



ELECTORATE OFFICE

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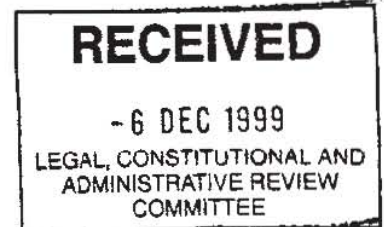
**PAUL LUCAS MLA**  
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Our ref: LAQARC  
Your ref:

1 December 1999

Mr G Fenlon MLA  
Chair  
Legal, Constitutional and Administrative  
Review Committee Parliament  
Of Queensland  
Parliament House  
George Street  
Brisbane Q 4000



*Submission No 17  
Spec 22.1*

Dear Mr Fenlon *G Fenlon*

RE: QUEENSLAND ELECTORAL REFORM

Thank you for your letter of the 3 November 1999 advising of an inquiry into certain issues of electoral reform.

I am more than happy to provide you with my views in relation to the matter. For the sake of accuracy I will refer to matters raised by the Electoral Commissioner in Part A of my letter. I will use the numbering in Mr O'Shea's letter and therefore there will be gaps where I do not seek to comment on his letter. In Part B I will than discuss in more detail the issue of the Commonwealth changes with respect to enrolment.

**PART A - RESPONSE TO ELECTORAL COMMISSIONER'S LETTER**  
**25.10.99**

**3 VOTING MATERIAL (HOW TO VOTE CARDS) DECLARED INSTITUTIONS**

I strongly support the Commissioner's suggestion to amend Section 94(4) of the Act so as to allow polling officials to make available how to vote material to voters in declared institutions. This will mirror the Commonwealth provisions.

It will also ensure fairness of campaigning in declared institutions and, additionally and importantly, it will also now able residents of declared institutions to receive how to vote material where they are enrolled for a different electoral district.

## 9 ELECTION FUNDING AND FINANCIAL DISCLOSURE

I note the Electoral Commissioner has criticised the Commonwealth Electoral Act as it does not require categorisation to expenditure and receipts and annual returns. He argues that this means that persons examining the returns cannot obtain meaningful information in relating to the expenditure incurred so as to discern between donations and other forms of income.

I must respectfully disagree. At the present time the differences in what requirements are imposed by Commonwealth and State Legislation leads to a great deal of unnecessary and costly paperwork. Surely the purpose of financial disclosure legislation is to ensure that any donations received by political parties are reported for the sake of transparency and accountability. We have the ludicrous situation at present where State law requires expenditure of any sort to be reported. The Commonwealth legislation does not. For example, this means that if a political party pays more than \$500.00 to purchase a new typewriter, or pay its phone bill, or buy some carpet for the office, or purchase food for a function, than it must declare it. There is no logical reason why this should be.

I do not agree with Mr O'Shea and his proposition that by adopting the Commonwealth mechanism there will be inability to discern between donations received and other forms of income. Simply, the legal requirement should be to disclose all forms of donations made to, or made by, political parties.

## 10 ELECTORAL ENROLMENTS PROCEDURES

For this matter please see part B.

## 11 MAINTENANCE OF ELECTORAL ROLLS

I strongly support the initiative of examining data matching with other State Government Departmental data. This would also assist interjection of fraudulent enrolments.

### NEW MATTER - ADDITIONAL MATERIAL TO BE INCLUDED ON ELECTORAL ROLL

I understand that at the present time, the Australian Electoral Commission is working with Australia Post so as to ensure the DPID barcode will be supplied to them as part of their electoral roll. This is important information as it aids in accuracy of mail to constituents and also reduced costs for electoral communications. I understand this information will be provided to the Electoral Commission of Queensland. The State Electoral Act should be amended to ensure that this information is also made available to political parties and Members of Parliament for appropriate purposes.

### **PART B - ELECTORAL ENROLMENT PROCEDURES**

I note with extreme concern the Commonwealth Electoral and Referendum Amendment Act (1) 1999 which seeks to make significant changes to enrolment procedures. One can only calculate that these are deliberately designed to disenfranchise voters. So serious is this proposal that, if implemented, I believe that Queensland would have no alternative but to undertake separate enrolment procedures.

It is my understanding that the argument is that it will reduce the potential for electoral fraud. The problem is, however, what is the demonstrated level of this problem at the present time and at what cost will these suggestions deal with it.

I know of **no case** of any election in recent times in Queensland or the rest of Australia where it has been alleged that persons of fraudulent identity have sought enrolment or to cast a vote. The onus is on those who suggest change should be to provide the evidence.

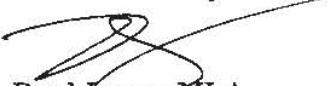
My concern is not so much for electorates like mine that have a very stable population, but for electorates in our tourist based State such as Cairns, the Sunshine Coast, or the Gold Coast this would present real difficulties. Instead of this negative and dangerous suggestion, might I suggest that we give consideration to positive steps towards promoting electoral enrolment. The Electoral Commissions data matching with driver's licences is a good example. Additionally, perhaps a provision can be placed in the Electoral Act requiring school principals to take all best efforts to ensure that all 17 year old students at their school are placed on the electoral roll before they complete the year of schooling.

The real danger with the current Commonwealth Legislation is that it could very easily place insurmountable barriers before persons wishing to enrol and therefore seriously pervert the democratic process. It makes it **less likely** that our Electoral roll will contain a complete record of all persons eligible to vote at and above the age of 18 years in this state.

It reeks of the legislation adopted by certain southern US states so as to disenfranchise African Americans. This included legislation such as only permitting enrolment in the town hall (when most of the African Americans didn't live in that area) or imposing certain literacy tests. I would urge the LCARC Committee to take this issue most seriously.

I hope my submission is of assistance to you.

Yours sincerely



Paul Lucas MLA  
MEMBER FOR LYTTON