential system, the informal vote rises. I think in Greenway it was above 10 per cent. At the end of the day, one of the big issues, irrespective of our views on the right system, is consistency between state and federal governments. Thanks for raising that.

**Senator MURRAY**—Mr McRae, the other day I was reading a speech by a Canadian senator. They are appointed, unlike us, who are elected. It was a speech about an attempt to introduce compulsory voting into Canada. On the way through reading this I noticed that when talking about preference voting, which he supported, he seemed to say that in Canada they have a ‘none of the above’ box for voting for the lower house. I do not know if he was proposing it or if it is a reality. So you have five candidates and you have the option to vote for none of the above. The argument is that the availability of that box is for those people who want to record a protest vote—those who do not like our political system or do not like any of the candidates on offer or generally feel cheated off about politics and so on. I have heard arguments against that, but I wonder what your view is as to whether there should be a ‘none of the above’ box to cater for protest or informal votes.

**Mr McRae**—Interestingly enough, that was the other topic that I put down. I believe that could be the case. Probably only a small number of voters vote that way. But I feel that if a voter is given the opportunity to have a say at least he feels that he is part of the system and possibly can make a difference. I believe that we should have that ‘none of the above’ box for people who think that there are no suitable candidates.

**Senator MURRAY**—Do you see any downsides to that?

**Mr McRae**—Every system we have is open to manipulation. I know we are talking about the federal system but look at our local government over here. Voting is optional and there is a very poor turnout.

**CHAIR**—Is voting for local government by postal vote or in person?

**Mr McRae**—Both.

**CHAIR**—Does it depend on the council or can you do either?

**Mr McRae**—In Bunbury, for instance, they mail out how-to-vote cards to everybody in the electorate. You can either mail it back or go and vote at a polling booth.

**CHAIR**—That is interesting.

**Mr McRae**—It is interesting to see the number of people who do not take part in the local elections. I would say that if that went statewide or federally those very people would be the ones who would probably be voting informal. The fact that we are getting a gradually higher rate

of informal votes—it is moving that way—is a concern of mine. There is no doubt about it that the preferential voting system is the way to go. But the political parties are manipulating that. What happens is that people feel frustrated because at the end of the day one of the major parties gets the preferences. I have a fully sign-written car and I drive it everywhere, so people know who I am when I am driving around. During and after the elections quite a lot of people come and offer information. We have debriefs after the elections too. One of the big problems that voters come up with is: ‘We don’t know how the preferences go.’ For instance, in one of the major Geraldton polling booths at the federal election, people came up to me and said, ‘How does the preference system work?’ I started to explain it to them and I suppose within five minutes I had 20 people standing there asking questions. That does not mean to say that I know more about the reference system or anything. All that points out is that there are a lot of people who do not understand it. I believe that a lot of these informal votes are due to the fact that people do not understand the situation.

**Senator MURRAY**—I agree with you. I do not know a politician who has not experienced the lack of understanding of our system. One of the arguments put to me against having a ‘none of the above’ box is that it might encourage the donkey vote to end up being an informal vote. At the moment, as you know, the donkey vote is not informal because if there are five candidates and you number from one to five it counts. If there were six boxes and one was marked ‘none of the above’ you would have one to six being put on there by some people perhaps. Do you think that is a genuine issue?

**Mr McRae**—I do not believe it is. There is always going to be a small percentage of voters who do not want to take part. If that were the case, maybe that would be a message to political parties that they need to look at what they are doing.

**Senator MURRAY**—It would seem to me that the obvious response to that particular argument is to put the box at the bottom because, if it is the last preference, it just does not matter, if you understand what I mean.

**Mr McRae**—Yes. As our system is now, you can leave one box empty, but if people are upset about the two major parties—I look at this as an Australian not just from One Nation’s point of view. In One Nation’s point of view, both Liberal and Labor have directed their preferences against us and have encouraged everybody else to do the same. If you get someone who wants to support us, who do they put last with only one box? They feel frustrated and probably do not vote. That is the issue.

**Senator MURRAY**—Are you referring to your optional preference lower house recommendation or to the Senate?

**Mr McRae**—I am talking about the lower house, yes. I feel that the more people we get involved in the electorate system, the more representative government we are going to have.

**Senator MURRAY**—My last question to you is about the Senate. I think you were in the room when I was questioning Dr Woollard on the Senate above-the-line option that has been put to this committee, which is of preferencing parties horizontally above the line, instead of lodging the ticket under No. 1. Did you understand my question or do I need to repeat it?

