

**Submission
No 20**

**PROPOSALS TO INCREASE VOTER ENGAGEMENT, PARTICIPATION AND
CONFIDENCE**

Name: Ms Charishma Kaliyanda MP

Date Received: 16 August 2024



CHARISHMA KALIYANDA MP

MEMBER FOR LIVERPOOL

16 August 2024

The Hon. Peter Primrose MLC
Chair
Joint Standing Committee on Electoral Matters

Dear Chair, *Peter*

I write to lodge a submission to the Joint Standing Committee on Electoral Matters' inquiry into proposals to increase voter engagement, participation and confidence.

There are a number of matters that I wish to raise regarding the privatisation of electoral processes at the Local Government level, and the impact of this on voter engagement, participation and confidence. This was enabled following a change to legislation by the former Liberal-National Government in 2012.

The electorate of Liverpool covers parts of Liverpool City Council and Fairfield City Council, both of which have contracted a private company (the Australian Election Company) rather than the NSW Electoral Commission (NSWEC) for their upcoming elections scheduled for Saturday 14 September 2024.

I note that Penrith City Council, having previously engaged the same private provider for their 2012 election, 2016 election, 2018 by-election, and 2021 election. They have since resolved to engage the NSWEC for their upcoming elections in September, citing costs. In a report provided to the Ordinary Meeting of Penrith City Council on 27 February 2023, it was noted that:

There are however inherent risks associated with Council engaging an electoral services provider as opposed to the NSWEC.

The report also made note of the cost difference in contracting either provider. The estimated cost of contracting the NSWEC was \$1,276,230 ex. GST. The cost of the private provider was \$1,475,387.02.

Despite the risks and costs outlined in Penrith, at an ordinary meeting of Liverpool City Council on 1 March 2023, Council voted to engage a private provider in lieu of the NSW Electoral Commission (NSWEC) for its upcoming elections. This decision was taken without any community consultation and was moved in confidential session.



I note that Penrith City Council made their determinations in open session only after a report was provided detailing the costs and associated risks of a private provider as opposed to the NSWEC. No such report was made public in the case of Liverpool. The impact of lack of consultation and public involvement in this important decision must be considered. Anecdotally, there is broad lack of awareness that local government election can be conducted by a private provider.

I will also note that at the time of writing this submission, it remains unclear as to whether Liverpool City Council elections will proceed as planned. It has been alleged through the media that the cost to Council caused by any delay or deferral of the election would be in the range of \$800,000 to 1 million, a cost that will be borne by ratepayers. At a time of significant cost-of-living challenges within our community and the various infrastructure demands of a rapidly growing local government, such a large financial penalty would raise public anger and potentially decrease voter confidence in the conduct of elections.

Any risks, like those identified by the report to Penrith Council, could have been raised had the prospect of a private election provider been subject to a public report or open to community consultation. However, as Council resolved to contract the Australian Election Company without any of those processes, ratepayers now face a hefty bill.

The NSWEC has a proven track record in the administration of elections. It enjoys the widespread confidence of voters, and a reputation as an independent, non-partisan institution with the utmost standards of transparency and accountability.

I note that residents of New South Wales express resounding confidence in the ability of public agencies to conduct elections, with the Australian Electoral Commission (AEC) enjoying the confidence of 75% of residents in a 2017 survey (Karp et al, 2017).

The ability of Councils to essentially privatise the conduct of democracy undermines public confidence in our elections at a time when political fragmentation is on the rise. At the 2023 State Election, voters overwhelmingly rejected the privatisation agenda of the previous Liberal-National Government.

In addition, contracting private providers creates significant administration issues for those seeking to nominate for public office. In both Liverpool and Fairfield, candidates for the 2024 Local Government elections must register twice. Once with the Australian Election Company, and a second time with the NSWEC.

This may be a barrier for people of culturally and linguistically diverse (CALD) background to participate in the democratic process as candidates. Concerns were raised following the 2022 federal election where the rates of informal voting in seats like Fowler and Blaxland, both of which have high CALD populations, were as high as 4 times the national average (up to 20%). While the Australian Electoral Commission and the NSWEC have resources online and provide information in several languages, no such provisions exist on the Australian Election Company website.

Similar barriers arise for those who live with a disability or require information in a low-literacy format. There are few resources or information available to those who live with

disability, or their carers, about accessibility for those who may need special provisions. Given that voting is compulsory in our system, this is a serious oversight and making voting simple and accessible for everyone in our community regardless of age, cultural or linguistic background or disability status should be a key consideration of this inquiry.

I urge the committee to consider requiring Councils in NSW to use the services of the NSWEC in their local elections to ensure the utmost confidence in our elections from the public. This would also ensure that the work of enhancing voter engagement and participation amongst marginalized communities and groups that face multiple, complex barriers to access would be the responsibility of one organization or part of government.

Unfortunately, as many would appreciate, if it is not somebody's job, it becomes nobody's job.

I would also urge the Committee to consider making recommendations around how our community engages with civics education so that voters can make engaged and informed decisions. Currently, civic education relating voting processes, political parties and even the different responsibilities between various levels of government is largely limited to primary or secondary school level and there is limited formal civics education for those of new migrant or refugee background. Again, given our compulsory voting system, this is a gap that should be addressed in order to increase voter engagement and participation.

Yours sincerely



Charishma Kaliyanda MP
Member for Liverpool