

**Submission
No 5**

INQUIRY INTO VOTER PARTICIPATION AND INFORMAL VOTING

Organisation: Victorian Electoral Commission

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**Submission to the Electoral Matters Committee
Inquiry into voter participation and informal voting**

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1. Introduction – the challenge of effective electoral participation

The key responsibility of the Victorian Electoral Commission (VEC) under the *Electoral Act 2002* is the administration of the enrolment process and the conduct of parliamentary elections and referendums in Victoria. As enrolment and voting are compulsory, the VEC's legislative responsibility entails an obligation to strive to ensure that all eligible Victorians do enrol and vote. The VEC's vision in its 2007-2012 Corporate Plan is "All Victorians actively participating in our democracy". The VEC sees the current inquiry as a significant step towards achieving this aim.

This, the VEC's primary submission, falls into two main parts. The first part examines participation rates in Victoria, looking at performance over time and putting Victoria in a national and international context. The second part describes what the VEC is doing to encourage full participation and what could be done in future, through long term education programs, administrative actions and suggested legislative amendments.

The VEC would be pleased to assist the Committee in any way it can, and will prepare supplementary submissions as appropriate throughout the period of the enquiry.

2. Participation in Victoria and elsewhere

There are three measures of participation in the electoral system:

- Enrolment: the degree to which those who are eligible enrol to vote;
- Turn-out: the degree to which those who are enrolled vote in elections;
- Informal voting: the degree to which those who vote cast a formal vote.

When combined, these measures indicate effective participation in the electoral system. However, the factors affecting each of these measures vary, as do ways to improve participation rates.

The following table shows voter turn-out and informal voting rates for Victorian State elections since 1992.

Table1: Voter turn-out and informal voting rates at Victorian State elections, 1992-2006

Election	Voter turn-out		Informal vote	
	Rate (%)	Change	Rate (%)	Change
1992	95.13		3.81	
1996	94.08	-1.05	2.3	-1.51
1999	93.23	-0.85	3.02	+0.72
2002	93.16	-0.07	3.42	+0.4
2006	92.73	-0.43	4.56	+1.14

Voter turn-out has declined at each of the last four elections. At the same time, the informal voting rate has increased at each of the last three elections, with a spike in 2006 to almost twice its 1996 level. These are undesirable trends. Still, a look at interstate and international participation rates puts the Victorian figures in perspective.

Enrolment

Since 2004, the Roll Integrity Unit of the Australian Electoral Commission (AEC) has produced statistics on a State basis of electors as a proportion of those eligible to enrol (broadly, Australian citizens of 18 or over, plus British subjects who were enrolled as at the start of 1984). The figures of those eligible are based on census statistics and estimates by the Australian Bureau of Statistics (ABS), and are not absolutely solid (for example, the statistics using the 2006 census as a base vary by up to 2 percentage points from the statistics using the 2001 census). However, the statistics are a valuable measure of general trends in enrolment and interstate comparisons.

Table 2: Percentage of eligible electors enrolled, October 2004 – March 2008

Date	Australia	NSW	Victoria	Qld	WA	SA	Tas	ACT	NT
COR 2004	91.54	91.58	92.95	89.32	90.52	93.17	95.62	93.38	80.93
30/6/05	91.5	91.34	93.53	88.2	91.61	93.26	95.6	93.65	80.97
30/6/06	90.2	90.32	92.02	86.51	89.73	92.93	95.42	92.83	78.39
30/6/07	91.6	92.09	92.94	88.59	90.81	93.41	95.53	95.5	78.39
COR 2007	92.28	92.85	93.27	89.34	92.24	93.31	96.24	96.56	82.42
31/12/07	92.55	93.19	93.47	89.51	92.52	93.6	96.81	96.74	83.23
31/3/08	92.36	93.05	93.25	89.31	92.15	93.47	96.63	96.61	83.42

Since the 2004 Federal election, the number of enrolled electors in Australia has not fallen below 90% of those eligible to enrol, and has been very stable, with a maximum variation of little more than 2 percentage points. The enrolment rate declined slowly after the 2004 election to a low point of 90.2% in mid 2006, and then rose again in the lead-up to the 2007 Federal election to reach a high point of 92.55% by the end of 2007. This is a normal pattern: people tend to enrol in anticipation of an election, and afterwards to be taken off the roll through the objection process if they change address and do not bother to re-enrol for their new address. In 2007, there was concern that a more demanding enrolment process and the close of the roll for new electors on the day of the issue of the writs for a Federal election would depress enrolment rates. In response, the AEC launched an unprecedented enrolment campaign, which appears to have worked satisfactorily. The latest enrolment figures, for 31 March 2008, show a slight decline from election-related peak.

Victoria's enrolment rates have been consistently above the national average, ranking third or fourth among the States and Territories. The leading jurisdictions have been compact Tasmania and the Australian Capital Territory, with the Victorian figures being very close to South Australia's. Victoria's range of enrolment programs may account for its relatively high performance.

In an article for the Democratic Audit of Australia ("A shrinking Australian electoral roll?", Discussion Paper 11/07, June 2007), Peter Brent and Simon Jackman argued that growth in the number of electors is failing to keep pace with population growth. They suggested that one of the causes of this is that the AEC has become better at taking people off the electoral roll through the objection process than at getting people onto the roll through mail-outs, targeted doorknocks and advertising campaigns. Although enrolments increased substantially for the 2007 Federal election, the longer-term picture is still unclear.

Voter turn-out

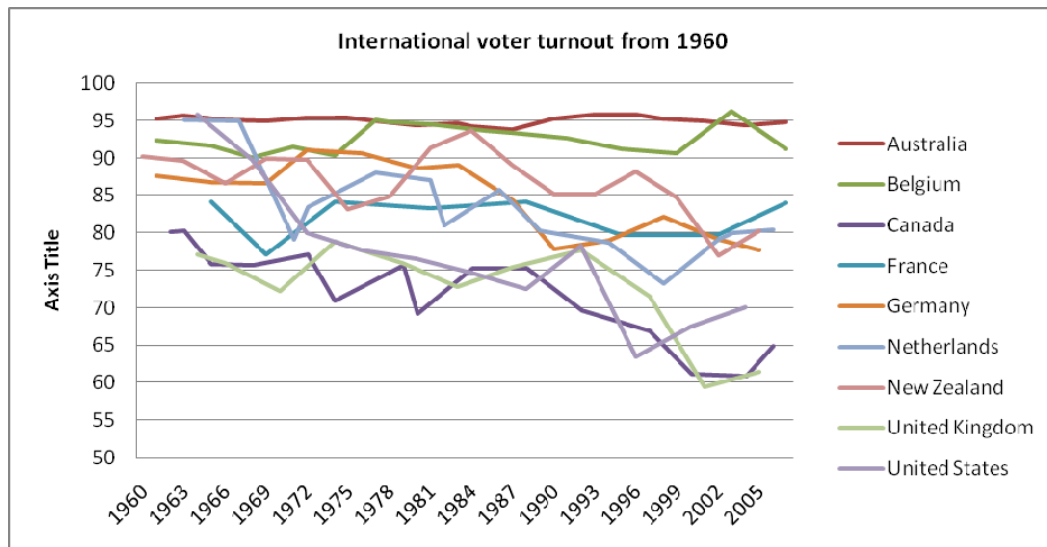
The following table shows voter turn-out rates (where available) for the Commonwealth, States and Territories over their last ten Lower House elections. As with enrolment, what stands out is the consistency of the results. Except for the Northern Territory, which faces special problems of dispersion and remoteness, all jurisdictions had an average turn-out rate of more than 90%. Federal elections have a higher profile than State elections, so it is not surprising that they lead the field. In addition, the longer election period and the greater range of voting facilities overseas and interstate contribute to higher turn-out at Federal elections. Victoria has the third-highest average participation rate (and the highest of any mainland State) at 93.38%. In each jurisdiction, deviations from the average were usually small. There has been no general trend to either rise or fall over the period. In Victoria's case, the 95.13% turn-out rate in 1992 stood out from all the other elections. The turn-out rate in the 2006 State election was similar to that for most elections in the 1970s and 1980s. The turn-out rate has often increased when a change of government is expected. Examples

are in Victoria in 1992, when an atmosphere of crisis gripped the State and the turn-out rate rose by 2.78 percentage points, in Western Australia in 1993 (an increase of 2.77 percentage points), in South Australia in 2002 (1.83), and in the 2007 Federal election (0.44).

