# Submission to Queensland Parliament Legal Affairs and Community Safety Committee

Electoral and Other Legislation Amendment Bill 2015

Professor Graeme Orr, UQ Law School<sup>1</sup>

Whilst generally supportive of the electoral reforms in this Bill, I would recommend Parliament not rush this legislation.

The experiment with voter ID was unnecessary. Voter ID should be repealed. But not without careful consideration of the evidence. This experiment was an Australian-first. Hence other jurisdictions will be watching this committee. A decision on repeal after careful, reasoned and informed thought will be more likely to ensure this issue is not treated as a political football by future parliaments.

Improved donation disclosure is commendable. But it should be part of a wider reform to ensure Queensland has a comprehensive campaign and party finance system. (As NSW, the ACT and South Australia have).

The parliament also needs to consider three electoral integrity issues arising from the 2015 Ferny Grove election relating to election petitions. The final 3 pages of this submission addresses those.

- the question of disqualified losing candidates.
- the ability of the ECQ to refer, rather than petition, an election dispute.
- the choice of judges to hear election cases.

This submission is confined to electoral law matters.

I wish to acknowledge the excellent assistance of Louise Scarce, an intern with UQ Law School's Pro-Bono Centre, in the preparation of this submission, especially the voter ID statistics.

<sup>&</sup>lt;sup>1</sup> g.orr@law.uq.edu.au My credentials to make this submission include 18 years researching and teaching the law of politics, including authoring Australian Electoral Systems: how well do they serve political equality (2004), The Law of Politics: Elections, Parties and Money in Australia (2010), Ritual and Rhythm in Electoral Systems: a comparative legal account (2015). I am also the international editor of the Election Law Journal, and have given pro bono advice to as diverse an array as, eg, ex Senator Noel Crichton-Browne, ONP candidate Terry Sharples, Get Up!, pollbludger.com.au and the ALP.

#### The Present Bill

#### 1. Voter ID

Voter ID is not a necessary or even desirable practice. It has a certain appeal in the community but that appeal is more symbolic than real.

The Attorney-General in the Newman government floated the idea of voter ID in a white paper that admitted there was no evidence of the kind of voter fraud ID might address – namely electors impersonating other electors. There is sporadic evidence of possible multiple voting in Australia, but not at a level to raise systemic concern; in any event, voter ID is no cure for that. Only real-time rolls can address that. There are real integrity concerns in electoral law: misleading campaigning, donations, the numbers not enrolling and voting, and open-slather postal voting (fraud has been an issue in postal voting, plus it cannot guarantee the secrecy of the ballot.) Personation of voters is not a problem here, and so voter ID is, as Antony Green says, 'a solution in search of a problem'.

A comprehensive roll with automatic enrolment and compulsory voting is a better prophylactic against any concerns about voter personation. So if we were concerned about the potential for systematic voting in the name of the dead or in the name of those who move interstate shortly before an election, we ought invest more in roll management, not in measures like voter ID which restrict turnout.

Voter ID is not a good idea in an egalitarian system that employs compulsory voting. On the contrary. Voter ID can only undermine compulsory voting. Anyone in receipt of a 'show cause' notice for not voting can simply say 'I misplaced my ID late on voting day when I meant to vote, and thought ID was mandatory'. Voter ID has been proven in the US to suppress turnout amongst marginalised groups.<sup>5</sup> Voter ID is less of an imposition in societies (eg in Europe) where all citizens have identity papers and a culture requiring their presentation. But Australia, liberally, rejected that culture when we rejected the Hawke government's 'Australia Card'. Great Britain and NZ, liberal democracies to which we are close, do not require voter ID.

It is not just those who are politically marginalised who are more likely to be affected by voter ID, such as young people, Indigenous people, new immigrants or the homeless. Older and frail Queenslanders, and those in rural areas, may be less likely to keep suitable ID, or to be unable to abort a trip to a polling booth to return home to fetch it.

Voter ID is also problematic for electoral authorities. Queensland is a huge state; elections are largely administered by part-time and casual staff. The rules around declaration voting and the list of acceptable ID are complex and not self-enforcing. An electoral commission cannot, with

<sup>&</sup>lt;sup>2</sup> Colin Hughes, 'The Illusive Phenomenon of Fraudulent Voting Practices: a Review Article' (1998) 44 Australian Journal of Politics and History 471.

<sup>&</sup>lt;sup>3</sup> See the judgment in *Simmons v Khan* [2008] EWHC B4.

