

**ELECTORAL MATTERS COMMITTEE**

**Inquiry into the conduct of the 2006 Victorian state election and matters related thereto**

Melbourne — 28 August 2007

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Ms J. Nelson, Council on the Ageing (Victoria).

**The CHAIR** — Welcome to the public hearings of the Electoral Matters Committee inquiry into the 2006 Victorian state election and matters related thereto. All evidence taken at this hearing is protected by parliamentary privilege, as provided by the Constitution Act 1975 and is further subject to the provisions of the Parliamentary Committees Act 2003, the Defamation Act 2005 and, where applicable, the provisions of reciprocal legislation in other Australian states and territories. I also wish to advise witnesses that any comment they make outside the hearings may not be afforded such privilege. I take it that you have received the pamphlet on giving evidence at public hearings?

**Ms NELSON** — Yes, I have, thank you.

**The CHAIR** — Can you state your full name and address?

**Ms NELSON** — Julie Therese Nelson, 1 Sydenham Street, Moonee Ponds.

**The CHAIR** — Can you please state whether you are attending in a private capacity or representing an organisation; if you are representing an organisation, what is your position in that organisation?

**Ms NELSON** — I am representing the Council on the Ageing (Victoria) and I am a policy committee member.

**The CHAIR** — I now invite you to make a verbal submission, and the committee will ask questions after you finish your presentation.

**Ms NELSON** — The Council on the Ageing (Victoria) was established in 1951. It is an incorporated not-for-profit peak body. It comprises individual members and organisational members with an interest in older people. Anyone over the age of 18 can be a member of COTA, people over the age of 50 having voting rights. COTA currently has over 5000 members. COTA is committed to human rights, social justice and the eradication of ageism. Our mission is to enable older people to age well in a just society.

We recognise that ageism plays a significant role in diminishing people's life opportunities, and we work towards eradicating ageism in the community. We provide opportunities for older people to take action on issues and matters that are of concern to them. We recognise the interests and diversity of older Victorians and undertake regular consultation, encourage feedback and develop consultation mechanisms to ensure that we respond to current trends and to the needs of older people. COTA works with and consults older people to influence those who work with older people, their families, the community and government. COTA has adopted the United Nations principles for older persons as the basis on which to build policy. We have five policy principles that underpin our work.

In relation to the matter before this committee, COTA advocates for policies that, firstly, maximise the economic, social and political participation of older Australians and challenge ageism and, secondly, promote positive views of ageing, reject ageism and challenge negative stereotypes. COTA supports initiatives that recognise the capacities and contributions of seniors and actively combat ageism. We believe that the impact of ageism, based on a negative age stereotypes, restricts the participation of older people in all aspects of Australian life. This has adverse effects on the community and on older people.

In relation to this inquiry, COTA wishes to take the human rights perspective which promotes the active participation of older people in all aspects of their community and recognises the value of this participation. It is opposed to the stereotypical view that equates ageing with a loss of capacity, ability or value. We applaud the work of the Victorian Electoral Commission in its efforts to maximise the participation of a diverse range of members in the Victorian community through its disability plan and its range of strategies to facilitate participation. Some of these strategies and measures will go some way to addressing the needs of older people who have disabilities or reduced ability through illness or other conditions. However, COTA would like to raise issues that relate to ageing that may not be addressed by a focus on disability. In particular, isolation and lack of support networks.

Issues of an increasing ageing population and a recognition of the potential needs of this sector in the community needs to be recognised in this context, so the issues we bring for your consideration — and they are general and not specific — are, firstly, mobility and access to transport.

Many older people do not drive and may not have access to networks that provide transport. Community transport should be provided to ensure that people can reach voting centres. It is noted that mobile voting centres are provided by the VEC, with a particular focus on residential care facilities. This is a welcomed initiative.

The next issue is isolation. Many older people may be isolated due to lack of support networks, illness or functional disabilities. That may impact on their ability to access voting centres or to receive information about services that are available to assist them to participate and exercise their right to vote. Consideration should be given to support and information provision to community service providers and workers such as in-home support workers and HACC services, activity groups, the RDNS, ACATs and other specialist services, residential care managers and staff to facilitate people's access to information and processes to enable them to participate in elections.

The location of voting centres tends not to change, and the facilities may be inadequate to meet the changing needs of the local community and older people. The facilities used should be reviewed in light of the VEC disability action plan and accessibility by public and community transport. While the disability plan developed by the VEC recognises disabilities and the need for support by people with mobility, sight problems or other disabilities, implementation needs to be monitored and reviewed with consideration given to the needs of older people, the appropriateness of the facilities and adequate training for staff providing information and manning booths. Information about services available to assist people needs to be widely advertised throughout the community and accessible to older people as well as people with disabilities.

