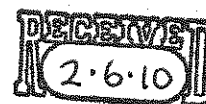




**ethnic  
communities'  
council of  
victoria**

28 May 2010

Submission 24



## **ECCV SUBMISSION TO THE PARLIAMENTARY INQUIRY INTO THE FUNCTIONS AND ADMINISTRATION OF VOTING CENTRES**

1. The Ethnic Communities' Council of Victoria (ECCV) welcomes the opportunity to provide input to the Parliament of Victoria's Electoral Matters Committee regarding their inquiry into the functions and administration of voting centres.
2. Established in 1974 as a voluntary community based organisation, ECCV is now a broadly based, state-wide peak advocacy body representing ethnic and multicultural communities across Victoria. For over 35 years, ECCV has remained the principal liaison point between ethnic communities, government and the wider community in Victoria. ECCV has been a key player in building Victoria as a successful, harmonious and multicultural society today.
3. ECCV commends the Parliament of Victoria's Electoral Matters Committee for conducting this inquiry and provides the following points of consideration to ensure that Victoria's electoral procedures remain as relevant and accessible to people of all social circumstances, beliefs and backgrounds.

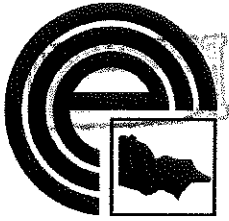
### *Democratic Participation and Victoria's Multicultural Communities*

4. ECCV recognises that a nation's culture is a rich, multitudinous and multi-layered phenomenon that is in a constant state of reinvention according to evolving tastes, interests and influences.
5. ECCV believes it is reasonable to expect that individuals partaking of the benefits of life in Australia should abide by existing state and federal laws, or accepted social mores and standards of community behaviour.
6. ECCV believes it is important that people of all cultural backgrounds, including Anglo-Australians, play a real part in shaping meaningful public policies that support their needs and aspirations.
7. In stating this, however, ECCV recognises that many Australians, including those from migrant and multicultural communities, are not as familiar with their civic rights and responsibilities as they may like and society requires.
8. ECCV believes greater effort needs to be made to better educate Australians to ensure all sectors of the community, especially those from non-English speaking backgrounds, are better informed and prepared to participate fully, freely and fairly in the Australian electoral system. This includes:
  - voting in elections;
  - becoming members of a political party if so desired; and
  - seeking political office if so desired.

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### *Voting in Elections*

9. ECCV recognises that successful participation in the electoral process involves a variety of considerations and influencing factors.

### *Awareness*

10. Even at the initial stage of electoral awareness, ECCV notes that differences can be found between the broad population and members of multicultural communities, especially those from newly-arrived and non-English speaking backgrounds. Aside from understanding *why* voting in elections is necessary and important, some individuals have limited or no awareness of:
  - how to enrol to vote
  - how to vote during elections

### *How to Enrol to Vote*

11. ECCV notes that for some members of Victoria's migrant communities, the democratic process of electoral voting in Australia is unlike any system of government they have experienced in the past. With this in mind, extra educational resources need to be available to assist in how to participate in the voting process freely and fairly.
12. ECCV is also conscious that with some members of migrant communities having to shift their home location for various economic, employment, education or family settlement reasons, it is crucial that appropriate information is available to advise of the implications on their place of enrolment and so on.
13. ECCV has noted that some ethnic communities, particularly newly arrived refugee communities, prefer to receive information in an oral form as a complementary method to translated brochures.
14. ECCV proposes the use of culturally and linguistically competent Democracy Ambassadors to provide an ongoing education on democracy directly to Victoria's ethnic communities by working with these communities on a face-to-face basis. Their primary responsibilities would be to communicate clear messages about enrolment, voting and elections and to some extent provide support and empower members of Victoria's ethnic communities to engage in the electoral system by participating in the voting process.

### *How to Vote during Elections*

15. ECCV notes that citizens with limited English proficiency can be easily confused (and potentially misled) by the different ways in which Australians can register their votes during elections, such as ordinary votes at polling stations, absentee votes and postal votes. With this in mind, particular effort must be made to ensure that individuals are suitably aware of how to participate correctly, freely and fairly in the voting process.
16. ECCV envisages that the proposed Democracy Ambassadors would also be able to assist in fulfilling this function.