<sup>&</sup>lt;sup>4</sup> <a href="http://blogs.abc.net.au/antonygreen/2014/05/stafford-by-election-to-be-test-of-new-voter-id-laws.html">http://blogs.abc.net.au/antonygreen/2014/05/stafford-by-election-to-be-test-of-new-voter-id-laws.html</a> The libertarian, Chris Berg of the Institute of Public Affairs similarly called the Queensland law an unnecessary 'bureaucratisation' for a 'non-problem'. <a href="http://www.abc.net.au/news/2014-06-03/berg-no-vote-of-confidence-in-id-laws/5495996">http://www.abc.net.au/news/2014-06-03/berg-no-vote-of-confidence-in-id-laws/5495996</a>

<sup>&</sup>lt;sup>5</sup> See, eg, Justin Levitt, 'Election Deform: The Pursuit of Unwarranted Election Regulation' (2012) 11 *Election Law Journal* 97. Strikingly, the leading US judge-scholar of law from empirical and economic perspectives, Justice Richard Posner, recanted his earlier belief that voter ID was justifiable or desirable.

all the will in the world, guarantee that a voter in one polling booth will not be permitted to use a form of ID that might be rejected in another.

Finally, whilst the voter ID regime introduced in Queensland was not harsh by the standards of some US states – it allowed for declaration votes to be lodged – the law could be abused by future governments and parliaments. The list of acceptable ID was left to Ministerial discretion, and could be tightened unreasonably for political purposes. The precedent of voter ID could be abused by future parliaments requiring limited types of photo ID, or abolishing declaration voting altogether.

The declaration vote option was better than nothing. But it amounts to voting via a 'black box'. Electors should know that their ballot is admitted to the scrutiny. Yet declaration votes go into an envelope, then into a separate ballot box and screening process. Electors never find out if their vote was admitted to scrutiny, and if not why not. This is a real problem for trust and the appearance of electoral democracy

# Voter ID - Empirical Evidence from 2015

The 2015 election was the first to employ voter ID in Australia.

The known unknown is how many electors did not turnout because of a lack of ID or misplaced ID? This is a big unknown.

I was interviewed by news and political journalists before, during and after the campaign. During this, I became aware of a widespread meme that you could *not* vote without ID. The Electoral Commission of Queensland (ECQ) may be able to get a better feeling for the turnout question if it were given time to study reasons cited for non-voting. Certainly turnout in 2015 was down by about 1.1% from the previous election, to under 90%. This is a bit odd, as with a very close election one would normally expect turnout to rise, not fall. But it is not easy to measure the effect of voter ID on turnout, as there are confounding variables. This was also a snap, summer election, which might have dampened turnout. Certainly the snap election and resource constraints meant there was little time for a strong education campaign.

We can examine the ECQ's disclosed data for the actual number of 'uncertain identity' declaration votes actually admitted to scrutiny. It was around 16 450.<sup>6</sup> In all, the ECQ figures for ID-less votes represent 0.70% of total in person votes. To put it another way the number of ID-less votes represent close to one electorate's worth of votes. If the drop in turnout was also due to the ID law, then we can estimate that about two electorate's worth of electors had issues with ID.

The ECQ might be asked to study the number of votes lodged which were *not* admitted to the count and why. For example, people who had moved within their own electorate and hence gave a new address different from their registered address, or whose signature was rejected (in the past, these people would have been able to vote).

The table at the end of the submission lists all 89 electorates, with absolute and relative numbers of 'uncertain identity' ballots lodged. It then gives socio-economic data on each electorate,

<sup>&</sup>lt;sup>6</sup> Including a figure for Toowoomba South (the one seat for which there is no data). According to the ECQ, the 'uncertain identity' votes figure in that electorate was pooled with the figure for declaration votes generally. It is reasonable to assume the figure would have been similar to Toowoomba North, about 0.74% of turnout.

derived from the census: this way, correlations between income, age, NESB and indigeneity can be considered. I am happy to share the electronic spreadsheet with the Committee and ECQ.