**Mr McRae**—I only half heard it, but it is interesting that, if you are asked to vote No. 1, you are giving the party the option to put their senator in, which is quite true. Then if you look at the 1977 referendum where the voters were asked, in a sense, to vote for not for a vote so that in a casual vacancy the party was allowed to put somebody of their choice back in—say, whatever party had a senator vacate their seat, the party could put someone of their choice in—when in fact what should really happen is that the candidate who received the next number of votes, the next most popular senator, should be the person who goes to the Senate. I do not know how to answer that.

**Senator MURRAY**—Let me put the question to you this way. The major criticism of the present Senate system is not voting below the line, although that has its difficulties because it is quite clear that you are voting by candidate, but that voting above the line uses lodged tickets. The major criticism is that voters should know whom they are voting for and they do not with a lodged ticket because they cannot remember or know the consequences of the preference flow. The argument is that the way to get around that and to provide a more open and transparent system is to allow for preferential voting by party as well as by candidate—so above and below the line. The idea is that, if you have five parties and three candidates each, which is 15 candidates, there would be 15 candidates below the line which you would number one to 15, if that is what you wanted to do, but above the line you would number one to five, if that is what you wanted to do. How do you react to that idea?

**Mr McRae**—As I said, if you look at that against the result from the 1977 referendum, that probably is the fairer way to do it. If the political parties are going to select a replacement for a casual vacancy from their own party, that is probably the fairer way to do it. I feel that the fairest way to have voting is so that people understand it. If that simplifies the system so that people understand it, I think it is a better idea.

**Senator MURRAY**—Thank you.

**Mr CIOBO**—Mr McRae, I am interested in fleshing out your proposal with respect to optional preferential voting. From reading your submission, I am a little unclear on this. Are you saying, for example with regard to the House of Representatives, that you would have the option to allocate preferences so that, if you wanted to, you could vote one, two and three or one and two, or are you saying that, as we do in the Senate, a voter could—and I will use my party's case in point—mark a one beside the Liberal candidate and then preferences would be assumed for that vote on the basis of the Liberal ticket?

**Mr McRae**—No. Say for instance that there were eight candidates standing. They would fill in three—I am using that number because I think that is about the right number—to make a formal vote. If they filled in one, two and three—it does not matter who—and left the rest blank, it would still be a formal vote. At the moment, if you have eight people standing, the voter might not know half of those candidates and half of them might be stooges for someone else, which we all know about. Consequently, people are unaware of whom to vote for. If they leave those boxes empty because they are uncertain, it is not a formal vote and their vote does not mean anything.

**Mr CIOBO**—So it is a genuine optional preferential?

**Mr McRae**—Yes.

**Mr CIOBO**—But you would like a minimum of three, is that correct?

**Mr McRae**—Yes, you would want a minimum number. Three is enough because that does give the opportunity for a one and two for the major parties. I know the major parties would not be happy if you only had maybe one. Quite honestly, first-past-the-post does not work either, because if you had 10 candidates and one got 11 per cent and the rest got less, 89 per cent of the people would be unrepresented. You really do need to have the preferential system, but you need an optional preferential system to give each of the voters a chance not to vote for somebody he does not know or whose thoughts he might be completely opposed to.

**Mr CIOBO**—Do you have a comment on a partial preferential system, which is how I would describe your model? Presumably, if the benchmark were three, if someone filled out only one or two that would be an informal vote—is that correct?

**Mr McRae**—Yes. That is what I am saying.

**Mr CIOBO**—If you did adopt a partial preferential model, do you know or do you have an instinct as to whether or not that may confuse people more, less or the same insofar as people might think, ‘It’s no longer compulsory to mark every box so I only need to mark one,’ when in fact they have to mark three? I am inviting your comments on that.

**Mr McRae**—In Bunbury, I was in a bit of a predicament in the state election because there were two candidates and I did not want to put either of them last so I put a message on my card. Somehow, we have to educate the voters so that they understand. Maybe a little message on the card is the way to go. You are not going to educate all of the voters anyway, because a lot of them, quite honestly, do not worry about it—although a lot more have a political opinion. Whether it agrees with you, me or anybody else and whether it is right or wrong is not the issue; people are developing an opinion now, which is good. They do not know what the deal is and they need to be given some encouragement. The Electoral Commission—I think it was in a federal election—ran some TV commercials giving people an idea about voting. That was a good idea. I do not say that they need to run those all year, but before each election, some sort of advertising should be done to encourage people to vote. For instance, if you were going to adopt an optional preferential system, maybe that could be explained to them. I do not think that they were ever going to understand the political system fully.

