

## **Administration of the 2011 NSW election and related matters**

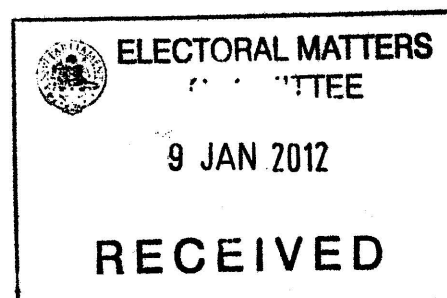
**Name:** Dr Craig Boutlis

**Date Received:** 9/01/2012

Partially Confidential

14 November 2011

~~The Chair~~ *MS Vicki Buchbach*  
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 Wollongong City 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

*(previous)*

copy

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 Wollongong Hospital inpatients (who'd spent over 100 days in hospital) was denied the opportunity to vote in the historic Wollongong City 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 8<sup>th</sup> 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,

Dr Craig Boutlis

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

**The Hon Trevor Khan MLC**  
**MEMBER OF THE NSW LEGISLATIVE COUNCIL**

22 December 2011

Mr Craig Boutlis



Dear Mr Boutlis,

I refer to your correspondence of 14 November 2011 and apologise for my delay in reply.

You will understand that as the Chair of the Electoral Matters Committee, I am open to all ideas about improving the administration of elections in NSW.

The Joint Standing Committee on Electoral Matters is currently receiving submissions for an inquiry into the March 2011 State Election in NSW, and as such, I would encourage you to make a formal submission to the Secretariat of the committee.

While the formal process is to make a submission to the inquiry, I am, of course, happy to raise this issue in our committee's deliberations.

Nevertheless, I would encourage you to forward the letter you have written me to the committee's Secretariat whose details are listed below.

Vicki Buchbach  
Joint Standing Committee on Electoral Matters  
Parliament House  
Macquarie St  
Sydney NSW 2000  
Fax: (02) 9230 3309

Regards,



The Hon Trevor Khan MLC

Please note that  
my suggestions  
relates to a  
city council  
election.



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