

# Identifying the problem

## Voter ID laws a solution in search of a problem

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*The Government's proposed voter ID laws risk discouraging Australians from voting, in defiance of the country's proud history of ensuring everyone can and does vote. There is no evidence that voter fraud is a problem or that voter ID would address it. The Government's priority should be the 2.7 million Australians whose votes were not counted in the last election.*

Discussion paper

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# Summary

‘Australia was born not on the battlefields but at the ballot box.’

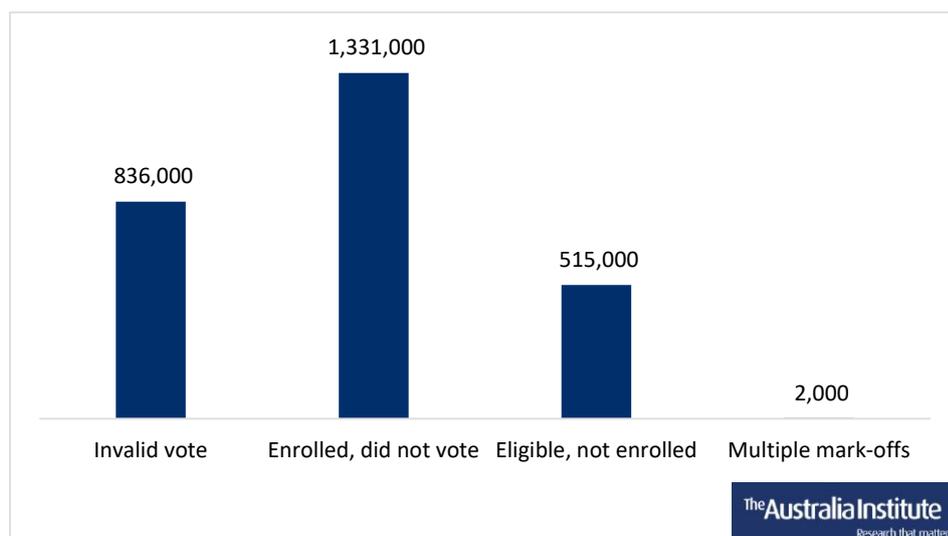
Judith Brett, *From Secret Ballot to Democracy Sausage*<sup>1</sup>

Australia has a proud history of extending the franchise, making it easier to vote, and turning elections into festivals of democracy. Totally absent from that history is any evidence that voter fraud has affected the outcome of an Australian election.

There are problems that threaten to distort electoral outcomes in Australia. Key among them is the declining share of Australians who are eligible to vote but do not have their votes counted. At the 2019 federal election, 840,000 Australians voted informally (many by accident), 1.3 million Australians on the electoral roll did not vote and 515,000 Australians eligible to vote were not enrolled. Taken together, 2.7 million Australians did not have their votes counted.

Compared to 2.7 million Australians uncounted, the incidence of multiple voting pales into insignificance. Election analyst Antony Green reports that there were about 2,000 ‘multiple mark-offs’ in the 2019 federal election.<sup>2</sup> Many of these would be clerical errors, rather than deliberate multiple voting attempts. In other words, for every person who was – accurately or otherwise – marked as voting twice or more, there were over one thousand Australians who were entitled to vote but whose votes were not counted.

**Figure 1: The scale of votes uncast or uncounted compared to multiple mark-offs**



<sup>1</sup> Brett (2019) *From secret ballot to democracy sausage: How Australia got compulsory voting*, Text Publishing

<sup>2</sup> Green (2021) *Government introduces Bill requiring voters to show ID to vote*,

<https://antonygreen.com.au/government-introduces-law-requiring-voters-to-show-id-to-vote/>

Sources: AEC (2020) *Size of the electoral roll and enrolment rate 2019*, [https://www.aec.gov.au/enrolling\\_to\\_vote/enrolment\\_stats/national/2019.htm](https://www.aec.gov.au/enrolling_to_vote/enrolment_stats/national/2019.htm); Green (2021) *Government introduces Bill requiring voters to show ID to vote*, <https://antonygreen.com.au/government-introduces-law-requiring-voters-to-show-id-to-vote/>; International IDEA (2019) *Australia*, <https://www.idea.int/data-tools/country-view/54/40>

Other threats to the integrity of Australian elections include the disproportionate flow of government grants and electoral promises to marginal electorates, political campaigns based on false or misleading claims, the influence of political donations, the concentration of ownership in traditional media, and the divisive power of digital media organisations, with their susceptibility to manipulation.