Table 3: Voter turnout Australia last 10 elections

Election	Australia	NSW	Victoria	Qld	WA	SA	Tas	ACT	NT
1	94.64	93.29	92.68	88.93	90.13	93.56	94.54		
2	94.17		93.3	91.69	90.78	93.37	93.76		
3	93.84		93.97	91.25	88.44	93.04	93.49		
4	95.31		93.21	91.18	89.02	93.17	93.81		
5	95.75	93.58	92.35	91.48	91.33	93.46	93.07	94.31	
6	95.77	93.62	95.13	91.44	90.73	94.43	94.98	93.53	81.59
7	94.99	93.8	94.08	92.85	93.5	93.57	95.77	89.49	80.67
8	95.39	93.12	93.23	92.59	89.99	91.75	95.01	91.83	78.99
9	94.32	91.87	93.16	91.44	90.56	93.59	93.73	90.9	80.56
10	94.76	92.67	92.73	90.47	89.84	92.31	94.88	92.77	80.07
AV	94.89	93.14	93.38	91.33	90.43	93.23	94.30	92.14	80.38

It is useful to put Victoria and Australia in an international context. A worldwide survey by International IDEA (Institute for Democratic and Electoral Assistance) has revealed a mixed picture, with a trend to declining participation in Western democracies. The following graph shows voter turn-out as a percentage of registered voters for Lower House elections (or presidential elections in the United States and France) in English-speaking countries and comparable Western democracies since the 1960s.



Source: International IDEA www.idea.int/vt/

The graph shows a decline in voter turn-out in most countries since the 1960s, and particularly since 1990. The statistics for the Low Countries are particularly instructive. Belgium has compulsory voting, and its voter turn-out rate, like Australia's, has been over 90% throughout this period. Voting in the Netherlands was compulsory until 1970, and then changed to voluntary. The participation rate fell from 94.9% in 1967 to 79.1% in 1971, and has fluctuated since then, settling around 80% in this decade.

There has been a wealth of analysis and discussion about the magnitude, causes and effects of this decline in participation. Broadly, the decline in voter turn-out appears to be linked to general social trends of declining civic participation and identification with bodies such as trade unions, churches, voluntary organisations and professional societies, and increased individualism and mobility. In addition, the distinctions between political parties in terms of ideology, character and policies are less clear than they used to be, which may give voters the feeling that their choice does not mean as much as in the past. In an era of globalisation, regional and national issues may seem less important to voters.

International comparisons indicate that compulsory voting makes an enormous difference to voter turn-out. There have been arguments that Australia's record is not as impressive as it appears if numbers voting are measured against the total voting age population (VAP). Thus, the International IDEA survey estimates voter turn-out at the 1998 Federal election at 83.2% of VAP. An article by Peter Tucker contended that only 80% of eligible voters voted in the 2004 Federal election, and that Australia's performance is not vastly superior to that of other Western countries without compulsory voting. However, such arguments ignore the very large number of non-citizen residents of Australia who by law cannot enrol. If voter turn-out is measured against the total number of those **eligible** to enrol, it is substantially higher than that of most other countries – 87.4% at the 2007 Federal election.

Within Victoria there are substantial variations in voter turn-out at State elections. In 2006, turn-out rates ranged from 84.84% in Melbourne District to 94.74% in Lowan District. Voter turn-out was lowest in the inner suburban districts, where the population is very mobile, and highest in some country and outer suburban districts. There was a moderate negative correlation of $-.6593$ between population mobility and voter turn-out, meaning that the more inclined the residents of a district were to move, the lower the turn-out rate was likely to be. Population mobility can affect voter turn-out in two ways – firstly through new residents having little engagement with their area and being less inclined to vote, and secondly through departing residents being slow to update their enrolment and so artificially depressing the turn-out rate.

Victorians have to vote in by-elections as well as State and Federal general elections. The table below shows voter turn-out rates at State by-elections (excluding ones conducted at the same time as State elections) since 1997.

Table 4: Voter turnout State By-elections 1997-2007

By-election	Voter turn-out (%)
Gippsland West, 1 February 1997	88.7
Mitcham, 1 December 1997	87.2
Northcote, 15 August 1998	85.2
Burwood, 11 December 1999	87.3
Benalla, 13 May 2000	89.6
Albert Park, 15 September 2007	70.7
Williamstown, 15 September 2007	84.9

Participation rates at by-elections are consistently lower than at general elections, because they are isolated events with much less important consequences than a general election, and so do not arouse the same public interest. There are geographical variations, with higher participation in country districts such as Benalla, and lower participation in inner suburban districts such as Albert Park. Turn-out can also be affected by the political parties contesting a by-election: if a major party fails to put up a candidate, supporters of that party may feel that have no one to vote for. This appears to have been a factor in the low voter turn-outs for the 1998 Northcote by-election and 2007 Albert Park by-election.

Particular features affect voter participation at local government elections. The roll for council elections is made up of two elements: electors on the State roll within the municipality, and the Council Chief Executive Officer's (CEO's) list of people with various municipal entitlements, such as non-resident property owners and representatives of

corporations. While voters on the State roll have to vote, voting is optional for those on the CEO's list (except for the City of Melbourne). As well, voting is effectively optional for voters who are 70 years of age or over. These features, plus the generally lower profile and less clear-cut options of local government elections, lead to considerably lower voter turn-out rates than at State elections. Overall, participation has been fairly stable.

Councils have the choice of having attendance elections at which most people vote at a voting centre on election day, or having postal elections in which ballot packs are posted to all voters, who return their votes by post. Voter turn-out rates tend to be higher at postal elections.

The following table shows voter participation rates at council elections since 2002. Up to now, council elections have occurred in groups. The councils that went to election in 2002 had their next elections in 2004 (together with four councils that had elections in 2001), while the councils that went to election in 2003 had their next elections in 2005.

Table 5: Voter turnout Local Government Elections 2002-2005

Year	Postal (%)	Attendance (%)	Total (%)
2002	73.9	59.4	69.4
2003	76.4	71.2	75.2
2004	75.1	55.7	71.1
2005	75.6	72.8	75.2

Councils also have by-elections, which are usually very quiet affairs. The following table shows voter turn-out at by-elections since the 2005 general elections. The average turn-out rate for the 14 by-elections is 72.5%, which is only slightly below the figure for the 2005 general elections.

