# Tasmanian Electoral Commission

# **3rd Annual Report** 2007–2008



# Third Annual Report 2007–2008

To The Honourable Susan Lynette Smith, President of the Legislative Council and

> The Honourable Michael Polley, Speaker of the House of Assembly

We have the honour to submit the third report of the Tasmanian Electoral Commission for presentation to the Parliament pursuant to the provisions of section 13 of the *Electoral Act 2004*.

The report covers the period from 1 July 2007 to 30 June 2008.

Yours sincerely

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Richard Bingham CHAIRPERSON

Bruce Taylor Electoral Commissioner

hiz Gillam

Liz Gillam Member

23 September 2008

Tasmanian Electoral Commission Annual Report 2007–08 ISSN 1834-2981

Printed by Print Applied Technology This report can be downloaded in pdf format at www.electoral.tas.gov.au

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# **CHAIRPERSON'S INTRODUCTION**

The past year—the third full year of the Commission's existence—has seen the continuing refinement of electoral arrangements for Tasmania under the *Electoral Act 2004*. In particular, the role of two Commission members has been expanded to assume ex officio membership of the Redistribution Tribunal, and thus responsibility for redistributions, under the *Legislative Council Electoral Boundaries Redistribution Act 1995*. A redistribution was conducted successfully under the new provision.

A matter of concern to the Commission is the delay in holding Aboriginal Land Council of Tasmania (ALCT) elections, due to continuing court proceedings on eligibility issues. The current ALCT council was first elected in 2001, and new elections are now almost three years overdue. Whilst direct responsibility for these elections rests with the Electoral Commissioner, the Commission has expressed the view that the delay has reached unacceptable proportions, and that urgent action is needed to restore a workable framework for the conduct of these elections. Further details on the matter are provided elsewhere in this Annual Report.

Throughout the past year the Commission has maintained its close working relationship with the Tasmanian office of the Australian Electoral Commission, through the use of a joint electoral roll and cooperation on staffing for elections. I again record my gratitude for this assistance.

I'd also like to thank in particular my fellow commissioners (the Electoral Commissioner, Mr. Bruce Taylor, and Ms. Liz Gillam), the Deputy Electoral Commissioner, Mr. Julian Type, and the staff of the Commission, for their contribution over the year.

Richard Bingham Chairperson Tasmanian Electoral Commission

# **ELECTORAL COMMISSIONER'S REVIEW**

The Office of the Tasmanian Electoral Commission (TEC) has had a busy year with three major events — a full round of local government elections, two Legislative Council elections and the redistribution of the Legislative Council electoral boundaries.

In September 2007 nominations were called for the positions of mayor and deputy mayor, and half the councillor positions, on each of the 29 local government councils in Tasmania. These elections were contested by 444 candidates and, with the order of names on ballot papers being rotated, a total of 1142 different versions of ballot papers were required to be produced. The combined size of these elections required careful planning and management to ensure their successful conduct.

The move of the scrutiny centre in Hobart to the new grandstand at Tattersall's Park (Elwick racecourse) and in Launceston to the Albert Hall provided larger and more suitable premises which allowed for smoother and more trouble-free counting of votes.

A number of contingency plans were put in place due to the possible clash of the local government elections with the Federal election. However, with the Federal election not being held until 24 November, there was minimal disruption.

Legislative Council elections were held in May for the divisions of Huon and Rosevears. Following their successful trial in 2007, personal digital assistants (PDAs) were used for marking voter names on the electoral rolls, and computer assisted voting was used to enable blind and vision-impaired electors to vote in private.

In August 2007, amendments were enacted to the *Legislative Council Electoral Boundaries Act 1995* which provided that the Chairperson and other Member of the TEC would replace the Judge and "special person" on the Redistribution Tribunal.

In accordance with the above mentioned Act, a redistribution of the electoral boundaries of the Legislative Council divisions commenced nine years after the previous redistribution. Enrolment data and statistical projections were provided by the Australian Electoral Commission and the Australian Bureau of Statistics, and technical and mapping support was provided by the Department of Primary Industries and Water. The Redistribution Committee, followed by the Redistribution Tribunal, completed the redistribution and allocation of members to divisions by June 2008. The new boundaries will come into effect for the 2009 elections. The Deputy Electoral Commissioner Julian Type and other TEC staff members provided valuable administrative and technical support.

The TEC has provided advice on legislative amendments to electoral provisions of the *Local Government Act 1993* and the *Water Management Act 1999* and Regulations. The TEC is also reviewing the *Electoral Act 2004* to identify whether any amendments may be needed after its first 3 years of operation.

A discussion paper was prepared and released on options for increasing the number of rotations of names on ballot papers required under the Robson rotation system. Public comment closed on 30 June 2008.

Several local government recounts and a local government elector poll were conducted during the year, together with a recount in the division of Franklin following the resignation of former Premier Paul Lennon.

These high quality electoral services could not be provided without the important contributions from the other members of the Commission, the tireless work by my staff and our colleagues at the Australian Electoral Commission and in local government, and the efforts of our service providers.

Bruce Taylor Electoral Commissioner



# **ABOUT THIS REPORT**

This 3rd Annual Report of the Tasmanian Electoral Commission (the Commission) covers the period 1 July 2007 to 30 June 2008.

It is submitted pursuant to section 13 of the Tasmanian Electoral Act 2004.

Separate election reports, including full statistical details of elections, will continue to be submitted. In order to provide up-to-date information, the 2008 Legislative Council election results and the House of Assembly recount are included in this report and will also be included in the next Report on Parliamentary Elections.

Special reports on electoral issues may also be submitted from time to time.

Although the Commission is a statutory body, corporate support is provided by the Department of Justice and full financial and staffing reports are included in the Department of Justice Annual Report.

## ABOUT THE TASMANIAN ELECTORAL COMMISSION

#### Formation

The *Electoral Act 2004* was passed in the Spring 2004 session of Parliament and received Royal Assent on 17 December 2004. The Act commenced on 16 February 2005. The Tasmanian Electoral Commission was established under the Act and commenced operation on 16 February 2005. The Commission has the responsibility for administering the Act.

The Commission comprises the Chairperson, the Electoral Commissioner and one other Member. The members of the Commission are Richard Bingham (Chairperson), a former Secretary of the Department of Justice, Liz Gillam (member), former Deputy Director of the Office of the Status of Women and a senior policy practitioner with the Local Government Association of Tasmania, and Bruce Taylor, the current Electoral Commissioner.

