26 October 1998	Stomission No 24
Mr Gary Fenlon MLA Chairperson	RECET BD
Legal Constitutional and Administrative Review Committee Parliament House BRISBANE QLD 4000	: 627 (99) Staff
Dear Mr Fenlon	811. (

Ray Webber

Thank you for your letter dated 2 October 1998 relative to your "Inquiry Into Issues of Electoral Reform Raised in the Mansfield Decision".

Reflecting on what happened in relation to the 1995 July 15 State Election in Toowoomba North and the subsequent commitments by the previous Borbidge Government to wipe out such practice (Refer Attachment D) by political parties issuing "Bogus How to Vote Cards" at electoral booths one would have thought such problems would have been abolished several years ago.

I have attached documents marked A to E which indicate historical reference to what has happened in the past. This reveals this practice of issuing "Bogus How to Vote Cards" is a completely undesirable practice particularly in a highly democratised society, and had there been a greater degree of commitment to eliminating this practice it could have not been the subject of this inquiry.

We are all aware that the philosophy of "Preferential Voting" is a democratic process of recording your vote however there does appear to be a major anomaly relative to optional preferential voting method as it provides the mechanism of producing "Bogus How to Vote Cards" so therefore it projects to the community there is underhand methods of voting taking place with the general perception by the community that the "Political Parties" are up to their usual dirty tricks again. A perception which is completely justified.

Therefore it is rational to analyse that the process to be adopted is the compulsory preferential voting methods. It certainly prevents the major problems that are associated with the optional preferential voting with its connection to "Bogus How to Vote Cards". A man made process to deceive and to gain electoral advantage.

It is obvious such problems do not occur in Federal Elections who use the compulsory preferential voting method under which to record a valid vote, an elector has to mark an order of preference of all candidates on the ballot paper. Therefore the solution to this problem stands out which means the adoption of the "Compulsory Preferential Voting Methods".

Thank you for allowing me to express my views relative to this matter and should you require further information do not hesitate to contact the writer.

Ray Webber

Enc. Submission Attached



This proceeding interferes with the " nights of an Independent Conductate. Who has staten "to whom his preferences thould go. I The Autoration labor Prety is posing doing advising the Independent Conducter in they advised the the they about the the the second the the the second the

ALP vote cards set 'poor example'

The Labor Party had set a poor example to school children and students by circulating misleading how-to-vote cards, Independent candidate for Toowoomba North Mr Ray Webber said.

Campaigning at Wilsonton on Saturday, Mr Webber said the Labor Party distributed green cards advising voters to allocate their second preference to ALP candidate Mr Des McGovern if voting for an independent.

Mr Webber's how-to-vote cards directed preferences to Coalition Member Mr Graham Healy.

While the cards were not an offence under electoral laws, Mr Webber and the National Party have expressed their disgust at the practice.

al seats throughout the State.

Mr Crooke said Labor had refused to support the Coalition in amending the electoral laws to ban the practice.

But ALP Toowoomba North campaign director Mr Hugh Wilson defended the how-to-vote cards.

"They are clearly identified as ALP. They were not there to mislead and we weren't putting them out as Ray Webber's (cards)," he said.

out as Ray Webber's (cards)," he said. Mr Webber said, "It gives a fair indication to what length Goss Labor will go to." 7-95



FINAL RETURN OF VOTING STATISTICS

Electoral District of

TOOWCOMBA NORTH

21,305 _____ Number on roll gualified to vote _

I certify that the following is a correct statement of the votes taken at polling booths and as declaration votes on the FIFTEENTH day of