Instead of addressing these concerns, voter ID creates more problems than it solves.

Australia has safeguards to protect against voter fraud. Foremost among these is an accurate electoral roll. Compulsory voting means that lodging a vote in someone else's name – personation – would be detected unless that person failed to vote in their own name. Multiple voting – voting more than once in one's own name – is readily detected and rare. Special purpose legislation has already been passed to address it.

Those liberal democracies whose government systems most closely resemble ours – New Zealand and the UK – do not have voter ID requirements. In countries such as the US there is a history of voter ID being used to deny the vote to minority groups – a concern that also arose in relation to Queensland's short-lived experiment with voter ID.

Voter ID will increase administrative complexity and cost, lead to longer queues at polling booths at a time when the nation is still dealing with a pandemic, and act as a further deterrent to an electorate already showing signs of disengagement with the political process. It has accurately been described as a 'solution in search of a problem'.

If the government were serious about addressing the negligible problem of multiple mark-offs (only some of which will be multiple votes), it could introduce an electronic roll. If this were present at most voting booths, then multiple mark-offs could be detected and prevented in real time.

# Introduction

The Government introduced the *Electoral Legislation Amendment (Voter Integrity) Bill 2021* into the House of Representatives on the 28 October 2021. The Bill proposes that voters in future Federal elections be required to produce identification before being given a ballot. Otherwise, they must have another voter ‘attest’ to their identity or cast a declaration vote.

Calls for the introduction of a voter ID had been made by Coalition members of the Joint Standing Committee on Electoral Matters (JSCEM) in Committee reports on the last three Federal elections,<sup>3</sup> but had still not been taken up by the Australian Government in September 2021 when One Nation Senator Malcolm Roberts proposed his *Commonwealth Electoral Amendment (Integrity Elections) Bill 2021*. Along with a provision requiring routine audits of future Federal elections, the Bill introduced a voter ID requirement.<sup>4</sup>

Senator Roberts’ Bill was referred to the Finance and Public Administration Legislation Committee, which recommended on 14 October 2021 that it not be passed.<sup>5</sup> The Committee expressed confidence in existing ‘scrutiny measures’, and doubts about unresolved ‘administrative issues’.<sup>6</sup>

Two weeks later, the Government introduced its own Electoral Integrity Bill to the House of Representatives. Senator Pauline Hanson claims that the Government’s decision to act on voter ID was due to a deal it had done with One Nation in exchange for supporting legislation to lower the threshold for political campaigners to lodge financial statements.<sup>7</sup>

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<sup>3</sup> JSCEM (2015) *Inquiry into and report on all aspects of the conduct of the 2013 Federal Election and matters related thereto*, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Electoral\\_Matters/2013\\_General\\_Election](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/2013_General_Election); (2018) *Report on the conduct of the 2016 federal election and matters related thereto* [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Electoral\\_Matters/2016Election/2016\\_election\\_report](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/2016Election/2016_election_report); (2020) *Report on the conduct of the 2019 federal election and matters related thereto*, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Joint/Electoral\\_Matters/2019FederalElection/Report](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/2019FederalElection/Report)

<sup>4</sup> Commonwealth Electoral Amendment (Integrity of Elections) Bill 2021 (Cth), Explanatory Memorandum, p 3, [https://www.aph.gov.au/Parliamentary\\_Business/Bills\\_LEgislation/Bills\\_Search\\_Results/Result?bld=s1319](https://www.aph.gov.au/Parliamentary_Business/Bills_LEgislation/Bills_Search_Results/Result?bld=s1319)