Table 6: Local Government By-elections 2006-2008

Date	Council	Ward	Election method	Turn-out (%)
18 February 2006	Corangamite	Central	Postal	80.42
4 March 2006	Hepburn	Cameron	Postal	77.65
3 March 2007	Moonee Valley	Debney	Postal	60.82
17 March 2007	Baw Baw	Tarago	Postal	75.87
19 May 2007	Latrobe	Galbraith	Postal	69.34
21 July 2007	Boroondara	Cotham	Postal	69.09
10 November 2007	Maribyrnong	Stony Creek	Attendance	62.01
15 December 2007	Mornington Peninsula	Truemans	Postal	66.37
15 March 2008	Colac Otway	Otway	Postal	70.4
22 March 2008	Ballarat	Alfredton	Postal	75.45
22 March 2008	Ballarat	Learmonth	Postal	77.32
22 March 2008	Pyrenees	Warrenmang	Postal	73.51
3 May 2008	Central Goldfields	Maryborough	Postal	79.01
3 May 2008	Greater Geelong	Deakin	Postal	77.64

Informal votes

The following table shows informal voting rates (where available) for the Commonwealth, States and Territories over their last ten Lower House elections. The incidence of informal votes has fluctuated, with a slight tendency to increase in the jurisdictions with compulsory preferential voting. The increase could well be a consequence of increased numbers of candidates – the more candidates on the ballot paper, the more likely voters are to make a mistake. For example, in Victoria there were about three candidates per district in the 1970s and 1980s, when the informal voting rate was usually below 3%, but the number of candidates per district has increased to 4.2 in 2002 and 5.2 in 2006. Similarly, in Western Australia there were about three candidates per district in the 1970s and 1980s, but 6.6 per district in 2005, when informal voting increased to 5.24%. Differences in informal voting rates between jurisdictions appear to be largely related to the voting system. Thus Queensland, which has an optional preferential system which allows voters just to vote “1”, is distinguished by the lowest informal voting rate in Australia. Tasmania and the Australian Capital Territory have a more complicated Hare-Clark system without the capacity to vote “1” above the line, and there the informal voting rate is the highest on average. Victoria’s average informal voting rate is the second lowest in Australia. It is noticeable that a change in the voting system leads to a spike in informal votes. For example, when above-the-line

voting for the Senate was introduced in 1984, informal votes for the house of Representatives shot up from 2.09% to 6.34% as a result of voters just voting “1” on their Representatives ballot papers. Similarly, when new voting systems for both Houses were introduced in Western Australia in 1989, informal voting increased from 2.63% to 7.35%. In Victoria, the new system for the Legislative Council was introduced at the 2006 State election. The increase in the informal voting rate from 3.42% to 4.56% was comparatively modest, possibly as a result of the VEC’s concentrated campaign explaining how to vote correctly. Ballot paper analysis revealed that more than 26% of informal voters just voted “1”, misapplying the method of voting for the Upper House to their Assembly ballot paper.

Table 7: Informal votes Australia last 10 Lower House elections

Election	Australia	NSW	Victoria	Qld	WA	SA	Tas	ACT	NT
1	2.09	1.76	2.54	1.5	4.08	3.85	3.8		
2	6.34	2.3	3.01	1.5	3.18	2.71	3.85		
3	4.94	3.1	2.61	2.17	3.52	4.44	5.66		
4	3.19	2.4	2.68	3	2.83	5.78	5.93		
5	2.97	3.28	3.89	2.25	2.63	3.47	5.35	5.69	
6	3.2	9.32	3.81	1.75	7.35	2.83	4.54	6.47	3.1
7	3.78	5.15	2.3	1.45	4.13	3.1	5.18	6.24	3.81
8	4.81	2.51	3.2	2.27	4.39	4.04	3.91	4.32	5.17
9	5.18	2.62	3.42	1.99	4.54	3.12	4.87	3.97	4.27
10	3.95	2.69	4.56	2.08	5.24	3.6	4.44	2.65	3.75
AV	4.05	3.51	3.20	2.00	4.19	3.69	4.75	4.89	4.02

Informal voting tends to be lower in most comparable countries – for example, 0.9% in Canada in 2004, and 0.3% in the United Kingdom in 2005. The simple first past the post voting systems in many of those countries make it easy to vote correctly. Low informal voting rates may also be related to the fact that voting is voluntary: people who take the trouble to vote when they don’t have to are not likely to deliberately spoil their vote. It is significant that in Belgium, which has compulsory voting, informal voting has been consistently high – 5.1% at the 2007 election. In the Netherlands, when compulsory voting was abolished, informal voting fell from 2.8% to 0.7%. In contrast, informal voting has been comparatively high in France despite voluntary voting and a fairly simple system, suggesting that national traditions and social habits also have a part to play.

It is difficult to determine the number of deliberately informal votes. Analysis of 2006 Victorian State election ballot papers indicates that 19.54% of informal votes were apparently deliberate. If blank votes are added, 40.82% of the informal votes were probably deliberate.

Informal voting rates varied widely within Victoria at the 2006 State election, ranging from 2.58% in Hawthorn District to 8.51% in Derrimut District. Informal voting was lowest in the more affluent suburbs of Melbourne, and highest in the northern and western suburbs. High informal voting coincided with areas with high proportions of residents who are not fluent in English, with a positive correlation of .744. Within the metropolitan area, informal voting tended to be higher in districts with large numbers of candidates.

Informal voting rates at State by-elections vary according to the nature of the electorate and the range of candidates on offer. Informal voting was notably high at the 2007 Albert Park and Williamstown by-elections. Examination of the informal ballot papers at these by-elections reveals a high proportion of apparently deliberate informal votes (65.26% of the total including blank ballot papers), and it is possible that the absence of Liberal candidates contributed to the high proportion.

Table 8: Informal votes in State By-elections

By-election	Informal vote (%)
Gippsland West, 1 February 1997	2.5
Mitcham, 1 December 1997	3.5
Northcote, 15 August 1998	4.6
Burwood, 11 December 1999	2.4
Benalla, 13 May 2000	2.8
Albert Park, 15 September 2007	7.5
Williamstown, 15 September 2007	6.8

In the local government field, informal voting tends to be slightly higher than at State elections, which may be a consequence of the lack of party identification and lower profile of local government elections. Informal voting is consistently lower at postal than at attendance elections, probably because voters in postal elections have more time to consider the candidates and complete ballot papers at their leisure. The level of informal voting increases with the number of candidates, and also is much higher in municipalities with large numbers of non-English speaking voters.

Table 9: Informal votes – Local Government Elections

Year	Postal (%)	Attendance (%)	Total (%)
2002	2.8	7.4	NA
2003	3.3	8.9	4.4
2004	3.4	10.4	4.5
2005	3.6	9.3	4.8

