

# CORRECTED EVIDENCE

## ELECTORAL MATTERS COMMITTEE

### Inquiry into the conduct of the 2014 Victorian state election

Melbourne — 11 August 2015

#### Members

Ms Louise Asher — Chair

Ms Ros Spence — Deputy Chair

Ms Lizzie Blandthorn

Mr Martin Dixon

Mr Russell Northe

Ms Fiona Patten

Mr Adem Somyurek

#### Staff

Executive officer: Mr Mark Roberts

Research officer: Mr Nathaniel Reader

#### Witnesses

Mr Anthony Moore, secretary and interim president, and

Mr Patrick Thomas, committee member, Rise Up Australia Party (Victorian division).

**The CHAIR** — I call the meeting to order. Mr Moore and Mr Thomas, thank you so much for coming in to present to the Electoral Matters Committee. Thank you for taking the time to write a submission, as well as appearing before the committee.

**Mr MOORE** — It is our pleasure.

**The CHAIR** — I advise that you have parliamentary privilege for these hearings, but that privilege does not extend to anything that you may say to any media outside. You might just want to bear that in mind. I ask that you each state your full name and business address and provide the committee with some guidance as to whether you are appearing on behalf of a party or are appearing as individuals. Over to you, and then you can perhaps talk to your submission. The committee may then have some questions.

**Mr MOORE** — Chair, firstly, I would like to thank you for the opportunity of appearing before the EMC. This is the first time my colleague and I have appeared before such a committee of Parliament, and we welcome the opportunity. My name is Anthony Moore, and I appear on behalf of Rise Up Australia Party (Victoria division) as their secretary and interim president. Our address is 30 Star Crescent, Hallam, Victoria, 3803. I will ask Patrick to introduce himself.

**Mr THOMAS** — I am Patrick Thomas. I am a committee member for Rise Up Australia (Victoria), and I am here to support Tony.

**Mr MOORE** — So, Chair, you have the eldest member and the youngest member of the Rise Up Australia Party (Victoria division) appearing before you and your committee today. During the election process — and Mr Thomas was an endorsed candidate during the state election — the feedback we got, plus my own personal observations and I think Mr Thomas would support that as well, is that inside the election booth the election was run quite professionally. It has been so done for quite a number of years, and I have been attending state, local council and federal elections for probably 40 years. There have been some minor differences over that time, but generally the Victorian Electoral Commission have done a good job running the election, particularly inside the polling booths.

There are a couple of issues that we have addressed in our submission that relate to outside the polling booths that would appear to be within the gambit of the Victorian Electoral Commission's control, yet it is an area that seems to lack some control. In particular we are concerned about Australia and Victoria being a democratic country with discipline for its residents and occupants. That is well evidenced through the Australian standards and the legal rules for how people conduct themselves in society in general. We have things like the keep Australia clean policy, and with signage — for example, in the residential and business sector around the state of Victoria — we have control processes for that. Yet at polling booths there seems to be a plethora of advertising material for the different political parties, and the major parties — the coalition and Labor — seem to try to hog the opportunity for displaying their particular party's material to the public in general.

As a minor party, we found that somewhat frustrating. We also found what appeared to be bullying tactics being used by the major parties, who lacked empathy with the minor parties which were trying to get up and express their views. Something needs to be done to change that so that every political party that has gone to the trouble of registering and putting up candidates is given the opportunity to put forward their candidate for each electorate in a responsible and appropriate way. We think it is time the major political parties were reined in and some discipline was applied, not just to them but to all political parties to ensure that every party is given a fair go.

I think the submission I prepared speaks for itself, and as a committee we did discuss the need for technology to be applied and for voters to be given the opportunity to vote online, which would be a new initiative for the VEC. There are somewhat mixed feelings in the general community about going down this path: is it too soon to do that or not? We discussed that at some length, but we decided at this stage to leave it out of our submission because it was a bit controversial and there are some concerns with Australia's and Victoria's ageing populations, and not all of them being tech savvy enough to be able to vote online.

Mr Thomas may have some views to add to that, since he is a member of the younger generation and probably a bit more tech savvy, I hope, than I am. I like to think I am reasonably tech savvy, but I would like to give him the opportunity to talk to that issue about the possible introduction of electronic voting.