The two most obvious findings are:

- A stark relationship between higher levels of indigeneity in an electorate, and more ID-less voters. The reasons for this are obvious. Of the 12 seats with the highest relative ID-less votes lodged, all had well above average levels of indigeneity. Indeed six of the ten significantly indigenous electorates all featured in the top seven.
- A clear relationship between far-flung especially northern electorates and higher ID-less voters; conversely seats in the greater Brisbane region recorded low ID-less voters. Mount Isa had far and away the highest ID-less votes, followed by Cairns, Warrego, Cook, Keppel, Townsville, Thuringowa and Barron River. The likely reasons for this are manifold: higher rates of indigeneity; a less bureaucratic culture; greater distances to travel to polling booths; less access to information.
- There is no clear relationship to NESB background as such, but this is probably because NESB heavy electorates are mostly in the greater Brisbane region. That is, the fact that city electors overall have less problem with ID masks any tendency for NESB electors to have a problem with ID.
- There appears to be a correlation between ID-less voters and turnout, that is the higher the problems with ID the lower the turnout. If so this would support the idea that voter ID laws suppress turnout both proportionately (some groups are more affected than others) and absolutely (electors without ID or electors confused by the law).
- These are preliminary observations and limited to clear correlations. Given the short time frame for this submission, we have not had a chance to apply statistical regression analyses to the data.

#### 2. Donation Disclosure

The threshold for disclosure of political donations should be lowered. Disclosure offers information to the media and electors about where parties are gathering key (financial) support, and it shines 'sunlight' on contributions that may be designed to influence policy processes or buy support and access to politicians.

There is no magic in where the figure is set. It could be \$1000pa or \$2000pa. There is no natural right to influence elections with wealth. Disclosure in itself does not limit donations, nor does it affect the ability to use wealth to buy advertising time directly.

The question boils down to: What amount would be reasonable for the average person (wage earner or pensioner) to donate whilst expecting anonymity? The group with most reason to be concerned about disclosure is public servants/businesses that work for government. They have the most to fear in terms of retribution or being seen as partisan; of course it is also the group whose large scale donations should be of concern! It seems to me that someone in that position could reasonably expect to donate say \$20-40 per week (ie \$1000-\$2000pa) as an ideological gesture/form of political participation, without that amount being too large to buy favour. Wherever the line is drawn, parliamentarians should consider:

- (a) the appearance or actuality of influence, ie how much money it might take to influence a candidate or party, large or small, remembering the size and cost of state politics and elections.
- (b) equality and liberty.

The lowering of the disclosure threshold should not be backdated. Retrospective rule-making threatens the rule of law. Whilst disclosure is not in itself onerous, particularly as the primary burden of any backdating will fall on registered parties, retrospective law-making is not a good precedent. There needs to be a strong moral reason to upset expectations based on the law existing when decisions are made. It is one thing for a government to announce a proposed change subject to parliamentary approval during its current term and back-date the law to the announcement. It is quite another thing to expect citizens to gamble on whether an opposition, which makes a similar announcement (effectively a threat), will (a) be elected and then (b) secure a parliamentary majority for the measure.

At least as important as lowering the threshold is implementing a system of continuous disclosure. Queensland led the way with biannual disclosure. NSW is moving to continuous disclosure; South Australia from this year will have a system of instant disclosure of large donations (over \$25 000) and continuous disclosure during election campaigns. A model for this has been in place in New York for decades.<sup>7</sup>

Finally, the Newman government tabled Crown Law advice arguing that a state parliament should not legislate a higher disclosure threshold (or, presumably, a more restrictive donations regime) than that in the *Commonwealth Electoral Act 1918*. **That Crown Law advice is tenuous, at best**. For some years, various states and territories have had more exacting disclosure regimes which apply to the finances of state divisions of parties, even though those divisions have federal and state electoral roles. These regimes have not only not been challenged constitutionally; I

<sup>&</sup>lt;sup>7</sup> Graeme Orr, 'New York: Where Political Finance Never Sleeps': <a href="http://insidestory.org.au/new-york-where-political-finance-never-sleeps">http://insidestory.org.au/new-york-where-political-finance-never-sleeps</a>

know of no academic legal argument that they could be. In other words the Crown Law advice, as far as I am aware, is unique. That does not mean it is wrong, but it is suggestive.

In constitutional law, each Australian state is a level of government (or 'polity') entitled to regulate its own core affairs as a system of government.<sup>8</sup> Queensland electoral law, which constitutes Queensland's parliament, is at the heart of its governmental affairs.

Further, the *Commonwealth Electoral Act* does not purport to form a code covering the affairs of political parties. That Act allows state divisions of parties to register for national elections and provides for certain benefits (eg funding for Senate and House candidates) and certain burdens (eg disclosure of certain donations annually). But state divisions of political parties are also governed by a whole host of state laws, from anti-discrimination law through to state laws about registering for state electoral activity. The Commonwealth Act does not purport to 'cover the field' of the finances of state divisions of political parties. Even if it explicitly sought to cover that field, it would be a constitutionally dubious intrusion on the right of each State to regulate itself as a polity.

