




Speech By
Sandy Bolton

MEMBER FOR NOOSA

Record of Proceedings, 17 April 2024

MOTION

Postal Voting, Privacy

 **Ms BOLTON** (Noosa—Ind) (4.30 pm): I move—

That this House:

1. notes:
 - (a) in a world of increasing data collection of personal details, privacy is key for Queenslanders;
 - (b) when Queenslanders respond to an offer to apply for postal voting, they expect this will go direct to the Electoral Commission of Queensland;
 - (c) The current practice utilising generic 'reply paid' return address or postal box by political parties and MPs is inappropriate as it does not reveal that this information may be collected prior to being forwarded to the Queensland Electoral Commission;
 - (d) 87 per cent of Noosa residents who participated in the member for Noosa's annual survey agreed this practice should end;
 - (e) at the Federal level the Commonwealth Parliamentary Joint Standing Committee on Electoral Matters report 'Conduct of the 2022 federal election and other matters' recommended 'that section 184 of the Commonwealth Electoral Act 1918 be amended to clarify that postal vote applications must be sent directly to the Australian Electoral Commission's nominated addresses.
2. and calls on the government to:
 - (a) put forward, before the state election, amendments to the Queensland Electoral Act 1992 such that postal vote applications must be sent directly to the Queensland Electoral Commission's nominated addresses;
 - (b) calls on both sides of this House to support ending current practice and commit to amending the Queensland Electoral Act 1992 such that postal vote applications must be sent directly to the Queensland Electoral Commission's nominated addresses.

We live in a world where trust is more important than ever. That trust includes Queenslanders having knowledge of how their private information is used and where it goes. Since 2021 I have raised the issue of postal vote application, or PVA, forms being sent out to voters who unknowingly were utilising the reply paid envelope in the belief the application for their postal vote was going directly to the Electoral Commission of Queensland. Some of those reply paid envelopes have been going to political party headquarters or the offices of members of parliament before the information is forwarded to the Electoral Commission.

Currently this is a legal practice. However, that does not make it right. The information privacy principles in the Queensland Information Privacy Act state that when collecting information you must tell the individual what the information is going to be used for before or at the point of collection. The fact that due to limitations in this privacy act the principle does not legally apply in this case does not change that a person's privacy is being breached by collecting their personal information in this manner.

Transparency is key to developing trust and there is no reason not to disclose where the application is going to first or what their information is being used for. Responses from government have included that it is a matter for the individual elector how they apply for a postal vote, that the current

PVA practice is lawful or that it would be discussed with the Electoral Commissioner. Queenslanders have consistently asked why they receive unsolicited emails, robocalls and the like and maybe this is part of the reason. With an increasing number of Queenslanders becoming disengaged from elections—and our recent council elections saw one of the highest informals for the councillor vote—it is time to end practices that hoodwink, deliberately or not, and reinstate integrity and credibility into our elections and processes. Privacy of information is an excellent start.

After the 2022 federal election, the Commonwealth Joint Standing Committee on Electoral Matters report, *Conduct of the 2022 federal election and other matters*, highlighted this as an issue. The report noted that the AEC said that, while legal, the distribution and collection of PVAs by candidates and parties creates eligibility confusion and privacy concerns amongst voters. One submitter to the commission reported both firsthand and anecdotally that very few voters know that the commission is not the direct recipient of their ballot paper application when they use a PVA from a party or a candidate.

This follows on from the Western Australia 2021 election report by their electoral commission which complained about the delays caused by the sending of postal ballots to third parties before sending them on to the electoral commission. A Victorian parliamentary report in 2020 found that the Victorian Electoral Commission received an increased number of complaints regarding political parties distributing postal vote applications in 2018. Electors find the practice misleading, believe it must be against the rules and sometimes believe the commission has sent party political material demonstrating bias.

The Commonwealth parliament is to be applauded by putting forward amendments to end this at a federal level and we need to follow suit, hence why I am asking for a commitment from both sides of this House to commit to supporting building trust back in voters and ending this practice by amending the Queensland Electoral Act 1992 to ensure postal vote applications posted to voters are returned directly to the Queensland Electoral Commission. Right now in this chamber you have the opportunity to amend some wrongs and I ask for your support for my motion on behalf of Queenslanders. Thank you.