INQUIRY INTO THE 2015 NSW STATE ELECTION

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CHRISTIAN DEMOCRATIC PARTY

SUBMISSION

FOR

NSW PARLIAMENT'S ELECTORAL MATTERS COMMITTEE

ADMINISTRATION OF THE 2015 NSW STATE ELECTION

AND RELATED MATTERS

Party Agent/Treasurer

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EXECUTIVE SUMMARY

The Christian Democratic Party (CDP) wishes to start this submission with a commendation of the staff of the NSW Electoral Commission (EC) for their overall professionalism, courtesy and diligence in managing the 2015 NSW State Election. The CDP has had many reports back from local workers of the helpfulness of EC Staff and Polling Booth workers.

This was achieved in an obvious high-pressure environment which was exacerbated by the need to cater for a myriad of election funding, operational and associated reporting changes in the period leading up to the election and post-election.

CDP has identified several issues out of the 2015 NSW State Election that it believes should be addressed and where appropriate, enacted by Parliament or passed on to the EC as quickly as possible to allow sufficient time for the EC to update its systems and test and beta test its systems before implementation.

SUBMISSION

1. Legislative Council Preferences

The issue of confusion between State and Federal rules when completing 'Upper House' voting papers reared its head once again.

There will always be confusion with voters whilst both election systems have different voting procedures.

This confusion cannot be tolerated, however, with Official Polling Booth staff who again gave voters wrong information.

The CDP Office was contacted during pre-polling about 2 instances of voters being advised that they could only put a '1' 'above the line' and no other number.

The EC was immediately contacted and were swift in responding that correcting advice had been given to the Returning Officers in the offending electorates plus giving assurances that all Officers were contacted to make sure their staff knew the rules.

It was good to hear the Electoral Commissioner on commercial radio speaking about these procedures, however, the main focus was on just a '1' above the line being a valid vote (and although this is true), this was carried through to interviews I heard given by the Premier, in which this way of voting was repeated time and again by the host and the Premier in contradiction of his party's own how-to-votes and probably caused the creation of misleading posters at booths (see next point).

Recommendation 1

Electoral Commission employee training must focus on important issues such as voting procedures. Polling Booth workers (including Booth Managers) must complete a test that shows they fully understand the voting system before they can be employed or at least used in the distribution of voting papers or in a position to give advice to voters.

Recommendation 2

More targeted TV, Newspaper and Radio advertising needs to be developed to show people exactly how to complete voting papers.

2. Misleading Voting Material at Polling Booths

The 'Remember to Number Every Square' posters displayed at polling booths should not have been allowed.

It would be interesting to know how many informal Legislative Council votes these posters caused or how many voters felt impelled to vote in a way different to that recommended by the Party for which they wished to vote.

It should be illegal to display or distribute material that does not indicate the Party or Candidate for which the material is created.

Polling Booth Managers must be directed to remove any material that the Electoral Commissioner deems to purport to be 'official' material by virtue of its colour scheme or wording.

Recommendation 3

Make it illegal if the name of the Political Party or Logo and/or Candidate is not clearly shown on all material displayed or distributed at Polling Booths on behalf of a Party or Candidate.

Recommendation 4

No election material be allowed to be displayed that has a colour scheme similar to the official colours of the electoral commission. If a Party or Candidate is in any doubt, they can seek advice from the EC.

Recommendation 5

Ten times the cost of any such material be deducted from the Election Funding entitlement to which a Party or Candidate would be entitled.

4. Volume and Positioning of Election Posters

There seems to be a blatant disregard of poster size rules by some Major Party workers/candidates on the displaying of election posters: although the rules specifically state the maximum size for a poster, including the abutment of like posters, CDP has received complaints that booths have been blanketed with posters being attached in large quantities, with many joined in a continuous stream. In other instances, similar posters are now being posted together (4 at a time) in triangular shapes which exceed the 'joining' rule by approximately 200%.

Booth Managers seem reluctant to get such displays corrected.

Major Parties, because of their 'guaranteed' election funding can afford this excess wastage of resources.

Recommendation 6

Introduce a maximum number of posters that can be displayed at a booth and set a maximum amount that can be reimbursed for posters.

Recommendation 7

Get Booth Managers to enforce the poster size regulations.

