

The Research Director  
Law Justice & Safety Committee & Estimates Committee  
Parliament House  
Brisbane 4000

5 June 2010

Sir,

Do thank Gail Easton, Executive Assistant for the opportunity to comment on this most comprehensive well laid out questionnaire on this topic. Although this subject is intended for revision of local council elections I see it as a model for all elections. Although I show a bias towards First-Past-The-Post system which favours party politics (that I think are not essential) and tending to abrogate the rights of some, (such as absentee voters, invalids and the voting rights of those with reasonably valid property interests) I am aiming for simplicity, reduced cost and ease of administration by the Electoral Commission in the belief that despite these unsophisticated simplifications and my recommendation that compulsory voting ought to be abolished, there will be sufficient majority interest by even my politically lackadaisical fellow Australians for generally acceptable results to be obtained in a cost effective manner.

My responses :-

#### DIVISIONS

- 1 *Are the procedures for the division of councils adequate ?* At least for public voting purposes dispense with divisions within councils.
- 2 *If not what changes are required ?* Council officers once elected can sort out their own division to be responsible for if that facilitates internal administration.
- 3 *Error margins ?* If divisions by individual councils are to be created for operational convenience only then error margins are their own concern.
- 4 *Should the mix of divided and undivided and that decision remain with councils ?* From the public's perspective councils should not be divided but retain their right to decide matters for their own divisions if convenient.
- 5 *Other matters the Committee should consider ?* I cannot think of any matters that the state government should concern itself with pertaining to divisions and suggest, even if there are, that less intervention by the state is preferable.

#### ADMINISTRATION OF ELECTIONS

- 6 *Should the ECQ or council CEOs be responsible for quadrennial elections ?* The Electoral Commission of Queensland should be responsible for the quadrennial elections rather than any decisions by a council CEO.
- 7 *If so should the new Act allow more flexibility ?* No.
- 8 *Is the time for the close of rolls and the date of elections appropriate ?*  
Yes.
- 9 *What changes if any should be made to the timing ?* None.

#### CANDIDATES

- 10 *Is the nomination process adequate ? Why ?* The nomination process is adequate as far as that being done by at least six electors of that area, but invalid if it permits a candidate to be nominated by the registered officer (or indeed any representative) of a political party. Such a nomination must be rejected as party politics should have no place in any level of government if we are ever to get to the ultimate position when every vote in every level of our democracy is that which is the very rarely used "conscience vote". While the Queensland State Government's stated remit in this exercise is limited to the election of councils and quite properly (while we still have state governments) to exercise prudent state control thereof, it could be used as a template for uniformity for all elections throughout this nation. Therefore further points related to this issue of candidates and that of current political practice is included at the end of "Other Issues" (Item 39 below).
- 11 *Does the current system encourage a diverse range of candidates ?* Yes.
- 12 *Should a candidate be required to live in the area in which they stand ?* Yes.
- 13 *Should a councillor be required to live in the area for their whole four year term ?* Yes.
- 14 *Should a person be able to stand as a dual candidate ?* Yes
- 15 *Should the new Act allow mayors to be appointed by their fellow councillors ?* Yes.
- 16 *Are the requirements for disclosure of campaign funding sufficient ?* Yes.
- 17 *Should candidates make disclosures before, progressively during and after an election period ?* Yes.
- 18 *Should all disclosure requirements, such as values, disclosure periods and who must comply be standardised ?* Yes.
- 19 *Should particular fundraising activities for local government elections be prohibited ?* Yes

#### ELECTORAL SIGNAGE AND ADVERTISING

- 20 *Should how-to-vote cards be free from promotional content ?* Yes.
- 21 *Should how-to-vote cards be standard for all candidates ? If so should these be provided in all polling booths and postal packs by the ECQ ?* The only how-to-vote cards ought to be only those standardized and produced by the ECQ which allow only ONE for each candidate for that polling booth's area and positioned INSIDE the booth. The current practice of having early morning squabbles among party supporters closest to the entrance of polling booths has been cause of dangerous personal conflicts. The cost of producing advertising material disadvantages minor parties and independents and the littering of booth precincts constitutes environmental vandalism. In addition it is disconcerting for the majority of the populace not only to have to wade through this phalanx of party supporters, but their very presence implies that would-be-voters are not intelligent enough to know who they want to vote for. In the unlikely event of there being any would-be-voters who genuinely wish to be informed about the candidates, standardized details of their name, qualifications and aspirations for that electorate should be on their how-to-

vote card clearly visible on an internal wall of the booth. If the text on this card does include mention of any political party or group that text must all be in the same font so that the effect is more for information rather than blatant advertising.

- 22 *What promotional material should be allowed during the campaign period and at polling booths on election day ?* There should be no electioneering on Election Day whatsoever and definitely no promotional material in polling booths. Candidates should be free to advertise in the regular media or the Internet providing that it is contained only within the two weeks prior to the vote.
- 23 *Should the placement and amount of election campaign material be standard all local government areas ?* Yes.
- 24 *Should a media blackout period apply for local government elections ? Why ? For how long ?* Yes. As indicated in response to Question 22 two weeks ought to be sufficient time for electorate to be informed of the choices they have and Australians do not need to have contestants trying to out spend each other with advertising etc. as they do in the USA.