## **Functions and powers**

The following functions and powers of the Commission are specified in section 9 of the Act.

- 1 In addition to the functions conferred on it by any other provisions of this Act or any other Act, the Commission has the following functions:
  - to advise the Minister on matters relating to elections;
  - to consider and report to the Minister on matters referred to it by the Minister;
  - to promote public awareness of electoral and parliamentary topics by means of educational and information programs and by other means;
  - to provide information and advice on electoral issues to the Parliament, the Government, Government departments and State authorities, within the meaning of the *State Service Act 2000*;
  - to publish material on matters relating to its functions;
  - to investigate and prosecute illegal practices under this Act.



- 2 The Commission may do all things necessary or convenient to be done, including employing persons, for or in connection with or incidental to the performance of its functions.
- 3 Without limiting subsection (2) and in addition to any power conferred on the Commission by any other provision of this Act or any other Act, the Commission, in addition to conducting Assembly elections or Council elections may conduct ballots or elections for a person or organisation and may charge fees for that service.

## **Responsibilities of the Commission and the Commissioner**

The Commission, and the Electoral Commissioner, have statutory responsibilities for the independent and impartial conduct of:

- House of Assembly elections, by-elections and recounts;
- Legislative Council elections and by-elections;
- Local government elections, by-elections and recounts;
- State referendums;
- Local government elector polls;
- the implementation of electoral boundary redistributions;
- Aboriginal Land Council of Tasmania elections;
- other statutory elections;
- semi-government and other elections conducted in the public interest; and
- public electoral information programs.

The TEC and the Australian Electoral Commission (AEC) jointly manage and maintain the electoral rolls for federal, state and local government elections.

The Electoral Commissioner is a member of the Electoral Council of Australia which oversights electoral and enrolment policy and systems at a national level.

The Electoral Commissioner is a member of the Legislative Council Redistribution Committee and Tribunal for the determination of Legislative Council electoral boundaries. The Tribunal is also responsible for transition arrangements to implement each redistribution.

## Approvals, appointments and determinations

The Commission met three times during the year.

The Act provides for a range of approvals, appointments and determinations to be made by the Commission, the Electoral Commissioner or returning officers.

A list of all Commission approvals, appointments and determinations made between 1 July 2007 and 30 June 2008 is shown in Appendix A. These approvals, appointments and determinations are available for public inspection at the TEC and are available on the website.



# LEGISLATION

The Commission and the Electoral Commissioner have legal responsibilities set out in legislation including:

- Electoral Act 2004
- Electoral Regulations 2005
- Local Government Act 1993
- Local Government (General) Regulations 2005
- Juries Act 2003
- Legislative Council Electoral Boundaries Act 1995
- Aboriginal Lands Act 1995
- Racing (Electoral) Regulations 2004

## Legislative changes

During 2007–08 the TEC was involved in the following legislative amendments:

• Legislative Council Electoral Boundaries Amendment Act 2007.

This Act altered the composition of the Redistribution Tribunal by replacing the additional members (a sitting or retired judge from a Supreme Court from any Australian Jurisdiction or from the Federal Court, and another person with electoral knowledge) with the two other members of the Commission.

The Commission did not exist when the *Legislative Council Electoral Boundaries Act 1995* was passed, and it is appropriate for the Commission members to undertake the duties of the nature of setting electoral boundaries without the need for a "duplicate body" for this purpose alone. The amendments streamlined the processing of establishing a new Tribunal.

The requirements for quarterly electoral roll figures to be published in the *Gazette* and newspapers was replaced with quarterly publication on the TEC website. Both amendments resulted in cost savings.

The Act was given Royal Assent on 13 September 2007.

• Local Government Amendment (Elections) Act 2007.

This Act included a number of amendments to the *Local Government Act 1993* in relation to provisions relating to councillor resignations, the notice of election, advertising, by-elections, bribery and undue influence, and electoral articles. It received Royal Assent on 13 September 2007.

• Water Management Act 1999 and Regulations.

Amendments to the *Water Management Act 1999*, including amendments to provisions relating to the conduct of elections for water trusts, were introduced into Parliament in May 2008.

Water management regulations, relating to water trust elections, were being prepared at 30 June 2008.

# **SIGNIFICANT EVENTS OF 2007–08**

The 2007–08 year has been a busy year with Legislative Council elections, local government elections and the Legislative Council electoral boundaries redistribution.

## **Legislative Council elections**

The Australian Electoral Commission (AEC) assists in the conduct of parliamentary and local government elections in Tasmania. Under a contractual arrangement, AEC staff are appointed as returning officers to manage the field work associated with these elections.

Summary statistics on performance are included later in this report.

#### 2008 Election Summary

Issue of the Writs	Mon 31 March	Polling Day Sat 3		
Close of Nominations	Thur 10 April	Return of the Writs	Tue 6 May	
Division	<b>Retiring Member</b>	Elected candidate		
Huon	Paul Harriss	Paul Harriss		
Rosevears	Kerry Finch	Kerry Finch		

On 31 March 2008, writs were issued for Legislative Council elections in the divisions of Huon and Rosevears. By the close of nominations 4 candidates (all men) had been nominated.

Pre-poll voting was again available in all AEC divisional offices around the country as well as the offices of other State and Territory electoral authorities. Electors located overseas could once again complete their postal vote application online.

Election results are provided in Appendix B.

#### Advertising campaign and election trials

The 'Shape your state' awareness advertising campaign developed for the 2007 Legislative Council elections was used again. The campaign included mailing a reminder postcard to each elector in the days prior to polling day. Similar to 2007, over 50% of electors brought the postcard to the polling place.

To further increase public awareness of the elections, the Rosevears election was advertised on the back of three Metro buses operating in and around the Rosevears division in the month leading up to polling day.

The Commission approved the continuation of the trial of electronic certified lists at the 2008 Legislative Council elections. The use of PDAs was again well received by polling officials and electors. Teething problems that occurred at the 2007 elections were fixed.

The Commission made VI-Vote available for blind and vision-impaired electors who wished to cast their vote independently. Guide Dogs Australia assisted in promoting the service by sending a simple TEC information pamphlet directly to its members. This included making Braille versions of the information pamphlet available to their blind members.



## **House of Assembly elections**

#### Franklin recount

A recount was conducted on 10 June 2008 for the vacancy in Franklin following the resignation of Paul Lennon on 27 May 2008. At the recount, only the votes which elected Mr Lennon were redistributed to candidates contesting the recount.