Finally, there is no inconsistency between Commonwealth disclosure obligations and different State disclosure obligations. <sup>9</sup> It is easy to obey two different obligations to disclose information: a party can file a single disclosure document meeting the lower threshold, or it can produce two spreadsheets. It is common for Commonwealth law to require different disclosure than State law, which businesses subject to overlapping consumer protection, tax or health and safety regimes meet on a daily basis.

<sup>&</sup>lt;sup>8</sup> Known as the 'Melbourne Corporation principle', after a High Court case. The principle expresses itself in many ways. Eg Commonwealth law cannot interfere with employment rules for the state senior executive service.

<sup>&</sup>lt;sup>9</sup> If a valid Commonwealth law is inconsistent with an otherwise valid State law, the State law yields to the extent of the inconsistency: section 109, *Australian Constitution*.

### Matters arising from the Ferny Grove Election

### 1. Disqualified Losing Candidates

If a candidate wins an election, but is proven disqualified, she vacates her seat. That is well established in logic and court precedent. In single member electorates like Queensland's Legislative Assembly a re-election must then follow if the winner was disqualifed.<sup>10</sup>

The close Ferny Grove result raised the different question of consequences of a disqualified losing candidate – in that case a minor party candidate who scored barely 3% of the primary vote. The law already provides a personal consequence for the candidate – possible prosecution for misleading declaration on a nomination form. But there was a false presumption in the media and political chatter that the consequence should also be a fresh election in the seat.

The point has not been definitively settled in Australian law. The ECQ and second placed LNP sought advice but did not proceed with a mooted petition. The High Court has reasoned that, where preferential voting is used, the presence of a disqualified losing candidate is irrelevant. After all, the electors' preferences are counted.

It was suggested that operational preferential voting is different from compulsory preferential voting. Some Queensland electors 'plump' for a candidate or party, like in first-past-the-post. What if there are enough of them to cast doubt on the winning margin?

First, it is almost impossible to find cases in first-past-the-post elections where a disqualified losing candidate has been held to upset the winning margin. This is despite first-past-the-post having been used in the UK, US, Canada and even NZ and Australia for centuries. No one appears to seriously think, in those countries, that a disqualified loser should upset a parliamentary election. The only cases going the other way which I have found, after consulting widely overseas, is a Turks and Caicos Island case, and two Canadian Indigenous Council cases.

Optional preferential voting is not first-past-the-post. It maximises electoral choice, whereas first-past-the-post restricts choice. Every one of the 300-odd people who voted '1' for the bankrupt candidate in Ferny Grove had the choice to give more preferences, which would have been counted. They chose not to; their wishes were respected. In any event, claiming the presence of a bankrupt candidate somehow 'robbed' the electors for him is odd: electors mostly vote for a party, not a candidate, especially where the candidate is little known.

Besides legal principle, there are logical and pragmatic reasons to legislate against the presence of disqualified losing candidates as a ground to challenge an election. There are a myriad of disqualifications. The ECQ can only screen positive qualifications (ie age and being entitled to vote). *Disqualifications* are expressed in the negative: not a dual citizen, not a public servant not on leave, not bankrupt, not guilty of treason or a disqualifying offence. It can be very hard to disprove something. (A point relevant to the discussion around Mr Billy Gordon MP).

<sup>&</sup>lt;sup>10</sup> See the High Court, eg, in Sykes v Cleary (1992) 176 CLR 77 and Free v Kelly (No 2) (1996) 185 CLR 296.

<sup>&</sup>lt;sup>11</sup> Knowingly giving false/misleading information to the ECQ is a serious offence: *Criminal Code* section 98B.

<sup>&</sup>lt;sup>12</sup> Re Wood (1988) 167 CLR 145 at 167, disapproving a Northern Territory case finding that a disqualified loser might affect a result (Hickey v Tuxworth (1987) 47 NTR 39).

It would be too easy for mischief-makers or worse, party operatives, to run an independent/dummy candidate who is known to have a disqualification, in any marginal seat. Then leak that fact to the media, during the count, if the result is very close, to trigger an election petition. This could even be selectively leaked to suit the political climate or to delegitimise an MP or government.

In short the *Electoral Act* (and Local Government equivalent) should provide that the presence of disqualified losing candidate is *not* a ground to petition an election.