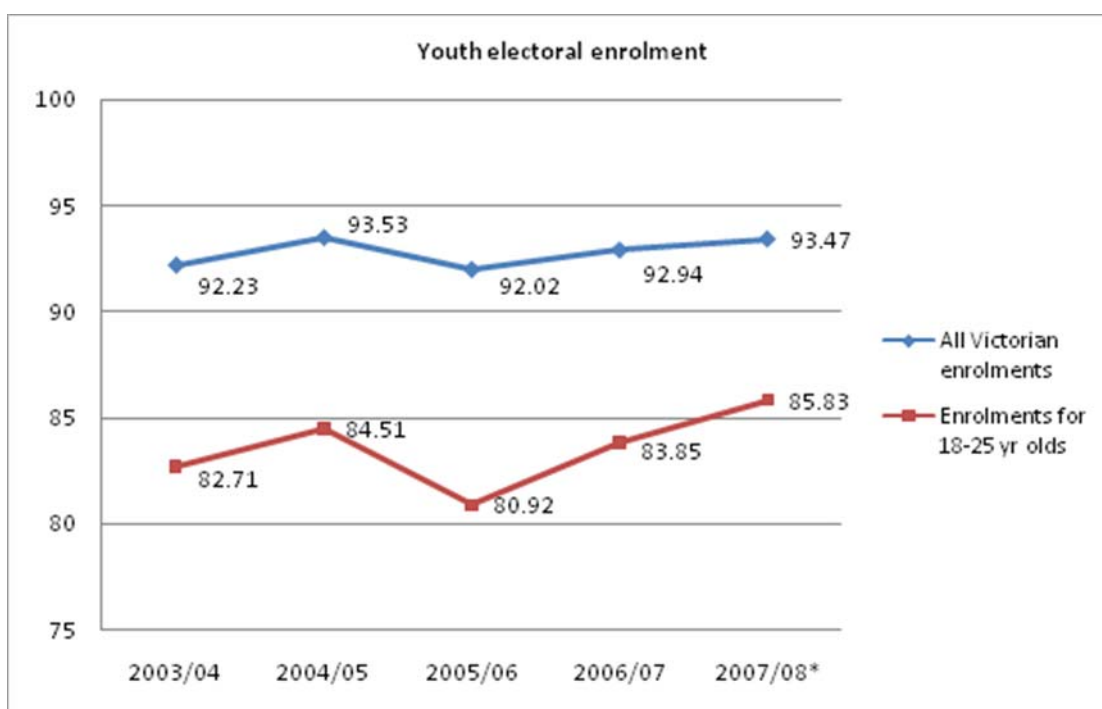
Conclusions

The above survey puts Victoria's participation performance in context. Victoria compares well with other Australian and international jurisdictions. However, this is no excuse for complacency. The VEC's goal is to achieve the effective participation of all eligible Victorians in the State's electoral system. It is clear that almost 15% of those eligible are not participating effectively, either through not enrolling, or not voting, or making errors when they do vote. Certain sections of the population, particularly young people, people who are not proficient in English, and people with disabilities, are less likely to participate effectively than the general population, and the VEC needs to pay attention to these groups. The following sections of this submission outline what the VEC is doing to maximise participation, and what might be done in the future through education programs, administrative action and/or legislation.

3. Young people and electoral participation

With over 300,000 young Australians estimated to be missing from the electoral roll, and only one in two young people claiming they would vote in an election if it wasn't compulsory¹, young people have been clearly identified by electoral commissions and researchers across Australia as one of the most under-represented groups in the electoral process.

While Victoria has one of the highest youth enrolment rates in Australia, (84.78% or 3.3% higher than the national average in 2007/08), the number of young Victorians enrolled is still 8% below that of the general eligible population. The following graph shows the extent to which Victorian young people are under-represented on the electoral roll.



At 31 December 2007

Source – Electoral Roll Performance: Report on the Enhanced Key Performance Indicators for the Second Quarter 2007-08 Australian Electoral Commission, April 2008.

It should be noted that anecdotal evidence suggests that participation in the electoral process may be even lower for some groups of people within the 18-25 age group; in particular, young people experiencing homelessness, Indigenous young people and young people from culturally and linguistically diverse communities.

¹ Saha L J, Print M, Edwards K, *Youth Electoral Study Report No 2: Youth, political engagement and voting*, ANU and University of Sydney 2005 p. 5

It should also be noted that in terms of enrolment the situation is worse for 18 year-olds than for the 18-25 year-old cohort as a whole. For example, it is estimated that some 60,000 young Victorians become eligible to enrol each year, but only 73% of these enrol within a year of turning 18 years of age.

Why are young people under-represented in the electoral process?

In recent years an extensive literature has been produced on why young people are under-represented in the electoral process. Broadly, two main themes can be identified: firstly, young people's alienation or disengagement from the formal political process and secondly, a lack of knowledge or access to information about the political process and 'how our democracy works'.

In terms of disengagement it is important to realise that young people are not apathetic. It could be suggested that young people's involvement in single issue or 'pressure politics' is prevalent. Many young people volunteer, participate in demonstrations, sign petitions, join campaign groups and feel passionately about a range of issues - all things which could be seen in the context of small 'p' politics. The problem from a young person's perspective is with the formal political process.

The Youth Electoral Study is a four year study of youth participation in the electoral process by researchers from the University of Sydney and the Australian National University working in conjunction with the Australian Electoral Commission. The study found that "Few students had a glowing view of politicians or political institutions and a majority did not really consider that voting was an effective way of expressing their political views".² This finding is supported by the experience of the VEC in providing electoral education services to schools, where it has often been reported that young people feel that they are not heard in politics, and that their issues are not represented.

In terms of knowledge about the electoral process the Youth Electoral Study again provides some useful insights. When surveying young people about their preparedness to vote the study found that "about one in two students feel they lack the knowledge to understand the issues, the political parties, to make a decision about voting and in general to vote". The study also found that about half of the young people surveyed did not feel well prepared to participate in voting and generally don't understand the voting system.

Feedback from young people to the VEC in the lead up to the 2006 State election suggested that young people also require clear and unbiased information about the different political parties from a trusted source. In addition, a submission to the Electoral Matters Committee inquiry into the conduct of the 2006 Victorian State election by representatives of the United Nations Youth Association of Australia indicated that young people's low levels of

² Saha L J, Print M, Edwards K, *Youth Electoral Study Report No 2: Youth, political engagement and voting*, ANU and University of Sydney 2005

participation related to a lack of motivation (“why” vote) rather than a lack of knowledge, or “how” to vote.

Electoral education in schools

Beyond the influence of families and communities, it is clear that schools are the starting point for understanding and engagement in the democratic system. Demonstrating the importance of democratic participation to young people will potentially have an impact for the rest of their lives, as well as an impact on their parents, friends and community. Clearly, education programs are needed to support the other programs and campaigns conducted by electoral commissions that encourage young people to enrol and vote.

In Victoria the teaching of civics and citizenship occurs within the context of the State-based curriculum - the Victorian Essential Learning Standards (VELS) and a federal government initiative - *Discovering Democracy*.

Victorian Essential Learning Standards: Civics and citizenship enjoys a specific domain within the Victorian school curriculum. VELS is organised into six sections, one for each level of achievement from Level 1 (prep) to Level 6 (Years 9 and 10). From Level 3, the civics and citizenship domain consists of two dimensions:

- *Civic knowledge and understanding* focusing on the principles and practices that underpin civic institutions and civic life in communities and societies. Students explore concepts of democracy and the key features of Australian and other democracies.
- *Community engagement* focusing on the development of skills and behaviours students need to interact with the community and to engage with organisations and groups. Students participate in processes associated with citizenship such as decision making, voting and leadership, using their knowledge of rules and laws of governance, and concepts such as human rights and social justice.

Discovering Democracy: Developed in response to the reported “dire state of civic literacy... apparent amongst young people”³, *Discovering Democracy* was designed to embed civics and citizenship education in Australian schools. A range of print, audiovisual and electronic resources which related to State and Territory curriculum frameworks were produced distributed free to all Australian schools. The program ran between 1997 and 2004 and, “while new resources are not being produced, the initiative continues, though Celebrating Democracy Week, the school grants programme and the National Forum for Civics and Citizenship Education held in Canberra in early June”⁴.

³ Parliament of Australia, Joint Standing Committee on Electoral Matters Report on Civics and Electoral Education, 2007 p. 31

⁴ Ibid p 32.

