

INQUIRY INTO 2008 LOCAL GOVERNMENT ELECTIONS

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OUR SUSTAINABLE FUTURE

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The Chair
Joint Standing Committee on Electoral Matters
Parliament House
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Submission to Joint Standing Committee on Electoral Matters

Re Inquiry into the 2008 Local Government Elections

We want to point out to you changes to electoral procedures which we believe erode grass-roots democracy, in that the electoral requirements favour larger parties and professional career politicians. These same changes disadvantage community based "micro" parties registered under the Local Government Act and members of the public who want to actively participate in local government issues and local government elections.

Most importantly, the new reporting requirements of the Electoral Funding Authority have become onerous. The need to have returns including "nil" returns audited by a registered company auditor threaten the very existence of the independent "micro" parties, who simply don't have the financial resources to meet these demands. In our case we do not charge membership fees and a regular auditing cost could drive us to close down. Not surprisingly it has been suggested that the "big parties" who have made the rules have ulterior motives in arranging these changes, quite apart from any genuine desire to inject a higher level of transparency re political donations.

In a number of regards the newest set of changes separate the process from the people.

At the 2008 Local Government elections almost all of the vote counting took place in Sydney making it impossible for parties and candidates to properly scrutinise the process. This deprives local politically-active scrutineers from repeatedly viewing the fall of preferences on individual ballots as they are sorted and counted. This can give strong feedback on what influenced voters during

campaigns, in a way that final preference totals cannot. It also de-skills local people, who are no longer able to involve themselves in a process which now mostly happens inside a computer. (Most regional people cannot travel and live in Sydney for the duration of the counting process, so we are locked out of the process.)

This new central-counting system results in a greater delay before final results are known and published. In Byron Shire, with hand counting we used to know the full final result about five days after election day. In 2008 results were issued more than a week after election day.

The current approach is also more expensive for individual councils (who are now charged by the State Government/NSWEC) than in the past when Councils ran their own elections.

The minimum requirement of four candidates per group, for their own column on the ballot paper, pushes more names onto ballots. Over the years the Electoral Commission has increased the required number of candidates per vertical group, presumably in an attempt to limit the number of candidates so ballot sheets remain manageable. This vertical alignment has electoral advantages, so intending candidates opt for this if possible. Most number 2, 3 & 4 candidates know they have little chance to get in, yet everyone is pressed into this charade by the rules of the game. We think it confuses voters and with so many names it's hard to communicate clearly to the electorate.

While we support and applaud the government & Electoral Commissions' intentions to increase scrutiny of political donations (so as to track their potential influence on public policy) it has created a lot of paperwork for people who are already working voluntarily in their spare time. Probably most candidates lower in ballot-groupings do not receive donations, yet have found themselves entangled in paperwork, with too many unwieldy categories, when basically money plays no part in their involvement. Could the procedures be simplified to apply only in significant cases?

We are aware that at other tiers of government, increases in the minimum required members number has made it hard for micro-parties to continue. We ask that NSWEC think very carefully about the impact that any future increases may have on micro-parties and grassroots democracy.

Can we suggest that the formal rules re above-the-line voting stipulate that voters must number at least One, Two & Three in group boxes, to reduce the number of exhausted ballots with only One above the Line. Proportional voting is meant to reflect subtle voter intentions towards the election of a range of candidates. Perhaps voters have not caught up with the change in the Above-the-line rules whereby candidates are no longer able to register their preference flows with the NSWEC. While we agree with this change, we think that strongly 'encouraging'

voters to allocate their own preferences increases the likelihood that elected bodies will more closely reflect voter wishes.

Important legislative changes and new procedures and requirements for both parties and candidates at the 2008 LG elections were brought in far too late ie too close to the actual election. These matters had not been settled even by the time representatives of the Electoral Commission were holding pre-election briefings in various local government areas.

Some councils, such as Byron, did not have their own allocated returning officers;

Some returning officers were not up to the task. For example, the Ballina/Byron officer, while courteous and helpful, at times provided inept and/or conflicting advice requiring reference to Sydney and/or other returning officers. This included the approval and then retraction of that approval of one of our candidate's HTV material resulting in many hundreds of dollars expenditure in reprinting costs. The impression was that he had not read his own reference material well ahead of particular stages in the process;

Six months have passed since the elections. It would have been helpful for this inquiry's intention to have been made widely known well before the elections, so that those of us involved would have been "primed" to take note of issues and incidents as they occurred.

We trust that our contribution will be helpful to the Inquiry.

Yours sincerely



Hugh Ermacora

President – OSF

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