With respect to culturally and linguistically diverse issues for older people there is a correlation between the incidence of informal voting and electorates with a high proportion of people from CALD backgrounds. The ability to access information may be more difficult for older people from CALD backgrounds who may not have high levels of literacy, even in their language of origin, and their ability to read and understand information may be impacted by their health status as they age. The introduction of electronic voting may be a welcome strategy to overcome some of these issues, and we would certainly endorse the provision of spoken information in a range of community languages through this mechanism.

Finally, I have a comment in relation to the VEC website, which does provide some excellent information. We note that older people in the community are those less likely to have Web access, so there needs to be another way of ensuring this information is distributed. That is my submission.

**Ms CAMPBELL** — My question relates to pre-polling. Having had the experience of a number of state and federal elections I marvel at the ability of both the AEC and that the VEC to find sites away from public transport. If the site happens to be close to public transport absolutely no provision is made for parking for people with disabilities, or there are access issues at the front of the site. At the recent election they found a site that was not listed in a *Melway* published just a couple of years before the current one. So this is a leading question! What would your recommendations be on pre-polling sites that would meet the needs of the people whom you have just described who may have difficulties accessing public transport and would need community transport, may not own a car and would need public transport, do not have access to Web information and therefore require readily accessible information on pre-polling?

**Ms NELSON** — Access is the basis of our submission. Therefore it is consistent that we would want that access to provide all of those things. It would need to be well advertised, to be accessible, to have provision for disabled parking and for community buses. While I am not familiar with all the sites that have been used for pre-polling, I would also suggest that I do know of some that have not been very well publicised or are obvious to the community. I expect we would probably find a high proportion of older people wanting to take advantage of pre-polling. I am not sure about that, but I know that people whose health is not consistently good may want to pick up that advantage.

We need to make sure that older people have a knowledge of what services are available, and I think one of the things we have raised in terms of getting information, particularly to isolated elderly, is about using home-care workers such as HACC workers and the RDNS and people who have information. They may be part of the network of information that would reach those people.

**Ms CAMPBELL** — Could I give you one, given that you are in Moonee Ponds? The last site chosen for Pascoe Vale, Niddrie and Essendon was in Mount Alexander Road, just near Hall Street, a seventh floor site, and you would know only too well the inability to park there.

**Ms NELSON** — The first thing that came to mind was the lack of reasonable parking. The fact that it was on the seventh floor probably made it difficult for some people to find, if they did manage to get a park. There would have to be more prominent positions, one would think. That would be a consideration that you would like the VEC to take into account.

**Ms CAMPBELL** — By way of a supplementary, you mentioned mobile polling booths which are warmly embraced by the residents of the sites in which they are located. To date these have been rarely advertised. I can give an example in the last state election where a retirement village community room was used. Neighbours next door to that community centre, people who were old and had difficulty with mobility who actually wanted to go along and cast a vote rather than do a postal vote had to actually argue their way to be provided with a ballot paper. Do you think if there are mobile booths that it complicates things for those who are at the, let us say, retirement village, if other people know that mobile booth is going to be there at a set time.

**Ms NELSON** — I think it would be an aspect that the VEC could consider advertising. It does not seem to me that it would be any more difficult to take votes, given it is from the same residential electoral roll, from adjacent areas, if that were possible.

**The CHAIR** — What was your assessment of the conduct of the postal vote and the pre-poll campaign in 2006?

**Ms NELSON** — We do not have a particular position on that at COTA.

**Mr SCOTT** — The question I want to raise is regarding the people from a culturally and linguistically diverse background that you raised about formal voting. I am just picking up figures from the VEC's report, that at least 41 per cent and possibly, depending how you read the figures, closer to over 50 per cent, perhaps even just under 60 per cent, of people who voted informal were attempting to vote. You raised the issue of people perhaps having a limited understanding of the instructions that they were receiving and voting. I take it you regard it as a very high priority to ensure that such people participate in the electoral process, and that the ability to participate is improved from the last election?

**Ms NELSON** — Absolutely, yes. COTA's position is about access; and access to all means having information in languages that are understood. We have suggested that that be recorded information if necessary so it is actually heard rather than written.

**Mr SCOTT** — Just to follow up: what would your opinion be of changes to how votes were determined to be formal or informal, because there is a proportion of votes here that are regarded under current legislation as informal? Clearly the VEC thinks, and I would certainly agree with them, that at least 40 per cent, probably a bit more — 41 per cent — of people are trying to vote and are failing to meet the requirements of current legislation to vote, but are clearly expressing a preference about who they would like to vote for in that process. Would you have a view whether it would be worth considering legislative change to allow those people who are voting in such a way that are now being regarded as informal to have those votes regarded as formal?