JULY,

____, for the election of a Member of the Legislative Assembly of Queensland for the abovementioned Electoral District.

Poiling Booth No.	Names of Polling Booths (in alpha sequence) (If more than 23 booths: Commence booth details overleaf)	1st Preference Votes for: (in figures) * McGOVDRN, Des.	1st Preference Votes for: (in figure) *WEBBER, Ray	1st Preference Voles for: (In figures) , HEALY, Graham	1st Preference Votes for: (in figures)	1st Preference Votes for: (in figures)	1st Preference Votes for: (In figures)	tst Preference Votes for: (In fgume) *	tst Preference Votes for: (In figures)	Valid Votes	informal Votes	Totai of Votes
1	BRISBANE CITY HALL	10		18						(29)	ST. TANK	30
2	EARLAXTON	514	58	684 132		SADAMAN AND AND AND		1011220000000000000000000	1.The Distance in the second second	1256	33	1289
3	HARLAXTON NORTH	152								301		307
4	HARLAXTON SOUTH	470	54	655						1179	13	1192
5	HUME STREET	69	42.36	96	ALC: NO.		100000 (Text) 96	Sec. 1. Denned	in in the second	169	6	175
6	MT. LOFTY	146	17	223						386	5	391
7	NEWTOWN	727	59	932	A Contraction of the second	With the second second	S. S. Sandara			0728	#0	1758
8	NORTH TOOWOOMBA BAFF STREET	699	68 28	758 241					÷	1525	33	1558
9	RAFF STREET	699 206	- 28	241	1997, 2007, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 201 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017, 2017,	174 M				475	9	1.84
10	ROCKVILLE	572	54	615						1241	20	1261
11	TOOWOOMBA CENTRAL	90	9	121	Sector Contraction		A SALE AND A	and a start and a start	and a state of a	023	eren Z	2227
12	TOOWOOMBA EAST	639	59	967	1	1				1665	35	1700
13	TOOWOOMBA PREP ASCHOOL	639 197	33	699		mante l'ilder an		anali - radi mana	and the second second	929	7	936
. 14	TOR STREIT, NORTH	742	60	1213						2015	31	2046
15	WILSONTON	1092	210	1902		g la maria			Neg. 1.de	3204	58	3262
16												
17										1.2.2.2	An	10.1

22 23	5	ang tanàn ang ang ang Taona ang ang ang ang ang ang ang ang ang a										107001782-0			
Polling Booths Totai:		6325		 	9256		a state prove			10 C 12 K	i Latar Maria ang ang	16312	304	16616	
Postal Votes and Special Postal Votes:		217		39	393				A. C. maraner	an an a start and a start a st Start a start a	- Alexandren	637	<u>s</u> 8	645	
Declaration (Unenrolled) Votes:		3	12	uttoon trays	4450335000	and the second second	a sacatteaante	1181 - 1111	ianesiati uni			4		4	
Pre-Poll (In Person) Votes:		217	and the second secon	31	······································							620	4	624	
Polling Day Absent Votes:		632	NUMBER TREPONELIST	88	1. m.m.m.g.m							1657	23	1680	
Electoral Visit Votes:					HG 50		a and all all a		ersenstannenne Standarder	Sales and the second second	an a	89 92	1	8	
	Declared Institution Votes: Remote Areas (Mobile Booths) Votes:			28 4		50 2722377			900				74		93
Declaration and P	<u></u>		1138	and an and a second				a since a			an a	ninger (f. 1997). I	3099		
Grand Total First						1756							19411	<u> </u>	3135
Candidates	First	Next in Order	7463	5 936 Next in Order		1		w Nextin	*	New	Next in Order	 New	Next in Order		19751
GALICALO ESS	Preferences	Preference Votes of 1st Excluded Candidate	New Totale	Preference Votes of 2nd Excluded Candidate	New Totals		Jard Jard	246	ence of 4th ided	Totais	Preference Votes of 5th Excluded Candidate	Totals	Preference Votes of 6th Excluded Candidate	Totals	Remaining in Count
		(Sumame)		(Sumame)		-(Sumi	Saue)	(Sum	eme)		(Sumame)		(Sumame)		
McGOVERN.	7463	1293	7756	18 M 19 W 2 12 W W 11		24	3 4	D7.	32555 IN 7-3						37.20103.701
WEBBER S	11012		10/100		i dirades	44		Olo Pro	32.23. 1	GAL BALLANATION	Maria Maria		202120	(
	A LONE	N.F.	11459			44			fore a	10000	PECTED-80	a theray	Per Contraction		2 3 3 3 3
alanti talini i tatati ta	ann an Air ann an Air ann a' Air a	NGG CHANNEL CHANGE	and a subsection of the subsec	AND	n sunna man	10	10 10	still be	NEWTORNAL ST	Acu to	Vi-te Cora	dici	fleet 1-	efono-	and a state of the
										TALLES .				1	State 102
Total Volus Remaining in Count:	19411	1	19215												
Exhausted		<u>- 196)</u>	195 340	a set in the		2				San Inter			ant incertainings All incertaints the		Standerta :
	19751	936	19751			1		б. 							
Total Votes:		a survey and the line of the second			New Street and the second	- C1 - C									

Nationals want 'misleadi how-to-vote cards out

A resolution by Toowoomba North branch of the National Party calling for "misleading" how-to-vote cards to be outlawed was carried by the National's annual conference over the weekend. tin

Member for Toowoomba 🛬 North Mr Graham Healy moved the resolution followng what he described as a 'sly and far-from-honest :ampaign" conducted by the Labor Party in Toowoomba n the lead up to the July 15 State election. 21.5.

