

INQUIRY INTO 2008 LOCAL GOVERNMENT ELECTIONS

Organisation: Albury City Council
Name: Mr Kerry May
Position: Governance Team Leader
Date Received: 22/05/2009

15 May 2008

Joint Standing Committee on Electoral Matters
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Burgess

2008 Local Government Elections – Submission on Cost and Conduct

AlburyCity held a Community Forum, 10 December 2008, relating to concerns candidates and the public had in relation to the 2008 Local Government Elections. We have attached a copy of the report from this Forum for your information (Attachment 1).

A range of issues were raised at the community forum and also from written submissions received. The main consistent themes included:

- the extended time taken to declare the Albury election result,
- concern regarding the large cost increase compared to 2004,
- that the NSW Electoral Commission investigate the merits of implementing a postal voting system for future local government elections,
- if postal voting is not implemented in future, then allow counting locally,
- concern regarding the preferential voting system and the group voting system,
- NSW Councils should be given the option of deciding which voting method (eg. preferential voting or 'first past the post') is to apply for their Local Government Area,
- NSW Councils should be given the option to decide on the method of voting (ie. Above or below the line),
- the non resident electoral roll should be automatically generated, and
- there were unclear guidelines about recycling "how to vote" papers.
- inconsistent rules regarding public access to polling station toilets, and
- the process for paying for shared Returning Officers.

In addition, the following points were raised with regard to matters concerning the NSW Electoral Funding Authority:

Justification should be provided for:

- the rule that agents need to be on the NSW electoral roll,
- the difference between a party agent and an official agent,
- the ruling of not being able to accept donations after 1 August without an agent,
- changes in the dates of registration of groups and individuals,
- the discrimination against non-party candidates, and
- the audit process and the donations rules were not clear.

As a result of the Community Forum and a subsequent report to AlburyCity Council Meeting of 2 February 2009, we provided feed back to the NSW Electoral Commission, NSW Electoral Funding Authority and Local Government Association.

For your information, we have also enclosed (Attachment 2) written submissions we received after the 2008 election.

AlburyCity appreciates the opportunity of making this submission in relation to the 2008 Local Government Elections.

Yours faithfully

A handwritten signature in black ink, appearing to read "Kerry May".

Kerry May
Governance Team Leader

Enc. 2

Community Forum REPORT



Report from the Community Forum held on Wednesday, 10 December 2008, in the Council Chambers, at 6.02pm

Present Crs P Gould (Chairperson), R Angus, A Glachan, P Sawyer and H van de Ven

Apologies

Staff Director Corporate Services, IT Officer and Administration Officer

The Mayor welcomed residents to the Forum.

CF 1 2008 NSW Local Government Election Process Forum

Cr Gould Advised that although several written submissions had been received in response to Council's advertisement, there had been no indication that anyone wished to speak. Advised that if there was anyone in the audience tonight who wished to speak, they are most welcome.

Mr Graeme Richardson Wanted to make a point that when it was said that people wanted to put their name down who wanted to make a submission, that wasn't part of the invitation.

Cr Gould No, said is anybody listed to speak tonight from the people who made submissions.

Mr Richardson So how did you get listed? What was the process to get listed?

Mrs Judy Charlton There was an advertisement in the paper in the local government section informing people that tonight's forum was on and asking people to let us know if they wanted to speak. There was also a public advertising process advising people that they could make written submissions as well if they wished to. Advised Mr Richardson that his submission had been received.

Mr Richardson The media release he received did not say 'do you want to speak at the meeting'.

Mr Charlton The media release at that stage did not particularly mention whether or not people wanted to speak but it was noting that we had the forum and therefore people were invited to attend. The Mayor is allowing anyone here to speak if they wish. Council also had an advertisement which clearly said that if people wanted to request the opportunity to speak, they could ring a number and have their name listed.

Mr Richardson Thinks that it is disjointed – you have something on one piece of paper and something on another, then you have to put them all together. The media release said that the meeting would be on 10 December but doesn't say the time or the venue.

Cr Gould Advised that Council takes on board his comments and asked if he had anything further to add to his submission.

Mr No.

Community Forum REPORT



Richardson

Cr Gould Asked if Ordette Mannering wished to say anything.

Ms Ordette Had nothing further to say but asked what the general consensus of the submissions was.

Mannering Is everyone saying the same thing?

Mrs Charlton There were four main themes in the submissions, as well as other comments made by individuals. The themes were:

- the cost of elections and the concern around that – especially in comparison to the 2004 cost;
- the time to count the votes – it was over a week before the results for Albury were provided;
- concerns around the group voting methodology; and
- suggestion for using postal voting as an efficient and effective way to manage local government elections in the future.

These themes consistently came out in the submissions received.

Mayor Thanked Mrs Charlton. Asked if Cr Angus wished to speak.

Cr Angus His understanding of the meeting tonight is that it is Council's aim to put together a motion or have discussions?

Cr Gould No, the Community Forum is just about engaging with the community and at this stage we have submissions and they will go forward to the Committee meeting and Council will make an ultimate decision on that and take it from there.

Cr van de Ven Had several issues to raise:

- The fact that we should be arguing strongly against the silly preferential system we have and go back to the 'one vote, one value' so that we don't have this situation where we have 53 candidates stand. Whilst there is some criticism of Councillors in one submission about people using the above the line vote – if you really seriously wanted to get on the Council you didn't have a choice about where you put your voting or where you stood on the ballot paper, it had to be above the line.
- Wanted to tackle the Electoral Commission and the Electoral Funding Authority on a few issues. Firstly, please explain why he couldn't accept donations after 1 August without an agent. Up to 31 July he could have accepted donations without an agent. This is clearly idiotic. He wished to register as an agent but was not allowed to until after the rolls closed on 4 August and then his name appeared on the roll. Here we have a situation where everything was dependent on you being on the roll but the situation is that he couldn't register as an agent for another group until his name appeared on the roll.
- Please explain the difference between official agents and party agents? Why are official agents discriminated against and only registered for one election. His group was an independent group and they appointed an agent – an agent's appointment is for one term. If you are part of a political party your agent is appointed forever. It is totally discriminatory.
- Why was the registration date for groups and individuals changed? It was originally 12pm on the 15th for groups and 5pm on the 13th for individuals, now it was 12pm

on the 13th for both. Even the Electoral Commission didn't know what they were doing as far as there cut off time for everything was concerned.

