



Speech by

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MEMBER FOR CAIRNS

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ELECTORAL AND OTHER ACTS AMENDMENT BILL

Ms BOYLE (Cairns—ALP) (6.18 p.m.): In my electorate of Cairns I have sometimes been flattered by compliments on the speeches that I make. Over the years, one or two people have even been kind enough to say to me, 'Desley, you're a hard act to follow.' Now that I am a member of parliament and part of a team, most of whom are very good speakers, my own skills do not show so well. Tonight the situation is such that I should never, if I have a choice again, follow the honourable member for Logan, John Mickel. This is indeed an impossible position in which to find myself.

I am also very distressed by the contents of his speech. While he made clear the dreadful circumstances in which people have gained preselection in the Liberal Party, he did alert me to a situation that I had not previously awoken to. I have been so complimentary of Minister Tom Barton and the Department of State Development for their efforts in securing the new Qantas subsidiary, Australian Airlines, to Cairns, and whilst I thought that their purpose was to bring more tourists to Cairns I now realise that maybe Qantas have got wind of a Liberal preselection in Cairns later this year and that the benefits of Australian Airlines may not be so great.

The important thing that we are doing here tonight is talking about the Electoral and Other Acts Amendment Bill 2002. I wish I had something special and different to say from other members of this House. I do not. My sentiments are those that have been well expressed already. The minister himself has described this bill as heralding a new era in Queensland politics. It is indeed a bill of such significance. It follows, as we all well know, from the Premier's commitment not only to the members of the Labor Party who were shaken by events that revealed some impropriety within the Labor Party but also to the people of Queensland to ensure that the sins of the past would not be possible in the future or, if they were in fact committed, punishment would be swift and severe.

Known now as his Barcaldine commitments, they are embodied within this legislation and I am proud to support them and to support the direct and honest way in which he has faced the problems which have occurred within the Labor Party. He has also signalled his determination to ensure that no political party will be able to commit such crimes as to bear on the integrity of our electoral system.

There are a number of significant reforms and I will not detail them. Some of them include some ways which are intent on restoring public confidence in the electoral process. It is my experience in Cairns particularly that the general confidence that Australians have in the electoral process has not been so badly shaken; that it is those of us who are close to the business of elections who may be more aware of the pitfalls, the risks, the gaps and the loopholes than are the broader community. The broader community knows that in Australia generally, and certainly in Queensland, we have a fine and democratic electoral process that has great integrity—not 100 per cent but, nonetheless, very close to it.

The legislation allows for a modernisation and an upgrading of the standards that surely will be welcomed and will contribute to a greater confidence in the electoral process. That is signalled by the tough penalties that are referred to for electoral offences—tougher penalties in Queensland than in any other jurisdiction in the country.

There are, of course, very importantly, new requirements within the bill for the registration of political parties. The debacle of the demise of One Nation has signalled the need for that more than any other recent event. It is essential at this time when Independents and splinter parties seem more common than they have been at other times in our history that not only the major parties but also the

newer and sometimes naive parties are held to the same high standards right from their very inception. It will be such when this bill is passed that only parties which have constitutions that comply with the standards set out in this bill will be eligible for registration in the first place and public funding in the second place.

This should bring, we would all hope, a level of transparency and accountability that in fact has never been seen before in political parties. Many have operated—including the Labor Party in decades past—as secret societies to some extent. There will be an opportunity for people to inquire much more easily about the processes and to assure themselves, whether they are members or not, that the processes underlying our democracy are well entrenched in all political parties. That is indeed a positive move.

We have needed particularly to spell out the details with regard to preselection ballots to ensure that there is probity in this regard, and that there are, with these provisions, new public disclosure requirements. The Premier himself in his Barcaldine statement promised that public disclosure laws would be tightened and would be overseen by the independent Electoral Commission to ensure that there are 'no secret deals', and of course the bill delivers on this, and in some detail. For example, there will be new requirements for how-to-vote cards to be lodged in advance with the commission, along with declarations as to any financial contributions received from or on behalf of another political party or candidate. In this way, everyone will know what the preference arrangements are well before polling day.

During the last parliament I had the privilege to serve on the Legal, Constitutional and Administrative Review Committee, and during that period we variously examined the present electoral system and particularly focused on the composition of, and the rules around, how-to-vote cards and their distribution. I am aware through my experience on LCARC in that term that the Electoral Commission has not really wished for control over how-to-vote cards; that it is in fact a very difficult matter and that it will be for the Electoral Commission a matter of some considerable responsibility and will require some resourcing if indeed it is to be well done. It charges the commission with a responsibility at a time when the staff are extremely busy, and so we will need to be mindful of instituting this new system, as with the other provisions that go with it. For example, the cards that are lodged for registration as proper how-to-vote cards will be available for public inspection before polling day and, if it is practical, on polling day and in each polling booth. The cards which have not been lodged at least seven days before polling day will not be able to be distributed on polling day. Whilst this is an appropriate stand, it is nonetheless something that in practice is going to require enforcement and, 'enforcement' again means resourcing.

