

09 March 2010

Electoral and Referendum Amendment (Close of Rolls and other Measures) Bill 2010

Second Reading

Mr BRADBURY» (Lindsay) (6:44 PM) — I rise to support the [Electoral and Referendum Amendment \(Close of Rolls and Other Measures\) Bill 2010](#). I wish to speak in support of a number of aspects of the bill but I begin by making the obvious observation: there is an old expression 'horses for courses' and I must say that I am just a little bit surprised that the Liberal Party would send in to bat on this important issue the member for Mitchell, who has hardly distinguished himself as a paragon of virtue and integrity when it comes to the democratic processes both externally but also internally within his party. I think his efforts to branch stack are held in wide acclaim by those who admire these matters. I do not consider myself to be one that does admire those activities. Certainly, there is a vast array of material on the public record that demonstrates that the member for Mitchell is coming to this debate with less than clean hands.

It is through the prism of his contribution that the contribution of those opposite should be viewed. Be very sceptical when the Liberal Party come forward with amendments to electoral laws without any valid basis for doing so. That is what happened back in 2006. In particular I refer to the close of rolls and the changes that were then put in place that moved the close of rolls date from being the evening of the date that the writ was issued from where it was previously, which was seven days after the issue of the writ. Be very sceptical when the Liberal Party come forward with proposals, as they did back then, because there was no valid argument for reducing the period available for people to update their enrolment or to put themselves on the roll so that they could exercise their democratic right and vote in that election.

We hear these arguments about how there is a lack of integrity and how there is rorting that is going on. We hear people quoting from books that are something in the nature of fiction in order to try and justify the very spurious argument that there is widespread rorting going on; therefore, we should deny people the opportunity to cast a valid vote because they may not have been on the roll as at the evening on which the writ was issued. The member for Mitchell articulates the argument that many others on his side have argued—that is, if we look at the figures at the last election and we look at the figures of the election before, there was not really a material difference in the number of people who were left off the roll. If that is the argument then I would ask the member for Mitchell and all of those members opposite: what is the harm in allowing that extra time so that people who are not on the roll may be able to regularise their enrolment details so that they can then exercise a vote? In a country that has such a rich tradition in valuing our democratic tradition, I do not see why we would be trying to put additional barriers in front of individuals that might be simply wishing to do what I think everyone in this place would expect all citizens to do, and that is to exercise their democratic duty and to vote in an election.

If there were evidence of rorting, not even widespread rorting, then there may be some argument to try and limit the ability of individuals to get on the roll. I would also raise the point that if someone were

looking to rort enrolments on the electoral roll, they do not have to wait until an election is called in order to do that. Clearly, no-one in this place is going to condone that sort of activity but it seems to me a fairly specious argument to come forward and say, 'We're going to prematurely close the rolls so that all that rorting won't occur.' Everybody knows that 2010 is an election year. If people were looking to enrol people illegally and to engage in skulduggery, there is nothing to stop them from going out and doing it today. What is the magic about the evening of the issuing of writs as opposed to seven days later?

Let us not forget that we live in a political system where we actually do not know at the federal level when the next election is going to be down to the day. We do not know that and we will not know that until the Prime Minister goes off to seek the Governor-General's concurrence with the date. That means individuals in our community wanting to maintain their enrolment or to enrol for the first time may be left in a situation where they are stranded having been caught short not knowing that the Prime Minister was about to go to Yarralumla and not being able to get their act together in the handful of days between that and when the writ is issued.

It seems to me that it pays, in a country that values its democratic traditions, to try and expand opportunities for people to participate in the democratic process. There is no greater exercise of one's democratic rights than to cast a vote on election day. The argument that has not been put by those on the other side is why it is that closing the roll on the night of the issue of the writs is going to maintain any greater integrity than doing it seven days later. The other side of the coin, put very simply, is that clearly there will be people who will not be able to get their details updated within that short period who will benefit from the extra seven days. So what is the evil that we are seeking to eliminate here that we would go to the extent to deny individuals the opportunity to vote in an election? It seems to me that it is only as a result of the fact that those on the other side somehow believe that they get some political advantage out of this.

I know that there have been those on the other side on occasions who have suggested that younger voters are more likely to vote for the Labor Party than to vote for the coalition. I would suggest that that is not always the case, but I know it is a suggestion that has been made by people in the past. When you look at the percentage of people that missed out on updating their details on the roll, they are predominantly young people. If that is the argument, let those on the other side be fair dinkum enough to come forward to make that point.

I am surprised that the member for Mitchell and his associates on the other side have sought to make integrity on polling day and integrity in election campaigns the issue in this debate. I note that the particular measures that are contained within this bill are in large part recommendations coming out of the inquiry into the 2007 federal election and matters related thereto by the Joint Standing Committee on Electoral Matters. There is an interesting chapter within the report that details some of the goings-on, some of the shenanigans, that occurred in the electorate of Lindsay, the seat that I represent, at the last election. I am disappointed that at this stage we have not been able to take sufficient action to try and correct what I think is a real shortcoming in the Commonwealth Electoral Act and that is the very small, the very meagre, penalties that are applicable to the sorts of acts that we saw carried out in the Lindsay electorate at the last election.