- Why must a person be on the NSW electoral roll to be an agent? Has some very good friends in Wodonga that are accountants and they would have made a perfectly good agent – are they second class citizens over in Wodonga? They are not allowed to be an agent over here? Why is it so necessary to be on the electoral roll of NSW to be an agent? Don't we trust the ratepayers from other states, or aren't they smart enough?
- Why do we have discrimination against non-party people? Refer illegal donations, prohibition against in-kind donations doesn't include the free provision of anything, provided it's done by a party, that is provided for candidates endorsed by the party. There is total discrimination against individuals and against independents in this election.
- The issue of audits was not explained clearly in the handbooks, neither was the issue of donations.
- Apart from the fact that he believes the electoral process should be 'first past the post', just a straight simple election system. If you only want to vote for one person or nine, that should be the way it should be. This silly preferential system doesn't suit local government. We have a situation where that then could be counted in Albury at a fraction of the cost. That's the other issue too, \$230,000 – our costs were increased by nearly 300% without so much as a 'by your leave' and this is one of the issues we really need to take up with the Electoral Authority and the government.
- The delay in the results – there was a situation last week where voting in Wodonga closed voting at 6pm on Friday and results were known at 9am on Monday. We had to wait nearly eight days for the results to be available.

As the original mover of the motion in Council to have this forum so that candidates who had issues with how the elections were conducted could put these issues forward. He has no qualms about the way electoral officials handled things on the day – they do a great job. Around the state there were different ways of dealing with issues at various voting booths. In some voting booths in Sydney they weren't allowed to recycle how to vote papers, clearly ridiculous stuff. Electoral Commissions should say to booth managers 'let people go into the booth and collect their how to vote papers'. His group printed quite a few papers – could actually have only printed 20% of what they did as they were allowed to recycle in Albury. These are issues that are peripheral but important as part of this whole process.

Cr Gould Advised that this is being recorded so the issues will be listed for inclusion.

Cr Glachan Had the same four points as summarised by Mrs Charlton. Cr Glachan sits on the LGA Executive Committee. One other point was raised about toilets and the fact that some booths around the state allowed the public to use them on the day but others don't. Need some clarification as to whether the public are able to use these toilets as they are public facilities in most instances in NSW. Also she raised at the Executive meeting was that we

paid significantly less in 2004 and had a most significant increase in costs of running the election in 2008. We had been encouraged by the NSW government to pool with other shires in our area to share a returning officer, which we did and were given a \$500 discount for doing so. The Executive asked that we put that in our report as these are the sorts of difficulties they would like to be highlighted, that Councils have attempted to do as requested by the state government and have been penalised accordingly. Can only hope that Corowa will be putting in a submission given that their charges actually went up when they pooled with us.

Cr Angus Spoke in support of his submission and the comments made by Crs van de Ven and Glachan. Has been involved in Council elections in the past on the other side as a Council employee (as the Administration Officer) where he was the appointed person to assist the Returning Officer and supply him with whatever needs he required to get the job done. Also has assisted the Returning Officer during elections (not for Council). Now having stood as a candidate it mystifies him that the Returning Officer (in the gallery tonight) has in the past, along with the staff appointed by him, counted the votes locally and there has never been any challenge to the result. Wonders why the state government has now decided to centralise everything the way it has? The strongest representations we can make should be made. Believes that if you are going to get something changed you need to take into account why people have made the decisions they have – the above the line voting is something he believes is a party political matter that suits particularly the metropolitan councils where many of them are party orientated. As a result, doesn't believe we are likely to get this changed and wiped off. His submission makes the point that perhaps there is a compromise – choices as to whether we want wards, choices as to whether we vote for Mayors or not, or whether the elected Councillors make that decision. We may a better chance of getting the state government to change things to avoid or change the above the line voting if we can ask for it to be a choice for Council's to make. Might be an easier way to get something done.

Cr Sawyer Agreed with everything else Councillors have said as well as the public submissions. Feels that postal voting is more civilised and convenient for both Councillors and constituents – you don't need to man a polling booth for two weeks and people coming to vote don't get 'how to vote' cards shoved in their face. Also you don't have to man a polling booth on voting day from 6am to well after 6pm. Makes more sense and is no difference with the number of informal votes received, the same amount of people still vote and you get the same results. People get information in the mail, have plenty of time to read about the candidates and choose the candidate that they want. A much better system that what we have in NSW and the sooner we change to it the better.

Cr Gould Believes there has to be a better system than what we've got – whether it is postal voting or preferential voting or whatever. It is confusing to a lot of people and the system needs to be better simplified for people to understand. Of course everything is done for party politics and metropolitan councils probably love this system but country is different to city. Sees a few other problems too – when it was being counted locally staff were seconded from our area to work the elections but we have lost the ability for people in our own area to earn some

money. Objects to the fact that they have to train people in Sydney, they have to hire warehouses to setup the voting systems. Transportation of the votes has to go to Sydney. Looking for a better system that is not so costly to the ratepayers and one which is beneficial to the people that go to the polls to vote. We all know why we go above the line and below the line – to protect ourselves to catch both the voters who want to vote below the line and those that want to vote under the line. Doesn't know if 'first past the post' is the best system and just having one vote. When she was first elected there was a pretty good rollup of people voting in the city and they had full preferential voting for 12 candidates at that stage and it was very well received by the people. Doesn't know if postal voting is the right way to go or not but would support us looking at all options we can to improve it because it is time consuming, costly and goes on for too long.

