

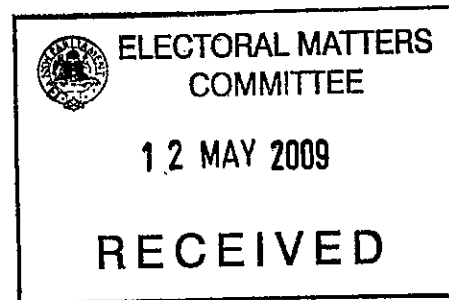
**Submission
No 25**

INQUIRY INTO 2008 LOCAL GOVERNMENT ELECTIONS

Organisation:

Name: Ms Dorothy Smith

Date Received: 12/05/2009



8.5.09

Joint Standing Committee on Electoral Matters
Parliament House
Macquarie St
Sydney NSW 2000

To Whom It May Concern

Please find enclosed copies of two letters I wrote and the replies I received concerning last years local government elections.

I worked at this election as an Election Officer.

I hope the concerns I registered then may be of some use to you as you conduct the current Parliamentary inquiry into and report upon the conduct of the 2008 local government elections, including matters relating to costs.

Yours sincerely

A handwritten signature in cursive script that reads "Dorothy Smith".

Dorothy Smith

D Smith

22 09.08

Copy.

Electoral Commissioner
New South Wales Electoral Commission
GPO
Box 832
SYDNEY
NSW 2001

Dear Mr Colin Barry

I have now worked at two booths as an Election Officer and have found the experience most rewarding. On both occasions the Officers involved have worked in a friendly, cooperative, responsible manner to see the goals of the day were achieved.

We have a wonderful democratic system and we need to see this system is maintained at all cost.

I would like to make, what I believe to be, a few constructive comments.

The Instruction Manual clearly tells you how to issue ordinary votes and we follow that to the letter. Reference Page 5

I do suggest that unnecessary confusion and delay can arise from the question D. "Have you voted before in this election?" The mandatory question to voters should match the requirements of the Local Government Regulation [2005].

"5. Have you already voted at this election?" [Regulation]

However, the main point of concern in this letter is that there are no directions given in the Instruction Manual telling an Election Officer what to do when a voter asks, "What have I to do". There are two alternatives and many voters appear to be totally confused by the current system.

To begin with, I would like to suggest that this above the line group voting system be abolished. We had a ridiculous number of 53 candidates, 10 groups of 5 or 6 with one candidate below the line. Many candidates were just there to make up the numbers and voters appeared to have no idea about them. Who has the time in a busy schedule to do the necessary research? This form of voting prevents lesser-known top quality individual candidates from ever succeeding.

If abolition of this above the line group system is not possible then I suggest all Election Officers be given a basic instruction in the Instruction Manual stating

"If asked by the voter "What have I to do?" the Electoral Officer is required to read them the direction on the top left hand corner of the ballot paper."

Or

"Polling Officials are required to read the direction on the top left hand corner of the ballot paper if asked by the voter "What have I to do?"

Statements such as

"Put '1' above the line"

or

"Vote for at least '5' below the line"

"Vote for a minimum of '5' below the line"

are quite inaccurate.

Directing them to place a '1' above the line prevents them from deciding on their own preferences for groupings above the line and directing them to vote for at least '5' or a minimum of '5' below the line designates their vote for early exhaustion.

I am not trying to criticise anyone. I am just as guilty as anyone else with this and I am sure there would be others state-wide who may have done this unwittingly as well, sometimes even under direction from the Polling Place Manager or the Deputy Polling Place Manager. I even heard a Polling Official being interviewed on ABC radio saying ballot papers would be valid with "1" above the line and at least 1-5 below the line." That is true but it is not the full option.

I really do see the need for the inclusion of an extra instruction in the Instruction Manual

Yours sincerely

Dorothy Smith

2008/334

30 September 2008

Ms Dorothy Smith

Dear Ms Smith

2008 Local Government Elections

I acknowledge receipt of your letter dated 22 September 2008 regarding suggested improvements for staff training.

Amendments to the Local Government Regulations in 2003 introduced the same voting system for multi-councillor councils and wards as applies to the New South Wales Legislative Council. The voting system is proportional representation with the added ability of candidates to form groups and for groups to request a group voting square above the line. In addition, electors are able to preference groups above the line as well as preference below the line. The Minister for Local Government is responsible for such provisions.

