Wasted votes? Informal voting and the 2004 election

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What happened in the NSW seat of Greenway during the 2004 election? Over ten thousand people in the electorate—one in ten—did not have their vote counted because they cast invalid, informal votes.

The informal vote in Greenway was 11.83 per cent, which meant that the biggest swing was not toward or away from the ALP candidate, but was towards informal voting. There was a 5 per cent increase in informal voting.¹

There are several different types of informal voting. A vote will be considered invalid if the elector leaves the ballot paper blank, records only a number ‘1’ but no other preference, uses a tick or a cross, records a Langer style vote,² writes slogans or words or puts other marks on the paper but does not record valid preferences, puts their name or other identifying mark on the paper, scribbles over the paper and makes their vote unreadable, leaves out preferences or uses non-sequential numbers.³

There were some specific local factors which made Greenway an interesting seat to watch in 2004 and may, or may not, help explain the massive jump in informal voting. Greenway is a Western Sydney seat covering the area from Blacktown to Marsden Park. The retiring

ALP member had been considered ‘quiet’ and ‘low-profile’ and the same was said of Ed Husic, his successor as Labor candidate and also a trade-union organiser.

Greenway is situated in the ‘bible belt’ of NSW. The Liberal candidate Louise Markus was a community worker for Hillsong church which boasts a large congregation around the area and was well resourced for the campaign. There was also reportedly a ‘whispering campaign’ conducted about the religious persuasion of ALP candidate, Ed Husic, a non-practising Muslim whose parents had migrated from Bosnia. The ALP complained about an election-eve pamphlet which appeared to be from the party and said: ‘Ed Husic is a devout Muslim. Ed is working hard to get a better deal for Islam in Greenway.’\(^4\) Some journalists also expressed dismay that Husic seemed to avoid talking to the media.\(^5\) The Australian Electoral Commission (AEC) announced after the final count that Louise Markus had won the seat.

Even so, despite this context, how can we account for the fact that Greenway was at the top of the list of electorates that returned the highest proportion of informal votes in 2004? More broadly, why is it that the top 14 places on that list are all occupied by seats in NSW?

To consider these points, it is important to look at the problem in broader terms, and note that informal voting has gone up nationally in each of the past four elections.

In 1983, across Australia, the percentage of informal votes cast was just 2.1 per cent. In 1984, this jumped up to 6.3 per cent. It settled back to 4.9 per cent in 1987, then slowly fell in 1990 (3.2 per cent) and 1993 (3.0 per cent). But informal voting started growing again in 1996 (3.2 per cent) and 1998 (3.8 per cent). By 2001, it was at 4.8 per cent—this was the fourth largest informal vote since federation.\(^6\) In 2004, it was up to 5.18 per cent. This means 639,000 voters in Australia cast informal votes in 2004.\(^7\)

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\(^7\) These figures were kindly provided by Rod Medew of the Australian Electoral Commission on 1 November 2004.
It is difficult to come by hard evidence of why people cast informal votes. There are some important studies, but there are also many assumptions. It’s tempting to assume for example, that some of those who leave their ballot papers blank are deliberately exercising their right to not vote—casting a protest vote. But the meaning of blank ballots is largely speculative. It may just as likely have resulted from frustration at an inability to complete the ballot correctly as much as it may have from a conscious desire to lodge a protest vote.

In Australia, the jump in informal voting over the past few elections does not appear to be the result of an increased active protest vote. Instead, it seems to be due to a growth in ‘defective’ numbering of ballots.

In democratic terms, this is the most worrying type of informal vote—the type where people are trying to cast a valid vote but fail because they did not mark the ballot paper correctly. This is called accidental informal voting and there are a large number of these informal votes in Australia.

In 1987, the AEC conducted an analysis of informal votes which showed that of the informal votes cast that year, 48 per cent were the result of ‘defective numbering’, 25 per cent used ‘ticks or crosses’, while 16 per cent left the paper blank and 10 per cent wrote or scribbled on the paper without recording valid preferences.

Making an assumption that the blank and scribbled on papers could be the result of deliberate choice, it is the 73 per cent who either got the numbering wrong or used ticks or crosses that seem to warrant the most immediate concern because they show evidence of a voter consciously trying to record a valid vote but failing.

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9 Author discussions with Antony Green, ABC election analyst and Rod Medew, AEC, 1 November 2004.
In 1996 and 2001, the AEC undertook more detailed studies of informal voting and broke the data down by state and divisional level as well as by category. The table below provides a comparison of informal voting in Victoria and NSW.