All candidates who contested the seat at the 2006 election and were not elected were eligible to nominate for the recount. Nine of the 13 eligible people had nominated by the close of the nomination period.

Ross Butler was elected as the new member for the House of Assembly division of Franklin with a total of 54.45% of the vote. More details of the recount are provided in Appendix C.





#### Local government elections

Local Government elections were held in September and October 2007. Elections were held in all 29 councils for the positions of mayor, deputy mayor and half the councillor positions, together with by-elections for 10 casual vacancies.

The Local Government Act 1993 provides that the Electoral Commissioner is responsible for the supervision of elections, and is to undertake some specific tasks such as the production of ballot papers, forms and both statutory and public awareness advertising. It also requires that the Electoral Commissioner approve some forms and procedures and appoint returning officers.

This year, in addition, the TEC was requested to take full responsibility for all 29 elections, with Australian Electoral Commission (AEC) staff being appointed as returning officers under a contractual arrangement.

The Notice of election was published on Saturday 15 September 2007 with nominations closing on 1 October. A total of 307 candidates nominated for a total of 149 councillor positions, 54 candidates nominated for mayoral positions and 83 candidates nominated for deputy mayoral positions. Of the 380 individuals contesting the elections, 286 were male and 94 female.



TEC printer addressing envelopes

Tasmanian local government elections are conducted by a non-compulsory postal ballot. A postal ballot pack was posted to each elector between 16 and 19 October. The pack included a reply paid envelope, a security declaration envelope, ballot paper(s) and an information brochure containing voting instructions and candidate statements of up to 150 words. The ballot closed at 10am on 30 October.

The order of candidate names on ballot papers for mayor, deputy mayor and councillors is rotated using the Robson rotation system (prior to 2005 only councillor names were rotated). 1142 different ballot papers were required in 2007.

A state tally-room was set up at Tattersall's Park (Elwick Racecourse) in Glenorchy and operated from 6pm until 11pm on Tuesday 30 October. Provisional first preference results for all positions and the distribution of preferences for mayoral positions were progressively displayed on tally boards.

A mini tally-room was established at the Albert Hall in Launceston, which provided election results for the northern councils.

Results were also posted on the TEC website.



Election staff at the Albert Hall



Councillor positions are elected by the Hare-Clark proportional representation electoral system. The majority of the election scrutinies were completed on Wednesday 31 October, with the more complex scrutinies being completed on Thursday 1 November. The actual time required for each scrutiny varied considerably and was dependent on the number of positions, number of candidates and number of ballot papers.

One elector poll was held concurrently with the elections. The Hobart City Council held an elector poll to gauge the opinion of electors on issues associated with the proposed pulp mill in the Tamar Valley.

#### Separate elector polls

During January, the George Town Council held an elector poll on the proposed pulp mill.

As the financial year drew to a close, the TEC was in the process of conducting an elector poll for the West Coast Council on the proposed move of council administration from Zeehan to Queenstown.

#### By-elections and recounts

Since the 2007 elections, the TEC has conducted recounts for councillor vacancies for:

- King Island Council
- Waratah–Wynyard Council (2 recounts)
- West Coast Council

Recounts were underway to fill casual vacancies at Glenorchy City Council and Glamorgan– Spring Bay Council at 30 June 2008.

## **Legislative Council Electoral Boundaries Redistribution**

Commission members and TEC staff were an integral part of the redistribution of Legislative Council electoral boundaries carried out during the year.

The Legislative Council Electoral Boundaries Act 1995 requires that a redistribution commence when nine years have elapsed since the appointment of the previous Redistribution Committee. In October 2007, His Excellency the Governor appointed the Redistribution Committee and Tribunal. The Committee comprised Electoral Commissioner, Bruce Taylor, Cassandra Short, nominated by the Australian Statistician, and Surveyor-General, Peter Murphy. The Committee published its initial proposal on 9 February 2008, and was then succeeded by the Redistribution Tribunal.

The Tribunal comprised the three Committee members, together with Commission Chairperson, Richard Bingham, and Member, Liz Gillam. The Tribunal published a further redistribution proposal on 12 April 2008, a second further proposal and determination of names and boundaries on 10 May 2008, an initial transition proposal on 24 May 2008, and transition determination on 14 June 2008.

The Committee and Tribunal are functionally independent of the TEC, but were provided with administrative support by Deputy Electoral Commissioner, Julian Type, and other TEC staff members. The Australian Bureau of Statistics prepared electoral enrolment projections to September 2012, and the Information and Land Services Division of the Department of Primary Industries and Water provided extensive cartographic support.

The redistribution was relatively technical in nature, with only 3.5% of electors being transferred to new divisions.

Public input was sought and received at several stages of the redistribution. Names of divisions attracted considerable interest, and the Tribunal renamed Paterson, Rowallan and Wellington respectively as Launceston, Western Tiers and Hobart.

Of interest, a redistribution of Commonwealth electoral boundaries is in progress. While this process is carried out in accordance with the *Commonwealth Electoral Act 1918*, the Tasmanian Parliament has historically seen fit to adopt Commonwealth boundaries for House of Assembly purposes by amendment to the *Constitution Act 1934*.

## **Robson rotation discussion paper**

Robson rotation was introduced for Tasmanian parliamentary elections in 1979. Under Robson rotation, candidates share favoured (top and bottom) positions on the ballot paper. The number of different orders of names within a column (referred to as rotations) is currently the same as the number of candidates.

The issue of increasing the number of rotations has been raised with the Commission on a number of occasions. With the availability of modern electronic printing facilities, it is now practicable to print ballot papers with a larger number of rotations.

On request from the Commission, TEC staff conducted research which resulted in the production of a discussion paper on Robson rotation. The paper considers a range of options for Robson rotation for Tasmanian elections to further reduce any advantage that can be gained from the position of candidate names on a ballot paper. The paper concludes by discussing 4 possible options that range from no change to all permutations.

The discussion paper was publicly released on 16 April, with the period for public feedback closing on Monday 30 June. By 30 June, six submissions had been received. The executive summary for the paper is provided in Appendix D.

#### **Ballot paper survey and analysis**

An analysis of elector preferences was undertaken on House of Assembly, Legislative Council and local government election ballot papers. The analysis was conducted as part of the research for the Robson rotation discussion paper.