5. Start of Pre-Polling & Nominated Candidate Details

There should be a minimum one week gap between the date of the Ballot Draw and the commencement of Pre-Polling.

It is a major task for all parties to finalise preferences and complete the artwork to cover all electorates and get material printed for the commencement of Pre-Polling, let alone distributed in time throughout the State for Election Day.

The CDP, and I suspect other minor parties, do not have the luxury of excess funds to request several runs of how-to-vote material before election day nor commit to spending tens of thousands of dollars until its election day material has been registered. We just cannot afford to print how-to-votes which need to be re-printed because they are rejected at the Registration

phase. Smaller runs during Pre-Polling increase the final cost significantly. This puts the major parties at a significant advantage because they are assured of election funding.

Also, the EC provided a CSV file of Candidates in Ballot Order for all Electorates but this was more than 3 days after the completion of the Ballot Draw. For Federal Elections, such a file is provided late on the night of the Draw and CDP believes that the NSW EC should also provide such a file in a similar timeframe. For the CDP where How-to-vote preparation is all centralized, to get artwork finalised as quickly as possible, we had to produce our own file, which is a very difficult and time-consuming task.

Recommendation 8

Introduce a minimum one week gap between the date of the Ballot Draw and the commencement of Pre-Polling.

Recommendation 9

The EC produce a CSV file of all electorates showing the details of all candidates in Ballot Draw order on the night of the Draw.

6. Registration of Election Material

The new on-line process for the registration of election material was an excellent innovation by the EC.

It could do with some refining though.

It did not have the flexibility to handle a single back page that was common to all electorates.

Recommendation 10

Modify the On-Line Election Registration process to cater for a single page which is common to all electorate How-to-Votes to be submitted only once, rather than with the front page for every electorate.

7. Candidate Nomination Process

The process to get all nomination/registration paperwork accurately completed in a timely manner is very difficult and time-consuming. All forms should be able to be completed and submitted on-line with the appropriate security checking and verification steps put in place.

Recommendation 11

The EC should implement an on-line facility to enable the electronic submission of candidate nomination paperwork.

8. EC IT System Testing & Data Verification Sign-Off

The EC have been quick to respond with problem issues identified with production implemented new systems or changes to existing systems (eg iVote and the Annual Party Registration systems). For such critical systems, these issues should not arise in a Production environment.

Recommendation 12

The EC needs to review its IT System methodologies for testing and verification of any changes to a Live IT System. Where possible there should be some up-front Reviews of system changes and Beta Testing enabled for Political Parties affected by changes.

9. Election & Party Disclosure Reporting

The time component and complexity required to satisfy all EC reporting requirements has increased significantly and for a minor party like CDP, this has a large impact on available resources. The CDP suspects that it also has had a dramatic impact on EC resourcing levels and may be part of the reason for the problems mentioned in Point 8 above.

Recommendation 13

The EC hold workshops with all Parliamentary Parties to find ways to improve the current reporting regime.

10. Party Funding of Election Campaigns

Because of the existing caps on election expenditure and donations, the CDP believes that a political party should not be limited in terms of what funds it uses for an election campaign provided all Administration Fund entitlements are quarantined from Election use. When a member pays funds to a Party, whether Membership Fees, General Donations let alone Election Donations, he/she is basically looking to fund a Party that he/she wants to represent his/her views by getting representatives elected to Parliament.

We believe it would simplify Disclosure reporting and EC Auditing if Parties in NSW just held an Administration Fund operations account and 1 other operating account, which could be used for any other purpose within State auspices (obviously not for Federal Elections). It is easy within relevant Accounting Software to differentiate what is Electoral, Administrative, etc expenditure.

Obviously, a Party should be allowed to open non-day-to-day transaction investment accounts/facilities that enable them to generate better rates of return than regular operation accounts but these should not be used for payment/receipt processing.

One of the major hassles for Political Party reporting is the differentiation of categories that have to be reported. To simplify this process and to bring integrity into the whole funding arena including the current Administration Funding, CDP recommends:

Recommendation 14

A Party be allowed to have only two Operation accounts from which to pay all its bills. One which receives all Administration Funding entitlements and one from which all State Election or other State specific costs are paid.

A Party may be allowed to have other accounts to facilitate the earning of better interest rates on accumulated funds but these accounts must not be for paying of bills.