I know that that is a recommendation coming out of this report, and I hope that that is dealt with in the near future, but I think that these matters are just as relevant to this discussion as they will be to that discussion when it comes before this place. Those on the other side seek to come forward and suggest that somehow disenfranchising individuals by limiting their ability to get themselves on the roll is driven by this mass rorting, this lack of integrity in the way in which other parties conduct themselves during and in the lead-up to election campaigns when we have on display evidence of what I think were disgusting activities engaged in for the Liberal Party Lindsay campaign. One of the issues that concerns me is that an article published on 9 December 2007 in the Sunday Telegraph relayed some comments on the involvement of the Leader of the Opposition in the management of the Lindsay leaflet scandal under the headline 'Abbot blamed for flyers fallout':

According to senior Liberal sources, it was Mr Abbott who advised former Liberal MP for Lindsay Jackie Kelly to defend the leaflet as a Chaser-style stunt.

Her remarks sparked further outrage, and Mr Howard was forced to publicly repudiate her.

I guess we can see that the former Prime Minister, Mr Howard, at least had the decency and good sense to distance himself from these activities. It seems as though that was not entirely the case for the Leader of the Opposition, as he now is.

Mr Slipper — Mr Deputy Speaker, on a point of order: the member for Lindsay has made a very serious aspersion on the character of the Leader of the Opposition. I would ask that you bring him back to order and request him to withdraw the outrageous statement he just made.

The DEPUTY SPEAKER (Dr MJ Washer)— For the benefit of the parliament, would the member for Lindsay please withdraw.

Mr BRADBURY — For the benefit of the parliament, and for the great respect I have for the Deputy Speaker and the office that you hold, I was quoting an article and the comment that followed the quote merely reinforced what had already been quoted from the article. To the extent that I have said something that offends someone because it is not true, then I certainly withdraw that. I wish to continue to quote the article:

According to senior Liberals, it was Mr Abbott who suggested the Chaser defence during a strategy conference early on that day the story broke.

His advice was rejected on the grounds that the leaflet was deeply offensive and could not be dismissed as a prank.

I would have thought that that was an entirely reasonable conclusion for one to draw in those circumstances, notwithstanding the position at least asserted to be Mr Abbott's position so far as this article is concerned. The article goes on to say that when Mr Abbott was asked about this he said about Jackie Kelly:

"Jackie's a great mate of mine, and the Warringah Conference (Mr Abbott's fund-raising arm) bankrolled to the Lindsay campaign."

In the context of the discussion about integrity in democratic processes, I am disturbed by that comment because one of the unanswered questions not only through the various criminal proceedings that were undertaken in relation to this matter but also in the inquiry by the Joint Standing Committee on Electoral Matters into these matters was where these leaflets came from. Who printed these leaflets? I know that there is a lot of speculation going around, and there has been for the last couple of years, that they may well have been printed using taxpayers' dollars. To one of those that has seen these leaflets, it does appear that they were produced using something along the lines of a Risograph machine. Were any taxpayer dollars used to fund these pamphlets? If taxpayer dollars were not used, then I think, given the quote I have just read out that Mr Abbott's fundraising arm bankrolled the campaign in Lindsay, it begs the question whether there was any connection between the funds that were provided by Mr Abbott and his electoral conference and the conduct that was the subject of these criminal prosecutions—that is, the Lindsay leaflet scandal. I think this is a question that should be answered. It is a question that I have been asking for the last two years, but I think it is of even greater importance not just in the context of the current debate about integrity and democratic processes but also now that the member for Warringah is the Leader of the Opposition.

These are unanswered questions. I would be horrified if public dollars—taxpayer dollars—were used to print or produce this material—I think we all would be. But if it was not produced using taxpayer dollars then I think it is incumbent upon Mr Abbott, after the disclosure that he made in this article that it was his electoral conference that bankrolled the Lindsay campaign, to come forward—

Mr Slipper — Mr Speaker, I rise on a point of order. The honourable member for Lindsay should refer to the Leader of the Opposition by his title, and not by his name. But, more importantly, the member for Lindsay is

skating very close to making very serious allegations against the Leader of the Opposition which, of course, are disorderly. He ought to withdraw them and he ought to be brought back to the bill.

The DEPUTY SPEAKER — Order! The member for Lindsay will use appropriate parliamentary names.

Mr BRADBURY — Yes—the Leader of the Opposition who, of course, was the member for Warringah back at the time. It does raise the question of who produced this material and what resources were used to produce that material. Those questions have not been answered. What we do know is that the pamphlet was produced and distributed by Liberal Party operatives in the Lindsay area. We do know by the Leader of the Opposition's own admission that his electorate conference bankrolled the Lindsay campaign, but we do not know whether there is a connection between the two.

I think it is a legitimate question for me to ask on behalf of the residents in my community, who the Liberal Party treated with such contempt in relation to this issue at the last election. I think it is reasonable for me to come forward and to ask for the Leader of the Opposition to come forward and to disassociate himself and the funds that he and his electoral conference provided to the Lindsay campaign from those activities which I think that all fair and reasonable minded Australians would see as one of the lowest acts in our democratic history. I think it is important that we do have confirmation from the Leader of the Opposition on that point.

I wish to support the bill in all other respects. There is one other aspect of the bill that I would like to comment on very briefly, and that is in relation to the administrative provisions that would allow for those votes cast as pre-poll votes within the district for which those votes related to be allowed to be counted on the evening of the election. The figures I have seen are that somewhere in the vicinity of 660,000 more votes would have been counted on election night at the last election had that arrangement been in place. It seems to me that it makes perfect sense that if those votes have been cast and if they are located in that particular district that they should be counted on the night so that not only do the candidates and the parties have a better idea of the result on the night but, most importantly, that the Australian people have the most timely indication of what the result is going to be because, obviously, it is on them and their future that the result has such a great impact. I wish to support the bill.