The survey examined ballot papers from the:

- 2006 House of Assembly elections for the divisions of Bass and Denison
- 2007 Legislative Council election for the division of Pembroke
- 2002 Derwent Valley councillor election

The summary of the analysis is provided in Appendix E.

## **Aboriginal Land Council of Tasmania elections**

The Electoral Commissioner is responsible for determining Aboriginality for the purposes of the *Aboriginal Lands Act 1995*, preparing and maintaining the Aboriginal Land Council of Tasmania (ALCT) Electors Roll and conducting elections for the Council. Elections were previously held in 1996–1997 and 2001.

The enrolment process for the elections scheduled for early 2006 was carried out in 2005 and six appeals were lodged in the Supreme Court. The appeals related to the Aboriginality of more than 250 persons and, as a result, the call for nominations was deferred until the appeals are resolved. The delay has resulted from an appellant's use of freedom of information requests, preparation of agreed facts for a Supreme Court hearing, a change in one appellant's legal representation, the Court hearing a test case, and the subsequent need to effect service on applicants likely to be affected by orders resulting from the test case.

The fact that appeals are still before the Supreme Court is of concern as the current council was elected in 2001.



## Assistance to other electoral authorities

The TEC assisted other Australian electoral authorities to conduct their elections by issuing pre-poll votes in Hobart.

The TEC issued pre-poll votes for state by-elections in Victoria, Queensland and Western Australia, as well as for Northern Territory municipal elections.

## **Other elections and ballots**

In the last financial year, the TEC conducted a range of non-parliamentary elections of statutory and non-statutory nature. Fees are charged for these services.

Non-statutory elections included:

- Tasmanian Council of Social Service (TasCOSS)
- Tasmanian Council on AIDS Hepatitis & Related Diseases (TasCAHRD)
- Tasmanian Pacing Club

Statutory elections included:

- Elizabeth Macquarie Irrigation Trust
- Lower George Riverworks Trust

- TAFE Tasmania
- Eat Well Tasmania
- Tasmanian University Union (TUU)
- Local Government Association of Tasmania (LGAT)
- Harness Racing Tasmania by-election.

#### **Education and electoral promotion**

#### 100 years of Hare-Clark celebration

The Tasmanian Parliamentary proportional representation system, known as Hare-Clark, turned 100 during the year. Established in the *Electoral Act 1907*, Hare-Clark has been used for every House of Assembly election since. More recently it has been adopted for all Tasmanian local government councillor elections.

To mark the occasion, the Commission invited Members of Parliament and other local people involved in Tasmanian Hare-Clark elections to a 100 year celebration function which was held on 20 December 2007.

The Commission also republished Chief Electoral Officer PC Douglas' 1908 booklet "The Hare-Clark System of Election".

#### **Electoral Bookmarks**

The TEC created bookmarks to promote electoral enrolment and to raise the profile of the TEC and its website with school students.



# **ELECTORAL ENROLMENT**

An up-to-date and accurate electoral roll is an essential prerequisite for the conduct of elections. The State of Tasmania and the Commonwealth of Australia have an arrangement for the management and maintenance of a joint roll.

The Tasmanian electoral roll is maintained by the Australian Electoral Commission as part of the national roll. The TEC has on-line access to the roll. The national roll is jointly managed by the Australian Electoral Commission and State electoral authorities.

Eligible Tasmanians are able to enrol to vote in federal, state or local government elections or change their details on the electoral roll, by completing a single joint enrolment form.

All electors enrolled on the State roll are entitled to vote at the local government elections for the council in which their enrolled address is situated. Other individuals who are over the age of 18 and who own or occupy land in the municipal area may be entitled to be on a supplementary electoral roll kept by the council general manager.

Under section 40 of the *Electoral Act 2004*, the Tasmanian roll is provided to Members of Parliament, registered parties and other organisations approved by the Commission.

## **Enrolment performance**

The Electoral Commissioner represents the Commission at regular meetings of the Electoral Council of Australia. This body oversees policy and systems related to the on-going development and improvement of the joint Commonwealth/State electoral roll.

## Enrolment changes

There were no major changes to the electoral enrolment form or procedures during the year. However, the new federal government is developing a green paper concerning changes to electoral enrolment procedures as well as other electoral practices with an aim to establish more consistent processes across Australia.



## **REPORT ON PERFORMANCE**

This section details the performance results for the TEC. The TEC conducts a range of elections on behalf of the Tasmanian community. The cost per elector for these elections varies depending on the statutory requirements and the scale and complexity of the election.

The performance assessment, in the first instance, focuses on the cost effectiveness of the electoral process. The cost per enrolled elector to conduct State elections and the cost per enrolled elector to maintain the electoral roll are reported in tables 7, 9, 10 and 11.

While cost effectiveness is important, it is essential that other performance measures such as voter turn-out (number of electors who voted as a percentage of the number of electors on the election roll), and the level of informal voting (number of informal votes as a percentage of the number of votes cast), are maintained at existing levels or better.

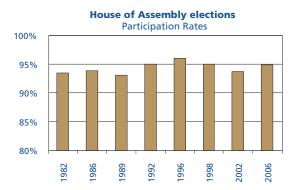
## **House of Assembly elections**

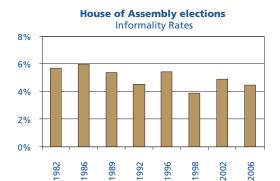
	1996	1998	2002	2006
Number of electors at close of roll	324 556	322 754	332 473	341 481
Ballot papers cast	311 486	306 655	311 637	324 008
Participation rate	95.97%	95.01%	93.73%	94.88%
Formal votes	294 671	294 678	296 470	309 622
Informality rate	5.40%	3.91%	4.87%	4.44%
Number of candidates*	158	138	112	95
Total number of counts**	3 363	3 271	2 500	198

#### Table 1: House of Assembly elections statistics 1996–2006

\* The number of members of the House of Assembly was reduced in 1998 from 35 to 25.

\*\* The number of counts reduced dramatically in 2006 with the adoption of the process of amalgamating parcels of ballot papers with the same transfer value when excluding candidates.