Despite the efforts of both state and federal governments, a 2004 assessment of Australian students' understanding of civics found that "very few students, in either Years 6 or 10, were able to demonstrate a sophisticated understanding of Australian democracy and related civics and citizenship issues or concepts".⁵

The VEC has drawn on a number of factors in formulating its approach to electoral education: research into youth electoral participation such as the Youth Electoral Study; lessons learned from the implementation of *Discovering Democracy*; recommendations made in the 2007 Inquiry into Civics and Electoral Education - Parliament of Australia Joint Standing Committee on Electoral Matters (JSCEM) and the VEC's own experience in schools. From these, a number of observations may be made regarding the teaching of civics and citizenship within the school environment:

- There is a **lack of a coordinated approach** between states and territories in the implementation of civics and citizenship education within schools. This has been acknowledged in the JSCEM report which states, "given the significant discrepancy in the subjects in which civic and citizenship is taught across states and territories, a more concerted, coordinated approach is required"⁶.
- The need to **promote a culture of participation** and embed the principles of democracy within school practice – that is, civics and citizenship should not be simply "taught" as a subject but students should be encouraged to become active citizens as school. "If democracy is simply presented to children as a concept which they must contribute to at some future point rather than a school ethos in which they are included, and are expected to contribute on a daily basis they are unlikely to embrace the notion of democratic principles, presented in such an abstract form".⁷
- The **availability of resources** is not enough to ensure the uptake of civics and citizenship programs within schools. For example the evaluation of *Discovering Democracy* showed that about one half of schools surveyed had fairly limited implementation of the course within a broader program of civics and citizenship, and only 10% of schools reported teaching a comprehensive program for civics and citizenship education.⁸ Provision of resources should not be seen as a substitute for professional development.

⁵ Ministerial Council on Education, Employment, Training and Youth Affairs, 2006, National Assessment Program: Civics and Citizenship Years 6 and 10 Report 2004, cited in Parliament of Australia, Joint Standing Committee on Electoral Matters Report on Civics and Electoral Education, 2007 p. 30.

⁶ Parliament of Australia, Joint Standing Committee on Electoral Matters Report on Civics and Electoral Education, 2007, p. 35.

⁷ French, D (2007) *Who Counts? Youth Engagement and the Age of Majority* p.20.

⁸ Erabus Consulting, *Evaluation of the Discovering Democracy Programme* Department of Education, Science and Training, Canberra, 2003 p. 39.

- The need to **focus specifically on electoral education** and the “mechanisms by which to contribute to the political process namely through political parties”⁹. The AEC’s school elections programme and Electoral Education Centres are an excellent resource in terms of teaching the mechanics of the electoral process, but a gap still remains for students regarding other forms of participation in the democratic process including involvement in political parties. Party membership remains a fundamental part of our democratic system and declining party membership is a clear indicator of the diminishing health of our democracy.
- The above point also highlights to the need for **professional development**. Teachers themselves are not always confident in their understanding of Australian electoral processes and the democratic system as it applies to the three levels of government. Therefore, in a crowded curriculum they are likely to opt for more familiar topics. Teachers have also expressed their discomfort with addressing the issue of party politics and how to deal with potentially partisan issues.
- The civics and citizenship curriculum is very broad and requires a good deal of **preparation** to make relevant to students’ interests and needs. A **crowded curriculum** means many competing demands for class time and preparation time; while there are ample resources available to help, it would take teachers considerable time to research these to put together lesson materials that they can effectively use with their classes.

The VEC and electoral education

The VEC’s involvement in electoral education began in earnest in 1999 with the development and production of a teacher resource book, *Your Opinion Counts*, created in consultation with teachers and specialist curriculum consultants.

More recently the VEC sought to provide a more comprehensive education program in partnership with the AEC. In 2003, the VEC and the AEC developed a joint business plan to coordinate the provision of electoral education in Victoria. The plan was implemented under the direction of a joint VEC/AEC steering group, and an electoral education facilitator was engaged to support and implement Victoria’s contribution to the plan. The plan expired in March 2006, and the VEC is currently investigating the continuation of such an arrangement.

Clearly there is a need to provide effective education and community engagement programs which promote a more enduring understanding of the democratic system and why participation is important. In this sense the VEC rates its education and community engagement responsibilities as at least equally important as the conduct of elections and electoral research.

⁹ Parliament of Australia, Joint Standing Committee on Electoral Matters Report on Civics and Electoral Education, 2007, p. 35.

In light of this, and drawing on findings from the UK Power Inquiry that the citizenship curriculum should be “shorter, more practical and result in a qualification”¹⁰, the VEC has sought a more powerful approach to electoral education. The result is *Passport to Democracy* - a short course for Year 10 students, situating electoral education within the context of young people’s lives and the issues that they care about.

The course is aimed at motivating young people to participate in our democracy. While this includes the very important aspects of enrolling and voting, it also draws on students’ own concerns and issues, helping them to make the connection between politics and the things that are important to them. *Passport to Democracy* prompts students to consider how they can make an impact on the issues they care about and ultimately how they can engage with democracy to achieve positive change.

The program was piloted by two schools in 2007 and is being rolled out to seven new schools across Victoria in the third term of 2008. It is designed to be delivered in four double-period classes (though it is adaptable to individual school needs). The VEC has trained a number of Electoral Outreach Officers who will be available to support and guide teachers through the program. At the moment the focus is on quality of delivery over quantity of schools running the program. The VEC will assess the viability of extending the program to a broader range of schools after the Term 3 implementation.

Other education work conducted by the VEC includes:

- Attendance at events including Teacher Civics and Citizenship national meetings, the Melbourne Age Careers Expo, the Victorian Commerce Teachers’ Association Conferences and the *Herald Sun* VCE Expo.
- Education supplements in *The Age*. A supplement produced in the lead-up to the 2006 State election allowed the VEC to provide students, teachers and the general public with a behind-the-scenes view of how the VEC operates, information on changes to the Legislative Council, and an overview of Victoria’s democratic history. Another is planned for the 2008 local elections with a focus on “how democracy affects your local area”.
- Production of the resource *Reggie and Desi’s Excellent Voting Adventure*. This interactive explores the motivational context of voting and provides a simulation of voting and a demonstration of the proportional representation vote counting system. Each animation is available on the VEC’s website, and was distributed to all Victorian schools prior to the 2006 State election.

¹⁰ The POWER Inquiry: *Power to the People: an Independent Inquiry into Britain’s Democracy*, 2006, p.204. Parallels may be drawn with declining levels of youth engagement and the implementation of a national citizenship program in the British school curriculum with that of Australia. As such, approaches to civics and citizenship education in the UK offer some valuable insights.

- A pocket-sized **z-card**TM entitled *Fast Facts - Voting in Victoria* was developed and distributed to all Victorian secondary schools in 2006, accompanied by enrolment forms and reply-paid envelopes to encourage enrolment.
- Production of *Your Voice Your Future* information booklet for young people.

Education - Looking to the future

Based on the observations regarding the nature of civics and citizenship education highlighted above, the VEC believes that its priority in relation to electoral education in schools must be to provide practical assistance to teachers to help make the teaching of civics and citizenship less daunting in the face of other competing curriculum demands. Along with the development of the *Passport to Democracy* program, the VEC believes it can assist in this aim through such means as:

- further professional development programs for teachers;
- taking materials to teachers in schools to assist with their use;
- conducting programs that demonstrate materials and resources that can be easily implemented by teachers in schools;
- providing clear demonstrations of the linkages between excellent available resources and State/Territory curriculum requirements;
- continuing to support the development of demonstration projects in schools that can provide useful models of best practice to other schools; and
- providing specialist educators to conduct sessions in schools on the structure of the electoral systems at the Federal, State and local government levels.

While *Passport to Democracy* forms the main focus of our education work over the coming year we are also investigating the following initiatives:

- The development of a school election kit in partnership with the Victorian Student Representative Council;
- A partnership with the Office for Youth (OFY) to assist with the development of an e-democracy kit for young people on OFY's Youthcentral website; and
- The development of an online electoral education resource centre for youth workers, teachers and other practitioners interested in electoral education.