Cr van de Ven Would be interesting if the Returning Officer, Mr Peter Mears, had to make a submission to the Electoral Commission and the Electoral Funding Authority on his views on the adequacy or the process as far as the election was concerned. If there were any way this workshop could be privy to that paperwork. Found Mr Mears very obliging and easy to deal with and always very helpful to all of the candidates who participated in the election. Having done a lot of local government elections it would be interesting to get Mr Mears' perspective on the current electoral process is and what would be a good way to make it more user friendly to the electorate and also user friendly from the cost perspective.

Cr Gould It would be inappropriate for Mr Mears to say anything in this regard.

Mr Alan Has made a study of electoral processes and their results for 30 years and has also acted as a scrutineer for 30 years. As far as individual booth officials, you get idiots in every election he has ever been at, at one booth at least – nothing new there. The 'preferential' versus 'first past the post' has a big influence on the composition of the Council. If you go 'first past the post' you get the most popular candidates, whereas if you have preferential voting, you get the least popular, and there is a big difference. Thinks postal voting would cut the candidates expenses and you would probably get better voting because people can do it in peace. Suggestions which he believes are politically possible is to reduce the size of the groups, one would be perfect but two if possible – it's a piece of law needs to be altered. The other thing is to make it optional preferential where you only have to vote 1 and no more. He had to vote 9 in the Albury elections and after he got to 5 he had a battle. You are allowed in the NSW Lower House to only vote 1 – should be good enough for Council. Thinks personally that it should be first past the post but doesn't think that would ever happen.

Cr Gould Thanked everyone for their attendance and for the submissions received which will be included in the report. Thanked Councillors for their input and Mrs Charlton for her assistance.

The Forum closed at 6.30pm.

ATTACHMENT 2

**Written submissions
received by
AlburyCity Council.**

Brief submission re September 2008 Local Government Election process

Prior to election

- Information for candidates should be released well in advance of election. Information sessions by AEC were not detailed and some information 'not available' until a later date
- Information from Electoral Funding Authority should have been published earlier
- The AEC sent out how flyers to electors about the Albury election but did not include the address of the electoral office; nor CLEAR and CONCISE information on the preferential voting system

Voting System

- As per most opinions, the preferential system is confusing
- No groups – Number 1 candidates only. Of the 53 candidates in Albury 08 there were really only 19 sincere nominations
- Many people complained that there were too many candidates to choose from and they were confused to who were 'real' and who cardboard candidates. If there were no groups then the community would be less confused and not feel like they were being 'duped'.
- On election day: Having no groups would reduce wasted resources such as the 'how to vote' flyers used for the day. There was a lot of paper used and although most helpers recycled the flyers from bins at polling booths many voters commented 'what a waste of paper'. There was also much manpower required to 'service' all booths. It would be less annoying to voters who are constantly swooped with information as they enter the polling booth. Perhaps there should only be generic posters allowed outside booths.
- Postal voting could be an option, as could selected on-line voting.
- The Victorian system seems reasonable on appearance.
- The staff at the polling booths were helpful and polite.

Counting of votes

- The counting of votes for Albury took too long. The AEC website should have just estimated and given a date for results: instead the site kept saying (re Albury) counting in progress, even from the Monday after the election
- The web cam idea at the counting centre was OK, would be interested to know what the hit rate was and who would be bothered watching it!
- Once again, the Victorian system of counting votes appeared quick!

Online information

- Some information was available on line and easily accessible. Website relatively easy to navigate.

-----Original Message-----

From: Sharon and Ian [mailto: [REDACTED]]
Sent: Monday, 24 November 2008 9:03 PM
To: Info
Subject: Comment Sought on Election Processes

Hi,

I have issues that I would like you to be aware of -

1. The cost and time

2. The voting/preference system.

Simply put, why do my votes go to someone who I haven't voted for?
What happened to "first past the post?"

3. Why is it not simply every individual on the ballot paper and thus I my vote only goes to my choices?

Please put forward my issues and if you have the time, answer my questions.

Thank you

Regards

Ian Elworthy
[REDACTED]

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FOR YOUR ACTION:
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Albury City				
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	HR	108/004795		
	CS			

5th December, 2008

Mr. Les Tomich,
CEO,
Albury City Council,
Kiewa Street,
ALBURY 2640

COST OF LOCAL GOVERNMENT ELECTIONS.

Dear Mr. Tomich,

In October 2007, the Jindera Branch, of the Country Women's Association of NSW, (of which there are a number of members who are residents of Albury,) put forward a resolution at the Murray Group Conference, which subsequently went onto State Conference, debated, passed and the relevant arguments put to the Minister.

The Minister's reply indicates that he was of the opinion that the present electoral arrangements are working well and that he has no interest in changing them. While we all know that the Councils are far from happy with the arrangements, he apparently is not receiving the message of our concerns in Sydney.

I have enclosed a copy of our resolution which was supported by a number of Groups within the State. The exorbitant costs and the time taken to count the votes and post the results are far from satisfactory..

I enclose the information presented and the Minister's reply. Unfortunately, much of the information, including newspaper clippings etc. were passed on to Head Office.

I had been in contact with Ray Stubbs and with a number of Shires throughout the Riverina and other parts of the State where I have previously lived and still have contacts; besides those personal contacts with Shire and City Councils that I made through my work as a Regional Manager of Young Achievement Australia.

2.

The CWA has always been a strong voice in the community, and we are continually working for the betterment of women and their families in the country. Being the largest women's organization in Australia, we have, since 1922 always had good relations with both State and Federal Governments...a voice of common sense and reason.

The Jindera CWA wish you well in your endeavours.
If you require a contact with the Head Office of the CWA of NSW, please feel free to contact me.

Yours faithfully,



Patricia . L. Brown
President, Jindera CWA



COST OF LOCAL GOVERNMENT ELECTIONS.

Resolution: That the CWA of NSW request the Premier of NSW and the Minister for Local Government review the legislation pertaining to the conduct of Local Government Elections, namely the exorbitant costs of running these elections, and return the conduct of said elections to the jurisdiction of Local Government Councils.

