

Dear Madam Chair,

I refer to the Social Policy Scrutiny Committee inquiry considering the Electoral Legislation Amendment Bill 2018.

The changes proposed in the Bill are supported and enact a number of recommendations in the 2016 Territory election report.

While the changes to the 100 metre prohibition of canvassing are generally supported, the Commission seeks greater flexibility and clarity regarding the administration of the 100 metre rule that applies to election-day voting centres.

Candidates and party workers interact with voters through a variety of means; including, advertising, doorknocking, mail-outs and attendance at voting centres. The capacity for candidates and party workers to interact with voters is an integral part of the democratic process; however, a common complaint received from voters is the behaviour of some campaign workers outside voting centres. The concerns of voters needs to be balanced with the rights of candidates to conduct campaigns.

This Bill proposes to retain the 100 metre prohibition boundary and create an alternate prohibition zone, of which the boundaries must be between 10 and 100 metres of the voting centre. The Bill states that the campaign area must be large enough to enable three campaign workers for each candidate and must be avoidable by voters who do not wish to engage with campaigners. With the voting system proposed to revert to full preferential, how-to-vote material becomes more relevant in assisting electors to vote formally.

The Commission supports the intent of the Bill but raises the following issues regarding the administration of the 100 prohibition zone:

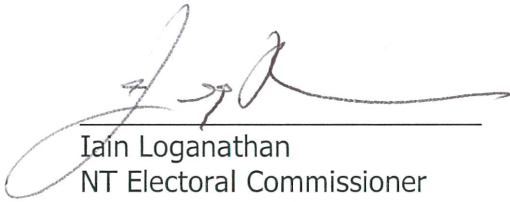
1. Schools are often used as election-day voting centres. Depending on the location and venue used, the 100 metre prohibition boundary usually covers only part of the school meaning that campaign workers can still campaign on areas of the school ground that are outside this boundary.

This caused a number of issues and some confusion during the 2016 Territory election and is difficult for NT Electoral Commission staff to administer. In instances like this, the Commission would prefer to have the ability to extend the prohibition boundary so that it encompasses the whole school such as following a physical boundary like a fence. This would provide clarity on where the boundary extends and consequently make it easier to administer and inform candidates and parties accordingly. For this to occur at some voting centres the prohibition zone would be greater than 100 metres.

2. Clarification is sought in respect to what conduct a campaign worker may engage in within the designated campaign area the Commission chooses. While a campaign worker may engage in canvassing for votes, soliciting the vote of a person and hand out how-to-vote cards, can they display posters, corflute signs or other campaign materials in this designated area?

3. Clarification is sought about voting centres with multiple points of entry. Is there still only one designated campaign area at these locations?
4. Clarification is sought as to whether the designated campaign area is only accessible to campaign workers and that third party campaigners are not permitted in these areas.

The Commission welcomes any opportunity to provide further information to the Committee on this matter, and would be happy to contribute in person at any future hearings.

A handwritten signature in black ink, appearing to read 'Iain Loganathan', written over a horizontal line.

Iain Loganathan  
NT Electoral Commissioner  
30 January 2019