Additionally, there will be tougher financial disclosure requirements for both parties and candidates. Parties and candidates will be required to keep certain particulars of loans that they have received from entities other than financial institutions. It is the spirit, of course, of this particular part of the bill that all of us who are now elected, and all of those who in the future hope to be elected, need to take on board, as well as all of our colleagues in political parties, and that is that there should be nothing hidden. There should be nothing to hide. We should be proud of the associations that we have politically and of the decisions that we make in regard to the parties that we stand for and those to whom we wish to distribute our preferences. In being proud, we should make them plain to the public at large as well as ensuring that they are properly registered with the Electoral Commission.

The commission's functions have also been amended to include the function of promoting electoral enrolment and, through my experience on LCARC, I am pleased to give recognition to that as a most important duty. I have forgotten, and therefore am unable to quote with accuracy, the proportions of 18-year-olds who are enrolled. The proportions of 19-year-olds and 20-year-olds increased slightly. They improve the older the young adults become, but they are still woefully inadequate in this state, and, I must say, in other states in Australia and on the Commonwealth roll.

So far we have not been successful in encouraging young people to know their rights, their responsibilities and their freedoms and to take them up as soon as they are able. To charge the Electoral Commission with the task of increasing electoral enrolment—particularly targeting young people as well as people in remote communities—is a fine thing which is contained within this bill.

I am pleased, too, that special postal voters will be subject to more vigorous reviews than they have been in the past. From time to time, there have been rumours about the special postal voters who have been on lists for years—as to whether or not they truly exist in some far-flung parts of Queensland, particularly western Queensland. It surely is a concern for those members from western Queensland that anybody can suggest that some of their voter support has been in any way improper. Having the Electoral Commission ensure that there are reviews of those special postal voters at least every three years will contribute to the integrity of the vote in those electorates.

The Electoral Commission will also be authorised to obtain electoral roll related data from state government entities and local governments prescribed by regulation. This requires, of course, a tremendous sophistication in terms of our information technology systems, as well as protocols between

departments and with the Electoral Commission. It requires, too, quite properly—this is written into the bill—confidentiality requirements, which will be contained in new section 33A, to ensure that the information so gained from other government departments will be properly used and yet not passed on and made available to others for other purposes.

This seems sensible to me when I know that in Cairns a lot of our wrong enrolments are not about people committing any kind of crime or behaving with any improper conduct. They are about people who have moved home and forgotten to do anything about it. They are about people new to town who might have realised, because of the risk of serious fines from the police, that they should change their drivers licence address but have not bothered to change their address with the Electoral Commission. This ability to use those databases we have in Housing, in Transport and in Health to back up our knowledge of people and where they are properly living and should therefore be properly enrolled will be of great assistance to us in striving for perfection—that 100 per cent correct and up-to-date roll. I am not suggesting that we will reach that, of course, but we may move some percentage points closer to it.

The Australian Electoral Commission will be able to benefit from this, of course, and our continued cooperative work with the Commonwealth towards ensuring the highest accuracy and integrity is appropriate and should surely be welcomed by it and by members on the opposite side whose parties are those of the present federal government.

I would like to address one more matter that is not in the bill; that is, any changes that will contribute to electronic voting. There are those, after each election in particular, around the state of Queensland who say, 'When are we going to use computers? When are we going to be able to vote at the touch of a button? Isn't it time modern technology was made available?' On the surface we would all like to say yes, and we assume that the system would be quicker and cheaper and that we could have the vote recorded for all seats, with preferences, in a matter of minutes after the close of voting. Unfortunately, however, the situation is not so simple. We need to take into account that there are considerable reasons for us to be concerned about inaccuracies or about improper interference with electronic voting, which must be addressed prior to us moving down that path. If there were any way in which the vote could be manipulated or tainted by fraud, then of course we would not wish to move in that direction.

It is instructive to consider how other countries—sophisticated democracies—have taken action in terms of Internet voting. So far, in fact, action has been slow. Honourable members will recall the debacle of the 2000 US presidential election and the uneven attempts to use technology and to speed up voting. In fact, the situation in the US is that then President Clinton back in 1999 called on the government to conduct, with appropriate consultancies, studies to discover ways to overcome the barriers to the acceptance of Internet voting and to take into account any social impacts, such as accessibility. This report, to my knowledge, has not yet been tabled, though it is soon due.

Britain also is taking the softly-softly approach. New Zealand has moved to a position of considering electronic voting, at least at some polling places, in 2005. The Australian federal government has said that it believes no new technology is yet sufficiently good enough to be introduced for voting and that it, too, will take a wait-and-see approach. It seems, therefore, that the advice of which I was last aware from our own Queensland Electoral Commission—that is, that we also should move slowly on this matter—is quite appropriate.

I must say that, at least in Cairns, by and large, for all that the people grumble a bit, it is the kind of grumble people like to have as they go to vote every three or so years. They enjoy standing around the polling booths, chatting to people they have not seen for a while, making a few statements to those who are about and purchasing a few sundries—cakes, generally—at the P&C stalls while they go to vote. The personal experience of voting, despite that somewhat superficial grumble, is actually one that people enjoy. It is one in which many of us at least—a great majority—take pleasure, in recognising again that we do have indeed a fine democracy.

This bill is a tremendous bill. I am proud indeed to be in this parliament at the time we are bringing it in. I pay recognition to the minister and to all of those in his department who have contributed to the detail of it.