**The CHAIR** — Yes, if you would like to add to your submission, that is no problem at all. Please proceed.

**Mr THOMAS** — Based on what Mr Moore has been saying, I believe in this day and age everybody is on their mobile, on their tablet, and things like that. It is very handy to have that sort of device to use to register a vote, also because there are people going overseas who cannot vote at that time. They might be overseas for a short time or they might be overseas for a longer period of time, especially if they are working overseas or on a long stay overseas. These are things that would help voters. There are people who are at home who have mobility restrictions, and with the support of some other people they might be able to have their vote online. In that regard, I believe that is an initiative that the VEC could take in the future or at least look at it to see what benefits might come out of it.

**The CHAIR** — Thank you.

**Mr MOORE** — Thank you, Mr Thomas. Chair, may I add a little bit to that?

**The CHAIR** — Yes, by all means.

**Mr MOORE** — With my background in the department of social security and department of defence as an Australian public servant for 32 years, during which I participated in the rollout of new software products, I found that it is always the early adopters who are keen to play with the technology and use it — generally the younger generation. If the VEC are encouraged to go down this particular path, getting the early adopters to buy in would be the best way to go. Once you get enough early adopters it starts to grow from there and more people start to vote online. If you are looking for a quicker result and an earlier outcome, then the more people you can get to vote online, the better that would be.

To get early adopters involved, maybe the pre-polling votes could be targeted for initiating voting by electronic means. I noticed with a lot of the pre-polling places in this last Victorian election, they were well attended with high numbers of people voting at the pre-polls, and they were somewhat crowded and a lot of minor parties did not really have the opportunity to display any material or to have enough workers to man the pre-polling booths. Allowing pre-poll voters to vote electronically may be a very good way of getting early adopters into the process and then gradually, over time, spreading the technology to polling booths where people can vote online using remote technology.

Thank you again, Chair, for allowing us the opportunity to raise these issues with you, and we trust that your committee will deliberate on them, and we wish you all the best in some positive outcomes and positive recognition for this committee and what it is doing. We would now like to give you the opportunity to ask us any questions relating to our submission or comments.

**The CHAIR** — Thank you for affording us the opportunity. You have come up with a proposition around polling booths for signage, and for the benefit of the gallery you have suggested that perhaps there could be one corflute per party irrespective of voter support; a ballot draw for the order; and you have then gone on to flag, I think correctly, that the VEC may need to hire security guards, particularly as you are suggesting that there be a set time for putting up all of these posters. My question, believe it or not, is more of a philosophical one: is not a preponderance of volunteers and signage and all of that part of election day and part of a democratic society? Is not that regimenting and presumably putting in law that people can only have one sign and two volunteers and a ballot order something that is inherently anti-democratic when we are running off a very democratic system?

**Mr MOORE** — Yes, you do have a valid point, and it is not our party's contention that the democratic process ought to be done away with. What we are concerned about is that the major parties seem to get in early because they have got the funding to support security guards. They put their materials up the night before and have the security guard make sure nobody damages them, graffitis them or removes them. It

just seems to be unfair on all parties that two major parties in particular get to hog the limited available space for displaying a party's candidate's material.

Since Australia is a democratic country and Victoria is part of Australia and follows those democratic principles of fairness and giving everybody a fair go and an equal opportunity, then we think there ought to be some limitation on this so that major parties do not get to hog and bully the other parties and take over all of the available space.

**The CHAIR** — Did you have examples of bullying of you by the major parties?

**Mr MOORE** — I just think the extreme length of the banners that the Liberal and Labor parties put up on the fencing and surrounds at the last election, which is the topic of this EMC, was excessive to the point that it was a bullying tactic, because there is little if any usable space left at most polling booths for the other minor parties to display their material. That smacks of unfairness, it smacks of bullying and it also indicates a lack of empathy or support for Australia's democratic process, where all parties get an equal go.

**The CHAIR** — Alright. Further questions?

**Ms PATTEN** — Yes. I feel your pain, getting to an election booth at 5.00 a.m. to find it completely plastered.

**Mr SOMYUREK** — We feel that pain too.

**Ms PATTEN** — Yes, I know you do. But I wanted to explore your recommendation 8, which is the party registration. In that you are suggesting that parties need to, I suppose, exist four months prior to the election. Obviously the legislation at the moment stipulates that they must be registered by the time the writs are issued, which is approximately four weeks out from the election.

**Mr MOORE** — Correct.

**Ms PATTEN** — I am just wondering whether perhaps you can expand on why you would want to do this, and do you mean that unregistered parties would also have to follow this rule?

**Mr MOORE** — Thank you for that question. I was hoping it might come up for discussion, so thank you for raising it. As an individual, as a voter myself, I found it frustrating that all of the parties did not have their particular policies on the significant issues available prior to the campaign proper. There seems to be an attitude or a culture of only releasing your party's policies during the election campaign itself and keeping the public or the voters as ignorant for as long as you possibly can so that you are forcing the voters, particularly the ones who are likely to be swinging voters, to make a last-minute decision. I do not think that is very professional and I believe something needs to be done.

