

**Submission
No 22**

2012 LOCAL GOVERNMENT ELECTIONS

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CHRISTIAN DEMOCRATIC PARTY

SUBMISSION

FOR

INQUIRY INTO THE 2012 LOCAL GOVERNMENT ELECTION

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EXECUTIVE SUMMARY

The Christian Democratic Party (CDP) believes that the administration of the 2012 Local Government Elections was overall conducted in a fair and efficient manner.

All issues reported by our candidates and members related to those Council areas that conducted their own elections.

There was a great deal of satisfaction in those Council areas where the Electoral Commission took responsibility for the administration of the elections.

Education seminars were appreciated and informative and very necessary especially in light of the new donation laws and the ready availability of information through the EC was also very helpful.

Please note that all issues detailed below except for the last one relate to Councils that conducted their own elections.

SUBMISSION

1. Election Statistics Availability & Presentation

Initial results were available in a timely manner, however, the format in which results were presented varied considerably and in some cases actually were quite confusing and did little to help in meaningful analysis where outcomes were close.

Even today it is difficult to find results through some Council websites and when found they do not provide anywhere the level of information available through the EC website for the Councils for which the EC was responsible.

One council, Newcastle, in fact had not updated its figures for several weeks making our candidate think he had received approximately 300 more votes than actually received because one batch of votes was found to be incorrectly allocated but not updated to the website.

2. How-to-Vote Formats & Approval

All our candidates followed the guidelines established by the EC and approval and registration occurred without any major issues, except in Newcastle where our candidate was required to

‘jump through hoops’ to satisfy the Returning Officer but candidates who had similar How-to-Votes in layout were able to have minimal information about other Parties and Candidates.

In Sutherland, the Returning Officer, Greg Greening, who personally and together with his team did an overall excellent job of running the local election, was unavailable for a few days due to the unfortunate death of his mother. This happened in the run up to the registration of election material and because Greg was responsible for this and appeared to have no backup for this task it caused an anxious delay when printers were on hold and deadlines were fast approaching. Greg must be commended for the exceptional effort made to catch up with the backlog caused.

For this reason alone, the CDP **does not support an earlier cut-off (i.e. prior to pre-polling) for the registration of election material**, unless there is a larger gap between the ballot draw and the commencement of pre-polling.

3. Newcastle City Council

This Council seemed to have more issues than most other councils who ran their own elections:

- As already mentioned, different standards seemed to be applied in the generation of How-to-Votes and website statistics were not maintained in an expeditious manner or presented in a clear way
- The advertising of the office of the Returning Officer was not correct for some time and the council were advising a non-functioning telephone number
- It would appear that the Returning Officer could have been better trained in the rules for running elections

4. Fairfield City Council

Our most serious concerns about the administration of the Council elections revolve around this council.

- Unfortunately, the independence and arms-length rule that the EC applies in the recruitment of polling booth workers seems to have not been applied by Fairfield Council
- I have been informed that several workers had close links to the candidates, especially those from the Labor Party – so much so, that the Returning Officer is supposedly going to make a recommendation that workers come from outside the relevant council area
- This was unfortunately reflected in the counting of votes: as a minor party we find it difficult to provide scrutineers for all booths but for those that we did there was a universal report that many challenges had to be made as CDP votes were being placed into the Labor allocation
- This indicates that either there was a major education issue with some workers in this council or at worst there were deliberate efforts to manipulate the result!

- Also, it has been reported that the Returning Officer lost all control over the handling of pre-polling: admittedly, this was a hard-fought election but apparently, there was a total disregard for on-going instructions to remain outside the mandatory polling booth exclusion area. In some cases, voters were being canvassed inside the booth!

Recommendation: Unless a Council can demonstrate that it can guarantee that all polling booth workers have no relationship to candidates or political parties or groups then it not be allowed to run its own council elections. All polling booth workers must complete a Statutory Declaration that no such conflict of interest exists.

5. Property Developer Candidates

Current funding laws prohibit donations from Property Developers. They do not, however, prevent Property Developers from participating as a candidate in an election. In council elections where no public funding is available to candidates except the possible refund of nomination fees there would seem to be an anomaly with this rule because –

- A developer would generally have more access to self-funding than a lot of other candidates and as such, the idea of a level playing field disappears
- The rule is meant to prevent influence over development decisions and councils are the area where most development decisions are made. Although an elected councilor should declare their pecuniary interests, once elected, there is nothing to prevent decisions being made in support of the developer councilor by his fellow party councilors whom he may have indirectly helped get elected by the additional funding that he could apply to the campaign
- Also, where there is no personal pecuniary interest, this does not prevent the developer making decisions in favour of ‘like-minded’ developers

Recommendation: Property Developers not be allowed to stand as candidates for Council elections