**Mr CIOBO**—Have you done a comparison of the percentage of informal votes in different jurisdictions when you compare full preferential jurisdictions against optional preferential jurisdictions?

**Mr McRae**—No, I have not.

**Mr CIOBO**—I have one final question with respect to your call for limited displays of party propaganda—to use your phrase. I am interested in your rationale as to why you feel that limiting the displays would be advantageous.

**Mr McRae**—I noticed, particularly at the last election, that the two major parties had nearly everything covered with party materials. At one stage there was nowhere for the polling booth people to hang their polling place card. I talked to voters and they were really annoyed about the



fact that all that money was wasted on the material when we were really looking at being an environmentally friendly country. I think they felt intimidated by it. I have formed my opinions by talking to voters. I have spent a lot of time going to polling booths and talking to voters and, as I said, I have formed my opinion by talking to voters. That is the impression I got. They were really disgusted about how much money appeared to have been spent by the major parties.

**CHAIR**—Thank you for your submission. It was quite clear in a number of respects. I reiterate to you that certainly the issues with respect to the voting system are under consideration in our report, for a range of reasons, although it should be pointed out that the government has made clear that there will not be any change in the electoral system prior to the next election. They are more longer-term issues. The issues that you have raised have been very well put and we thank you for coming along today.

**Mr McRae**—Thank you very much for the opportunity to have a say.

[3.51 pm]

**BOWE, Mr William James, Private capacity**

**CHAIR**—Welcome. Is there anything you want to add about the capacity in which you appear here today?

**Mr Bowe**—I am the publisher of a private web site called the Poll Bludger.

**CHAIR**—We have received your submission as No. 59. It has been authorised for publication. Is there anything that you wish to correct or amend?

**Mr Bowe**—No.

**CHAIR**—Having read your submission, I have determined that we will take some evidence from you quickly in camera. That will enable us to get to the core of your submission. It will not be in the *Hansard*. Then we will have a public hearing with you and that will be public evidence. Are you agreeable to that?

**Mr Bowe**—Yes, I have no problem with that.

*Evidence was then taken in camera but later resumed in public—*

**Proceedings suspended from 3.54 pm to 4.00 pm**

**CHAIR**—We will not invite you to make an opening statement; we have read your submission. On reflection, why don't you quickly tell us what you think should be done with the Electoral Act with respect to the defamation provisions generally.

**Mr Bowe**—I would not presume to claim any great authority about the legal specifics but, essentially, in the course of my investigations into the section of the act under which I was prosecuted, I discovered a submission from the Australian Electoral Commission to the committee during its inquiry into the last election. Obviously I was intrigued to hear that they had recommended that this section of the act should be repealed for legal reasons which I would not claim authority to give an opinion on one way or the other; I defer to their superior wisdom. The only point that I would make is that I think that the section may have been drawn up in an environment that has changed quite dramatically in relation to free speech issues. In particular, with the emergence of the internet, there has been an explosion in private comment on political matters and the means of making those comments have become a lot more freely available. I would suggest that in the distance past, when this section was drawn up, if one was a publisher presumably one had vast means at one's disposal or was engaging in an attempt to influence the outcome of the election, neither of which is true of me. I think that the section, in addition to the legal matters that were raised by the Electoral Commission, is obsolete in the environment that has emerged with the emergence of the internet.

**CHAIR**—Can I ask you one thing that would be important for the record, because there are lots of people who have web sites or blog sites. Sometimes there are anonymous things put on the internet which people take offence to and which, on occasions, are grossly defamatory. For the record, were you identifiable at all times in your web site?

**Mr Bowe**—Yes.

**CHAIR**—In other words, you might have been critical of certain candidates but, in a robust democracy where we value free speech, you said what you thought, but you did say who you were and it was your opinion. In fact, that is how you were identifiable, I presume.

**Mr Bowe**—Yes. I aimed to be non-partisan and objective as well; I was not pushing any barrow for either side of politics or against any particular minor parties or candidates. I did not let that prohibit me making the odd lively remark, but it was an objective of my web site to provide equal appeal to both sides of politics and supporters of any particular party.