- **Madam President, I move this resolution.**
- **Madam President, I second this resolution.**

The cost of local government elections is cause for grave concern to our councils.

Since the Electoral Commission conducted elections, the cost has risen in some areas by 400%

e.g. Albury City Council	2004.... 85,507	2008..... 223,600
Corowa	29,027	56,600
Greater Hume	30,000.....	49,000
Berrigan	19,000.....	45,000

The Electoral Commission receives no funding.

Under the previous system, Council Elections were conducted by the General Manager and Council Staff. There was complete transparency, regarding costs, business e.g. printing of electoral papers was done locally, and results were generally known the night of the election

Now we have a system whereby there is no transparency or information regarding costings, votes are taken to Sydney, thus delaying publication of results.

However, we are assured by Mr. Colin Barry of the Electoral Commission, and I quote from his letter to the Border Mail of 2nd August, 2007... 'The Arm's length' conduct of local government elections ensures elections are conducted with absolute impartiality and independence'.

Consequently, a slur has been cast upon the integrity of all those who had previously worked on Local Government Elections.

These exorbitant costs are ultimately passed on to the ratepayer, or Councils are forced to cut budgets to meet their commitment to the Electoral Commission. This impacts on country people who are battling with drought, flood damage and severe frost write-offs.

Either the State Government supplies the Electoral Commission with funding or we return to our previous method of electing our Councillors.

Further information on ...

Jindera Resolution. 2008.

Background information:

I have been in touch with Ray Stubbs who is the CEO of the Murray and Riverina Regional Organisation of Councils.

The 18 council members are: Albury, Griffith, Balranald, Berrigan, Carrathool, Conargo, Corowa, Deniliquin, Greater Hume, Hay, Jerilderie, Leeton, Murray, Murrumbidgee, Narrandera, Urana, Wakool and Wentworth.

Following an email to the said cities and shires on my behalf, the reply was that nothing had changed following consultation, and that said councils were delighted that the CWA was following it up.

In the meantime, I have personally spoken to several shires to double check the original stats that we have already presented. These figures have not changed.

Also:

Leeton Shire. 2004: \$32,000 2008: \$55,000

However, as there were only 2 wards contested in 2004, the Shire has budgeted for \$75,000.

Deniliquin...do not have 2004 figures, but costs have risen significantly....2008 is \$35,000.

I am still checking Berrigan..

It seems that the costs have either doubled or tripled in 4 years.

Added to this is the decision by the State Government to place councils into groups, whereby, a group of councils will use the one Electoral Office Returning Officer. This means that the votes will have to be transported to large centres, thus delaying the counting and results even further, and restricting employment opportunities.

Eg. In our area,... Albury, Greater Hume, Corowa, Tumbarumba councils.

Further north: Griffith Returning Officer will handle Griffith, Leeton, Narrandera, Hay, Jerilderie, Murrumbidgee, Carrathool (Goolgowi & Hillston) and Bland (West Wyalong area).....this is a huge area with shires wondering when their votes will actually reach the centre, let alone be counted.



New South Wales

Murray Gm

RECEIVED
27 JUN 2008

The Hon. Paul Lynch MP

Minister for Local Government
Minister for Aboriginal Affairs

BY:-----Minister Assisting the Minister for Health (Mental Health)

Ms Donna Wilkins
Country Women's Association of NSW
11 Greenknowe Avenue
POTTS POINT NSW 2011

Ref:
MIN: eA1298109
Doc ID: A145566

25 JUN 2008

Dear Ms Wilkins

I am writing in reply to your letter of 23 May 2008 regarding the estimated cost of conducting local councils' 2008 ordinary elections.

I have been concerned to receive complaints from a number of councils that the cost estimates for their 2008 elections provided by the NSW Electoral Commission are substantially higher than the cost of their 2004 elections. Therefore, I asked the Director General of the Department of Local Government to seek clarification on this issue. The Director General met with the Electoral Commissioner to discuss the election costs and has reported to me in the following terms.

I am advised that NSW Electoral Commission Client Service Officers have visited every council in NSW to explain the arrangements and services that may be provided by the Commission at the 2008 elections, to give councils a say in the process, and to work together in developing an election budget based on agreed service levels.

The Electoral Commissioner has advised that the feedback from general managers and council staff at these consultative meetings has been very positive and that they are supportive of the improved service levels and transparent arrangements.

Following from this consultation process, the Commission wrote to all councils on 8 May 2008 and provided a detailed budget estimate itemising the election services to be provided for that particular council.

I am also advised that the Commission will, on a case-by-case basis, consider requests from individual councils suffering financial hardship to spread the payment of their election costs over two financial years.

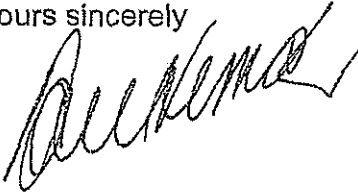
Understandably, the Commission and councils wish to keep costs to a minimum. At the same time, electors have an expectation that the service delivered by the Commission should be as thorough and professional as that provided at parliamentary elections. Historical ad-hoc arrangements where councils provided some of the electoral services in-kind, such as printing ballot papers, hiring staff and choosing polling places will now be removed.

The Government wants to ensure that public confidence in their locally elected representatives is maintained. Residents and ratepayers expect that council elections will be run to the same high standard as State and Federal elections.

The public also expects that an independent umpire conduct the local electoral process, like State and Federal elections. To ensure transparency, local government elections will continue to be conducted at arms length from councils and with absolute impartiality.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Paul Lynch', written over the typed name.

Paul Lynch MP
Minister

SUBMISSION ON LOCAL GOVERNMENT ELECTION 2008

I have been involved in the past four Local Government elections. The first two were in the role of AlburyCity Administration Officer providing assistance to the Returning Officer. The third election was as an assistant to the Returning Officer ensuring the smooth running of the election from his perspective rather than as an employee of AlburyCity. In the most recent election I was a candidate.