**Ms NELSON** — My understanding of the way those votes are miscast is usually people do not understand a preferential system and are expressing a first preference. At times it can be argued that if that is the case then the way in which preferences were distributed by that candidate would be the guide to where the preference could be. My own experience would be that some returning officers would accept that as a valid vote and some do not. You would expect there would be a need for consistency, and so I would support a view where consistency was reached. It should not be up to individuals to interpret those rules, I would not think.

**Mr SCOTT** — The principle I was going to was whether we should examine legislative change that ensures that more of those votes are included or not, because there is an issue of how successful education campaigns are going to be, and there will always be a proportion of people who are attempting to vote but fail to meet the requirements of the current act.

**The CHAIR** — You mentioned the training of VEC staff for polling booths. Can you elaborate on that?

**Ms NELSON** — Just in relation to access — sorry I am just trying to find where I mentioned that. My recollection is that it related to access.

**Ms CAMPBELL** — I think it was to do with assisting people to actually vote.

**Ms NELSON** — Yes, it was, thank you; when they had to assist people and how to do that if they need that. The training of staff to be competent, confidential, helpful and not directional of course — a basic requirement, I would expect.

**Ms CAMPBELL** — In terms of those that go on the permanent postal-vote record, are you familiar with that?

**Ms NELSON** — I am sorry, I am not familiar with that.

**Ms CAMPBELL** — It is possible to become what we call a permanent postal voter, where should there be health issues or access issues, no matter which election, you get a postal vote and it is quite automatic. I was just wondering if you had any comments on that?

**Ms NELSON** — In terms of the general principles at COTA, I would see that as being consistent with improving access to people who may have difficulty otherwise casting their vote, and we would strongly endorse that.

**Ms CAMPBELL** — While you were talking a whole lot of recommendations came to my mind. One of them in particular relates to where there are pre-poll centres, that local government provide additional parking spots for people who have the disability stickers. Have you heard any comment about the difficulty in actually finding spots where there are pre-poll centres, and access for those that manage to get someone to drive than there?

**Ms NELSON** — Generally I have observed that there are times when people accessing those centres had to walk a great distance in order to get there. I have certainly seen people needing assistance and I do not know how often that might deter people from actually casting a vote, if in fact it is not easily accessible. Lots of people can be quite unsteady and it shakes their confidence if they have to make a journey that is difficult.

**Mr SCOTT** — I noted in your submission you discussed electronic voting. Are you referring to a system whereby — and there have been some discussions in some other jurisdictions about touch screen voting — if the vote was not formal it could not therefore be registered, and that there would be instruction during the process to ensure formality? Was that the sort of thing you are discussing?

**Ms NELSON** — We were only referring to it in relation to that section of the VEC website where it is mentioned. It is not a particular kind of thing.

**The CHAIR** — You suggested that the website was not a good idea for the elderly. What alternatives are there?

**Ms NELSON** — It is not that it is not a good idea, it is that we know that over-60s have a much lower proportion of them who access the Web. We think that communication, particularly for older people, may well sit with the agencies that do home care or part of the social networks like the planned activity groups that we have at community health centres — those sorts of places. Information could be available to people who meet with older people and it would be a verbal communication and it may be leaflets.

**Ms CAMPBELL** — In my electorate office we have an inordinate number of questions around state elections, federal elections and council elections and when it is compulsory to vote and when is it not. Have you got any comments on what COTA might consider, one, in terms of what would be good for consistency, and two, if there is an age specified where voting is not compulsory and what age it should be?

**Ms NELSON** — We discussed this very briefly in putting this submission together because I had actually thought that there was an age across all elections, and it is only local government is my understanding, and it is 70, I think. Our view is that older people for the most part value their participation in democracy and very few of them want to be exempted if they can possibly participate. I have seen that in many local elections as well as state and federal ones, just from my own observation and my own family. Of course it is probably good to have a clause that allows people not to be fined if that is a reason for them not voting, but to have a definite cut-off I do not know. I think we see, with our ageing population, people maintaining good health for much longer in their lives generally. Maybe 70 is a bit young.

**Ms CAMPBELL** — The older you get, the younger it becomes. Thank you.

**The CHAIR** — Thank you for that. You will receive the transcript from today in about a fortnight. Any typing errors may be corrected but not matters of substance. Thank you very much. That concludes the hearing for today.

**Committee adjourned.**