

Submission

No 3

Review of the Parliamentary Electorates and Elections Act 1912 and the Election Funding, Expenditure and Disclosures Act 1981

Name: Name suppressed

Date Received: 29/05/2012

The Inquiry Manager
Committee of Electoral Matters
Parliament of New South Wales
Macquarie Street,
SYDNEY NSW 2000

Attention: Mr Jonathan Elliott

Dear Sir,

Re: Submission concerning the
Review of the Parliamentary Electorates and Elections Act, 1912 and the
Election Funding, Expenditure and Disclosures Act, 1981

I am in receipt of your letter of the 24th April, 2012 and appreciate your invitation to make a submission to the Parliamentary Committee on Electoral Affairs.

Having read the Terms of Reference and accompanying documents, and without reflecting on the political affiliations or integrity of those who constitute the Committee, I feel obliged to address the fundamental preliminary issue of whether or not such a Committee is the appropriate forum to examine these matters. These issues go to the rights of all those entitled to vote in this State, regardless of their political affiliations or lack thereof.

For example, could such a Committee, given those making up its ranks, overcome perceived conflicts of interest, political or otherwise, and be seen to make truly objective judgements about matters such as: -

1. Political donations;
2. The present complete skewing of the electoral system, particularly in the constitution of the Legislative Council of this State;
3. The reason for the electoral roll being so poorly administered so as to permit a significant proportion of eligible citizens not to be on that roll, and this in a country where voting is compulsory. This raises the question of whom, if anybody, this non-enforcement advantages;
4. Why, given present security concerns and the state of technological advances, efforts are not being made to develop a system where each eligible voter, whether enrolled or not, is properly identified and processed each polling day. Again, who benefits from the lack of such a system?

5. Proper liaison with the Commonwealth and Local Government authorities with the view to ensuring that effective systems are in place to reduce duplication, increase efficiency and effect compliance.

These and other questions can only be objectively examined by a Judicial Inquiry constituted by a person or persons with no political affiliations, approved by all major political parties. Unfortunately if that is not done, there will remain the public perception that political interest has overwhelmed the public interest. I emphasize my use of the phrase 'perceived conflicts of interest' as this not a question of a provable conflict of interest but of a perceived conflict, a distinction that has been, unfortunately, lost at all levels of government and business over many years.

This is the test that needs to be satisfied when dealing with matters of such public significance.

Given my strong views on this matter, and given all the circumstances, I feel there is nothing further I can fruitfully raise before this Committee but this very material, fundamental and critical preliminary issue.

Yours faithfully,