The first three elections were run by the Returning Officer with significant assistance from AlburyCity. This process also involved the counting of votes. Results were widely known by the Monday following the election with official declaration of the result soon after.

In the most recent election held on 13 September 2008 the results were not known until 21 September 2008 which is a significantly worse performance than the previous three elections.

As a whole I am satisfied that the election was well run with the Returning Officers role being as effective as it was in the previous elections.

It was my experience as a candidate in this most recent election that the Non-resident Ratepayers Roll was not clearly advertised nor the conditions of who was eligible to be placed on the roll known by AlburyCity officers. A number of regional residents who own properties in Albury complained to me that they were unaware that they had to actually register in order to vote due to the fact that they were not resident in AlburyCity. I would like to explore other means of establishing the Non-resident roll such as creating a roll from the AlburyCity computer records for all ratepayers (individuals) who do not have an address within the boundaries of AlburyCity. The voting for these individuals could either be made non-compulsory so that if they live some distance from Albury they would not be disadvantaged if they chose not to vote or they could all be treated as postal voters and sent a ballot paper in the mail. The only voters that would then need to register I believe would be those individuals that are the official representatives of Companies, Trusts and businesses that own properties in AlburyCity.

The most major concern that I had as a candidate in the 13 September elections was the group voting system. The number of candidates was extremely high (53) with probably at least half of the candidates *not seriously anticipating being elected* and in that sense were really only providing the numbers to enable a group to be formed and placed above the line. The above the line voting is geared more to the party political system which operates mostly in the metropolitan areas of Sydney. Given that Local Government exists through the authority granted by the State Government which is very party politically geared, it is impossible to imagine that the State Government would agree to remove the above the line "party" aspect of local government elections. It may however be possible to achieve a compromise. The system for Local Government elections allows for individual councils to choose if they wish to have a system of Wards or not as is the case in AlburyCity. It also permits the Council to choose, if it wishes, to have a separate election for the mayor as part of the election process by those eligible to vote for a four year term or to have the mayor elected by the elected Councillors every twelve months during the term of the Council. I believe that it would be a better system if we were permitted as a Council to determine if we had above the line voting or not. The option to have no above the line voting may still incorporate individuals aligning themselves together for the purpose of applying

preferences or it may simply be a system where each candidate stands as an individual. The "grouping" below the line is likely to give lesser known candidates, grouping with a more widely known candidate, a better chance of being elected.

My third area of concern with the recent elections was the pre-polling for a fortnight prior to the election. The need to have a representative present at the pre-poll on each of the days prior to the election was quite onerous especially since the pre-poll was open mainly during business hours. This matter would be exacerbated if above the line voting were removed making it necessary for each candidate or their representative to be present to hand out how to vote fliers. I believe that this matter can be effectively dealt with by allowing all voters who cannot vote on election day being able to register as a postal voter similar to those on the non-resident roll. The aged, the infirmed and those who are not going to be in Albury on election day could all use the postal system already being used.

Come to think of it why not take away the huge cost to all candidates and the Council in setting up and running polling places on election day by having the whole election done through postal voting. Such a pity that we might have to acknowledge that the Victorians came up with a good idea before us!!!!

In summary:-

1. I would like to see the Non-resident Roll be automatically generated and all voters on that roll treated as postal voters
2. I would like to see Councils being given the option of allowing above the line voting or not allowing it in the same way that they have an option regarding Wards and the way the Mayor is elected.
3. I would like to see pre-poll voting incorporated into the postal voting system (with consideration being given to having an option of making the whole election postal voting if a Council so chooses)
4. The counting of votes has been done effectively and more efficiently both in terms of cost and period of time before a result is known when they have been counted locally, therefore we should pursue the local counting of votes for future elections.

Rob Angus
Councillor
AlburyCity

General Manager
Albury City Council

ES	ACT	30/30/0008	✓
ES			
AD			
AD			
AW		02 DEC 2008	
ES	KM		✓
AD			
CCD			
REV		CORRESPONDENCE No	
HR			
CSS		108 004725	

10 Denny Court
Thurgoona

Local Government ELECTION[s] 2008

Doubtless the 2008 election was conducted in a fair and scrupulous manner. The Polling Booth appeared to be well laid out and adequately staffed. Queuing [bank-style] is now established and with 'flow through' voter movement delay is minimised. It can be allowed that some administrative errors are inevitable. Nonetheless the process was flawed and criticism is justified. The election was disappointing in a number of ways.

Local Politician Politics

A major flaw was the creation and use of candidate groups [minimum 5] and thus the gaining of the option of an 'above the line' [ATL] voting square on the ballot paper. If that option were to be removed, the situation would be quite different. Albury, for example, may have had a ballot paper containing about 25 contenders for the 9 positions. The ATL provision was not invoked by compulsion. It could have been avoided [and was avoided in some other Councils]. It was a political choice by our Council politicians. Not one of them decided to stand as an individual. The result was a ballot paper with names in 11 columns.

It seems clear that the ATL provision will be used if it is available. The 6 Albury Councillors from 2004 who set up groups were all successful in their designs. How likely is it that the present 9 Councillors could agree to forgo the option in 2012? Removal of ATL [group] voting would inevitably lead to a simpler ballot paper and a less onerous task for the elector. From the viewpoint of the voter, especially the unprepared voter, reversion to a simple list of candidates would soothe their discomfort.

The political [lawmaker] model for the Council poll would be derived from that of the Senate and, particularly, the NSW Legislative Council. There are no seats for losers and the 'major' parties know what gets them the highest number of seats. Politics is about gaining the political advantage.

Given the role of our Councillors in the creation of our ballot paper it is hard to take the current inquiry really seriously. All of our Councillors owe their positions to being in a group. [It is not possible to say what would have happened if the ballot papers did not contain groups but I think the indications are strong that at least one of the current assembly would not be there.] Methinks the Council doth protest too much!

The ballot paper is a political matter - for local and state politicians.

