Submission No.5

Arnold Sandell

12th October 1998

The Secretary
Legal, Constitutional and Administrational
Review Committee
Parliament House
George Street
BRISBANE Q 4000

Dear Sir

Thank you for sending me the details of your Inquiry into issues of Electoral Reform. It has enabled me to make this submission for your consideration.

It was most pleasing to read that in his judgement the Honourable Mr Justice Mackenzie made mention more than once of the comments EARC had made on this subject. I was one of the most ardent supporters of EARC and made many submissions to that organisation including one which included comment on how to vote cards.

Unfortunately due to circumstances well beyond my control I had to destroy my EARC library including copies of all my submissions. However my basic approach to how to vote cards has not changed.

First a general observation and a scene I have witnessed many times over the years. The recent Federal Election provided an excellent example. The Electorate of Forde had 7 candidates. At a major booth it was possible to watch voters and see just what they did. Many voters, in walking to the first reporting desk would take how to vote cards from every candidate offering them. In the very brief walk from here to the inside of the booth would never he sufficient to allow perusal of all the cards held, and a decision to be made.

Why did they take all the cards? It couldn't be that they had not made the decision on the candidates they would vote for. It is more likely they did not want to disclose their preference by accepting cards from one source which could be apparent if they did favour one source only. It may also have been a desire not to embarrass the workers by refusing to accepts their cards.

Whatever the reason it highlights the tremendous waste of how to vote cards, and supports the theory of the doubtful positive value of these cards.

Paragraphs 153 and 154
This submission makes 3 recommendations in respect of the above paragraphs.

Recommendation 1
1. How to vote cards in their present form be completely abolished
2. Candidates affiliation to be shown against their name on the ballot paper
3. Party and independents' preferences would be shown in each polling booth so that the voters can follow this when actually casting his/her vote.
4. These would be all exactly the same size and conform to standards and sizes to be laid down by the Electoral Commission.

It is not known just how much is spent on how to vote cards, but is must be a considerable amount. It could well result in a reduction in the amount paid after the election to those who obtained the required percentage of primary votes to warrant this payment.

Recommendation 2
1. This recommendation supports the suggestion made by Mr Justice Mackenzie in paragraph 154.
2. This suggestion is simple, would be inexpensive and would probably be sufficient to solve the problem.

Recommendation 3
Is it possible that one how to vote card by reason of its size, colour, design be sufficiently powerful to make a voter change his mind about the candidate he intended to vote for.

While this may not be illegal it is beyond the normal understanding of the role of how to vote cards.

This recommendation would place the responsibility for how to vote cards on the Electoral Commissioner.

This would require an alteration of the existing legislation and would lay down definite guidelines for the printing of cards. It would include lay out, size, maximum details, and a clear indication if a party is involved.

It many even consider a sample be given to the Electoral Commissioner for approval or rejection.

Paragraph 155
While Mr Justice Mackenzie puts forward a quite reasonable case for the re-introduction of an appeal, this submission does not accept this argument.

It is recommended that the current legislation is allowed to stand and S141 continue to preclude any appeal.

In these instances speed is paramount, although this does not necessarily follow it would be at the expense of Justice, or correct legal interpretations.

Voting
Although this is not under the microscope of the committee, a brief comment may not be out of place.

The change to optional preference voting has not succeeded to the extent hoped for by its adherents.

It is somewhat contradictory surely to have compulsory voting to be followed by a voluntary system of vote casting.

This submission would recommend the committee place this on its agenda for consideration in the near future.

Public Meeting
Should the committee decide to hold a public meeting, advice of such meeting would be appreciated.

Yours sincerely

Arnold Sandell