<sup>5</sup> Senate Finance and Public Administration Committee (2021) *Commonwealth Electoral Amendment (Integrity of Elections) Bill 2021*, p ix, [https://www.aph.gov.au/Parliamentary\\_Business/Committees/Senate/Finance\\_and\\_Public\\_Administration/IntegrityofElections](https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Finance_and_Public_Administration/IntegrityofElections)

<sup>6</sup> Senate Finance and Public Administration Committee (2021) *Commonwealth Electoral Amendment (Integrity of Elections) Bill 2021*, p 17

<sup>7</sup> Karp (2021) *Pauline Hanson claims credit for Coalition’s controversial voter ID laws*, <https://www.theguardian.com/australia-news/2021/oct/28/i-understand-the-need-centre-alliance-could-offer-crucial-support-for-coalitions-controversial-voter-id-laws>

# VOTER ID REQUIREMENTS

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## Queensland (2015)

The Newman Government in Queensland introduced voter ID requirements that were implemented during one by-election and one State election before being repealed by the Palaszczuk Government.<sup>8</sup>

Professor Graham Orr noted that in the first Queensland election after the Newman Government introduced a voter ID requirement, there was a 1.1% drop in elector turnout, which he found surprising given that it had been a 'very close election'.<sup>9</sup>

Then Acting Electoral Commissioner Mr Dermott Tiernan said that only 0.6% of votes had been declaration votes occasioned by lack of sufficient identification.<sup>10</sup> However, James Farrell, Director of the Queensland Association of independent legal services, claimed that voters had been wrongly turned away from polling stations instead of being permitted the opportunity of casting a declaration vote, and said that the voter ID requirement had a disproportionate effect on the most vulnerable voters 'including older people, Aboriginal and Torres Strait Islander peoples and people with disability'.<sup>11</sup>

## Internationally

Many countries with voter ID requirements also have government-issued national identity cards. Author and political adviser Jennifer Rayner writes:

European rules work because every citizen already has a state-issued ID, and because the law requires them to carry it around all the time regardless of whether they are going to vote or just popping down to the panetteria for cannoli and café au lait.<sup>12</sup>

Proposals to introduce a national identity card have failed to gain traction in Australia.<sup>13</sup>

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<sup>8</sup> Green (2021) *Government introduces Bill requiring voters to show ID to vote*

<sup>9</sup> Orr (2015) *Submission to Queensland Parliament Legal Affairs and Community Safety Committee, Electoral and Other Legislation Amendment Bill 2015*, <https://www.parliament.qld.gov.au/Work-of-Committees/Inquiries/Inquiry-Details?id=3546>

<sup>10</sup> Green (2021) *Government introduces Bill requiring voters to show ID to vote*

<sup>11</sup> Cited in Robertson (2015) *Queensland ID laws meant voters were wrongly turned away, inquiry told*, <https://www.theguardian.com/australia-news/2015/apr/16/queensland-voter-id-laws-saw-voters-wrongly-turned-away-inquiry-told>

<sup>12</sup> Rayner (2014) *A fix for what's not broken: why Australia doesn't need voter ID*, <https://insidestory.org.au/a-fix-for-whats-not-broken-why-australia-doesnt-need-voter-id/>

<sup>13</sup> See Jordon (2006) *Identity cards and the Access Card*, *Australian Parliamentary Library*, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/Publications\\_Archive/archive/identitycards](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/Publications_Archive/archive/identitycards)

New Zealand and the UK (except for Northern Ireland), the liberal democracies perhaps closest to Australia in terms of their systems of government, do not require voter ID, although the conservative UK Government has announced plans to introduce it.<sup>14</sup>

## VOTER ID AS A TOOL OF VOTER SUPPRESSION

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'Voter ID, which is going to allow Governor Romney to win the state of Pennsylvania: done,' Turzai said while listing his legislature's accomplishments.<sup>15</sup>