## **Legislative Council elections**

		2007	2008		
	Montgomery	Nelson	Pembroke	Huon	Rosevears
Number of electors at close of roll	23 540	23 118	23 451	24 539	23 402
Ballot papers cast	Uncontested	18 729	20 525	20 332	18 760
Participation rate	—	81.01%	87.52%	82.86%	80.16%
Formal votes	—	18 235	19 856	19 584	17 879
Informality rate	—	2.64%	3.26%	3.68%	4.70%
Number of candidates	1	2	6	2	2

Table 2: Legislative Council elections statistics by division 2007–2008

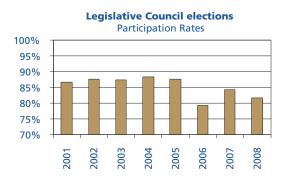
Table 3: Legislative Council elections participation and informality rates 2004–2008

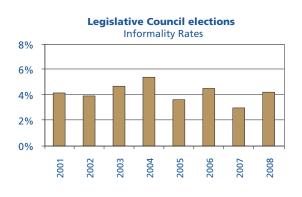
	2004	2005	2006	2007	2008
Number of electors at close of roll	44 442	46 474*	44 844	46 569*	47 941
Ballot papers cast	39 201	40 703	35 468	39 254	39 092
Participation rate	88.21%	87.58%	79.09%	84.29%	81.54%
Informality rate	5.39%	3.62%	4.50%	2.96%	4.17%

\* Enrolment numbers for 2005 and 2007 only include divisions that required a poll.

Factors which may affect participation rates at Legislative Council elections include:

- the number of elections being held
- the demographics of the divisions going to election
- the number of candidates contesting an election
- the level of campaigning undertaken by the candidates and
- local issues.







## **Local government elections**

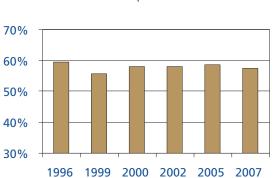
	1999	2000	2002	2005	2007
Number of electors at close of roll*	330 004	334 592	340 283	350 026	357 091
Number of council elections fully conducted by TEC	24/28	27/29	26/28	28/29	29/29
Declarations returned	183 673	193 337	196 903	204 846	205 074
Response rate	55.66%	57.78%	57.86%	58.52%	57.43%
Total ballot papers**	291 890***	514 858	525 772	563 532	538 411
Formal votes	287 896***	505 123	516 100	553 809	528 649
Informality rate	1.37%	1.89%	1.84%	1.73%	1.81%
Number of candidates	377	454	437	487	444
Total number of counts	503	622	570	708	602

#### Table 4: Local government elections statistics 1999–2007

\* Comprises those electors on the House of Assembly roll for an address within the municipal area as well as other owners, occupiers and nominees who have enrolled on the general manager's roll. Only includes figures for those councils requiring ballots.

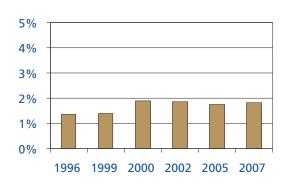
\*\* Includes all ballot papers for mayor, deputy mayor and councillors.

\*\*\* In 1999 most mayoral and deputy mayoral positions were elected by the newly formed councils rather than at the council elections.



#### Local government elections Participation Rates

## Local government elections Informality Rates



#### Tasmania Together indicators and targets for local government elections

Tasmania *Together* is a community system of goal setting and measurement, used to guide decision-making in the government and community sectors. The headline indicator for Goal 8 (Open and accountable government that listens and plans for a shared future) is the level of voter participation in local government elections.

#### Table 5: Local government election participation

Tasmania <i>Together</i> indicator	Tasmania <i>Together</i> target
8.1.3 Participation in local government elections	2005: 60% 2010: 65% 2015: 70% 2020: 75%

#### Table 6: Local government election participation 1996–2007

Participation in local government elections	1996	1999	2000	2002	2005	2007
Local government	59.48%	55.66%	57.78%	57.86%	58.52%	57.43%



# FINANCIAL PERFORMANCE

This section contains breakdowns of election costs and historical comparisons. Expenditure and Revenue statements can be found in the Department of Justice Annual Report 2007–2008.

## **Cost of elections**

	1995–96	1998–99	2002–03	2005–06
Total cost (\$'000)	1 635	1 565	1 752	1 897
Number of electors on the roll	324 556	322 754	332 473	341 481
Cost per elector on the roll	\$5.10	\$5.06	\$5.27	\$5.56

#### Table 7: Cost of House of Assembly elections

## Table 8: Cost of Federal elections

	1995–96	1998–99	2001–02	2004–05	2007–08
Cost per elector on the roll	\$5.08	\$5.06	\$5.29	\$5.79	\$8.29*

\* The significant increase in costs includes two initiatives undertaken in response to the introduction of new enrolment and close of roll arrangements: targeted enrolment stimulation (\$6 million) and a major public awareness and advertising strategy (\$29 million). With over 13.5 million electors on the roll, the combined \$35 million equates to \$2.56 of the cost per elector.

The cost per elector for Federal elections is included for information. The 2007 election figure was provided in the AEC's submission to the Joint Standing Committee into Electoral matters (JSCEM) inquiry into the 2007 election accessible on the inquiry section of the Parliament of Australia website (www.aph.gov.au). All other figures are provided in the 'Federal Elections' section on the AEC website (www.aec.gov.au).

Federal election costs do not include party funding and disclosure payments or a component for the decentralised structure of permanent divisional returning officers and staff.

	2003–04	2004–05	2005–06	2006–07	2007–08
Total cost (\$'000)	346	335	280	346	307
Number of electors on the roll	44 442	70 008	44 844	70 109	47 941
Cost per elector on the roll	\$7.79	\$4.79	\$6.24	\$4.94	\$6.40

#### Table 9: Cost of Legislative Council elections



Periodic Legislative Council elections are conducted annually. Elections for two divisions are held in even-numbered years, and for three divisions in odd-numbered years. Costs per elector are always higher when only two elections are held due to fixed costs.

In 2003–04, the cost per elector was high due to the geographic spread of the new division of Apsley and the use of additional election awareness brochures and other advertising.

In 2004–05, the cost per elector was low due to a poll not being required in the division of Paterson as there was only one nomination.

In 2006–07, the cost per elector was low due to a poll not being required in the division of Montgomery as there was only one nomination.

