

ABN 68 027 137 155
3 Ellenor Street Scottsdale Tasmania
PO Box 21 Scottsdale Tasmania 7260
P 03 6352 6500 F 03 6352 6509
E dorset@dorset.tas.gov.au
www.dorset.tas.gov.au



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Hon Rosemary Armitage MLC
Inquiry Chair
Legislative Council
Parliament House
HOBART TAS 7000

Submission to Legislative Council Inquiry into the Tasmanian Electoral Commission

Thank you for the opportunity to provide a submission for the Legislative Council Inquiry into the Tasmanian Electoral Commission (TEC).

Councillors considered the submission at a Dorset Council workshop held on 3 February 2015 and have provided comments below for consideration largely based on their experience with the recent local government elections held in 2014. It is noted that a number of matters raised by Council may relate to the Local Government Act 1993 and not necessarily the Electoral Act 2004, however Council consider that these matters should also be raised as part of the Legislative Council Inquiry.

1. **Pre-election advertising by the TEC** – The focus of electoral advertising prior to the election was primarily focussed on 'having your say'. It is considered that the focus of pre-election advertising should be on **How-to-Vote**, particularly for first time voters.
2. **Large amount of informal votes** – In Dorset there were 122 informal ballot papers in a total of 3541. This is considered high in a non-compulsory postal ballot election. As indicated above, this may be caused by a lack of knowledge on how-to-vote. Do the TEC know the reason for so many informal votes, and is there a pattern? Reasons may include: not voting for the correct amount of positions vacant in each Council; or not signing the flap on the ballot envelope.
3. **Signature on ballot envelopes** - What is the reason for having a signature on ballot envelopes anyway, who checks these signatures? If it is just a case of a signature on the ballot envelope and nobody checks that the signature belongs to the person voting, then what is the point? I know it has been suggested that people may steal envelopes from mail boxes, but if this has been the case then the relevant Council would be inundated with phone calls of missing ballot papers – has this occurred in the past or does the TEC think this may occur?

4. **How-to-vote information sessions** – Council believe that there is opportunity for the TEC in conjunction with councils to run information sessions / media on how-to-vote in local government elections. The television advertisements in the most recent local government election appeared to be focussed on encouraging residents to vote and 'have a say on the services your councils provide'. This could have been supported by advertising on 'how-to-vote' similar to, but more detailed than information provided on the TEC's website. Council would argue that the current approach could be more effective with more 'how-to-vote' information being made available, particularly in regional areas with limited internet access.
5. **Posting of progressive result during ballot counting** - The process of posting progressive distribution figures at 20% and 40%-50 is not supported by Council. The progressive postings were too slow and the computer indications about who was likely to be elected, who was not, who was a maybe, was frustrating and at times very unfair to candidates who seemed to be elected one day, and not the next. Reports in the media exacerbated this by publishing, in some cases, misleading results.
6. **Timeliness of results using electronic counting** - While it is acknowledged this was the first years of using a new electronic counting system, the time taken for results to be published is of concern to Council. It is understood that the system provided some efficiencies, for example, negating the necessity for recounting of ballot papers when eliminating or distributing preferences. However, Council's initial impression of the system is that it did not provide any additional advantages in terms of timeliness of results and questions on whether the system had been adequately tested.
7. **Use of social media by candidates** – Based on the last local government election, there appears to be a lack of legislation, policy and guidance on the use of social media during local government elections. Council consider that there is a need for both local government and the TEC to develop a position on the use of social media and implement appropriate legislation, policies and guidelines for local government candidates.
8. **Disclosure of donations for campaign funding** – While provisions exist for disclosure of advertising expenditure, there are currently no provisions that require candidates to disclose donations to a prospective candidates campaign for local government elections. Council consider that this should cover periods both during and at least three months prior to an election being held. This is important for improving transparency for voters in local government elections. A joint approach between the TEC and local government to develop a policy and legislative position is recommended.

Dorset Council
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Contact: Guy Jetson
Position: Corporate Services Manager
Phone: 03 6352 6532
Email: gjetson@dorset.tas.gov.au
Our Ref: 15/1609