

ELECTORAL LEGISLATION AMENDMENT BILL
(Serial 72)

Mr GUNNER (Chief Minister): Madam Speaker, I thank members for their contribution. We believe in enfranchising Territorians and that voting should be accessible, simple and fair. We want as many Territorians as possible engaged in our democratic process because it creates a stronger, more cohesive Northern Territory.

That is why we promised Territorians at the last election, that we would reinstate preferential voting. Returning to the status quo, after the efforts by the CLP to cling to power by changing the rules last time at the last minute—as the Member for Nelson pointed out. I agreed with the Member for Nelson’s analysis of why they did it and the outcome of why. At the time I was perplexed as to why they changed, but that was their decision.

We promised to fix the impracticalities of the changes to polling booth rules, introduced in the dying days of the Giles CLP government. I thought the Member for Nelson well-articulated a response to the Member for Nhulunbuy on the points he raised.

We have had a previous debate in this House with previous bill changes about one vote, one value and that must be the most important thing we apply when considering these questions. The member also well-articulated that we want voters to be able to fill out ‘how to vote’ cards. It is a good test of literacy and numeracy and it should be something that people can meet.

We are respectful that people can speak more than one language. The Member for Nhulunbuy mentioned there are interpreter services available at polling booths. If he has concerns about the availability of interpreter services, we are happy to talk with him. My understanding is that they are engaged by the Electoral Commission.

You can also have an assisted vote, which is addressed in other bills

I can inform the Assembly that we have accepted recommendation 2 from the scrutiny committee, which will provide that where an election day voting centre is located in a building situated in grounds within an enclosure, the commissioner may, by written notice, specify that those grounds are, for the purposes of this section, part of the voting centre.

Where we have a difference of opinion, staying with the policy that we brought into this bill, is how do we manage the prohibition zone? We agree with some things said by the Members for Nelson and Spillett. In some respects it is the application more than the legislation. We do not want the gauntlet at voting booths. We believe that we have come up with a solution that allows voters to get the information they need on the day if they choose.

I also agree with the members opposite that it is a decision day and not a debate day. Some people who make decisions on the day want to ask questions. I went to a lot of booths on the day of the last Territory election. Each booth had a different application of how the 100-metre rule worked, depending on where fence lines, verges, roads and all that sort of stuff. The removal of the gauntlet was excellent—I was absolutely comfortable with it. I do not want to lose that in this legislation. I do not believe we have.

I consistently found that voters wanted to be able to ask questions on the day. It was difficult to be able to provide that service to voters with the way the 100-metre rule worked around a booth. We have an obligation to be accessible to voters on the day to answer questions. We sought an ability to provide that.

There must be a clear path. This is the bit where government, the opposition and the Independent members seem to have read the bill differently. The designated area must be avoidable for voters who do not wish to engage with campaigners. That is in the legislation. The Electoral Commission designates the area. That area must be avoidable. There must be a guaranteed clear path so that the gauntlet does not come back.

If you as a voter wish to engage—the CLP said that they were supportive of this. This is where we agree, though we have a difference of opinion in how the bill will be applied. If a voter wishes to go over to the designated campaigning area, they can. If they wish to go straight into vote, they can. The people in the designated campaigning areas cannot leave the areas to go to the voter. The gauntlet is not there.

What we have done is to provide a guarantee to a voter the capacity to, if they wish, go over to the designated campaigning area, which the 100-metre prohibition zone does not allow. This is simply a measure to make sure that information was available to voters on decision day. I agree that it is not debate day or about bringing back the gauntlet. It is an attempt through legislation to make sure that the gauntlet is gone and that there is an ability to be able to ask questions.

The Member for Nelson's point on the provision of how-to-vote cards is a good one. There have been questions before on where you could have how-to-vote cards and how you handle it, whether it should be in or not be in the booth. But, where the Member for Nelson's suggestion falls short is that you cannot ask a how-to-vote card a question.

The Member for Nelson said in his commentary that voters should make every effort to be informed prior to the day. That would be great. I genuinely think most voters are. I have found in my political career—the Member for Nelson is coming up to 17 years ...

Mr Wood: Eighteen.

Mr GUNNER: Eighteen years. I am coming up to my 12th year going into the next election. There are voters on the day who want to ask questions. I am always pleased when I get questions and I am happy to engage. There are a lot of people who want to take a card or do not want to take a card and just go through.

I had a fantastic occasion at the federal election where I saw a voter who was voting for the first time went to every group at Casuarina booth—I was there with Minister Moss—and asked questions of everybody. I thought that was impressive. That does not always happen. Usually they have a question for two of the parties, wanting to clarify something going in—'When you say that, does it really mean this? I want to look you in the eye and hear from you.' That young voter asked everybody a series of questions before he went into the booth and voted.

That option does not exist when you only have a 100-metre prohibition zone. This gives the ability for people if they wish to ask questions and engage. I think that engagement is important as part of the political process on the day. It is the one rare opportunity where everyone will be in the one spot—it is not always true, it is true for about 95% of booths—and when everyone on the ticket will be at that spot and available to answer questions. Those people are legitimately accessible to the voter on the day they are making their decision.

I believe that if the voter wishes to ask those people a question, they should. That is what these reforms are about. It is not about bringing back the gauntlet. I do not want the gauntlet back. It is about making us, politicians in this Chamber, people who wish to be politicians in this Chamber or the parties who volunteer to work for them accessible for questions to be asked of them on the day before a voter makes a big decision.

I repeat that section, it is 275B(3)(c)—it must be avoidable by voters who do not wish to engage with campaigners. When you read the bill, knowing that is in there, how you interpret all the other bits change. As we have often seen in bills, people can read clauses in isolation of the whole bill and the bill has to be read as one. That is something that has and often gets debated in this Chamber. The bill has to be read as one.

Must be avoidable by voters who do not wish to engage with campaigners.

I know the Electoral Commissioner—even if I did not know the Electoral Commissioner—whoever the Electoral Commissioner is when applying this act will take that in to consideration with how they set up the designated area.

That is why we respectfully disagree with what the Member for Nelson proposed to the scrutiny committee and what the scrutiny committee has brought in to here.

Mr Wood: They agreed with me. They were great people. They were fantastic.

Mr GUNNER: That, Members for Nelson and Spillett, is why we are suggesting the approach that we are suggesting. I do not believe the application for this act will lead to what the two different speakers today believe will happen.

I genuinely think this sees the gauntlet go and this means that those who may choose to—go and get the information if they wish to or not. It allows the choice to sit with the voter, which is where it should be. We should not waste this rare opportunity for us and people who want to be in this Chamber to be accessible to

voters, to answer questions by them on the day when they have to make one of the most important decisions that they make every four years. That is all.

I commend the bill to the House.

Motion agreed to; bill read a second time.

blies to look at. We will be considering the work that has been done.

Motion agreed to.