In the old common law of elections in the UK, there is a rule that if, during a campaign, opponents make widespread allegations that a rival is not qualified, and a judge later finds that to be true, votes for the disqualified candidate should be 'thrown away'. That rule disenfranchises voters, especially in a first-past the post system. (It led to a bizarre result in the UK, when a safe Labour seat was awarded to the second place Conservative candidate. <sup>13</sup>) It is an ancient rule that only made sense when candidates were not members of parties. It dates to a time when electors gathered in public to discuss and vote for candidates, and any disqualification allegation could be discussed by electors and the candidates, face to face, prior to voting.

Yet that rule has been upheld applied recently after parliamentary elections in other common law countries. Obscure though the rule is, Mr Turnbull MHR's advisers appeared to be aware of it when they made public allegations about the qualifications of his opponent in the 2007 national election, Mr Newhouse. It was proper for Mr Turnbull to do this for political point-scoring. But there was a potential, if Mr Newhouse had won the seat, that Labor voters could have been disenfranchised. The rule has also been held, by a Queensland judge, to potentially apply in a local government election. In contrast, recently a different Queensland judge said that the rule was unfair, in a Torres Strait council election case. The High Court has also implied the rule is unreasonable, but it is arguably part of the law of Australia until overridden by parliament.

It is not a fair rule. Yet it was raised in the media during the Ferny Grove matter (although it was not strictly relevant, as the bankruptcy was not known before the election).<sup>20</sup>

To avoid doubt and unfairness, the Electoral Act (and Local Government equivalent) should declare that the old common law rule that votes for a disqualified candidate might be 'thrown away', is not the law in Queensland.

# 2. The Role of the Electoral Commission in Petitioning Elections

It has not been traditional for electoral commissions to challenge elections. The custom was to leave it up to the major parties or litigants in person. Modern election law explicitly gives the electoral commissions a right to petition. The AEC did so, successfully, after the embarrassing

<sup>&</sup>lt;sup>13</sup> Re Parliamentary Election for Bristol South [1964] 2 QB 257.

<sup>&</sup>lt;sup>14</sup> Eg *Dabdoub v Vaz & Attorney-General* (Supreme Court of Jamaica, 11/4/2008); *Dabdoub v Vaz* (Court of Appeal, Jamaica, 13/3/2009).

<sup>&</sup>lt;sup>15</sup> Newhouse had been a part timer member of a state tribunal at the moment he nominated.

Which boiled down to whether a member of a state tribunal whose tribunal membership is terminated by nominating for national parliament, still was disqualified for holding an 'office of profit' under the Crown

<sup>&</sup>lt;sup>17</sup> Re Doerr (1981) 56 LGRA 116.

<sup>&</sup>lt;sup>18</sup> Bero v ECQ [2012] QSC 222.

<sup>&</sup>lt;sup>19</sup> Free v Kelly (No 2) (1996) 185 CLR 296 at 304; also Povah v Coverley (1933) 35 WALR 73 at 79.

<sup>&</sup>lt;sup>20</sup> 'Supreme Court Ruling from Ipswich could Decide Ferny Grove', Queensland Times, 7/2/2015, referring to

loss of votes in the 2013 WA Senate election. It is obviously appropriate for an electoral commission to assume the expense of petitioning in any complex matter where electoral administration has been at fault. In other matters, it is only appropriate for an electoral commission to act as a *neutral party* to litigation – as a friend of the court, presenting evidence and alternative arguments.

In Ferny Grove there was an obvious and well-resourced plaintiff and respondent: the LNP and the ALP. It would not have been appropriate for the ECQ to 'petition' the result, since petitioning makes the ECQ the plaintiff, and a petitioner must plead and argue for a remedy or order. One cannot 'petition' a case under the present Act without pleading a remedy (eg, in the WA case, for the election to be held void). After Ferny Grove, even the ECQ admitted that at most there was a fuzzy or arguable point of law about disqualified losing candidates. It would have been embarrassing for the ECQ, and would have misled the media and electorate, to have the ECQ forced to appear to be asking for the Ferny Grove election to be overturned, when its proper role was to be a friend of the court, for the LNP to attack the outcome and the ALP to defend it.

The Act should empower the ECQ to refer a matter to the Court of Disputed Returns, for declarations and orders. The referral should identify parties with necessary interests in the matter (eg in Ferny Grove the ALP, LNP and possibly the bankrupt candidate). It would remain the case that the costs of 'innocent' parties could be covered by the state, at the judge's discretion.