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#### *Location of Voting Centres (Polling Stations)*

17. ECCV notes the importance of providing easily accessible and user-friendly information about the location of voting centres in languages other than English. Importantly, this information should extend beyond simple written directions to include a graphic map and ideally a photo of the building for individuals with limited reading abilities.
18. ECCV envisages that the proposed Democracy Ambassadors would also be able to assist in fulfilling this function.

#### *Accessibility of Voting Centres*

19. ECCV is mindful that transport and mobility issues can also be a particular concern for members of migrant and multicultural communities. For example, they may not have access to private transport in the form of a car, they may not have access to convenient public transport, or they may require special assistance to travel from place to place.

#### *Transparency of Voting Centres*

20. ECCV is strongly committed to ensuring that members of migrant and multicultural communities feel that their ability to participate freely and fairly in the Australian electoral process is not being compromised in any way, whether it be:
  - voting in elections;
  - becoming a member of a political party if so desired; and
  - seeking political office if so desired.
21. With this in mind, ECCV was disturbed to read reports of highly questionable tactics being employed at voting stations during a recent state election in South Australia where one party's spruikers presented themselves in a manner intended to confuse and potentially mislead voters, especially those with diminished mental faculties or limited understanding of English (see **Attachment 1**). While these tactics were deemed technically permissible under state laws at the time, ECCV believes them to be inappropriate, indefensible and incompatible with the highest standards of honesty and integrity that underscore the Australian electoral system.
22. ECCV calls on the Victorian Government to institute appropriate legislation to ensure that this type of activity does not occur in Victoria and disadvantage those sections of the community whose grasp of English is poor.

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### **Dismay at Labor's 'tricky' how-to-vote tactics**

*The Age, 22 March 2010*

The use of misleading how-to-vote cards at polling stations in key South Australian seats has prompted calls for a change of laws.

As South Australians voted on Saturday, complaints surfaced over blue how-to-vote cards that were distributed in marginal electorates, apparently in a bid to ensure preferences were directed to Labor candidates.

Labor supporters dressed in blue T-shirts emblazoned with "Put Your Family First" mimicked the Family First Party and waved the cards in voters' faces.

Liberal leader Isobel Redmond, who still won't concede defeat even though Labor looks set to be returned, hasn't ruled out a legal challenge.

"We'll certainly look into it . . . we will maybe take action about it," she told ABC radio.

"I think it was an extremely tricky, deceptive thing to do but whether it's actionable is another question.

"Things may be lawful, but immoral."

Asked if those tactics should be illegal, Ms Redmond said: "I think it should be."

South Australian electoral commissioner Kay Mousley, who confirmed the tactic occurred in at least two marginal seats, said although there was no technical breach of the law, she concedes the law probably doesn't reflect modern day political strategies.

"We looked at the electoral act, and unfortunately there was no technical breach," she told the ABC.

"I don't think that when the legislation was formed in 1985 that would have perhaps kept pace with the new strategies that are out there."

Candidates have the opportunity to dispute the occurrence with 40 days to lodge a complaint.

Federal politicians are calling on Prime Minister Kevin Rudd to change the legislation to outlaw the chance of it recurring at the upcoming federal election.

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### **Senate to probe 'misleading' how-to-vote cards**

ABC Online, 13 May 2010

A Senate inquiry is to investigate allegations that Labor Party members posed as being from Family First at the South Australian election on March 20.

Voters in several marginal electorates were given how-to-vote cards which used the words 'put your family first' but were authorised by the ALP.

The cards urged voters to give second preferences to Labor if they intended a vote for Family First.

Family First Senator Steve Fielding says Labor Party must rule out using similar tactics in the future.

"The Prime Minister hasn't got the guts to rule it out at the federal election. He should have come out the same day and ruled out they wouldn't do these dirty tricks at this upcoming federal election and it was wrong," he said.

"It was wrong! I'm not just upset with the fact that they looked better than our people did. Maybe they got a discount on their shirts. They were good shirts - great."

Legislation is going before the South Australian Parliament to ban the use of how-to-vote cards that appear to be from another political party.

After South Australians voted recently, Premier Mike Rann said the card tactic was wrong and would be made illegal.

SA Attorney-General John Rau pointed out the ALP had tried to get the change through State Parliament last year.

"We tried to get rid of it before others said 'No leave it there', we now realise the public quite understandably doesn't like it and a promise was made to fix that up and that's what I'm delivering," he said.