But also, even with our own political party, the Rise Up Australia Party, we fell into that culture of only releasing our policies at the last minute during the election campaign proper. Prior to that we had been flooded with a lot of concerns about 'Well, what are your party's policies?' Being a new party it was hard to market our party successfully without letting the public or the voters know what our policies were in sufficient lead time for them to reflect not only on our policies but the policies of other parties so that they were well-informed voters going in to vote on election day. I think if we had a policy like this, then there would be less informal votes because the public are so frustrated with the lack of knowledge of political parties' policies in advance, to reflect and think on them before they cast their votes. Having a measure like this, whether it is four months or two months or one month out, is open to debate, but we believe something ought to be done along those lines so that the voters in Victoria gets to know the parties' policies and can discuss them amongst themselves and challenge the different political parties in sufficient lead time rather than just during the campaign proper itself. Thank you for that question.

**The CHAIR** — I have a follow up to Ms Patten's question. Who will determine what is a policy? Who are you proposing determines that?

**Mr MOORE** — The VEC would have to determine what is a policy. It would have to define what is a policy and ensure that each political party had a range of policies that covered the general gambit of what the Victorian government is responsible for, not necessarily every single issue but the general gambit of the area of responsibility that the Victorian Parliament is chartered with.

**The CHAIR** — Further questions?

**Ms SPENCE** — I just want to get further elaboration on that. Are you suggesting that not only do the policies need to be formed, but they are effectively set in concrete at that time and that no change can then take place, no further policy shifts can take place, in that period?

**Mr MOORE** — No, I am not saying that. There is always the freedom to change policies at any time, which is what we enjoy at the moment. Although it is somewhat of a controversial topic, because certain political parties are elected on a policy platform and then those particular parties once in government change their policies to be completely contradictory to those they expounded for the election campaign.

But what concerns me is that political parties, especially the minor ones that seem to be singular issue focused, do not have policies on the table that cover the total gambit or a broad spectrum of what the Victorian government is responsible for and they are very narrow minded. So it is trying to get their views as a member of the Victorian public, a Victorian voter, let alone a competing political party. It is trying to understand where they are coming from and how good they would be if their representatives got elected on the range of responsibilities that the Victorian Parliament enjoys. The public are left in the dark without visibility of some sort of a policy on different areas — health, education and other issues the government has whole departments for.

**Ms BLANDTHORN** — Where would you see that sitting with the business of the government of the day, given that the caretaker provisions set when effectively the government of the day will not stop with the business of government but essentially go on with the business of government until it gets to that caretaker period? Where do you draw a line between what is government business with the duly elected government of the day is continuing to carry out its role until they get to that caretaker period versus what is an election policy of whatever political party might be forming the government of the day?

**Mr MOORE** — I am not quite sure I understand your question, but I think you are pointing along the lines of how a caretaker government would continue to operate in government without policies being on the table.

**Ms BLANDTHORN** — Sorry, with respect, I am referring to the period before you get to caretaker. You are saying four months prior to the election parties have to say what their policies are, yet the caretaker period is somewhat shorter than that. In that intervening period, is the government of the day meant to foreshadow what they are going to continue to do as government business to fit into that four-month period? How do those two things interact?

**Mr MOORE** — The government of the day, even in the caretaker period, has the freedom to continue doing what they have been doing and continue to do what they have been expounding as their policy. If they want to change their policy at the last minute because of public pressure and they are seeking to gain more support for the forthcoming election, then that is certainly their prerogative because it is a democracy and we have freedom to change policies or change your mind. But they would need to be mindful of what policies had been on the table for a length of time that the public were taking into account and being considerate of, and then if they change that policy during a caretaker period they would need to be extremely careful about what reaction that was going to have in the public domain. But I am sure they are not naive. I am sure they would pre-empt that, and whatever changes they make they would do in the hope that it would gain further public support rather than animosity.

**The CHAIR** — Can I just check with you on this? You have said that you would like the VEC to determine whether a sentence on a piece of paper is a policy and presumably by implication you will want the VEC to determine that the policies cover all areas of state government responsibilities, which you have

got in your submission. Therefore you are basically saying that a single-issue candidate should not be allowed to run.