He said the ALP had issued hogus how to vote cards in this resolution was passed an attempt-to-confuse supporters of independent. Ray Webber into giving a prefer-ince vote to the ALP's canmdidate.

The resolution was seconded by the Opposition Leader, Rob Borbidge, who told conference he would be pursuing the introduction of a private member's Bill that could lead to a maximum \$6000 penalty for non-compliance with voting card provisions.

"I am extremely happy that unanimously, and I am equally happy that the Opposition Leader felt the issue was of such fundamental importance that he took the unusual move of seconding a branch resolution," Mr Healy said ..

He said the resolution was now "cemented in party policy" and would ensure that a Coalition government would . put an end to the dishonest " campaign tactics employed by the ALP.

"Quite frankly, people are cynical enough about politicians and politics generally and the last thing they want to see is candidates trying to mislead and dupe them into. voting for something they disagree with," Mr Healy said.

"What the ALP tried to do in Toowoomba was legal, but it ran against the very princi-" ples on which I believe democracy is based. Under a coalition, that sort of misleading voting material will lead to a hefty fine," Mr Healy said.



F

Parliament House George Street BRISBANE GLD 4000

Telepnone: Facsimile: (07) 3406 7258 (07) 3406 7070

LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE

TRUTH IN POLITICAL ADVERTISING

ISSUES PAPER

On 2 May 1996 the Committee resolved to conduct an inquiry into the general issue of truth in political advertising. To assist in its inquiry, the Committee has called for submissions from members of the public and interested parties.

In order to assist persons who wish to provide submissions, the Committee has prepared an issues paper, a copy of which is enclosed for your information.

The Issues Paper provides information on the matter, including the scope of the Committee's inquiry and identifies the issues which the submissions to the Committee should address.

The Committee looks forward to receiving input from interested individuals and bodies and therefore invites your submission.

Please note that the closing date for submissions is 19 July 1996.

Judy En

Judy Gamin MLA Chairman

30 May 1996

- 5 JUN 100R

Ray Webber	
26 October 199	8

Gary Fenion MLA Parliament House George Street BRISBANE QLD 4350

Inquiry into Issues of Electoral Reform Raised in the Mansfield Decision

Dear Sir

My submission relative to the above mentioned subject heading for consideration by the Legal. Constitutional and Administrative Review Committee.

Paragraph 153:

Justice Mackenzie's proposal to incorporate an inexpensive measure which neither limits solicitation of preferences nor inhibits freedom of debate (very democratic) would be to require all cards distributed with a view to obtaining second and subsequent preferences, to bear on their face (front and back) if necessary the name of the party on whose behalf or on whose candidates behalf it is distributed. This also applies to independent candidates.

The writers recommendation is to ensure Section 161 - Electoral Act should be amended to read the name of the party or person to be incorporated at the top of "How to Vote Card" being handed out with the size of the print being consistent with other print on the card. Justice MacKenzies comments relating to the information that it should be printed in a type size which is sufficiently large enough to be easily read and is not overwhelmed by other printing on the card. The act should be clear at Section 161, and should stipulate the size of the printing on the card or give a clear indication of the size. This prevents manipulation by agents of political parties.

Paragraph: 154

Justice MacKenzie's remark "In view of the inexpensive nature and simplicity of implementation, and the fact that it promotes the ideal of voters being fully informed before they decide whether to give a second or subsequent preference and if so to whom, consideration should be given to amending the Electoral Act accordingly."

It would be difficult to agree with such remarks that the ideal of fully informing voters is more important (if that's possible) than not infringing or trespassing on the democratic rights of the independents or One Nation candidates who have informed the public what their desired preference voting intentions are - and which are already spelled out on their "How To Vote Cards." This proposal does not correctly provide the solution to the problem.

Paragraph: 155

The Right Of Appeal is inherent in our system of justice and should be applicable in this particular case - and the Act should be changed accordingly.

It would be obvious to a rational person that the correct solution to this problem is the Federal Election method of preference voting, namely "Compulsory Preferential Voting" which is the only process that can eliminate such problems completely. No evidence of "Bogus How To Vote Cards" in the recent Federal Election.

There is an inherent risk in "Compulsory Preferential Voting," which was exhibited in the recent Federal Election. The major political parties ganged up on "One Nation" and put them last on their How To Vote Cards. This problem could arise at the next Queensland State Election.

One problem is solved and another is created.

Ray Mebber Ray Webber

-