### 3. Choosing Election Judges

An unedifying spectacle arose with the Chief Justice being accused of interfering with a two-decade old protocol where election judges are appointed by a mechanical roster, at the start of each year, leading to the bench expressing no confidence in the Chief Justice. The Chief Justice responded that the *Electoral Act 1992* explicitly gave him this power. 22

The background and policy are clear. In 1868 Westminster parliament first assigned its power to resolve election petitions to the common law courts, at a time when election cases were very common. The judges did not want this power. The initial UK legislation therefore sought to avoid politicising the decision of the Lord Chief Justice to assign election judges, by requiring judges to be appointed by majority vote of their colleagues. In the 20<sup>th</sup> century, the UK parliament then nuanced this with a mechanical roster or 'rota' for assigning election judges.

The reasons for the random assigning of election judges are obvious. It is the same principle we apply to jury selection. We do not have a specialist 'Election Court' because there is thankfully not enough litigation to justify it.<sup>23</sup>

The Parliament should amend the *Electoral Act* by deleting section 137's reference to the overarching, formal power of the Chief Justice to assign a judge to the Court of Disputed Returns. As in the UK today,<sup>24</sup> the *Electoral Act* should enshrine in legislation the current protocol, ie a mechanical roster of judges by seniority, rotating at the start of each year.

<sup>&</sup>lt;sup>21</sup> Valedictory speech of Justice Alan Wilson, <a href="http://archive.sclqld.org.au/judgepub/2015/wilsonj260315.pdf">http://archive.sclqld.org.au/judgepub/2015/wilsonj260315.pdf</a>

<sup>22</sup> Electoral Act 1992 s 137(3).

Queensland in the early days had only a few Supreme Court judges. Until 1915 they sat on election cases with a two-person jury of serving politicians!

<sup>&</sup>lt;sup>24</sup> Representation of the People Act 1983 (UK) s 123.

This roster should cover not just the Court of Disputed Returns (election petitions) but all civil matters under the Electoral Act. These include election-day injunctions. (Criminal charges go through the Magistrates Court. Constitutional cases are not 'under' the Act but about the Act). The rota could also apply to election cases under the Local Government Act.

A random selection principle could also apply to the Court of Appeal. Unusually, Queensland allows an automatic appeal from the Court of Disputed Returns. A roster may not be appropriate given the number of full-time appellate judges is smaller. But two Judges of Appeal and one Supreme Court trial judge, could be chosen by lot to hear any reference or appeal from an election petition.

<sup>&</sup>lt;sup>25</sup> Electoral Act 1992 s 159. For reasons see Queensland Parliament Legal, Constitutional and Administrative Review Committee Report 18 Sept 1999 (Mansfield report)

## Appendix - Voter ID Data from 2015 General Election

The table overleaf matches seat level ECQ data on the number of electors issued 'uncertain identity ballots', with socio-economic data. 'Uncertain identity' ballots are simply declaration votes accepted for scrutiny from electors who did not produce the required ID when voting in person. The data cannot show how many people did not turnout to vote because of a lack of ID or unawareness of the declaration voting option.

Electorates are in order of 'relative uncertain identity'. This is the number of 'ID-less' declaration votes admitted to the count of votes, as a percentage of the total turnout for that electorate. Similarly, the columns for 'relative NESB' and 'relative Indigeneity' give the percentage of NESB and Indigenous electors in each seat. The socio-economic data is sourced from the last census.

Due to an oversight in official recording there is no figure for Toowoomba South.