I appreciate you writing with your suggestions as this will assist us in improving our training material for election officials. I am also pleased that you found the experience of working as an election official rewarding.

Yours sincerely



Helen Robinson
**Executive Assistant to
Electoral Commissioner**

D Smith

30 11.08

The Hon Barbara Perry MP
Minister for Local Government
Governor Macquarie Tower
Level 33
1 Farrer Place
SYDNEY
NSW 200

Copy

Local Government Elections

The Concerned Citizens of Albury Inc would like to make, what we believe to be, a constructive comment

We have a wonderful democratic system and we need to see this system is maintained at all cost.

The current voting system of proportional representation with the added alibility of candidates to form groups and for groups to request a group voting square above the line is confusing to the public, costly for Councils and unfair to individual candidates who do not want to form alliances.

In Albury, we had a ridiculous number of 53 candidates, 10 groups of 5 or 6 with one candidate below the line. Many candidates were just there to make up the group numbers requirement and voters appeared to have no idea about them and who they are preferencing as a group. Who has the time in a busy schedule to do the necessary research? This form of voting prevents lesser-known top quality individual candidates from ever succeeding.

The theory of grouping is flawed – nine positions to be filled so the minimum for a group has to be five on the basis that the group can have a majority on Council which will enable it to carry out its pre-election promises. All that is the stuff of fairy tales and will never happen!

The reality is that, as with a “Melbourne Cup” field most people will vote for the favourite, as they do not know the form of the runners. Who then sets the market for the favourite – the local paper and from their writings contained in the paper it appeared they didn’t know how the voting system worked.

We would like to suggest that this above the line group voting system introduced as an Amendment to the Local Government Regulations in 2003 be abolished altogether.

Yours sincerely

Dorothy Smith
Secretary Concerned Citizens of Albury Inc



Department of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541

OUR REFERENCE
YOUR REFERENCE
CONTACT

A167122

Anita Gambhir
02 4428 4215

Ms Dorothy Smith

Dear Ms Smith

I am writing in reply to your letter of 30 November 2008 to the Minister for Local Government, the Hon Barbara Perry MP, regarding the voting system for election of local councillors. The Minister has requested that I reply to you on her behalf.

I noted your concerns about the proportional representation system. You believe that this system is confusing, costly and unfair to individual candidates. During the extensive process of review leading up to the introduction of the *Local Government Act 1993*, the question of the system of election for local government was widely canvassed, including consideration of simple majority voting systems such as "first past the post".

While simple majority systems may be easy to understand, they have the defect of giving inequitable and unrepresentative results. For example, a candidate can be elected who does not represent a majority of the electors. The highest-polling candidates fill the positions regardless of the percentage of the votes they actually receive.

Under section 285 of Act, the optional preferential voting system applies where one or two councillors are to be elected and the proportional voting system applies where three or more councillors are to be elected.

The Local Government Amendment (Elections) Bill 2008 proposed, among other things, that these arrangements be modified so that the optional preferential system would only apply where one position was to be filled and the proportional system applied where two or more positions were to be filled. The Bill has not been passed by the Parliament at this time.

The proportional voting system is generally used across all levels of government in multi-member electorates because it is designed to allocate seats or offices in proportion to the overall number of votes obtained by the candidates. It is generally considered to be the most equitable system because it reflects the electoral strengths of different sections of the community.

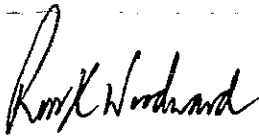
The voting systems for local government in other Australian states are similarly configured. The proportional system is also used in the multi-member electorates for the NSW Legislative Council and the Australian Senate.

The optional preferential system only applies at local council by-elections, ward elections of less than 3 councillors and mayoral elections (where the mayor is popularly elected). This system is also used in the single-member electorates for the NSW Legislative Assembly and the Australian House of Representatives.

For further information on voting systems and counting of votes, you may wish to refer to the NSW Electoral Commission's website at www.elections.nsw.gov.au.

I trust this information is of assistance.

Yours sincerely



8/1/09

for

Garry Payne AM
Director General