**Mr CIOBO**—I would invite some comment from you with respect to the fact there is a greater preponderance of internet sites now. If you have you considered this issue, how can we effectively address the issue of anonymity of web sites, especially where they do contain potentially defamatory comments? I would be interested in how we could reach a balance between some of the concerns you have outlined in your submission and this greater preponderance of anonymous web sites impugning people or parties or the like.

**Mr Bowe**—I am aware that this is an issue that has emerged in the recent environment. I would have thought that it would be sensible for anyone running a web site that is going to make it its business to make comment on the electoral process and election campaigns to be authorised and to have an identifiable person take responsibility for what is printed on that web site. The issue, of course, is the comments facilities that many web logs contain. The only reason I raise that is to say that I would not presume to have an opinion on that, because it involves legal complexities that I would not be on top of, but I certainly think that anyone who runs a web site like mine should be required to run some sort of notice on who authorises the content on the web site.

**Mr CIOBO**—So, if we were to require that, what would you see as the appropriate remedy in the case of noncompliance?

**Mr Bowe**—I would not care to venture an opinion on that. I do not have a comparative perspective on what sorts of penalties apply for similar transgressions.

**Mr CIOBO**—If I were to say to you that perhaps the ISP should be accountable, would you agree with that?

**Mr Bowe**—I would not agree that the ISP should be accountable. When I set up the web site I thought that it would make sense, given that newspapers have to provide a name and an address of the person who takes responsibility for the comment in the newspaper, that that might apply to me as well. But all I needed to do was look at other web sites like mine to see that that was not the case. In terms of penalties, I have not really formed an opinion on that. I would want to look at those issues a lot more closely before I said anything.

**Mr CIOBO**—If you had a view, I would certainly welcome your comments down the track.

**Mr Bowe**—I might formulate one and if so I might make a supplementary submission.

**Mr CIOBO**—I guess the difficulty for the committee is that, in the absence of any effective remedy, when something exists in the internet ether it is quite difficult to actually address it unless the ISP were accountable because there would be no recourse against any other party.

**Mr Bowe**—In terms of injunctions being put out, perhaps the ISP could become the subject of an injunction requiring them to remove anything. But, in terms of actually punishing the ISP for something that—

**Mr CIOBO**—Actually, it was more the former. I would invite your comments on that too if you choose to make a supplementary submission.

**Mr Bowe**—I will certainly consider that. One point I would make is that I did receive informal advice from Professor Graeme Orr of Griffith University and Professor George Williams on the constitutionality of section 350. The Australian Electoral Commission submission to which I referred earlier suggested that they thought that the section might on its face be unconstitutional. Professors Williams and Orr both thought that the High Court might take the view that the section could be constitutional if it met the test of proportionality of a means to a presumed end. In other words, it might be fair enough to have the section—

**CHAIR**—Have they provided that to you in writing?

**Mr Bowe**—Yes, they were emails.

**CHAIR**—For the supplementary submission you are considering, could you talk with them again and see if there was something they wanted to put forward? They have put forward submissions on other matters, but I am not sure that they have covered that.

**Mr Bowe**—They would not have, no.

**CHAIR**—I do not think they have. If they want to put that forward we would happily have a look at it.

**Mr Bowe**—Essentially, they were conscious that there might be a constitutionally legitimate law prohibiting one from circulating a dirt sheet one day before the election, at which point it would be too late for any civil action to be effective.

**CHAIR**—Sure. Sometimes that happens and it is mightily unfair to whoever it concerns.

**Mr Bowe**—The law in that case should be framed better so as not to apply to someone in my circumstances.

**CHAIR**—Just going back to a point made earlier, clearly it does not matter whether someone is a member of parliament like us or a candidate—if they are grossly defamed in a personal

sense then clearly there ought to be a law of defamation. What you are saying is that, if I sued every time I felt I had been abused or criticised—

**Mr Bowe**—Or portrayed in an insufficiently heroic light!

**CHAIR**—and this is no reflection on me, I must say—I would do little else but take legal action. That is part and parcel of what you are saying. There needs to be a clearer distinction. But you are not suggesting in any way that, by virtue of the fact that someone is a candidate, no defamation laws whatsoever should apply?

**Mr Bowe**—No, I am mindful of that. But I do not think that at present section 350 is well tailored to what a suitable purpose for that section would be.