	2000–01	2002–03	2005–06	2007–08
Total cost (\$'000)	917	977	1 147	1 211
Number of electors on the roll	334 592	340 283	350 026	357 091
Cost per elector on the roll	\$2.74	\$2.87	\$3.28	\$3.39

## Table 10: Cost of local government elections

## **Cost of electoral enrolment**

Table 11	· Cost ot man	aging and r	maintaining	electoral roll
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	2003–04	2004–05	2005–06	2006–07	2007–08
Expenditure on roll (\$'000)	226	243	249	218	214
Number of electors on the roll at 30 June	335 402	341 172	343 494	346 893	353 031
Cost per elector on the roll	\$0.67	\$0.71	\$0.72	\$0.63	\$0.61

These costs include the cost to the State of the State/Commonwealth joint roll arrangement, communications lines to the national roll management system, associated IT costs and the cost of providing the roll to members of the Tasmanian Parliament, registered parties and other organisations approved by the Commission under section 40 of the *Electoral Act 2004*.



# **APPENDIX A—APPROVALS, APPOINTMENTS AND DETERMINATIONS**

## **Approvals**

Section No.	Subject	Date Approved
40 (6)	Additional approvals for access to roll information	13/03/08

# **Appointments**

Section No.	Subject	Date Approved
24 (1)	Returning officers for the 2008 Legislative Council elections	13/03/08
26 (1)	Election officials for the 2008 Legislative Council elections	13/03/08
93 (1)	Polling places for the 2008 Legislative Council elections	13/03/08

## **Determinations**

Section No.	Subject	Date Approved
27 (1)	Remuneration and allowances	13/03/08

# **APPENDIX B—LEGISLATIVE COUNCIL ELECTIONS**

## 2008 election summary

Issue of the Writs	Mon 31 March	Polling Day	Sat 3 May
Close of Nominations	Thursday 10 April	Return of the Writs	
Division	<b>Retiring Member</b>	Elected Candidate	
	<b>B</b> 1.11	Paul Harriss	
Huon	Paul Harriss	Paul Harriss	

A candidate must obtain a majority of the formal vote to be elected under the preferential voting system used for Legislative Council elections. If no candidate has a majority of the formal vote from first preferences, the candidate with the lowest number of votes is excluded. This process of excluding candidates continues until one candidate obtains a majority.

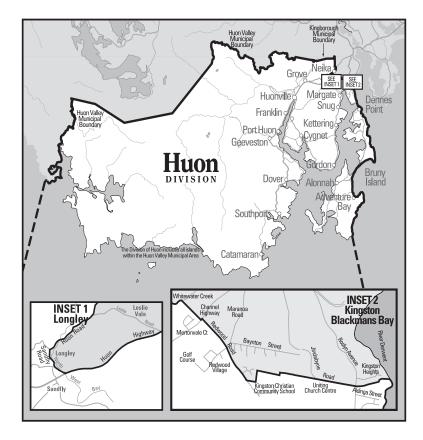
## **Periodical cycle**

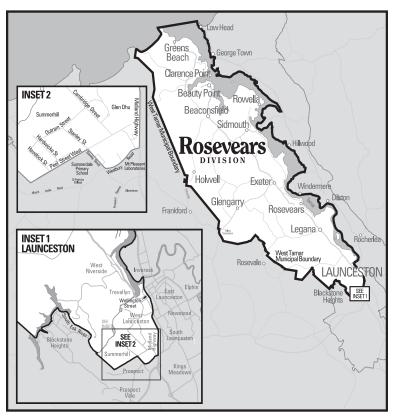
Periodic Legislative Council elections are held on the first Saturday in May each year.

Division	Current Member
Derwent	Hon Michael Aird
Mersey	Mrs Norma Jamieson
Windemere	Mr Ivan Dean
Apsley	Hon Tania Rattray-Wagner
Elwick	Hon Terry Martin
Launceston	Hon Don Wing
Murchison	Hon Ruth Forrest
Rumney	Ms Lin Thorpe
Hobart	Hon Doug Parkinson
Western Tiers	Hon Greg Hall
Montgomery	Hon Sue Smith
Nelson	Hon Jim Wilkinson
Pembroke	Hon Allison Ritchie
Huon	Hon Paul Harriss
Rosevears	Hon Kerry Finch
	Derwent Mersey Windemere Apsley Elwick Launceston Murchison Rumney Hobart Western Tiers Montgomery Nelson Pembroke Huon



# **Divisional maps**





## **Division of HUON**

Election held on 3 May 2008	Electors enrolled	24 539
Retiring member—The Honourable Andrew Paul Harriss	Electors who voted	20 332 (82.86%)
Returning Officer—Greg Richardson	Informal votes	748 (3.68%)
Elected member to serve for a six year term until May 2014		

#### First preference votes and informal ballot papers-by polling place

		CAN	DIDATES				
		HARRISS Paul	<b>RICKARDS</b> Mark Tasmanian Greens	Formal votes	Informal	Total ballot papers counted	
1	Adventure Bay	68	46	114	2	116	
2	Agfest	286	123	409	10	419	
3	Alonnah	106	62	168	5	173	
4	Barnes Bay	48	40	88	0	88	
5	Blackmans Bay	1 977	1 333	3 310	167	3 477	
6	City polling places	124	116	240	5	245	
7	Cradoc	208	137	345	11	356	
8	Cygnet	755	637	1 392	54	1 446	
9	Dover	382	140	522	16	538	
10	Franklin	231	162	393	9	402	
11	Geeveston	508	164	672	32	704	
12	Glen Huon	177	70	247	8	255	
13	Grove	302	190	492	29	521	
14	Howden	158	137	295	8	303	
15	Huonville	1 000	408	1 408	47	1 455	
16	Judbury	94	73	167	3	170	
17	Kettering	190	228	418	20	438	
18	Maranoa Heights	842	389	1 231	65	1 296	
19	Margate	1 017	732	1 749	81	1 830	
20	Middleton	91	113	204	9	213	
21	Port Huon	134	42	176	7	183	
22	Ranelagh	462	185	647	27	674	
23	Sandfly	397	369	766	36	802	
24	Snug	475	347	822	23	845	
25	Southport	59	49	108	10	118	
	Surges Bay	81	39	120	6	126	
27	Woodbridge	139	211	350	8	358	
	Mobile*	101	29	130	7	137	
	Total Ordinary	10 412	6 571	16 983	705	17 688	
	Pre-poll	429	327	756	21	777	
	Postal	1 268	504	1 772	21	1 793	
	Provisional/Absent	40	33	73	1	74	
	Total	12 149	7 435	19 584	748	20 332	
	% Formal vote	62.04%	37.96%				

CANDIDATES

\* Votes taken at institutions are now issued as ordinary votes.