Seat name	Enrolment	Turnout	Uncertain identity	Turnout %	Uncertain identity %	Relative uncertain identity %	Average Income \$	Median age	NESB	Indigeneity	Relative NESB %	Relative Indigneity %]
Mount Isa	19419	16233	383	83.59	1.97	2.36	38948	32	741	7697	3.82	39.64
Cairns	36290	30934	422	85.24	1.16	1.36	30888	36	5180	6851	14.27	18.88
Warrego	26992	24684	306	91.45	1.13	1.24	29224	37	313	3598	1.16	13.33
Cook	29613	25537	295	86.24	1	1.16	24908	34	10355	17220	34.97	58.15
Keppel	35625	32974	358	92.56	1	1.09	31356	38	876	2240	2.46	6.29
Townsville	32985	28738	307	87.12	0.93	1.07	35672	35	1575	4815	4.77	14.60
Thuringowa	33650	30113	309	89.49	0.92	1.03	34840	31	906	3813	2.69	11.33
Barron River	38470	34043	336	88.49	0.87	0.99	34684	38	2958	2542	7.69	6.61
Gladstone	35381	32081	304	90.67	0.86	0.95	38376	34	866	1900	2.45	5.37
Waterford	35400	30797	290	87	0.82	0.94	28704	32	2575	1872	7.27	5.29
Mackay	29674	26541	240	89.44	0.81	0.9	35620	35	1092	2615	3.68	8.81
Hinchinbrook	33562	30409	269	90.61	0.8	0.88	29536	40	2140	2345	6.38	6.99
Currumbin	34548	30227	262	87.49	0.76	0.87	27872	41	1165	849	3.37	2.46
Nanango	34615	31808	277	91.89	0.8	0.87	21892	42	576	1387	1.66	4.01
Burnett	34006	31349	259	92.19	0.76	0.83	22620	44	760	1040	2.23	3.06
Mulgrave	30754	27266	220	88.66	0.72	0.81	27872	33	2571	8454	8.36	27.49
Whitsunday	36809	32960	260	89.54	0.71	0.79	36816	36	1067	1579	2.90	4.29
Bundaberg	29945	27450	213	91.67	0.71	0.78	21944	41	1030	1889	3.44	6.31
Coomera	39110	34367	265	87.87	0.68	0.77	31252	36	2225	1043	5.69	2.67
Caloundra	33483	30388	232	90.76	0.69	0.76	26156	42	922	861	2.75	2.57
Callide	30449	28008	211	91.98	0.69	0.75	22828	41	559	3349	1.84	11.00
Toowoomba North	35143	31980	238	91	0.68	0.74	28652	37	835	2149	2.38	6.12
Hervey Bay	36284	32703	239	90.13	0.66	0.73	20592	45	1148	1677	3.16	4.62
Maryborough	35190	32382	234	92.02	0.66	0.72	20540	44	507	1800	1.44	5.12
Surfers Paradise	34925	29380	211	84.12	0.6	0.72	31616	39	5543	409	15.87	1.17
Broadwater	33794	29271	204	86.62	0.6	0.7	27352	44	2655	585	7.86	1.73
Ipswich West	34418	31351	216	91.09	0.63	0.69	28756	36	670	1911	1.95	5.55

Southport	34899	29770	206	85.3	0.59	0.69	25740	36	6714	742	19.24	2.13
Albert	36,716	32,433	222	88.33	0.6	0.68	33280	32	1886	905	5.14	2.46
Pine Rivers	33663	31086	210	92.34	0.62	0.68	34424	34	1472	954	4.37	2.83
Beaudesert	35644	32535	219	91.28	0.61	0.67	27092	40	941	1264	2.64	3.55
Mirani	34105	31471	207	92.28	0.61	0.66	35464	36	531	2156	1.56	6.32
Mundingburra	30174	27037	175	89.6	0.58	0.65	31564	33	1781	2606	5.90	8.64
Mudgeeraba	34117	30169	189	88.43	0.55	0.63	30212	38	2740	481	8.03	1.41
Bundamba	38435	34138	210	88.82	0.55	0.62	32864	29	2646	2314	6.88	6.02
Ipswich	33371	30509	187	91.42	0.56	0.61	28964	34	802	1892	2.40	5.67
Redcliffe	34185	31102	190	90.98	0.56	0.61	26988	43	1334	1053	3.90	3.08
Condamine	36667	33979	202	92.67	0.55	0.59	29068	36	908	1961	2.48	5.35
Dalrymple	30197	27210	160	90.11	0.53	0.59	27040	38	1099	3532	3.64	11.70
Noosa	35872	32454	191	90.47	0.53	0.59	27040	45	1412	475	3.94	1.32
Yeerongpilly	34353	31031	176	90.33	0.51	0.57	34684	34	4636	547	13.50	1.59
Capalaba	32766	30079	168	91.8	0.51	0.56	32968	36	1374	826	4.19	2.52
Logan	30724	27633	153	89.94	0.5	0.55	31356	34	2372	1080	7.72	3.52
Gympie	33448	29939	163	89.51	0.49	0.54	22360	43	640	1202	1.91	3.59
Rockhampton	32696	30002	162	91.76	0.5	0.54	29588	35	916	3070	2.80	9.39
Southern Downs	33875	31321	170	92.46	0.5	0.54	24492	41	1135	1740	3.35	5.14
Gaven	35345	31241	166	88.39	0.47	0.53	29796	35	2651	882	7.50	2.50
Mount Ommaney	31682	29216	155	92.22	0.49	0.53	37908	37	4772	310	15.06	0.98
Algester	32,147	29,108	152	90.55	0.47	0.52	34788	33	5583	814	17.37	2.53
Buderim	33086	29696	154	89.75	0.47	0.52	29016	42	958	473	2.90	1.43
Mansfield	30114	27280	142	90.59	0.47	0.52	31512	37	6616	559	21.97	1.86
Maroochydore	36649	32170	165	87.78	0.45	0.51	28860	40	1251	665	3.41	1.81
Redlands	34028	31142	160	91.52	0.47	0.51	28912	40	1066	837	3.13	2.46
Sandgate	33014	30341	154	91.9	0.47	0.51	33176	38	2152	947	6.52	2.87
Cleveland	34947	32110	161	91.88	0.46	0.5	32708	42	1845	962	5.28	2.75
Greenslopes	31871	28924	146	90.75	0.46	0.5	40352	34	3549	632	11.14	1.98
Kawana	35998	32310	163	89.75	0.45	0.5	26312	39	1168	729	3.24	2.03