**CHAIR**—My instincts on these things are the opposite, of course, as you probably gather: in a free democracy, people express their views and everyone will make their own judgment in the end. But if, for example, someone defamed Mr Ciobo on a serious range of things which were not true—if they said he had been bankrupt when he never has been, or something like that—that could affect people’s view of him. That is obviously in a different category to somebody standing up at a public meeting and saying, ‘He is a lazy so and so’—which he is not, I say for the record. It happens, I am happy to say, to me, to Senator Murray, to any member of parliament at any given point in time, and it is nothing to do with politics. But what you are saying is that a person with deep pockets could essentially prevent people from criticising them.

**Mr Bowe**—In this case my prosecutor did not have deep pockets; he suffered from the opposite problem. For this reason it appeared to me that he, for whatever reason, did not have to be concerned about any costs order that might be applied against him. I would not care to say much about that because it is utterly beyond my expertise.

**Senator MURRAY**—Mr Bowe, as to the section you refer to, I am less concerned with the constitutionality than I am with the practicality or fairness. It seems to me as a general principle that a defamation law should stand on its own and you should not have little parcels of defamation law included in lots of other laws. I do not know how often this is repeated elsewhere. It also seems to me that this is wrongly conceived. I put a proposition to you. Do you firstly agree with the general view I expressed that any defamation consideration with respect to the Electoral Act or political discourse should be part of general defamation law?

**Mr Bowe**—Yes, I would essentially agree with what you said. It does seem odd to me that this act and that act and the other act should have their own little defamation provisions in isolation of each other.

**Senator MURRAY**—The second question I ask you is: would you, however, think that a defamation consideration should be included in the Commonwealth electoral law where it influences the outcome of an election? I dealt with another aspect of this earlier. I am suggesting that, if a matter is referred to the Court of Disputed Returns, any false or defamatory statement made about a candidate which could have the effect of altering the outcome of that candidate’s prospects in an election—I do not mean that if you are coming last you might have come last a little less badly; I mean you might have won the election—should therefore be a matter for consideration by the Court of Disputed Returns. I think most politicians are, just as Mr Smith

described, mature enough to accept that, if they are called a liar or incompetent in the heat of electoral debate, that is just a fact of political contest, frankly. If the Prime Minister and the Leader of the Opposition, as grown up people, were to ever consider what is said about them during an election campaign as material for defamation courts, they could be either very rich or very exhausted—one of the two. But I am interested in it where it affects the outcome of an election. This clause does not say.

**Mr Bowe**—That is the sort of thing where, if such a clause is to exist within the act, it needs to be more clearly tailored towards statements that are made with the objective of influencing the outcome.

**Senator MURRAY**—The chair has asked you if you would not mind checking back with Mr Williams, or Professor Williams, and—

**Mr Bowe**—I do not know if they are professors or not, to be honest.

**Senator MURRAY**—All I know is that those two gentlemen are highly regarded by all parliamentarians. Check with them and perhaps at the same time, when you are considering what to write back to us, ask them the question I have just put to you as to whether they think that, if it affects an election, it should be altered to be a matter for a judge to take into account.

**Mr Bowe**—I will make a note of that.

**Senator MURRAY**—Thank you.

**CHAIR**—Thank you for putting in a submission and for coming along and speaking to us today. Obviously you have an interest in politics, and that is a healthy thing. You put your views out there, and it is good to hear your perspective, and quite openly on the *Hansard*, on an important technical aspect of the law that without your submission we may not have drawn our attention to. We would have some general submissions on it. Obviously, from a personal sense the easiest thing for you to do would have been to forget about it after you had been through some legal proceedings.

**Mr Bowe**—I might go through this again in 2007, so I do have an interest in that respect. I thank the committee for hearing me.

**CHAIR**—Thank you very much.

[4.16 pm]

**GZIK, Ms Jennie, Australian Electoral Officer for Western Australia, Australian Electoral Commission**

**CHAIR**—Welcome. We have received a number of submissions from the Australian Electoral Commission. Thank you for coming along. I invite you to make an opening statement before we go to questions relating to the election here in Western Australia—most of which I think we will let you take on notice. Also, if you want to add anything on notice or in supplementary submissions, please do so.

**Ms Gzik**—I do not have an opening statement, because you invited me. As you mentioned, the AEC has put in the various submissions, and I know that you are meeting with them on Friday and presumably you will pursue those things. You can ask me about things in WA.