Frivolous Candidature

Sometimes it is suggested the candidate deposit should be larger. That would be a

disadvantage to the less wealthy and thus less democratic. For the same reason I do not suggest that the requirement [for deposit return] of 4% minimum first preferences apply to group members.

In the 2008 Albury election, only one candidate will have lost the deposit, despite having gained 271 first preference votes and remaining in the count until eliminated with 406 votes at Count 43. It seems intrinsically unfair but the solution escapes me - apart from banning the grouping of candidates!

Some Voters Count!

The mathematics is clear. I have published comprehensive numerical data [simple descriptive statistics; not inferential analysis] on the Albury 2008 election. It can easily be shown that 81.6% of Albury electors did vote. That population included 7.9% who voted informally. [An unspecified number of those were intentionally informal.] The election was 'owned' by 73.7% of entitled voters.

A further 10.6% of the electorate had their votes become exhausted and thus fail to influence the success of a candidate. It would be reckless to say this was due to ATL voting [which nonetheless would account for part of the total exhausted]. The ballot paper, with its 10 groups of 5+ and one BTL individual, discouraged effective voting and even participation.

'Blind' Voting

One can only speculate the impact of 3 feet of ballot paper with 53 names thrust upon an unprepared voter. Anecdotal evidence is that people got a rude shock - after all, they were only attending to vote for Council, not for the Senate. It is simply idle nonsense to say that a voter could then ask to see the 53 Candidate Information Statements [CIS], read them, and then vote in an informed way. Of course they COULD! I would be surprised indeed if many people did.

I am aware of the 'educational' program run by the NSW Electoral Commission [EC]. I had no complaint about the advertisements or about the material delivered by the EC. I assert that it was ineffective but have no better method to offer in relation to proportional representation by the optional preferential voting system, with candidate grouping for ATL voting.

The media contributed to confusion. Various statements were made about the method of voting. It is a pity all journalists and commentators are not required to adhere to the mandatory instructions and to indicate clearly when they are advancing an opinion of their own.

Candidate Information

The Candidate Information Statements [CIS] had a prominent role in the official procedures. They were available on the Internet and at the office and in the polling places [so I believe]. It is wrong [unfair and undemocratic] to require people to use the Internet and it was unreasonable to expect them to seek out and read 53 pages on the day.

The published CIS in Albury were varied in content and were only accessible by downloading the PDF. Some were completely useless, containing only a [compulsory] solemn declaration of the name and address of the candidate. In point of fact 12 of the CIS may as well have been blank; the remaining 41 ranged in value from a serious 'CV' to a skimpy statement. [I have a detailed analysis of the CIS bundle, if required.]

Furthermore, the more readily available information [the 'candidate data' connected to the ballot paper model] published by the Electoral Commission allowed the candidate to suppress useful information such as their locality. In these cases it was an essential to download the PDF, or to access in the other ways, none of which are realistic for the less mobile or disadvantaged members of the community.

Oh yes, **candidates** did their best to get their own information out to residents. Some spent considerable sums. That gave a distinct advantage to those with greater resources.

Election Officials

I am unable to comment on the totality of the workforce. Naturally enough, my contact was limited. It is clear there were problems with the training materials provided by the Electoral Commission. It was disappointing that the old form of the mandatory question, 'Have you voted before..', was retained. The Local Government Regulation [2005] should have been followed. It is not a fatal flaw but the inevitable effect of the old form of the question is to create uncertainty and confusion just when voters are vulnerable and can see that they are to be faced by an intimidating sheet ['ballot paper']. The confusion, which arises when a voter answers 'yes' and then 'no', also creates unnecessary challenge for the issuing officer. Evidently attention to detail was lacking at the Electoral Commission.

It seems that problems existed at some polling places with smaller numbers of voters. They were very late indeed with their results. I have heard that at least one issuing officer was not initialling the ballot papers. Perhaps time was taken up with [unnecessarily and improperly] initialling after the ballot box was opened. It is also possible the count and determination of informality was a difficulty. [I will return to the informality issue.] Another potential cause of lateness is the misguided old practice of 'garbage hunting'. I have known officials who invested considerable time in searching through rubbish to find 'lost' ballot papers.

I noted that the Electoral Commission was seeking 'feedback' via the Internet. I was aware of this because I am alert to materials in polling places, saw an item, and I asked for a copy. The leaflets were not being given out. That may have been due to faulty instructions or lacklustre attention to instructions. Whatever the reason, the Electoral Commission 'survey' was flawed by a sample skewed.

After 6 pm

The scrutiny process ought to be above question. NOTE: I do not suggest that officials have conspired to 'rig' results. I would not believe that.

However, there seemed to be confusion as to the entitlement for scrutineers to be present and observe. Were there any scrutineers? Certainly there were none at Thurgoona. The scrutineer role is a vital component to ensuring the electoral process is above reproach and can withstand any examination.

The scrutineer matter may well be related to the instructions issued to the Returning Officer and to the Polling Place Manager, neither of which I have seen in 2008. Were the instructions correct and clear?

Scrutiny and Formality

Something went wrong in relation to formality verdicts in Albury. By comparing the Saturday tally with the final count of Albury polling place first preferences, it is evident were 263 errors made on Saturday, including 8 ballot papers 'lost' from the count but later 'found' and added. The formality errors included 81 ATL ballot papers. The overall result of 'check counting' was to increase the number of formal ballot papers by 125. Were these corrections made in the Albury office? Were scrutineers able to observe the quality of ballot paper scrutiny in general, both for the tally and later check counting?

There arises the question of the quality of the formality determinations. A normal procedure would be for the Returning Officer to personally check each of the ballot papers in question and give their verdict, and this would happen in the view of scrutineers. Scrutineers would be available to challenge interpretations and anything that appeared irregular. What happened? Were scrutineers present?

Costs and Alternatives

IF the media is to be believed, the major concern of Councillors is the heavy cost involved in the services provided by the Electoral Commission. The figures do look disturbing.

