

TOWN OF CAMBRIDGE — IN-PERSON VOTING

Grievance

MS C.M. TONKIN (Churchlands) [9.13 am]: I thank the Minister for Local Government for hearing my grievance. On 5 April 2023, the Town of Cambridge, which includes parts of the three state electorates of Churchlands, Nedlands and Cottesloe, determined by a majority of five to three to opt for in-person voting at the 2023 ordinary election. Under this decision, postal voting is restricted by requiring electors to register with the council for a postal vote rather than receiving their postal ballots automatically from the Western Australian Electoral Commission.

George Bray of City Beach, a constituent, was directly involved in preparing the legislation that gave all those on the electoral roll a vote in local government elections. This ensured that all voters, regardless of whether they own property, have a say in what happens in their local government areas, and all electors are given every opportunity to cast a vote without any barrier limiting their participation. Sending postal ballots to all electors prompts those who would not apply for a postal vote, or turn up to vote in person, to cast their vote. Making voting as easy as possible increases voter participation when voting is non-compulsory.

The decision by the Town of Cambridge to opt for the in-person method was extraordinary in several ways. Postal elections run by the WAEC are the standard for local government elections in this state and 14 such ordinary elections have been held in the Town of Cambridge since its establishment. The council's decision was a significant change from a longstanding convention. The council made its decision in the full knowledge that opting for the in-person method would significantly suppress voter participation. The WAEC estimated that participation would decline from around 30 per cent to around 10 per cent. The town also knew this from its own experience at the last extraordinary Wembley ward election held in August 2022 when only 461 electors, or 4.5 per cent, voted when the council opted for the same election method that is now being imposed at the 2023 ordinary election.

The council's decision means that sections of the elector community are disenfranchised by the optional postal voting method that requires electors to register with the council, in particular people who are registered as silent electors with the WAEC; those with disabilities who need assistance to register; those unable to sign their name; overseas electors; those who may be temporarily away from home, including FIFO workers; and those who do not wish to re-register for a postal vote with the council when they are already registered for a postal vote with the WAEC for state and federal elections. In-person voting disadvantages and disenfranchises older, less mobile people, those with disabilities and people who are time-poor and therefore find it difficult to attend in-person polling places.

Most disturbing is that the mayor, who faces re-election this year, has made vague and unsubstantiated allegations about postal voter irregularities and fraud. She has argued that the in-person voting method is therefore safer. There has been no evidence of postal voter fraud in the 28-year history of postal elections in the town. Voter suppression based on unsubstantiated allegations of postal vote fraud is something I never thought I would see in this country, let alone in my own backyard. It is like something out of the dystopian United States "Make America Great Again" cult playbook. Provisions in the Local Government Act deal with voting offences. If the council is aware of any such offences, they should have been reported to the police or the WAEC.

Both the Wembley West Leederville Residents Association and the Coast Ward Ratepayers Association are on the council record in supporting the postal election for 2023. The council ignored these significant community voices. Perversely, the decision by the council was made without community consultation and based on the claim that community engagement is not required as the matter is purely administrative in nature with no external impacts envisaged, yet changes to the process and method of elections fundamentally affect our democracy. The lack of consultation might have gone unnoticed in an apathetic electorate, but ours is not apathetic. As a Wembley ward elector, I joined members of the Wembley West Leederville Residents Association who did what the council should have done. We went door to door and electors told us of their overwhelming support for reinstating the postal election. There has been spontaneous support from across the town. People who have little interest in local government care deeply about the cancellation of the automatic postal vote. The seemingly uninterested are interested in the restoration of their right to a postal ballot. Not only were electors prepared to sign a petition to ask the council to reconsider its decision at an electors' special meeting, but also a small army of people joined with us to canvass family, friends and neighbours to sign the petition. One woman single-handedly secured the signatures of 109 people who live at Mercy Village in Wembley. Residents of the Ocean Gardens retirement village in City Beach were similarly enthusiastic petitioners. People in the workforce or otherwise living busy lives value the postal election because they trust the WAEC and appreciate the ease with which they can cast their vote in a postal election.