**CHAIR**—Thanks for sitting through the hearings. A few things have arisen today. I think the committee would be interested to know whether you keep, as a matter of course, how-to-vote cards for the House of Representatives in a file somewhere.

**Ms Gzik**—Yes. We have sets of them.

**CHAIR**—Would you be happy to furnish the committee with copies of the how-to-vote cards that were issued by liberals for forests in Western Australia? You will not have the state ones.

**Ms Gzik**—They only ran one candidate in the Senate in the last election.

**CHAIR**—But we had evidence today from Dr Woollard that in the 2001 election he ran as a candidate in the electorate of Brand.

*Senator Murray interjecting—*

**CHAIR**—As Senator Murray rightly points out, in that context we would also like every how-to-vote card that you have for that seat—and I flag fully that you may not have every one. Certainly if you have those from Labor, Liberal, liberals for forests and the Democrats that would be good. I also want to directly ask you about postal voting. We had some evidence today on postal voting, which is a very live issue, and there have been, as you heard me say, some well documented problems. From your perspective, do you think things ran okay here in Western Australia?

**Ms Gzik**—Yes. That is not to say that we did not have problems as well—only that I do not think they were as bad as in some other places.

**CHAIR**—I completely accept that. Sorry, that may have come across as an unfair question. It was not intended that way. We accept that you cannot, in any election, have every single issue go right 100 per cent of the time. What I meant to say was: you did not have a generic problem, where there was a muck-up with 500 in one area or there were Australia Post problems where—

**Ms Gzik**—No. There were scattered bits and pieces, and we even had some people complaining before nominations closed.

**CHAIR**—You would have noticed my questioning earlier—we did too. We had people saying, ‘Where are they?’ before nominations closed.

**Ms Gzik**—We actually met with the Liberal and Labor parties after the election and suggested that they might be interested in meeting with us so that the form of words that they used in their letters states a more realistic expectation. It could be helpful.

**CHAIR**—Could I raise one thing with you that might come as a surprise to my two esteemed colleagues. From the evidence of the volunteer in the electorate of Curtin it appeared that here in Western Australia the local member sends out a postal vote application and they come back to the local member’s office. He was saying that he was bringing them down each day to the division office. Is that generally what happens here?

**Ms Gzik**—We had an arrangement with the state Labor secretariat and Liberal secretariat that they delivered to head office each day. When that gentleman was talking and referring to the AEC, I believe he was talking about dealing with the divisional returning officer in Curtin and that he had an arrangement with him or his staff where they delivered each day.

**CHAIR**—What I am getting to—and I think you know where I am going on this—is that certainly in Victoria, when a postal vote application is sent out, the return address is actually the party headquarters. The party headquarters process them all and get them to the AEC in real time. So the only postal votes a member of parliament would deal with would be when people walk in off the street and hand you an application or ask to fill one out.

**Ms Gzik**—I was not quite sure what he was saying. I did get a letter from Ms Bishop after the election. She did not go into detail; she just said that, as we all knew, there had been a problem and that she would appreciate our response in terms of advising her constituents. Andy Becker, the then commissioner, wrote quite a lengthy letter to her.

**Mr CIOBO**—Do you have a process in place for determining joint booths in WA?

**Ms Gzik**—I do not know, to be frank.

**Mr CIOBO**—I am happy for you to take this on notice.

**Ms Gzik**—You would like the detail of our joint booths?

**Mr CIOBO**—Yes: what the trigger was for joint booths, how many joint booths you have had and other factors, if there were any, that you may have taken into account in the determination of the joint booths that the WA division has.

**Ms Gzik**—Yes.

**Mr CIOBO**—That is great.



**CHAIR**—Senator Murray has a couple of questions.

**Senator MURRAY**—Before I do, I want to give your office and your staff a compliment. As a Western Australian and a member of this committee, I get good feedback from other Western Australian parliamentarians about the federal Electoral Commission in WA. You have a reputation which is worth while.

**Ms Gzik**—Thank you very much.

**Senator MURRAY**—The question that I wanted to ask you is: where were your postal votes printed? Were they printed over in Sydney?

**Ms Gzik**—They were printed in Melbourne.

**Senator MURRAY**—And you had no problems of the kind that were reported elsewhere?

**Ms Gzik**—Not of the same kind. There were delays.

**Senator MURRAY**—Would it be better, in your view, if they were to switch from national to state based printing?

**Ms Gzik**—I think that seems an attractive option on the face of it, but, in terms of the magnitude of the job, I am personally not opposed to it being organised centrally. What I would like is to have some more controls locally. I am not sure what they are necessarily but there might be an arrangement with a local print place. But the actual contract is let nationally. I think there are some options that we can pursue and we are pursuing within the AEC.