## **Paul Harriss elected**



## **Division of ROSEVEARS**

Election held on 3 May 2008	Electors enrolled	23 402
Retiring member—The Honourable Kerry Finch	Electors who voted	18 760 (80.16%)
Returning Officer—Anne Scott	Informal votes	881 (4.70%)
Elected member to serve for a six year term until May 2014		

## First preference votes and informal ballot papers-by polling place

		CAN	DIDATES				
		FINCH Kerry	<b>O'BRIEN</b> Colin	Formal votes	Informal	Total ballot papers counted	
1	Agfest	389	149	538	25	563	
2	Beaconsfield	638	304	942	44	986	
3	Beauty Point	437	187	624	24	648	
4	City polling places	297	107	404	24	428	
5	Exeter	706	234	940	42	982	
6	Glengarry	173	62	235	9	244	
7	Gravelly Beach	430	131	561	28	589	
8	Kelso	161	59	220	20	240	
9	Legana	1 493	626	2 119	114	2 233	
10	Riverside	1 882	664	2 546	100	2 646	
11	<b>Riverside West</b>	543	189	732	38	770	
12	Sidmouth	306	85	391	25	416	
13	Summerhill	1 468	634	2 102	147	2 249	
14	Trevallyn	1 173	406	1 579	75	1 654	
15	West Launceston	1 144	397	1 541	89	1 630	
	Mobile*	66	33	99	5	104	
	Total Ordinary	11 306	4 267	15 573	809	16 382	
	Pre-poll	788	273	1 061	46	1 107	
	Postal	879	339	1 218	26	1 244	
	Provisional/Absent	17	10	27	0	27	
	Total	12 990	4 889	17 879	881	18 760	
	% Formal vote	72.66%	27.34%				

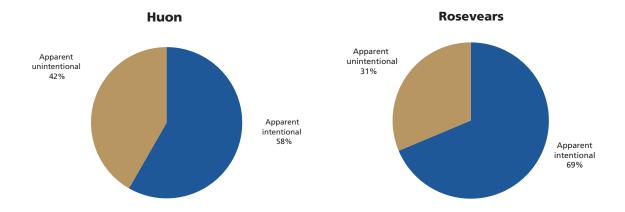
\* Votes taken at institutions are now issued as ordinary votes.

#### **Kerry Finch elected**



# Informal ballot paper survey

	Huon	Rosevears	Total							
Apparent intentional informal voting										
Blank	161	252	413							
Deliberate informal or scribble/messages only	275	353	628							
Total	436	605	1 041							
Apparent unintentional informality										
Contains writing identifying elector	4	2	6							
Contains one cross	228	173	401							
Contains two crosses	39	43	82							
Contains two ticks	15	22	37							
No first preference	6	6	12							
Repetitions or omissions	2	1	3							
Two or more first preferences	18	29	47							
For other division	0	0	0							
Total	312	276	588							
Total	748	881	1 629							



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A recount was conducted to fill the vacancy in the House of Assembly created by the resignation of Paul Lennon, who resigned from Parliament on Tuesday 27 May 2008. Paul Lennon received 16 666 votes at the 2006 House of Assembly election, well over the Franklin quota of 10 660. The value of the ballot papers used in the recount has been reduced by fraction to equal the quota, as required by Section 5 of Schedule 6 of the <i>Electoral Act 2004</i> .	ver the F uired by (	a, as required by 5 Australian Labor Party	əmluH ləinsQ	3 887	36.7%	Ross Butler elected ie House Assembly for the Division of Franklin until the next general election.	
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**APPENDIX C—HOUSE OF ASSEMBLY RECOUNT** 

Appendix C—House of Assembly Recount



# APPENDIX D—ROBSON ROTATION DISCUSSION PAPER: EXECUTIVE SUMMARY

This paper considers the need to enhance Robson rotation for Tasmanian elections by further reducing the advantage that can be gained from the position of candidate names on a ballot paper.

Robson rotation is used in Tasmanian House of Assembly, Legislative Council and local government elections, and Australian Capital Territory (ACT) Legislative Assembly elections.

The key points of the paper are:

- Some voters number ballot papers straight down a column apparently without consideration of their preference for each candidate. However, they may have chosen the column (party) that they prefer. This form of marking the ballot paper is referred to as 'linear voting' in this paper. Some voters start marking the ballot paper at their preferred candidate and continue marking down the paper before returning to the top to continue numbering in a circular fashion. This form of marking the ballot paper is referred to as 'circular voting' in this paper.
- Robson rotation reduces the impact of linear voting by creating a number of versions of the ballot paper, each with a different order of candidate names. Currently, the number of versions is equal to the number of candidates in the column—with each candidate's name appearing at the top on one version.
- Some commentators correctly claim that one candidate can still unfairly receive more linear votes than another following the exclusion of a candidate. These additional votes can be enough to elect that candidate over another in that column. The allocation of these additional votes is determined by the 'luck of the draw' as to:
  - o who has the higher position on the ballot paper where the excluded candidate's name is shown at the top, and
  - o which of the two competing candidates is above the other on more versions of the ballot paper (e.g. three rather than two versions where there are five candidates).
- Linear voting was found to be higher in the ACT. To address this in the ACT, Robson rotation has been extended to 60 rotations for divisions electing 5 members and to 420 rotations for divisions electing 7 members.
- While the ACT extension reduces the remaining effect of linear voting, it does not remove it fully. The system in the ACT also restricts the number of candidates in a column to 5 or 7. If a party wishes to nominate more candidates they must be spread over 2 or more columns.
- An analysis of House of Assembly ballot papers from the 2006 elections shows the frequency of linear voting is much lower than that recorded in the ACT. The analysis also shows a level of "circular voting" which may counteract the effect of linear voting.
- An analysis of Legislative Council and local government ballot papers shows very low levels of linear voting on single column ballot papers. This suggests that there is less need to extend Robson rotation for single column ballot papers.
- This paper discusses 4 options from no change to the full number of possible permutations.



# **APPENDIX E—BALLOT PAPER ANALYSIS**

An analysis of elector preferences was undertaken on House of Assembly, Legislative Council and local government election ballot papers as part of the research for the Robson rotation discussion paper.

## House of Assembly election ballot paper analysis

The analysis examined ballot papers received as first preference votes by candidates grouped under the three parliamentary parties—the Australian Labor Party, the Liberal Party and the Tasmanian Greens—from the 2006 House of Assembly elections for the divisions of Bass and Denison.