To date, over 1 200 electors have signed our petition. We secured an electors' special meeting that is to be held this evening with more than the minimum 100 signatories, but we continued to ask people to sign the petition to make the extent of community support for the postal election clear to the council. The task of checking the signatories and their details and collating them for presentation to the council was undertaken by Jane Powell of the Wembley West Leederville Residents Association. Jane has my deepest admiration for her dedication to democracy in our community.

This evening at the electors' special meeting, we will be asking that the council decision of 5 April regarding the conduct of the 2023 local government ordinary election be rescinded and that the council resolves by an absolute majority that the method of the ordinary election for 2023 will be a postal election. This is the council's opportunity to demonstrate that it has listened, and to resolve to reinstate our postal election.

MR J.N. CAREY (Perth — Minister for Local Government) [9.20 am]: I want to thank the member for her grievance and her advocacy for the local community. I want to be very clear that I am deeply disappointed and saddened by the Town of Cambridge and its approach to this important issue. Local government elections should enable the broadest possible participation. Let us be very clear: it is incumbent on local governments to ensure that people participate in local government elections.

I find it incredible and deeply hypocritical of the leadership of the Town of Cambridge that it made this unusual decision without conducting a substantial consultation process with ratepayers and electors. This is a substantial change in the way that local electors participate in their democracy. The response from the mayor and the council is extraordinary. To simply say, "We do not need any consultation" is absolute rubbish! It is a disgrace—an absolute disgrace! It is completely contradictory to the narrative of this mayor on a range of other processes that require consultation. The reality is that postal voting is widely regarded as the most convenient way for electors in urban areas to participate in elections.

I understand the town has made some arguments about postal voting increasing the risk of voter fraud. There is no body of evidence that suggests that this is the case. In fact, we can point to several cases that show that this kind of fraudulent action has been caught and dealt with appropriately when it has occurred. To say that there is widespread, systematic fraud in local elections is nonsense. There are strong protections in place against fraud and misconduct. The Local Government Act 1995 and other legislation provide for the prosecution of any person who seeks to interfere with the free and fair conduct of postal elections, or compromises the passage of postal materials. The act provides for disputes related to the conduct of elections to be fairly adjudicated by the Court of Disputed Returns. Complaints about the alleged conduct of individual candidates can be made to the returning officer or the Western Australian Electoral Commission directly. When we have seen isolated instances of misconduct in elections in other local government areas, this system of election integrity has resulted in prosecutions and other steps to ensure that the election of every council member has been on a fair basis.

The advice from the Western Australian Electoral Commission is that the town's decision to conduct an in-person-only election will have an adverse impact on overall voter participation. That is a fact. It cannot be disputed. We only have to look at the most recent by-election conducted by the town as an in-person vote, which saw only 4.77 per cent of people turn out—six times fewer than a typical turnout for a postal election. Even if the town can increase the level of participation in an in-person vote, even if it claims it can, it is likely that there will still be less participation than in a postal vote.

What is even more bizarre about the Town of Cambridge's position is that it intends to mail out information about the elections to every household, but it is not going to put the postal ballot in! Does anyone think that is normal? It is going to send out a postal pack saying, "Hey, there is a postal option, but we're not putting in a postal ballot. We're going to require you to come in person." I will let the community ratepayers ask why the Town of Cambridge is pursuing this perverse plan. Some said it is an attempt to deliberately bring down the number of people voting, for whatever reason. Others said that they will let the community and ratepayers make that judgement. I think that if the town had conducted meaningful and proper public consultation, as it should, it would have a much clearer picture of the inconvenience that this proposal will cause the town's ratepayers and electors. I congratulate the residents who are now calling for an electors' special meeting. That is democracy in action, but I think that the whole of the community deserves better than an electors' special meeting because it is very clear that the people most affected by the decision to vote in person will be the same people who will not be able to register for the electors' special meeting. I believe that the town should consider these groups to ensure that they have their say on matters that affect them and their ability to vote.

This is not the only action of concern. The Town of Cambridge has also mysteriously decided to end live streaming of council meetings, which I do not think has been reinstated. I would have to check, but that is on the record, despite our reforms to mandate it. I thank the member, I thank the ratepayers and I do hope that common sense prevails in this matter.