Since subdivision rolls were abolished, A-Z rolls implemented and without wards or any form of precinct voting there is little or nothing to recommend the use of polling booths above a postal system.

I have voter experience of the general 'voting by post' system under which no polling places are operated and ballot papers are mailed out to all at their address enrolled. If that leads to a much lower overall cost per voter, it is clearly to be preferred. Perhaps the fully postal system may also reduce the number of non-voters - I have no data on that. Victoria has extensive experience in this procedure; similar results would be expected in NSW.

One factor in determining a method of taking the poll would be the prevention of plural voting or of personation. I have no data. However, I know that the information is collected by scanning the rolls to produce the 'marked roll'. It is another side of determining apparent non-voters. In my experience there are always some instances of apparent plural voting. I have not heard of the result of any election in this country being under question because of it, nor because of personation.

The NSW Electoral Commission some years ago was investigating precinct voting and electronic voting. I do not have current information on these options. Certainly it is feasible in the era of wireless broadband to conduct elections in Albury by the use of paperless technology. It would not be so easy in other places.

The Roll

The quality of the work on the electoral roll by the Australian Electoral Commission [AEC] is fundamental to all elections. This is true whatever method of voting is used. I have noticed significant decline in the quality of some AEC work over the last 15 years or so. Some officer errors are to be expected but nothing wholesale. It seems that the AEC takes a self-exculpatory stance and explains away, deflects or brushes off critical comment.

According to the media an identified large group of people in Albury were not correctly included by the AEC in the certified roll. They were lamentably 'not on the roll'. I also have no doubt that other people presented to vote and were allowed 'Section' votes. It would be a rare event if many of those Section votes were actually admitted to the scrutiny [no data obtained]. The Electoral Commission [EC] is restrictive with information and the EC is not easily accessible. [Some (or many) Section votes arise from people failing to notify change of address. Their deletion from the roll can only be remedied in relation to the next election.]

I also deplore any suggestion that the voter is required to check or ensure that their enrolment has been correctly entered. Every Australian citizen age 18 and over has the privilege and right to be on the electoral roll and to cast an effective vote. There is also the matter of our duty ['compulsory enrolment and voting']. According to the Commonwealth Electoral Act [Section 101], we have to ensure we have claimed to be enrolled and that we have notified any change in enrolment details. We may be given opportunity to check our enrolment and we can do so, but our obligation is clear and specific, as is the obligation of the Divisional Returning Officer.

I had personal experience of administrative failure in an elections office when I was residing in Kiewa with no mail delivery and supposedly receiving ballot papers by post. The [AEC] Returning Officer had arbitrarily decided my delivery address by looking at a map and addressed the mail to a non-existent address, instead of c/- PO. When I telephoned I was told that time was too short but I could travel over to Chiltern and collect replacement ballot papers. It was disappointing and unnecessary but it happened.

It is not possible for the roll used at an election to be 100% accurate. Take for example the matter of persons deceased after the 'close of the roll'. Efforts may be made to maintain the security of the election by taking account of deaths. Even if such is attempted there are limits to success in that task. What can be addressed is administrative error.

The roll of electors needs to be meticulously maintained, including by attention to all boundary changes and careful entry of claim details. Perhaps consideration could again be given to removing the roll-keeping task from the AEC. I expect that, once the electoral roll is reliable the certified roll used for the election will follow, being

produced by computer from the base roll of electors.

[In the discussion of rolls I have taken no account of the special roll related to property owners. I would be interested to know how many additional names there were in Albury.]

Rolls and Voters

Failure by human error [by the polling official] to correctly mark a name on a roll is likely to happen. I do not have the statistics. The occurrences will be included in apparent non-voters and apparent plural voters. The rate of incidence must be acceptably small. I have not heard of an election being called into question on this account.

The use of electronic scanning means the process of determining non-voters and plural voters is doubtless reliable. I do not have statistics but the error margin would be small, probably lower than applied in the day of transfer by hand to a master voter roll. I cannot imagine any improvement whilst printed rolls continue to be used.

Materials Supply

It is quite extraordinary to contemplate that there may have been shortages of ballot papers or any polling place materials for a Local Government election. 'Running out' of ballot papers would be quite unacceptable except in the most extraordinary, extreme and totally unpredictable circumstances.


Costs

In 2008, the cost per elector on the Albury roll was \$6.99 [\$224,500 / 32,102]. The Electoral Commissioner [EC] apparently said [Border Mail report 26/11/08] the cost was \$1.75 per ratepayer per year [emphasis added]. Puzzling claim there to use 'ratepayer' numbers in calculations and an unlikely result for a 'per ratepayer' calculation. Looks a bit careless to me - or did the newspaper get it wrong? If we accept that there are about 21,300 rateable properties in Albury, that works out to over \$10 per property for the services of the EC. It must surely be possible to get an objective measure of costs.

One-sided Argument!

I wrote to the Electoral Commission [EC] on 25 September 2008. [No reply.]

Yours sincerely

 1/12/08

Allen Hampton

Albury Election 08 data:

<http://spreadsheets.google.com/pub?key=p3leSyeE1fekDlci7aq1VNg&output=html>
<http://spreadsheets.google.com/pub?key=p3leSyeE1fekDlci7aq1VNg&output=html>

FOR YOUR ACTION
COPY GIVEN BECAUSE
THE INFORMATION

417 Fallon St
NORTH ALBURY
NSW 2640

05.12.08.

AlburyCity				
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ES	LCAT	30/30/0008	✓	✓
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HR				
CS		108/004797		

Mr Tomich
General Manager
Albury City Council
PO Box 323
ALBURY
NSW 2640

Reference: Submission Election Process.

Dear Mr Tomich

I was an Election Officer at Thurgoona Public School at the recent Council Elections.

I was so disgusted with the whole process I immediately decided to write to the Electoral Commissioner suggesting a few changes. I felt that if enough people complained something might be done about current system. Copy of letter is attached.