4. The VEC and community engagement

In addition to its education work with young people the VEC takes a two pronged approach to community engagement and public awareness - firstly the implementation of broad based

multimedia campaigns targeting the general population around major electoral events¹¹; and secondly a more sustained approach targeting groups that are under-represented in the Victorian electoral system.

The following section outlines VEC activities to engage members of these groups. Although the number of people may not be large, the VEC regards it as critical that these groups are given every opportunity to participate.

Indigenous communities

There is currently no information available on the participation of indigenous Victorians in the electoral system, but it is known that indigenous people are overly represented as having low income and high unemployment, and these are characteristics of electorates with low electoral participation.

The VEC has made efforts to provide information and education programs to these people, but the uptake has been slow. The VEC sees Indigenous Victorians as a priority for its future efforts to increase electoral participation.

In June 2006, the VEC commissioned a research report to investigate ways of engaging Victoria's Indigenous people with the electoral process. Advice was provided on the community, culture and effective communication messages. Shortly afterwards the VEC employed an Indigenous communications officer to act on the recommendations in the research.

A poster featuring local Indigenous role models and their personal views on the importance of voting was produced to motivate and inspire the wider Indigenous community. This was accompanied by a brochure that clearly explained enrolment and voting, as well as addressing barriers identified as potentially deterring Indigenous people from enrolling. Brochures and posters, along with enrolment forms, were distributed to Indigenous organisations throughout Victoria.

Respected Wongai man, Syd Jackson, also recorded a series of radio advertisements broadcast on Indigenous radio stations servicing the Echuca region in the lead up to the 2006 State election.

In October and November 2006, an information stand at the Victorian Aboriginal Health Service allowed Indigenous people to discuss enrolment and voting with a VEC employee.

¹¹ For example the VEC's campaign spend for the 2006 State Election ran to almost \$3million and included a state-wide mail out, press, radio, television and outdoor advertising, a telephone enquiry service, media relations, and the VEC's website. For more information on this campaign see the VEC's *Report to Parliament on the 2006 Victorian State Election*.

In April 2007, the VEC joined the Department of Justice's Koories Know Your Rights (KKYR) program to provide information on enrolling and voting. As a community outreach program, it invites government agencies to work collaboratively in providing information to the Indigenous community through a 'one-stop-shop' forum. The objective is to increase participation by reducing Indigenous communities' feeling of being "over-consulted" by government.

On 27 May 2007, the VEC sponsored a table at the 'Coming Together Referendum Anniversary Dinner,' with five of the VEC's ten seats donated to community members who would not have otherwise attended.

More recently the VEC ran a joint information stand with the Australian Electoral Commission during the 2008 Reconciliation Day at Federation Square.

People experiencing homelessness

Some 33-90% of homeless people were not enrolled to vote at the 2002 State election (Homeless Persons' Legal Clinic). This amounts to some 5,000 to 12,000 eligible Victorians.

In response, the VEC formed a partnership with the Council to Homeless Persons (CHP) and the Homeless Persons' Legal Clinic (PILCH) to provide information about the 2006 State election to people experiencing homelessness.

Two brochures were developed and distributed to approximately 330 homelessness organisations throughout Victoria, accompanied by 'no fixed address' and ordinary elector enrolment forms.

The 2006 State election also saw, for the first time, enrolment days and mobile voting at a venue servicing people experiencing homelessness - St Mary's House of Welcome in Fitzroy. This initiative saw 68 votes cast during the visit. Many electors commented that they would not have voted without this opportunity. The VEC also worked with St Mary's during the 2007 Federal election to assist with pre-poll voting.

Due to the success of this initiative, the VEC subsequently organised enrolment days across Victoria, including 'Where the Heart is', a festival for people without a home, and at the Salvation Army in Camberwell. Enrolment days at homeless agencies will be an ongoing feature of the VEC's activities.

In addition, the VEC presented enrolment information at six homelessness network forums from April to June 2007. The aim of these presentations was to educate service providers on ways of assisting their clients to participate in the democratic process.

People with a disability

In December 2005, the VEC developed a *Disability Action Plan* following consultation with organisations representing people with a disability in Victoria. Prior to the 2006 State election, the VEC revised the plan to improve access to electoral services and information for voters with a disability.

A number of initiatives were introduced as a result:

- the establishment of an Electoral Access Advisory Group, to provide ongoing input to election plans;
- customised election information for people with special needs - distributed through established community communication networks;
- audio and Easy English information on the website;
- community group presentations;
- the development of an 'Easy English Guide to Voting in the State Election' in conjunction with Scope (A poster presentation on this Guide has been selected for inclusion at the International Society for Augmentation and Alternative Communication's biennial conference in Canada in August 2008.);
- Easy English posters;
- a training video for use by all election officials on awareness, sensitivity and quality customer support when dealing with voters with a disability;
- improved signage at voting centres, and vests to enable clear identification of information election officials;
- the installation of a text telephone (TTY) hotline to help people with hearing impairment communicate with the VEC and easily obtain election information
- magnifying tools; and
- the availability of user-friendly pencils at all voting centres for those with arthritis.

The VEC also provided wheelchair-height voting screens at all voting centres.

Currently the VEC, with the Electoral Access Advisory Group's assistance, has commissioned research into barriers with enrolment and voting experienced by Victorians with disabilities.

Culturally and linguistically diverse communities

People who were born outside Australia may be influenced by negative experiences of political processes and systems overseas, and also by not having a personal or family history of electoral participation in Australia. Lack of English language skills is a barrier to effective participation. Evaluation research following the 2002 Victorian State election found that these people wanted more information on the voting system, including the levels of government, how voting determines seats in Parliament, and how preferential voting works.

In June 2006, a number of representatives from non-English speaking communities were invited to attend a session with the Electoral Commissioner and representatives of the Communications Branch to provide advice on making voting more accessible.

Attendants included representatives from the Migrant Resource Centre, the Australian Bureau of Statistics, Australian Multicultural Education Services and the Victorian Multicultural Commission. The session provided some suggestions for improvement that were implemented at the 2006 State election.

During the election, where relevant, Election Managers were provided with statistics on the numbers of voters from culturally and linguistically diverse backgrounds within their electorates, with a view to encouraging employment of election officials from those backgrounds. The VEC employed 1,141 multi-lingual election officials on election day who were able to assist voters and answer enquiries in their preferred language.

All voting centres were provided with brochures with voting instructions in 18 languages other than English, and identification stickers for election officials with particular language skills for easy identification.

The VEC has 19 multi-lingual telephone enquiry service numbers which operate year round. Callers dialling a language-specific number listen to a message on the subject of their choice and may then select an option to speak through an interpreter with a telephone enquiry service operator if required.

Key information in 18 languages other than English is also provided on the VEC website, with more detailed information provided in a format available for download for each language.

The VEC also produced an interactive virtual voting experience (covering 18 languages plus English) for its website and in CD format. This provides a simulation of the voting experience for first-time voters and a demonstration of how to fill out State Upper and Lower House ballot papers. The CD was distributed to over 300 major CALD associations and groups, local councils and community information centres in 2006. The VEC has received many requests for additional copies.

Multi-language voting instruction brochures were also mailed to those same organisations, along with a summary of language services available and an A4- sized quick guide to key election information. Availability of these services was also promoted through the VMC and the Ethnic Communities Council of Victoria.

The VEC was invited in March 2007 to present at the Australia Africa Democracy Project, run in partnership by the ECCV, the Africa Think Tank and Swinburne University. This invitation was accepted and the responsibility to present shared with the AEC in the lead-up to the Federal election.

Currently the VEC has engaged research into possible barriers to enrolment and voting experienced by the Chinese and Vietnamese communities. These communities are two of the largest in Victoria and lessons learned from the research should assist in improving information and services for future elections.

