



Speech by

JOHN MICKEL

MEMBER FOR LOGAN

Hansard 27 April 1999

RACQ ELECTIONS

Mr MICKEL (Logan—ALP) (12.20 p.m.): Firstly, I want to praise the member for Redlands for pointing out what an excellent contribution the cotton industry makes to rural and provincial Queensland.

During the last sittings of this House, I raised the irregularity of the RACQ ballot for the election of two councillors for south-east Queensland. I did so because I thought that there had been an oversight in the printing slips whereby the signature of the voter was to be placed alongside the candidate after they had voted for that candidate. My comments were, in part, published in the Courier-Mail and, as a result, have elicited more information from the general public.

It now appears that what I thought was an innocent error by the RACQ was a format sanctioned by the RACQ, according to its president, David Barnett, in the Courier-Mail of 20 April 1999, wherein he said that the procedure was in compliance with the club's constitution and by-laws. Mr Barnett made the extraordinary claim that—

"Neither RACQ councillors nor staff have interest in members' identity before or after their eligibility to vote has been confirmed."

What Mr Barnett did not explain was why the RACQ did not issue a secret ballot envelope and a return address envelope on which the membership details and member's signature could be placed. Such a procedure would be within the bounds of acceptability as the barest minimum for a secret postal vote. This is the procedure that occurs in State elections, Federal elections, any council elections and, I am sure, any union election.

Mr Mulherin: The Queensland Irish Association.

Mr MICKEL: I am indebted to the member for Mackay for pointing out that it is also the practice of the Queensland Irish Association. In other words, those are the acceptable secret ballot procedures for postal voting.

With the lack of compulsion to vote, the turnout is oftentimes quite low, and those who can mobilise friends, clubs and associations tend to get elected. However, the RACQ rules close off a democratic election if a minimum of 5% of eligible members in any zone do not vote. I understand that the RACQ has 1,060,000 members, which means that if less than 53,000 people vote then the ballot, according to the by-laws, is deemed invalid.

In the June/July 1997 edition of the Road Ahead, the RACQ President, David Barnett, defended the by-law, saying that there were concerns about the vulnerability to takeover of the RACQ and its assets. So if less than 53,000 people vote, the whole of the RACQ membership becomes disfranchised. As a result, the contested positions are appointed. So the election is declared null and void and, instead, the positions are appointed by the remaining councillors. In other words, 53,000 people or fewer become disfranchised in favour of 12 councillors. So we do not have elections under that process; we have appointments.

I believe that this process is an insult to any democratic procedure and fails the accountability test. Let me explain why. The reselection for the south-east zone was announced with no fanfare. The ballot paper simply arrived attached to the cover sheet mail-out which arrives every month with the Road Ahead magazine. In fact, I ask honourable members to look at it. There is no great fanfare to this ballot paper at all. In actual fact, it comes wrapped in the plastic weather protection so often used with magazines. There is nothing really alerting members to a ballot, meaning that there was no blank ballot

paper, no envelope, no return address envelope and no announcement or letter from the returning officer to announce that there was an election taking place. In other words, there is every likelihood that the vast majority of members were not aware that an election was taking place and simply threw out their ballot paper with the junk mail. Those who realised that there was a ballot paper were then daunted by the fact that they had to sign their names where they had voted. In actual fact, it says "Member's Signature" beside two of the three candidates from which one has to choose.

I noticed that, in a Letters to the Editor column in the Courier-Mail last week, the RACQ President, David Barnett, said that no-one in the RACQ took any notice of the signatures. If that is the case, then why is there a requirement for the signatures in any case? Usually, the signatures are checked against a master list kept by the chief returning officer so that the scrutineers for the candidates can check for fraud or any other irregularity. If, as Mr Barnett claims, this is not being done, then the ballot is becoming more and more farcical.

For instance, many people move addresses without giving the RACQ their forwarding address. These magazines, presumably, are then returned to the RACQ. So there would be nothing to stop a candidate or a sitting councillor gaining access to the returned magazines and simply signing someone's name if there are no checks and balances. I hope that this is not the case; I certainly have not been provided with any proof that that happens. But lack of proper processes in the voting procedure leaves the way clear for this to happen.

I believe that the signature requirement acts as another barrier, preventing people from exercising a private vote. In the Courier-Mail last week, Senator Mal Colston indicated his concerns about the ballot. Whereas I welcome Senator Colston's support for my position, it became apparent in Senator Colston's letter that he simply would not vote because of the signature requirement. In other words, a member of the RACQ—in his case a high-profile member—has been dissuaded from voting. This and all the other impediments guarantee that fewer than 50,000 people will vote, and the vacancy will be filled not democratically but by appointment. This is an affront to democracy that would make even Bjelke-Petersen blush. In essence, the RACQ council becomes self-perpetuating. It rivals the hereditary nature of the House of Lords.

I am advised that only one councillor has ever been elected by the RACQ membership in the last 25 years. For instance, in the 1995 election, one candidate, a Mr Joe Kenny, topped the poll with rank-and-file members. He out-pollled the current president and one other councillor, yet he was not elected—even though, as I said, he out-pollled the president by 25% more votes and the other councillor by 40% more votes. Why was he not elected? He was not elected because the 5% rule cut in and disfranchised those people who had voted for him. As one RACQ member noted, the equivalent in a parliamentary election would be telling a citizen that they could vote, but unless enough people voted too, their vote would be disregarded, the election would be deemed invalid and all vacancies would be filled by nominees of the Governor or the Premier. This person, who was an assistant general manager of the RACQ, said that he had visited automobile clubs all over the world, and he advised that none has anything like the 5% provision in its articles of association. The RACQ is Queensland's largest private organisation, with an annual revenue of more than \$330m. It should be accountable to its membership, with a fair and honest election process whereby all councillors are answerable to that membership. I believe that this is appropriate and the way it should happen.

I have been contacted by a former Commonwealth returning officer who has tried in vain for years to have a fairer and honest electoral system within the RACQ. I understand that the NRMA in New South Wales had fairly restrictive electoral processes before changes were forced upon it. I urge the RACQ to open its processes to its membership. In the October/November 1997 edition of the Road Ahead the RACQ President, David Barnett, said—

"If the public"—

that is, the members—

"disagree with their councillors' actions over time, then they can express their concern through the ballot box. That is the democratic process."

I totally agree with those sentiments of the president. All I am seeking is the same democratic procedures: a secret ballot and democratic branch member elections which are engaged by the community at large. I have no quarrel with the services provided by the RACQ, nor with the individual councillors. All I ask is that democratic procedures reflect the standard of services that the RACQ offers to its members. Let the road ahead be paved with an improved commitment to democratic procedures. I hope the RACQ will listen to this, take notice of it, and act in the interests of its members.