#### COMPULSORY VOTING

- 25 *Should voting remain compulsory ?* No. Most countries wisely do not have compulsory voting. Our authorities do not or should not have the time or the resources to police compliance with compulsory voting and if a serious downturn in the quality of lifestyle occur, the governing bodies would hear about it soon enough.

#### POSTAL VOTING, PRE-POLLING AND ABSENT VOTING

- 26 *Should the option of a postal vote be extended to all voters in every area ?* No. On the basis that these special cases involve a minority, do away with these systems altogether. While it may seem unfair in the interim period before the National Broadband Network becomes fully implemented to disenfranchise those unable to attend polling booths, what has to be kept in mind here is that only a majority vote is required to have a good indication who should be elected. Even though every governing body likes to come across as a caring institution councils and governments throughout this land are currently so short of funds that it is essential to reduce costs, so it is better in the current economic climate to be practical rather than cater for every theoretical principle or whim.
- 27 *Should a full postal ballot be automatic for some local government areas ?* No. When the Electoral Commission is geared up for Internet voting and validating those individuals transmitting votes by computer, postal votes will be old hat.
- 28 *Should the criteria for pre-polling and postal voting be abolished ?* Yes.
- 29 *Does the restriction on voters to attend only polling booths in a division in which they are enrolled adversely affect voters ? If this were altered what impact would that have on the administration of the elections ?* As indicated earlier divisions should not exist within a council for political purposes only for administrative purposes. So where divisions exist and if voters were permitted to attend any polling booth it would probably be to

- their advantage because they would be likely to travel to the nearest booth to their residence even if it happened to be in another division.
- 30 *Should the new Act allow absent voting ? If so should this be restricted to absent voting within a local government area only ?* No.

#### PROPERTY FRANCHISE

- 31 *Should the right to vote in Queensland local government elections be extended to non-resident property owners within an area ? If so should this apply to overseas visitors ?* No. Again it does not seem fair denying what appears a legitimate right, but keeping it simple saves bureaucratic bungling and, more important, expense.
- 32 *Should voting rights be extended to non-resident occupiers ?* No.
- 33 *Should multiple persons be able to claim non-resident voter eligibility for one property ?* No.
- 34 *Should people based on the number of properties they own be entitled to more than one vote per division ?* No.
- 35 *Who should be responsible for the creation verification and maintenance of a non-residents electoral roll ?* No. Not required in view of answers 31 to 34.

#### VOTING

- 36 *Which voting system is most appropriate ?* First-Past-The-Post voting is best for any council or government election because even if it has the drawback of perpetuating major party politics, it is the most readily understood system by the voters.
- 37 *Would different voting systems work better for different sized areas ?* No. There seems no justification for confusing the electors with system variations.
- 38 *Should Proportional Representation be introduced for Queensland local government elections ?* No.

#### OTHER ISSUES

- 39 *What other issues should the Committee consider in relation to this inquiry?*

Local, State and Federal elections should be held in similar manner.

The length of election campaigns should not be any longer than they are already.

No advertising spruikers should be cluttering up polling places or thereabouts.

The Electoral Commission should nominate the time when voting by electronic means can be properly validated and put into use.

While it is nice to think that access to positions of office serving the nation are open to any individual, the mistakes, failures, scandals and

misappropriations have been so many in recent history that it is long past time for mandatory minimal qualifications to be met before any aspiring candidate is nominated. Having charisma, celebrity status or academic degrees are not essential prerequisites, but proven mental stability, a track record of integrity, some powers of logic and the ability to express views clearly could be useful starting points.

Continuing from notes in Question 10 regarding candidates and elaborating on current practice: -

Everybody knows that political parties want legislation passed which, before all else, suits that party's agenda and prospects at the next election. Thus this objective is entrusted to the party Whip to be sure that the numbers are there prior to voting. If in this way some council or government political voting office bearers are being coerced, it is reasonable to assume that the resulting decisions may not necessarily be in the best long-term interests of Australians, even if some voting members actually bothered to gather or guess the thoughts of the constituents they are responsible to. What is thought best or convenient to the group or party at the time and adopted may not always be foresighted enough to serve our people well in the long term and indeed may undermine faith in democracy itself. It is for this reason, instead of relying on our Federal politicians that an additional safeguard should quite easily be inserted in Clause 128 of the still existing old Australian Constitution to enable a specified number of Australian citizens to propose referendums. Although it may not be possible to outlaw any collusion by the power brokers, if the lamentable history of calling referendums in this country is any guide, it is likely that any referendums raised by the people would attract less scepticism than any proposed by those politicians currently being the only ones entitled to do so.

Thanking you for this opportunity,

Yours faithfully

  
Gordon W N Moore