There is evidence that voter laws in the United States, including requirements for voter ID, operate to make voting more difficult for minorities across the country.<sup>16</sup> However, research on the impact of voter ID requirements on voter turnout has been mixed.<sup>17</sup> In the absence of compulsory voting, the introduction of voter ID provisions can meet with stronger voter mobilisation efforts on the part of minorities who feel themselves targeted, thus resulting in a net zero effect.<sup>18</sup>

What is clear is that voter ID requirements have not addressed issues of trust in US elections, leading researchers who conducted the largest systematic review of their impact to conclude:

... strict ID requirements have no effect on fraud, actual or perceived. Overall, our findings suggest that efforts to improve elections may be better directed at other reforms.<sup>19</sup>

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<sup>14</sup> House of Commons Library (2021) *Voter ID research briefing*, <https://commonslibrary.parliament.uk/research-briefings/cbp-9187/>

<sup>15</sup> Blake (2016) *Republicans keep admitting that voter ID helps them win, for some reason*, <https://www.washingtonpost.com/news/the-fix/wp/2016/04/07/republicans-should-really-stop-admitting-that-voter-id-helps-them-win/>

<sup>16</sup> Newkirk (2018) *Voter suppression is warping democracy* The Atlantic, <https://www.theatlantic.com/politics/archive/2018/07/poll-prri-voter-suppression/565355/>

<sup>17</sup> See for example Pryor, David & Herrick (2019) *Voter ID laws don't seem to suppress minority votes – despite what many claim* The Conversation, <https://theconversation.com/voter-id-laws-dont-seem-to-suppress-minority-votes-despite-what-many-claim-114349>

<sup>18</sup> Cantoni & Pons (2021) *Strict ID laws don't stop voters: Evidence from a U.S. nationwide panel, 2008–2018*, p 2615, <https://doi.org/10.1093/qje/qjab019>

<sup>19</sup> Cantoni & Pons (2021) *Strict ID laws don't stop voters: Evidence from a U.S. nationwide panel, 2008–2018*

# No evidence Australia needs voter ID

The Australian electoral system enjoys a strong reputation internationally and is highly trusted by the Australian electorate.<sup>20</sup>

The integrity of the electoral system would be called into question if there were evidence of systemic abuses such as personation – essentially voting under someone else’s identity – or multiple voting – voting more than once in one’s own name.

There is no evidence of the former – as Antony Green observes, compulsory voting makes personation difficult:

If voters were voting in the name of someone who voted, it would be detected as a multiple vote. If it was done on behalf of a voter the miscreant knew would not vote, we have no way of detecting such a fraud. This is the sort of false vote that might be detected by voter ID, but we have no knowledge of its incidence.<sup>21</sup>

There is evidence that some individuals vote more than once, although it is rare. The incidence of ‘multiple marks’ voting was 0.03% of the total turnout of 91.9% in the 2019 election.<sup>22</sup> Electoral Commissioner Tom Rogers said that it was:

by and large a very small problem. [And pointed out] that our previous experience would show that where there are individuals with multiple, multiple marks—more than one—quite often there are other factors at play, including mental health issues, that make it very difficult to move forward with a prosecution in any case.<sup>23</sup>

The Electoral Act has now been amended to enable the Commission to declare a person reasonably suspected of lodging multiple votes a ‘designated voter’. Such a person would be limited to lodging declaration votes, of which only the first would be counted.<sup>24</sup>

Voter ID would not prevent multiple voting. This could be achieved with linked, electronic certified lists and real-time mark-off, developments foreshadowed by the Commissioner.<sup>25</sup>

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<sup>20</sup> Rogers (2019) *Evidence provided to JSCEM Inquiry. Hearing in Canberra, Friday, 6 December 2019*, p 1, <https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22committees%2Fcommjnt%2Fed40663b-3554-4dc7-9817-80a3ad9b0848%2F0000%22>