Renters

Typically people who rent or who have recently moved home are less likely to enrol to vote. People in this situation can have significant information linkages (as evidenced with high internet usage) but maintaining enrolment details and voting are not priorities for them. Their mobility may act to reduce their connection with their local and broader communities, and their perception of the relevance of voting to their lives. Areas where this occurs include Melbourne's south-eastern suburbs and regional areas of the State where work is seasonal (e.g. Mildura). Low voter turnout rates in the inner suburbs are partly the result of electors changing address and not bothering to update their enrolment, and partly due to the fact that many people living in the inner city fall into the 18-25 age group and are less likely to enrol as a result of their age.

The VEC uses information from the Residential Tenancies Bond Authority to write to new tenants inviting them to update their enrolment.

5. Enrolment: some ways to improve participation

The current situation

Australian citizens who are 18 years of age or over are obliged by law to enrol to vote. Electors who have changed address are obliged to update their enrolment details once they have lived at their new address for a month. People enrol by completing an enrolment form and sending it to an electoral commission.

The VEC recognises that, outside election time, electoral enrolment is not high on most people's priorities. In the lead-up to elections, the AEC and VEC launch communication campaigns to remind people to enrol. These campaigns and the impetus of the election itself lead to a flood of enrolments at that time. Between elections, electoral commissions make it easy to enrol or update enrolment by sending enrolment forms to those whose circumstances show that they are likely to need one. The electoral commissions use databases of State and Commonwealth government agencies: Australia Post and Centrelink have major databases used by the AEC, while the VEC uses data supplied by VicRoads to write to new driver's licence holders and those changing their address, and by the Residential Tenancies Bond Authority to write to tenants who have recently lodged bonds. The most productive source of information for the VEC has been the Victorian Curriculum and Assessment Authority (VCAA), with the VEC sending birthday cards (and enrolment forms) to students turning 17. The birthday card program has been so successful that the AEC is currently implementing a similar program for the other States and Territories.

Mail-out programs have become the electoral commissions' primary means of keeping the electoral roll up to date. However, they face the issue that only a minority of those contacted send enrolment forms. The AEC conducts targeted doorknocks of those who fail to respond, but these doorknocks have only partial success. Furthermore, the effectiveness of the mail-out programs in general appears to be declining. The birthday card program, for example, originally had a response rate of more than 40%, but is now down to less than 20%. It may be that people in general are becoming more inclined to throw out what they see as junk mail without reading it. Electors who do not respond to mail-outs are largely taken off the roll through the objection process, and many of them do not realise this until they find that they are not on the roll at the next election.

Differences in enrolment legislation and procedures across jurisdictions can cause difficulties. It is significant that Commonwealth, State and Territory Ministers have met recently to discuss harmonisation of electoral law and practice, and that green papers on this matter are forthcoming. Harmonisation offers the prospect of improving electoral participation.

The essential problem with enrolment is that it relies on citizens taking the initiative to fill in, sign and send in an enrolment form. Since Commonwealth legislative changes came into effect last year, the enrolment form is now substantially longer and more complicated, which

could have a deterrent effect (quite apart from the proof of identity requirements in the new form). In the following sections the VEC suggests a number of possible ways to remedy this problem.

Smart enrolment

Smart enrolment would involve changes to administrative processes rather than legislation. Under this proposal, an electoral commission could populate the fields on an enrolment form from the information it held, or a person could fill in an enrolment form on-line. In view of the complexities of the enrolment form, the electoral commission could present a questionnaire for the applicant to complete on-line, and the answers to the questionnaire would populate the form and be captured on a database held at the commission. On completion of the questionnaire, the applicant would print the form, sign it and send it to the commission. The form would be barcoded, and the barcode would be scanned at the commission to bring up the information that was entered on-line. Validity checks would take place prior to adding the elector to the roll. This method of enrolment would eliminate the need for data entry at the commission.

The VEC and AEC would need to consider the costs and administrative implications of smart enrolment. It would appear to make enrolment much easier for applicants. However, it would still depend on people taking the trouble to sign and return enrolment forms.

Election day enrolment

The roll closes for Victorian elections seven days after the issue of the writ. The enrolled electors as at this date form the roll used in voting centres and for postal voting and provided to candidates and parties. Although the enrolment deadline was well publicised at the 2006 State election, a substantial number of Victorians missed it. There were some 14,000 new enrolments in the three weeks after the close of the roll, and 20,000 enrolment updates. The new enrolments would have been unable to vote at the State election.

A number of countries allow people to enrol up to election day. In New Zealand electors can enrol up to the day before polling day. The roll used in polling places is as at the issue of the writ for the election. Electors who have enrolled after the issue of the writ are given a special vote, which is checked after the close of voting to determine whether the voter is on the roll and the vote should be admitted. At the 2005 election, 102,914 enrolment forms were received in the month between the issue of the writ and the day before polling day, resulting in a net increase to the roll of 35,363 electors (1.35% of the total). About 50% of the enrolments were received in the last week. There has been no evidence of fraudulent enrolment and little controversy about this aspect of the New Zealand electoral system, which functions satisfactorily.¹² In Canada people can enrol on election day when they turn up to vote, and nine states in America have some form of election day registration. In these states,

¹² New Zealand Electoral Act 1993 and information from Electoral Enrolment Centre

eligible citizens who are not found on the voting lists are asked to show a valid ID to a poll worker, who checks it and registers them on the spot. Proponents of election day registration argue that the voter turn-out rate in these states is 10-12% higher than in states that do not have this system, and that it has not led to fraud or administrative inconvenience.¹³

Introduction of election day enrolment in Victoria would require substantial legislative change. A person enrolling on election day or at an early voting centre would be given a declaration vote, and the enrolment would need to be checked before the vote could be admitted. In effect, this procedure would replace the current procedure for unenrolled voters, with the difference that a much higher proportion of the election day enrollers would be admitted to the count.

The number of voters that would be affected by a change to election day enrolment is unpredictable. Instead of enrolments being concentrated in the period up to the close of rolls, they could be spread right over the election period. If large numbers did enrol during the election period, and particularly on election day, it would increase the administrative burden on the electoral authorities and could slow voting and the counting of votes. Furthermore, it would not necessarily greatly increase the number of electors. It is noteworthy that in the seven-day close of roll period in 2006 there were no more new enrolments and only 2,000 more enrolment updates than on the three-day close of roll period in 2002. It seems that there was a similar pool of eligible people who took the time available to enrol or update their details.

Election day enrolment is a measure that needs further investigation, into administrative implications and also the possible scope for electoral fraud.

Direct enrolment

Under a system of direct, or automatic, enrolment, an electoral authority would enrol people itself, based on information it held, instead of waiting for individuals to take the initiative and send an enrolment form to the electoral authority. Such a system would reverse the responsibility for registration from the individual to the government.

In a number of countries registration is the responsibility of the government. Where citizens and residents are obliged to register with the government and have an identity card, government-initiated registration can produce a high degree of coverage of those eligible. In Canada, once an individual gives consent to a government agency, Elections Canada can use data from that agency to add the individual to the national register of electors.¹⁴

¹³ Sawyer, M *Damaging Democracy? Early closure of electoral rolls* Democratic Audit of Australia March 2006 and www.demos.org

¹⁴ Elections Canada On-line, National Register of Electors

In a submission to the Commonwealth Joint Standing Committee on Electoral Matters (JSCEM) in 2007, the AEC suggested a system of direct enrolment, at least for enrolment updates. The AEC noted a trend of increasing resistance to direct mail and to doorknocks, and also a growing expectation, especially among young people, that government agencies should take the initiative to provide targeted services to individuals.¹⁵

Legislative change would be needed to introduce direct enrolment. The VEC would use information from government agencies to enrol people (such as 17-year old students on the VCAA database) or update their enrolment on the VEC's register of electors. It would then write to the electors providing their enrolment details, and asking them to correct any errors.