Nudgee	35099	31693	158	90.3	0.45	0.5	34164	35	3934	1259	11.21	3.59
Burdekin	31622	28743	137	90.9	0.43	0.48	30836	38	1657	2912	5.24	9.21
Glass House	35425	32095	153	90.6	0.43	0.48	26676	41	970	880	2.74	2.48
Bulimba	34284	30917	146	90.18	0.43	0.47	45448	34	2899	643	8.46	1.88
South Brisbane	33902	29410	137	86.75	0.4	0.47	37804	32	7664	538	22.61	1.59
Gregory	26529	24119	111	90.92	0.42	0.46	37908	33	427	2693	1.61	10.15
Nicklin	34129	30916	141	90.59	0.41	0.46	25896	41	877	969	2.57	2.84
Mermaid Beach	35102	30053	132	85.62	0.38	0.44	29588	39	4816	341	13.72	0.97
Springwood	33396	30381	133	90.97	0.4	0.44	35308	36	2644	635	7.92	1.90
Ashgrove	33278	30,397	128	91.34	0.38	0.42	42276	35	2021	445	6.07	1.34
Brisbane Central	34465	29283	124	84.96	0.36	0.42	45396	31	7232	492	20.98	1.43
Burleigh	34845	30316	126	87	0.36	0.42	29172	38	2099	708	6.02	2.03
Pumicestone	37587	33920	143	90.24	0.38	0.42	22724	44	1095	1553	2.91	4.13
Chatsworth	34653	31623	131	91.26	0.38	0.41	38168	36	4533	625	13.08	1.80
Lockyer	33523	30888	127	92.14	0.38	0.41	26416	36	1352	1279	4.03	3.82
Mount Coot-tha	31760	27835	111	87.64	0.35	0.4	44512	30	3792	268	11.94	0.84
Inala	31518	28261	109	89.67	0.35	0.39	25844	32	3027	2347	9.60	7.45
Ferny Grove	32479	30096	113	92.66	0.35	0.38	37908	37	1290	554	3.97	1.71
Woodridge	31270	27060	103	86.54	0.33	0.38	25532	30	4660	2585	14.90	8.27
Everton	32587	30103	110	92.38	0.34	0.37	37648	36	1741	536	5.34	1.64
Clayfield	34641	30961	110	89.38	0.32	0.36	43108	36	3654	494	10.55	1.43
Moggill	33250	30568	103	91.93	0.31	0.34	39988	39	3033	228	9.12	0.69
Sunnybank	30791	26995	92	87.67	0.3	0.34	24440	33	15764	826	51.20	2.68
Morayfield	33340	30273	97	90.8	0.29	0.32	29900	32	915	1403	2.74	4.21
Kallangur	33394	30449	90	91.18	0.27	0.3	33228	34	1101	951	3.30	2.85
Murrumba	39133	35140	106	89.8	0.27	0.3	30316	34	1589	1505	4.06	3.85
Indooroopilly	30294	26484	77	87.42	0.25	0.29	32396	29	5975	184	19.72	0.61
Stretton	33062	29281	83	88.56	0.25	0.28	29796	32	18930	383	57.26	1.16
Stafford	32027	29197	80	91.16	0.25	0.27	38428	35	2890	785	9.02	2.45
Aspley	31391	28863	70	91.95	0.22	0.24	35776	40	3789	445	12.07	1.42

Lytton	32733	29885	70	91.3	0.21	0.23	33852	38	1665	1091	5.09	3.33
Toowoomba			NIL									
South	34314	31222	AVAILABLE	90.99	#VALUE!	0	29744	37	1764	1437	5.14	4.19