<sup>21</sup> Green (2021) *Government introduces Bill requiring voters to show ID to vote*

<sup>22</sup> Rogers (2019) *Evidence provided to JSCEM Inquiry. Hearing in Canberra, Friday, 6 December 2019*, p 15

<sup>23</sup> Rogers (2019) *Evidence provided to JSCEM Inquiry. Hearing in Canberra, Friday, 6 December 2019*, p 15

<sup>24</sup> Green (2021) *Government introduces Bill requiring voters to show ID to vote*

<sup>25</sup> Rogers (2019) *Evidence provided to JSCEM Inquiry. Hearing in Canberra, Friday, 6 December 2019*, p 7

# Foreseeable problems with the legislation

## ADMINISTRATIVE COST AND COMPLEXITY

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The JSCEM's report on the 2013 election said that:

At present our system of voting is essentially a trust-based system.

When we attend a polling place, before we are provided with ballot papers, we are asked our full name and address, and to confirm that we have not voted before in the election.<sup>26</sup>

The simplicity of this procedure aids administration by the Commission's 90,000 full-time and casual officials<sup>27</sup> while limiting delays and queueing for voters – especially important during the COVID-19 pandemic.

An additional \$5.6 million had been added to implement the legislation in the 2021-2022 financial year, with an indication that future budgets will be adjusted accordingly.<sup>28</sup>

## WHO IS LIKELY TO BE DISENFRANCHISED?

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As noted above, the short-lived experiment with voter ID in Queensland, whose extensive provisions for voters without acceptable ID have been replicated in this Bill, gave rise to accounts of people being deprived of their vote.

The Commission reported in 2007 that 90.1% of enrolling electors showed a driver's licence as proof of identity, 8.5% showed an authorised person an approved document and 1.5% relied on two enrolled people (referees) to confirm their identity. This suggests that around 1.5% of the population did not have identifying documents. The disparity was much greater in the Northern Territory, where many residents are Indigenous Australians: 5.6% relied on referees.<sup>29</sup>

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<sup>26</sup> JSCEM (2015) *Inquiry into and report on all aspects of the conduct of the 2013 Federal Election and matters related thereto*, p ix

<sup>27</sup> Rogers (2019) *Evidence provided to JSCEM Inquiry. Hearing in Canberra, Friday, 6 December 2019*, p 2

<sup>28</sup> Rogers (2019) *Evidence provided to JSCEM Inquiry. Hearing in Canberra, Friday, 6 December 2019*, p 2

<sup>29</sup> AEC (2007) *Inquiry into the 2007 federal election*, pp 14–15,

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/House\\_of\\_Representatives\\_Committees?url=em/elect07/subs.htm](https://www.aph.gov.au/Parliamentary_Business/Committees/House_of_Representatives_Committees?url=em/elect07/subs.htm)

These figures are similar to those from the 2014 Stafford by-election in Queensland, where 0.9% did not have appropriate ID and had to cast a declaration vote.<sup>30</sup> In the 2015 state election, it was at least 0.6% (noting that some declaration votes were wrongly counted in other categories).<sup>31</sup> With 17 million Australians enrolled to vote,<sup>32</sup> this suggests that somewhere between 101,000 and 254,000 Australians would not have an acceptable ID.

The data shows that overall, Indigenous Australians are less likely to have IDs:

About 44 percent of Aboriginal adults living in urban areas of New South Wales have never held a driver's licence, for example, and only 38 percent are current licence holders.<sup>33</sup>

There are also reasonable concerns about homeless people and those fleeing family violence, both groups of which are less likely to have valid ID than other citizens.