I also filled in an on line questionnaire we were asked to complete and in that I suggested the system should be changed.

I have attached a copy of the reply I received from Helen Robinson Executive Assistant to the Electoral Commissioner

I myself voted below the line for all 53 candidates but I should have voted below the line leaving off all candidates for whom I did not want to record any vote at all.

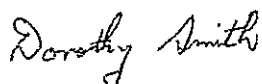
Personally, I think this system is not achieving the best outcome, good candidates are not prepared to enter the fiasco of this system and we have a number of candidates nominating who have no intention of becoming Councillors.

Because people don't make the effort or don't have the time to look at the candidates they can be easily swayed by the media to vote for a certain candidate and I feel the media had a huge influence on the results at this election

We need the return of the first past the post system. Those nominated should be genuine candidates; the number nominating and the cost would be greatly reduced.

The Concerned Citizens of Albury Inc for which I am Secretary requested I write to both the Minister for Local Government and the Shadow Minister for Local Government about their concerns associated with this issue. I have attached a copy of the letter I sent to them both. I sense that they will continue with this system of voting while ever it appears to provide advantages for them. However, a large percentage of the general public do not appear to understand it and a number of them certainly do not understand the options they have to preference their votes.

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 2000

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

Ph 0427507662

600 Paine Street

The Councillors

Albury City Council

553 Kiewa St.

Albury 2640

Albury City				
DEPT	ADD	DATE	TIME	COMP
ES	LCI	30/30/0008	✓	Albury 2640
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Dear Sirs,

After the recent Council elections, there were various comments about the electoral system used for the elections.

The system used will determine , to some extent , the composition of the elected body.

If first past the post is used , the elected body will consist of the most popular candidates.

If preference type systems are used , the result will tend to ensure the election of the least unpopular candidates.

This will also depend upon the relative proportions of various groups (elections with 2 main groups , eg the senate, are quite different to where there are several groups of similar appeal eg albury city 2008.)

For really uncertain results, see some of the recent results of NSW upper house elections, where being elected, has appeared to have been a result of convoluted preference deals, rather than public appeal. Most voters would not have had any idea where their preferences went.

Also, the number of positions to be filled is important in deciding which voting method gives the most representative result. Where there are more than about three positions to be decided, preferences may result in results, that do not appear to be in accordance with the wishes of many of the voters.

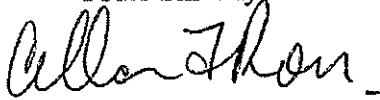
When the cost of the elections is factored in , I would consider that FIRST PAST THE POST is the best and most representative method for electing a group of councillors .It will also result in having less candidates, making the choice simpler and more meaningful for voters, with less confusion in the making of choices , and a much lower informal vote .

In the recent Albury election, less candidates would probabally have stood, reducing the inevitable confusion resulting from having such a large number of candidate. This would have resulted in a higher formal vote and less confusion about who voters supported.

I would be interested to discuss these ideas with any interested parties, It is about time that our voting systems were discussed and re-organised .

Thanking you,

Yours Sincerly

A handwritten signature in cursive script that reads "Allan F. Ross". The signature is written in dark ink and is positioned above the printed name.

Allan.F.Ross

Council media release, 24 November 2008-Comment sought on election processes.

Given that I sought extra information on 27 November, and as yet have not received a reply I question how seriously this is being taken by Council.

This whole exercise could be in a number of ways academic, unless we can have the voting system changed away from the present system of groups and voting above and below the line.

The Electoral Commissioner's response to the Observation Team's Report on Local Government Central Count is quite clear when he states "for certain Local Government elections (where candidates formed groups and there were group voting squares above the line) it is necessary to use a centralised computerised vote counting system. "

To follow the recommended recommendations made in the report would make it cost prohibitive to conduct the count locally.

Quota Proportional Representation voting is barely understood by the voters and I would include in that the Border Mail (more later) who in their post-election articles were suggesting three candidates would be relying on preferences. That was clearly not the case as all but three of the nine candidates relied on preferences to get elected with three not reaching the quota.

Anthony Green - Political Analyst - made the comment after the 2004 local government elections that it was flawed, because in New South Wales the vote is subject to random sampling and therefore not all votes are exhausted. At that time, the number four candidate on the Liberal group went on to say that had the Liberals realised that to be the case they would have recast their strategy and had they done so it would have changed the outcome of the candidates elected.

On the broader political scene proportional representation is an avenue to getting minor parties into government, thus making it harder for the ruling party to carry out its mandate, case in point - Israel, where for many years minority religious parties were able to hold up the peace process and impose their will on the majority.

Group voting is a vote for trouble, as proof, one only has to look at the split it created leading to some of the "goings on" of the previous Council. A Councillor seeking transparency gets reported to ICAC.

The present system is a fraud on voters, group candidates will hold out that they are an experienced team and make all sorts of promises. The reality is they must know upfront that only one of their group has a possible chance of getting elected and therefore only a slim chance of making good on their promises. If they were smarter, they should have availed themselves of running a split or multiple ticket - all that is needed is for another five people to put their names forward.

Voters cannot influence the election of candidates within a group list. In the Gould group, Phil Shanahan at number four received 178 first preferences while Robert Angus at number

two, obtained 39 votes, yet it was he who got elected at count 44 on the distribution of preferences of Phil Shanahan. Further on the distribution of Patricia Gould's primary BTL vote there was a massive leak away from Robert Angus.

The system produces non-genuine candidates and nepotism and it is this that drives good candidates' away, not low remuneration, but that is an argument for another forum. There would be people on the group tickets, who would be horrified if they got elected.

The reality is that with over 50 candidates it is not a people's election, but a Bordermail election. It's just like the once a year Melbourne cup, where with 20+ horses running the once a year punter looks through the paper and bets on the favourites. So it is with the Council Election, where the Bordermail in the lead up to the election lists its favourites. It is one thing to profile the candidates, but their listing of their favourites, where generally the candidates are unknown to the voters, is a form of self prophecy.