

**Submission
No 1**


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

Organisation:

Name: Mr Craig Boutlis

Date Received: 2/05/2012


Partially Confidential



14 November 2011

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

Dear Sir or Madam,

A hospitalised patient of mine was recently denied the opportunity to vote in the  Council election because the mobile electoral team was unable to attend to her before the 6 pm closing of polls. You will see from the attached correspondence how this occurred.

The Electoral Commissioner was kind in his consideration of my letter; however, the response that he would only “consider” raising this issue with you has left me with no option but to raise this with you directly if I am to be sure that your committee is able to give this issue your due consideration.

I contend that a hospitalised patient confined to bed with an intention to vote who is waiting to be attended by an electoral official has exactly the same status as an able-bodied voter standing in a queue at a polling place who is waiting to be attended by an electoral official. To suggest otherwise implies discrimination solely because of the patient’s disability and incapacity to attend a regular polling place.

In my view, it should be made clear to the Electoral Commission and their mobile electoral teams that patients confined to their hospital beds have exactly the same status as able bodied voters standing in a queue at a polling place; whereby voting is routinely continued beyond 6 pm until all votes are cast.

Yours sincerely,



Craig Boutlis

cc. Mr Colin Barry, Electoral Commissioner

The NSW Electoral Commissioner
GPO Box 832
Sydney NSW 2001

28 September 2011

Dear Sir or Madam,

On Saturday 3 September, one of my bed-bound [REDACTED] inpatients (who'd spent over 100 days in hospital) was denied the opportunity to vote in [REDACTED] Council elections. [REDACTED] you can imagine the effect this disempowerment had on her having already been significantly disempowered by her illness.

The reason was that the mobile electoral team didn't make it to her ward by 6 pm and pulled up stumps (I have confirmed this through discussion with Terry Jessop). This was despite the fact that I had seen the patient on my ward round at 5 pm that day, personally gone and spoken to the electoral team on level 8, and then gone on to find the mobile team (on another ward) to make them aware of my patient's intention to vote.

I am aware that electors standing in a queue at a polling booth after 6 pm will still be eligible to vote and had my patient been well enough to be standing in the queue on the 8th floor after 6 pm, she could have voted. However, her immobility meant that the only way she could queue was to wait patiently in her bed having been told by me that the mobile team had given an undertaking to reach her and let her vote. She did all that she could but still lost her right to vote.

Terry Jessop has kindly ensured that this woman will not receive a fine (others on her ward may not be so lucky) and I trust that he will look into ways of ensuring that enough Electoral Commission staff are provided for mobile teams in the future – after all, the number of beds in a hospital is published and this planning should be entirely predictable.

What I think is required here is some common sense. I doubt it would be breaking the law to regard bed-bound hospital inpatients waiting for a mobile Electoral Commission team as having exactly the same status as an able bodied elector standing in the queue at their local high school. I trust that you have within your powers the authority to make such a determination and that this instruction could be disseminated to future hospital electoral teams.

Yours sincerely,

[REDACTED]

Dr Craig Boutlis

cc Mr Terry Jessop (sp?), NSW Electoral Commission