It is worth emphasising that in the absence of a suitable ID or ID-carrying witness, a provisional vote (a form of declaration vote) would be permitted and counted. However, the following concerns remain:

1. The declaration vote form could be difficult to parse for someone with limited written English.<sup>34</sup> The Australian Electoral Commission found the highest incidence of informal votes amongst provisional votes in the 2010 election (7.4% compared with 6.0% for ordinary votes).<sup>35</sup>
2. AEC staff could wrongly mark those casting a declaration vote off the roll, making it appear as if they were multiple voters. This occurred in 2015 in Queensland.<sup>36</sup>
3. Most electoral staff are casual, and they are not always trained in all details of electoral law. There is evidence that voters *were* turned away in 2015 in Queensland, contrary to the legal provisions.<sup>37</sup>
4. Voters can be deterred by delays, bureaucratic requirements, the appearance of being under suspicion or having to provide personal details.

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<sup>30</sup> Green (2014) *Voter ID laws pass their first hurdle in Stafford*, <https://www.abc.net.au/news/2014-07-23/voter-id-laws-pass-their-first-hurdle-in-stafford/9388464>

<sup>31</sup> Green (2021) *Government introduces bill requiring voters to show ID to vote*

<sup>32</sup> AEC (2021) *Enrolment statistics*, [https://aec.gov.au/Enrolling\\_to\\_vote/Enrolment\\_stats/index.htm](https://aec.gov.au/Enrolling_to_vote/Enrolment_stats/index.htm)

<sup>33</sup> Holmes (2014) *Voter ID*, [https://www.aph.gov.au/About\\_Parliament/Parliamentary\\_Departments/Parliamentary\\_Library/pubs/rp/rp1415/VoterID](https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1415/VoterID)

<sup>34</sup> Green (2021) *Government introduces bill requiring voters to show ID to vote*

<sup>35</sup> Australian Electoral Commission (2011) *Analysis of informal voting, House of Representatives, 2010 federal election*, p 17, [https://www.aec.gov.au/about\\_aec/research/paper12/files/informality-e2010.pdf](https://www.aec.gov.au/about_aec/research/paper12/files/informality-e2010.pdf)  
Research Report Number 12, 29 March 2011

<sup>36</sup> Green (2021) *Government introduces bill requiring voters to show ID to vote*

<sup>37</sup> Robertson (2015) *Queensland ID laws meant voters were wrongly turned away, inquiry told*, <https://www.theguardian.com/australia-news/2015/apr/16/queensland-voter-id-laws-saw-voters-wrongly-turned-away-inquiry-told>

5. Former Aboriginal and Torres Strait Islander Commissioner Mick Gooda noted that Indigenous people in some areas of Queensland were much less likely to carry common forms of ID such as a driver's licence than the non-Indigenous population,<sup>38</sup> expressing concern that:

Aboriginal and Torres Strait Islander people attempting to vote may feel intimidated by the requirements to fill in extra paperwork and being treated differently to other voters, a realistic possibility given the figures about the lack of identification in our community I mention above. The declaration process may also have the effect of making people without identification feel further marginalised and may make them reluctant to complete the process. I worry that intending voters may not continue to complete their ballot if required to go through the declaration vote procedure.<sup>39</sup>

While there are serious risks that genuine voters may be deterred from voting, there is no reason to believe that a fraudulent voter – if one existed – would be stopped by these laws.

## VOTER ID OPEN TO LEGAL CHALLENGE

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Constitutional law expert Professor Anne Twomey has said that voter ID legislation might be susceptible to challenge in the High Court,<sup>40</sup> citing the High Court's 2010 decision in *Rowe v Electoral Commissioner* to reject legislation closing voter enrolment on the day that election writs were issued, instead of the normal three-week grace period.<sup>41</sup> The reasoning used by then Chief Justice French in *Rowe* could be used to reject the introduction of a voter ID requirement, based on:

- The absence of a 'compelling practical problem or difficulty in the operation of the electoral system' that would be addressed by the legislation; and
- '...the heavy price imposed by the Amendment Act in terms of its immediate practical impact upon the fulfilment of the constitutional mandate was disproportionate to the benefits of a smoother and more efficient electoral system to which the amendments were directed.'