Each ballot paper was recorded against categories under the following subjects:

- **The number of preferences:** '5 preferences', 'all preferences', 'in-between number of preferences'. Five preferences was the minimum required to cast a formal vote. As the Labor Party ran six candidates in each division, an additional category ('6 preferences') was included for Labor first preferences.
- 1st preference position: 'top of the column' and 'not at the top of the column'.
- **Preference ordering:** 'Linear', 'Party' and 'leakage'. Ballot papers categorised as 'linear' listed preferences sequentially down or around the column. Ballot papers categorised as 'Party' listed a preference for all party candidates before any other candidates. Ballot papers categorised as 'leakage' gave a preference to a candidate outside the party before giving a preference to every party candidate.

The data was aggregated for each candidate and then grouped to the party level. The overall results of the ballot paper analysis are shown below.

#### **Overall analysis**

- Number of preferences shown:
  - o 43.3% showed the minimum (five) preferences
  - o 45.2% showed a preference for all candidates
  - o 11.5% showed an in-between number of preferences
- Preference ordering:
  - o 8.3% of the ballot papers were linear votes<sup>1</sup>
  - o 5.2% of the ballot papers were circular votes<sup>2</sup>
  - o 23.2% of votes leaked from the three major parties<sup>3</sup>
  - o Stronger candidates received up to three times as many linear votes as candidates receiving less votes.

<sup>&</sup>lt;sup>1</sup> A linear vote is where the voter marks preferences sequentially down the column for a single party or group.

<sup>&</sup>lt;sup>2</sup> A circular vote is the first preference is listed for a name not in the top position and following preferences are listed in a continuous sequence around the rest of the column.

<sup>&</sup>lt;sup>3</sup> A leaked vote is where the voter gave a preference to a candidate outside the party before giving a preference to every candidate within the party column.



#### Australian Labor Party

- Number of preferences shown:
  - o 19.6% showed five preferences
    - 1.2% linear
    - 7.5% leaked
  - o 26.5% showed six preferences
    - 1.8% linear
    - 0.8% leaked
  - o 44.4% showed a preference for all candidates
  - o 9.5% showed an in-between number of preferences
- Preference ordering:
  - o 6.8% of the ballot papers were linear votes<sup>1</sup>
  - o 2.8% of the ballot papers were circular votes<sup>2</sup>
  - o 21.8% of votes leaked from the party<sup>3</sup>

#### Liberal Party

- Number of preferences shown:
  - o 45.0% showed five preferences
    - 3.4% linear
    - 8.8% leaked
  - o 43.3% showed a preference for all candidates
  - o 11.7% showed an in-between number of preferences
- Preference ordering:
  - o 7.4% of the ballot papers were linear votes<sup>1</sup>
  - o 6.8% of the ballot papers were circular votes<sup>2</sup>
  - o 23.8% of votes leaked from the party<sup>3</sup>

#### Tasmanian Greens

- Number of preferences shown:
  - o 33.8% showed five preferences
    - 4.7% linear
    - 7.9% leaked
  - o 50.0% showed a preference for all candidates
  - o 16.2% showed an in-between number of preferences



- Preference ordering:
  - o 13.7% of the ballot papers were linear votes<sup>1</sup>
  - o 8.7% of the ballot papers were circular votes<sup>2</sup>
  - o 25.8% of votes leaked from the party<sup>3</sup>

## Legislative Council election ballot paper analysis

The analysis examined ballot papers from the 2007 Legislative Council election in the division of Pembroke. Six candidates were nominated for the election and were listed in a single column.

Each ballot paper was recorded against categories under the following subjects:

- **The number of preferences:** '3 preferences', '4-5 preferences' and '6 preferences'. Three preferences was the minimum required to cast a formal vote.
- 1st preference position: 'top of the column' and 'not at the top of the column'.
- **Preference ordering:** 'Linear', 'reverse linear', 'partial linear' and 'no pattern'. Ballot papers categorised as 'linear' listed preferences sequentially down the column. Ballot papers categorised as 'reverse linear' listed preferences sequentially up the column. Ballot papers categorised as 'partial linear' listed the first few preferences with apparent care, and then allocated at least three of the remaining preferences in a straight sequence up or down the ballot paper.

The results of the ballot paper analysis are shown below.

- Number of preferences shown:
  - o 21.6% showed the minimum (three) preferences
  - o 76.8% showed a preference for all candidates
  - o 1.6% showed an in-between number of preferences
- Preference ordering:
  - o 1.1% of the ballot papers were linear votes<sup>1</sup>
  - o 18.6% of the ballot papers contained partial linear voting<sup>4</sup>
  - o 0.8% of the ballot papers were linear votes in reverse (bottom to top).
  - o 1.7% of the ballot papers were circular votes<sup>2</sup>

<sup>&</sup>lt;sup>4</sup> Partial linear voting is where the voter casts his/her first few preferences with apparent care, and then allocates the remaining preferences in a straight sequence up or down the ballot paper

## Local government councillor election ballot paper analysis

The analysis examined ballot papers from the 2002 Derwent Valley Councillor election. Fourteen candidates were nominated for the election and were listed in a single column.

Each ballot paper was recorded against categories under the following subjects:

- **The number of preferences:** '5 preferences', 'all preferences', 'in-between number of preferences'. Five preferences was the minimum required to cast a formal vote.
- **1st preference position:** 'top of the column' and 'not at the top of the column'.
- **Preference ordering:** 'Linear', 'reverse linear', 'partial linear' and 'no pattern'. Ballot papers categorised as 'linear' listed preferences sequentially down the column. Ballot papers categorised as 'reverse linear' listed preferences sequentially up the column. Ballot papers categorised as 'partial linear' listed the first few preferences with apparent care, and then allocated at least three of the remaining preferences in a straight sequence up or down the ballot paper.

The results of the ballot paper analysis are shown below.

- Number of preferences shown:
  - o 27.5% showed the minimum (five) preferences
  - o 66.4% showed a preference for all candidates; and
  - o 6.1% showed an in-between number of preferences
- Preference ordering:
  - o 1.4% of the ballot papers were linear votes<sup>1</sup>
  - o 27.9% of the ballot papers contained partial linear voting<sup>4</sup>
  - o 0.4% of the ballot papers were linear votes in reverse (bottom to top).
  - o 2.4% of the ballot papers were circular votes<sup>2</sup>



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