A system of direct enrolment should greatly increase the enrolment rate among those eligible, and virtually end applications for unenrolled votes on election day. However, electoral authorities would need ensure that only those eligible were enrolled. In particular, there would have to be precautions against enrolment by non-citizens.¹⁶ As with election-day enrolment, direct enrolment needs further investigation.

6. Voting: some ways to improve participation

Expansion of electronic voting franchise

At the 2006 State election, the VEC conducted a trial of electronic voting. Under section 110D of the *Electoral Act 2002*, electronic voting was restricted to electors "who because of a visual impairment cannot otherwise vote without assistance". Although a limited number of vision-impaired electors voted electronically, the technology functioned satisfactorily and was well received by users. The VEC considers that there are a number of other electors who would benefit from access to electronic voting:

- people with motor impairments, who may have difficulty filling out paper ballots by hand without assistance;
- people with poor English-language skills who may have difficulties understanding the instructions on the ballot paper (instructions, formality warnings etc. can be provided in multiple languages using the electronic voting software);
- people who are illiterate in either English or their primary spoken language (instructions and options could be provided in audio through the headphones in multiple languages); and
- electors outside Victoria.

In the first three instances, extending the franchise to these electors would provide the same benefits to these groups as does providing electronic voting to the vision-impaired. That is,

¹⁵ JSCEM *Review of Certain Aspects of the Administration of the Australian Electoral Commission AEC submission* pp10, 12-13, Public Hearing 3 July 2007 pp 16-18.

¹⁶ There are already precaution to this effect. During 2007-08, the VEC has written to 115,021 potential electors, and 1,589 of these have advised the VEC that they are non-citizens.

these electors would be enabled to vote secretly, whereas currently they must rely on another person to fill out their ballot papers. The Scrutiny of Acts and Regulations Committee in its report on *Victorian Electronic Democracy* also recommended allowing people with motor impairments and poor English language skills to vote electronically. The VEC notes that the software has been designed with these possibilities in mind and would not need to be redeveloped for this purpose.

Extending the electronic voting franchise to these groups may lead to some electors voting who otherwise would not have voted. As well, it would have a beneficial effect on informal voting. The technology allows voters to cast a deliberate informal vote, but protects them against voting informally by accident. It is significant that there was only one informal vote at the 2006 trial.

Turning to electronic voting outside Victoria, stand-alone electronic kiosks in overseas and interstate voting centres would be able to easily supply ballots for any district and region. Currently large numbers of paper ballots must be shipped to these venues – this would be replaced with a small number of CDs and smartcards. The votes could also be sent back to Melbourne electronically (as they were from the non-metropolitan locations in the 2006 trial) and printed for inclusion in the count on election night, reducing the delay that currently occurs waiting for the ballot papers to be transported to Victoria. The VEC would also consider the AEC's 2007 trial of voting over the Department of Defence's intranet. Many Defence personnel overseas are stationed in remote areas, and often the normal postal voting process does not serve them well.

Repealing the three-month rule

Electors who do not live at their address on the roll are affected by a provision commonly known as the 'three-month rule'. Under this rule, if an elector claiming to vote gives an address that is not the elector's address on the roll, the election official must ask: "Has (the address shown on the electoral roll) been your principal place of residence within the period of three months immediately before election day?" If the elector answers "no" to this question, the elector's claim to vote must be rejected.

The three-month rule is based on the principle that only people who live within an electorate should be able to vote for that electorate. This is a strong principle, but the rule has a potentially far-reaching impact. Victoria has a highly mobile population, with mobility is concentrated in younger age groups. Moves tend to be quite short in distance. Of people moving within Victoria, 76.2% move less than 20 kilometres, and 37.6% move less than 5 kilometres. These statistics suggest that a high proportion of people changing address could move within their electoral district. Despite the VEC's enrolment programs, and concentrated advertising before the roll closes, a substantial number of electors do not update their enrolment in time. These are likely to include a high proportion of the more mobile segments of the population, such as young people, the unemployed and the mentally ill.

Given the efforts to engage these marginalised groups with the community, it is unfortunate if they are denied a vote at a State election even though they are on the roll.

It is estimated that around 10,000 people were denied a vote through the application of the three-month rule at the 2006 State election. Notwithstanding the VEC's training and instructional material, the three-month rule was difficult to interpret and apply. Questions arose, for example, about whether it applied to an elector who had lived overseas for a period, had just returned to Australia, but intended to change address shortly. There is a risk of inconsistent administration of the three-month rule.

In light of the difficulties in consistent administration, and the potential consequences of the operation of the rule, it is suggested that the Act should be amended to either abolish the three-month rule, or to exempt the rule from applying to electors on the roll who move within their electorate without updating their enrolment. This would contribute to voter turn-out at State elections.

7. Informal voting: some ways to improve participation

As stated above, at the 2006 State election more than 26% of informal votes for the Assembly just voted “1”. It appeared that these voters misapplied the new way to vote for the Upper House to their district ballot paper. The VEC’s survey of informal ballot papers revealed a similar issue with Upper House votes. More than 27% of the informal votes were a “1” below the line for a candidate.

These voters knew which party or candidate they wanted to support, but their votes could not be counted. The VEC can look at redesigning ballot papers to try to make the instructions clearer, but such redesign must be within the constraints of the legislation. The VEC can also refine its information programs explaining how to vote correctly.

The most direct way to reduce informal voting would be to amend the legislation. There are two ways in which this could be done – optional preferential voting, and ticket voting.

Under optional preferential voting, a voter for a district election would simply have to vote “1”, and the vote would be accepted. Voters could number as many squares after “1” as they wished. Victoria already has optional preferential voting below the line for the Upper House (voters have to vote “1” to “5”). It is noteworthy that Queensland, which has optional preferential voting, consistently has the lowest informal voting rate in Australia. However, optional preferential voting alters the dynamics of elections, and can lead towards a de facto first past the post system. This involves policy matters beyond the scope of the VEC.

An alternative would be to adopt ticket voting as in South Australia. Under this system, parties and candidates can lodge a ticket of voting preferences with the electoral authority, in much the same way as Upper house group voting tickets are now lodged with the VEC. Voters who just vote “1” are deemed to follow the party’s or candidate’s ticket, and their preferences are allocated accordingly. This system preserves many votes that would otherwise have been informal, while maintaining the compulsory preferential voting system. However, it would entail an additional administrative burden for parties and the VEC.

8. Conclusions

The VEC has a range of initiatives to encourage enrolment and voting and is always seeking new ways to increase the participation of eligible electors. The VEC recognizes, however, that this requires diverse approaches. These include making enrolment as practically accessible as possible and providing effective communication and information campaigns.

They also include providing education programs to provide a more enduring understanding of the democratic system and why participation is important. In this sense the VEC rates its education responsibilities as at least equally important as the conduct of elections and electoral research.

Along with other participants, the VEC has a part to play in encouraging participation in Victoria's electoral system. As a small agency, the VEC regards strategic partnerships with other agencies as indispensable in its efforts. Other government agencies also have a role, and the VEC welcomes current moves to encourage harmonisation of electoral law and practice. Parliaments, political parties, individual politicians and other groups must also assist in making the democratic system as engaging and accessible to voters as possible.

The VEC would welcome the opportunity to put further ideas and information to the Committee.

Steve Tully
Electoral Commissioner

27 June 2008