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<sup>38</sup> Skinner & Rumble (2010) *A new approach to addressing driver licensing issues within Indigenous communities across Australia*, p 2, [http://acrs.org.au/wpcontent/uploads/15\\_Robinson-N-PR.pdf](http://acrs.org.au/wpcontent/uploads/15_Robinson-N-PR.pdf)

<sup>39</sup> Australian Human Rights Commission (2014) *Submission to Legal Affairs and Community Safety Committee Inquiry into the Electoral Reform Amendment Bill 2013*, <https://documents.parliament.qld.gov.au/committees/LACSC/2013/ElectoralReform2013/submissions/134.pdf>

<sup>40</sup> Karp (2021) *Coalition's voter ID bill could be challenged in court over voter suppression, expert warns*, <https://www.theguardian.com/politics/2021/nov/05/coalitions-voter-id-bill-could-be-challenged-in-court-over-voter-suppression-expert-warns>

<sup>41</sup> *Rowe v Electoral Commissioner [2010] HCA 46*

# Australia's record of voter enfranchisement

Australia has a proud history of electoral innovations and going to great efforts to extend the franchise and make sure every vote is counted. A voter ID requirement that serves to make voting more complicated and less attractive goes against a political tradition dating back to the 1850s.

Australia and New Zealand led the world in introducing almost universal male suffrage, followed by female suffrage. The country's invention of the polling booth and government-issued ballot made the secret ballot workable, leading to its adoption across the globe. The alternative was the raucous spectacle of public voting, which facilitated bribery and bullying.

Australia introduced preferential voting, which guarantees that an elected representative has the support of the majority of their electorate and makes coalition and minor party representation more feasible. Australia's compulsory voting, unique among English-speaking countries, is a cornerstone of our high participation rate in elections.

Ensuring every Australian votes is a sacred duty, as Graeme Orr, Bryan Mercurio and George Williams note:

[Compulsory voting] colours electoral authority activity in a positive way by encouraging electoral commissions to treat every vote as sacred and to expend considerable efforts in ensuring adequate access to the ballot.<sup>42</sup>

Giving responsibility for the conduct of elections and the drawing of electorates to a non-partisan electoral commission avoids the partisan gerrymandering that distorts state and federal election results in the United States.

Even voting on a Saturday sets Australia apart from the United States, United Kingdom and Canada, all of which have mid-week voting that makes it harder for some workers to get to the polls. As Gay Alcorn notes, Saturday voting gives Australian elections a special character:

There's a holiday atmosphere at booths, where community groups raise money by selling cupcakes, raffle tickets and 'democracy sausages'.<sup>43</sup>

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<sup>42</sup> Orr, Mercurio and Williams (2003) *Australian electoral law: A stocktake*, p 390, <https://www.liebertpub.com/doi/10.1089/153312903322146618>

<sup>43</sup> Alcorn (2019) *How Australia's compulsory voting saved it from Trumpism*, <https://www.theguardian.com/australia-news/2019/mar/08/how-australias-compulsory-voting-saved-it-from-trumpism>

In fact, it is this relaxed atmosphere that has given rise to the classic election-day photos of people coming in from the beach to vote. Australians have been voting in bikinis and board shorts since at least the 1960s, a tradition that is unlikely to continue if ID is required.

**Figure 2: Australians voting in swimming costumes (1966)**



Australian News and Information Bureau (1966) 11339834 - *Polling day, Sydney, November 26th 1966*, <https://recordsearch.naa.gov.au/scripts/AutoSearch.asp?O=PSI&Number=11339834>; (1966) 11339836 - *Polling day, Sydney, November 26th 1966*, <https://recordsearch.naa.gov.au/scripts/AutoSearch.asp?O=PSI&Number=11339836>

Academic Lisa Hill describes the effort involved in getting every vote counted.

