Joint Standing Committee on Electoral Matters

INQUIRY INTO THE 2007 ELECTION

Question on Notice

taken from Committee Hansard, 24th July 2008, p.16

Do we have two groups of homeless people? Is there a group of people who given the opportunity for accommodation each night will take it? And do we have another group of people who just continually live in parks and shopfronts?

If a person was able to say 'One or two nights I have been able to sleep at Matthew Talbot,' then you can probably establish that that is a reasonable, regular address for people.

UnitingJustice would again reiterate that it is our opinion that there are far more than two groups of homeless people. This point is also made in the submission of Homelessness NSW, that there is no typical "homeless person". The circumstances and ability to vote is different for each individual. Unfortunately, there does not appear to be the research and data to sufficiently identify groups of homeless people based on their accommodation patterns. We believe that homeless people, experiencing changes in circumstances, may move frequently across such groups in any case.

With this in mind, we point to information on the average stay in Supported Accommodation Assistance Program facilities, which is 48 days (according to the Australian Institute of Health and Welfare and cited by several witnesses at the Inquiry's public hearing). Under the Electoral Act, this length of stay would classify the SAAP accommodation as the homeless person's address and require the voter to be enrolled at a fixed address from that point on.

We are concerned that a stay of this length would disallow a person to continue to be enrolled as an itinerant voter, under section 96(1) of the Act and require them to be enrolled at a fixed address. Given that a homeless person may move after their stay in and out of other forms of accommodation in a variety of locations, keeping their address information up-to-date would be challenging and burdensome on disadvantaged Australians already experiencing significant hardship in their day-to-day lives. We note the evidence given by Mr James Farrell of the PILCH Homeless Persons' Legal Clinic, that to limit the place of residence to a month does not recognise the circumstances and challenges facing homeless people.

Removing the itinerant voter provision after a stay of 30 days at one address is impractical and burdensome on homeless people. Instead, we would support an investigation of allowing all homeless people to nominate an area within the state with which they have a connection (this may be similar to the Norfolk Island provisions in section 95AA(2) of the Electoral Act, as discussed in the Inquiry's public hearing).

Would it be a concern that someone like that, under a scheme to allow people who are homeless to vote, may be improperly enrolled because there is no evidence that he is not an Australia citizen?

In response to this question, we point to the study conducted by Hanover Welfare Services following the 2007 Federal Election, which found that of the 148 clients they surveyed, 11 percent said they were not eligible to vote because they were not Australian citizens or other related reasons (Dr Andrew Hollows from Hanover Welfare Services discussed this survey in depth at the Inquiry's public hearing in Melbourne on 11 August).

The proposal to cross-check an individual's details with those provided to Centrelink or other government agencies, as discussed on several occasions during the Inquiry's public hearings, may also be useful in checking whether a voter is an Australian citizen. We believe the identify requirements for government service providers such as Centrelink are sufficient to proof identity for the purpose of enrolment to vote. We would note, as highlighted in the evidence of many at the public hearings, that in order to protect the right to privacy, a requirement that individuals first give their consent for this to occur, or the notion of an "opt-in or opt-out" clause, is needed.

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