**Senator MURRAY**—That is an interesting observation.

**Ms Gzik**—I would also like stronger contingency plans in place. For example, because there was some delay we opened up the airport earlier, as a pre-poll. Next time I would like to do that even earlier. We were delayed by a day because we have to gazette it as a pre-poll first, so we could not open until the Sunday before the election instead of the Saturday. We advertised that in the paper and we got divisional officers doing local prints. We did things like that to cope with the delay.

**Senator MURRAY**—Has the West Australian office of the Electoral Commission looked seriously at electronic voting with respect to the state? I put this question to you because this committee went to North Queensland and established that in certain rural and remote communities—particularly in those communities in which people might be prevented by the weather from physically attending a booth which otherwise they might have proposed to attend—the prospect of at least introducing pre-poll or polling day electronic voting seems attractive. It could be either centrally based—from a court-house or a school or somewhere which has broadband computer access—or from a station; a number of them have satellite facilities and so on. Have you examined the issue from a Western Australian perspective, given our huge country?

**Ms Gzik**—We have had a brief discussion with the DRO from Kalgoorlie, who has talked to people about it. The feedback he has is that they see it somewhat as a social event, a gathering, and so would not necessarily support that option.

**Senator MURRAY**—The point made to us was that, whilst indeed that is the case, in some respects it is physically impossible for people who would otherwise attend, to attend. Therefore, they were interested in the issue of voting, either pre-poll or on voting day for an ordinary election, through an electronic means.

**Ms Gzik**—Apart from that aspect, we have not had discussions in Western Australia, specifically, no.

**CHAIR**—I have one last question. I preface it because I realise you speak for Western Australia and not for the country. Your opinion would help the committee. We had some important evidence in Melbourne and Adelaide from groups representing the sight impaired and the blind, the guide dogs association of Victoria. They raised concerns about not being able to cast a secret ballot and said there are now very secure electronic voting options around the world specifically for people who are blind or sight-impaired. The current provisions mean that either their carer or an official sees them vote. There are a number of difficulties around that for them. One of the things we put on the table that we said we would explore is, if this technology were available, having it in pre-poll booths and having an ability for them to vote on every day in the pre-poll period and at the divisional office on election day as a possible first step in the future. It would be difficult to wheel that technology into every single booth and for you to manage it. What do you think about that suggestion for the future?

**Ms Gzik**—With impairments is easy not to be sensitive when you do not have the impairment. So I would take what they are saying very seriously. I do not know that is the right solution but I think it needs exploring. In Western Australia, a young woman who was a double amputee went to a voting booth which said it had assisted voting. Her operation had not been that long ago and she had quite sore stumps. She had her prosthetics on but had to stand a fair while and got sore, and all of that sort of thing. Anyway, I met with her because she made a complaint to HREOC. We had a mediation and we talked about how we could improve that aspect of our service in Western Australia. She has agreed to come along and talk to our divisional returning officers as an awareness raising thing. When you talk about the blind it is easy, when you do not have that impairment, to not really appreciate the difficulties people have. The AEC, as an organisation, is meeting with peak disability groups to talk about those sorts of things. If the Blind Society is saying that, then it would be worth exploring.

**Mr CIOBO**—Has the AEC in Western Australia previously dealt with the issue of paid booth workers?

**Ms Gzik**—Not that I am aware of.

**Mr CIOBO**—A former witness from liberals for forests, Dr Woollard, referred to an issue that he said had been raised in Western Australia—

**Ms Gzik**—A complaint of that sort about a federal election goes to our legal FAD area in our central office. We would not deal with it, although it could be channelled through us. But I am not aware of that.

**Mr CIOBO**—Was the issue he dealt with in respect of a state or federal election?

**Ms Gzik**—I am not aware.

**CHAIR**—If there is anything at all you would like to put in by way of supplementary submission on reflection, we would welcome that. I thank you very much for your evidence today. That concludes our hearing today.

Resolved (on motion by **Senator Murray**):

That this committee authorises publication, including publication on the parliamentary database, of the transcript of the evidence given before it at public hearing this day.

**Committee adjourned at 4.32 pm**