In any given federal election, up to 500 mobile teams will visit 2000 special hospital locations; mobile teams will visit 300 or more remote outback locations and over 40 prisons and there will be hundreds of pre poll voting centres and 100 overseas voting places to which approximately three tons of election-related and staff training materials will be air-freighted immediately prior to polling. Finally, Australians living in the Antarctic and based on Antarctic supply ships are supplied with voting materials and facilities.<sup>44</sup>

To go to such efforts to make sure every vote is counted, and then risk discouraging voters when they get to the booth with an unnecessary and heavy-handed requirement for ID is totally contradictory to Australia's 170-year effort to extend the franchise.

The major blot on the inclusivity of Australia's voting record is the disenfranchisement – both formal and informal – of Indigenous Australians. To this day, Indigenous enrolment rates are well below the national average.<sup>45</sup> Voter ID requirements would worsen, rather than improve, this poor treatment.

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<sup>44</sup> Hill in Brennan and Hill (2014) *Compulsory voting*, Cambridge University Press, p 121–123

<sup>45</sup> AEC (2021) *Indigenous enrolment rate*,

[https://www.aec.gov.au/Enrolling\\_to\\_vote/Enrolment\\_stats/performance/indigenous-enrolment-rate.htm](https://www.aec.gov.au/Enrolling_to_vote/Enrolment_stats/performance/indigenous-enrolment-rate.htm)

# Australia's real electoral integrity problem: a decline in voting

Australia's voter turnout is excellent in comparison to countries without compulsory voting. In a comparison of democracies by Pew Research, Australia places third in terms of turnout as a percentage of voting age population and first in terms of turnout as a percentage of registered voters.<sup>46</sup> However, millions of Australians who are entitled to have their vote counted do not get that opportunity.

At the 2019 federal election, 836,000 informal votes were cast.<sup>47</sup> The data from previous elections suggests that about half of these were deliberately informal, but the other half were intended to be counted.<sup>48</sup> Only 94% of votes were formal.

The number of enrolled voters who turn out to vote was just 92% at the last election.<sup>49</sup> In other words, 1.3 million enrolled voters did not vote. A further 515,000 Australians were eligible to vote but not enrolled.<sup>50</sup>

Between the 840,000 voting informally, the 1.3 million enrolled who did not vote and the 515,000 eligible but not enrolled, 2.7 million Australians did not have their votes counted at the last election.

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<sup>46</sup> Desilver (2020) *In past elections, U.S. trailed most developed countries in voter turnout*, <https://www.pewresearch.org/fact-tank/2020/11/03/in-past-elections-u-s-trailed-most-developed-countries-in-voter-turnout/>

<sup>47</sup> International IDEA (2019) *Australia*, <https://www.idea.int/data-tools/country-view/54/40>

<sup>48</sup> AEC (2019) *Analysis of informal voting (House of Representatives 2016 Election)*, [https://www.aec.gov.au/about\\_aec/research/analysis-informal-voting-2016-election.htm](https://www.aec.gov.au/about_aec/research/analysis-informal-voting-2016-election.htm)

<sup>49</sup> International IDEA (2019) *Australia*

<sup>50</sup> AEC (2020) *Size of the electoral roll and enrolment rate 2019*, [https://www.aec.gov.au/enrolling\\_to\\_vote/enrolment\\_stats/national/2019.htm](https://www.aec.gov.au/enrolling_to_vote/enrolment_stats/national/2019.htm)

# Conclusion

The Australian system of compulsory enrolment and compulsory voting has inbuilt safeguards against voter fraud. An up-to-date and clean electoral roll in an independent and impartial election management institution provide strong guarantees of integrity.

The long-term decline in voter enrolment and turnout<sup>51</sup> indicates the need to increase voter engagement and voter turnout, rather discouraging them by making voting more difficult by those already experiencing disadvantage.

As for trust, there are those who feel voter ID is likely to be a self-fulfilling prophecy: its introduction would fuel groundless suspicion that the system is open to fraud.<sup>52</sup>

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<sup>51</sup> International IDEA (2019) *Australia*

<sup>52</sup> Rayner (2014) *A fix for what's not broken: why Australia doesn't need voter ID*