**Mr MOORE** — I think so. That is our consensus, because when you are elected to represent a community in an electorate you have to be mindful of a whole range of issues that are going to affect your residents and your voters in your particular electorate. There may be specific issues that vary from one electorate to another. They certainly ought to be across that, but they also ought to be across the major issues that are confronting the government of the day and, when they get elected, what particular viewpoint they are going to express on those various issues. That needs to be communicated to the public so the public are confident that the person they are voting for is not going to just go in on a single platform and then be irresponsible in how they cast their vote on all the other relevant issues to the government of the day. They want to vote for people who are up there, smart, intelligent, able to analyse information and facts and come up with worthwhile conclusions, and put forward a convincing case to the Parliament of the day as they are representing their constituents. If we have less than that, then the constituents, the Victorian voters, are not getting truly adequate representation by those people that are voted into office and that is where there is an increasing level of frustration amongst voters. It acts as a disincentive for people to take voting seriously because they see single-issue candidates getting up and not being able to confidently and capably represent their constituency.

**Ms PATTEN** — Certainly, Mr Moore, I think what you are saying is admirable, that we would like our voters to be informed, and obviously if you as a party were to do that you may see yourself with a distinct advantage in the election process by doing that. Whether we make it compulsory or not is another question.

**Mr MOORE** — Fair enough!

**Ms PATTEN** — Mr Thomas, you mentioned electronic voting. We have had a number of submissions about electronic voting, largely raising a number of concerns still about the security of such a system. I think you are sort of limiting who would have electronic voting. Would you see it as something like postal voting, so you could register for electronic voting?

**Mr THOMAS** — Absolutely.

**Ms PATTEN** — Great. Thank you.

**Mr MOORE** — You would probably find the early adopters would be the ones that would register, and once they had cast their vote successfully using electronic means, they would share that with their other colleagues or friends, and gradually it would grow from there. So yes, it is a good idea, a good concept.

**The CHAIR** — But we have a secret ballot, so it is if you choose to show your vote.

**Ms BLANDTHORN** — I am interested also that you raised parking, selection of polling places, toilets, accessibility, emptying of rubbish bins particularly, it seems, in relation to pre-poll centres as opposed to polling centres on election day.

**Mr MOORE** — Both.

**Ms BLANDTHORN** — Both. Did you have a general view or just a view in relation to the centres that you mentioned, that the nature of the venues selected was inappropriate or appropriate?

**Mr MOORE** — There was one venue in particular where I was handing out how-to-vote cards for the Rise Up Australia Party, and I have mentioned that in the submission. That was in Frankston on the Nepean Highway. I think it is a department of human services and a government building. They were doing repairs inside the building, so for the workmen they had an access ramp instead of the steps. The access ramp was so narrow that two people in mobile electric wheelchairs could not pass each other. If one person used the ramp — and that was the only way of gaining entry to the polling booth, via this ramp —

if a person in a wheelchair was going up or down, whether electric or manual, it was very difficult for other fully ambulant members of the public to go in and vote. They were not able to pass them. They had to stand to one side where the ramp turned. That was a major frustration. There were a couple of instances where two people in wheelchairs tried for one to go in and one to come out at the same time and it was impossible.

**Ms BLANDTHORN** — So it was specifically in relation to that one.

**Mr MOORE** — Yes, but there may have been other instances. Where I have talked about garbage and the wind blowing stuff around, that was the Bruce Park polling centre which had a long driveway to get into the polling booth. All down that driveway, apart from the advertising material for the political parties and the rubbish bins being full at lunchtime, which would have been a good time to have council clear them, at the end after the voting had finished there was rubbish all up and down the road, across the park, everywhere. I saw that as I was driving around afterwards at a number of polling places. Do we have an undisciplined public, or do we have a lack of rubbish bins or capacity in the rubbish bins? Maybe it is a mix of those.

**The CHAIR** — Any further questions? No. All right then. Thank you very much for initially doing the submission and for coming along today to expand on that. Thank you so much.

**Mr MOORE** — Thank you for the opportunity.

**Mr THOMAS** — Thank you.

**The CHAIR** — I advise that you will get a Hansard transcript within the next fortnight or so and you are free to make amendments to what you have said yourself if there is an obvious error. It is not a chance to rewrite it, obviously, but you will be sent that shortly.

**Mr MOORE** — Thank you, Chair, and can we just wish you and your committee and your staff, your admin staff, all the best — —

**The CHAIR** — They are the Hansard staff!

**Mr MOORE** — in deliberating the various ideas that have been put forward to you over this process. Thank you.

**The CHAIR** — Thank you very much. Thank you for your time.

**Witnesses withdrew.**