Table—Informal voting in NSW and Victoria, 1996 and 2001 elections

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Blank</td>
<td>21.96</td>
<td>20.38</td>
<td>24.06</td>
<td>24.95</td>
</tr>
<tr>
<td>Number ‘1’ only</td>
<td>41.15</td>
<td>32.47</td>
<td>34.78</td>
<td>26.05</td>
</tr>
<tr>
<td>Ticks and crosses</td>
<td>21.40</td>
<td>12.57</td>
<td>27.32</td>
<td>12.97</td>
</tr>
<tr>
<td>Langer Style</td>
<td></td>
<td>2.37</td>
<td></td>
<td>3.22</td>
</tr>
<tr>
<td>Non sequential</td>
<td></td>
<td>22.52</td>
<td></td>
<td>14.15</td>
</tr>
<tr>
<td>Voter identified</td>
<td>0.05</td>
<td>0.04</td>
<td>0.03</td>
<td>0.07</td>
</tr>
<tr>
<td>Marks</td>
<td>7.94</td>
<td>5.49</td>
<td>11.51</td>
<td>8.23</td>
</tr>
<tr>
<td>Slogans making numbering illegible</td>
<td>0.28</td>
<td>0.42</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>3.87</td>
<td></td>
<td>9.93</td>
</tr>
<tr>
<td>Total</td>
<td>3.62</td>
<td>5.42</td>
<td>2.93</td>
<td>3.98</td>
</tr>
</tbody>
</table>

Source: AEC, 2001 Election Informal Ballot Paper Survey

The table shows that the biggest jump is in non-sequential numbering in NSW between 1996 and 2001. In NSW, informal voting has been higher than the national average in recent elections and, as noted above, the top 14 electorates with the highest percentage of informal votes in 2004 were all in NSW.

This seems to be strongly related to the fact that in NSW, optional preferential voting is allowed in State elections for the Legislative Assembly so voters get used to marking only ‘1’ on the ballot paper as a valid vote. But when they follow this practice in voting for the
House of Representatives at federal elections, it renders their vote invalid because different rules mean that all of the squares must be numbered.

In 2001, when Greenway had less of an informal vote than this election—only 6.79 per cent—but still higher than the NSW average that year, 68 per cent of the informal voters seem to have been trying to cast a valid vote (they put number 1 only, or ticks and crosses or put the numbers in a non sequential order) while 25 per cent left the paper blank. The highest percentage—29 per cent—put only a number ‘1’ vote which demonstrates that confusion over different voting procedures at a state and federal level plays a significant role.\textsuperscript{11}

Ian McAllister has pointed out that Australia ‘has one of the highest levels of spoiled or informal ballots among established democracies’.\textsuperscript{12} Factors include compulsory voting, the use of different electoral systems at different levels of government and the frequency of elections.\textsuperscript{13}

Compulsory voting, in particular is cited as a factor in studies on informal voting. There is a perception that it encourages informal votes as ‘the functional equivalent of abstention’.\textsuperscript{14}

Dean Jaensch has also pointed out that voting in Australia is complicated because different voting methods are used in the Senate and the House of Representatives; voters also have to vote in two state parliament houses which may also use different voting methods, as well as local government elections and referenda, which can also differ in method.\textsuperscript{15}

There are also sociological factors. An AEC study by Rod Medew found that being a voter from a non-English speaking background is a major predictor of informal voting. The 2001 census shows Greenway as having a high proportion of people born in non-English

\textsuperscript{12} Medew, Research Report 1.
\textsuperscript{13} See McAllister, Makkai and Patterson, Explaining Informal Voting in the 1987 and 1990 Australian Federal Elections.
\textsuperscript{14} Medew, Research Report 1.
\textsuperscript{15} ibid.
speaking countries (22.7 per cent) and speaking a language other than English at home (26.5 per cent). Education level is another major factor with voters who left school at 15 years or younger more likely to cast informal votes. Two-thirds of the polling booths that had a level of informal voting above 12 per cent were booths where Labor was ahead, suggesting these might be the more working class areas of Greenway. On the other hand, the polling booth with the highest level of informal voting, over 20 per cent, was a booth where the Liberal party was ahead.

All of these factors can help to explain why NSW has such a high incidence of informal voting. But there is one more factor which may allow more specific insight into why Greenway’s informal vote was so high this year.

Studies have shown that the number of candidates on a ballot paper is also a major predictor of informal voting. The more candidates there are, the more likely that there will be voters who do not complete their numbers in sequence. In Greenway, at the 2004 election, there were 14 candidates for the House of Representatives—more than in any other electorate and double the average number.

Any rise in informal votes of the type that we have been seeing in Australia over the past few years is of concern and interest and, when 1 in 10 people in an electorate fails to have their vote counted, it is a worrying development indeed. The AEC tries to address informal voting in a number of ways, including voter education. It is working on developing new methods for reducing accidental informal voting in the future.

Rod Medew of the AEC has suggested that there may be a need for the Electoral Commission to conduct education programs and run advertisements on voting during non-election periods as a way of better reaching voters before the sound and fury of an election campaign begins and when many other political messages are then competing for their

17 ibid.
18 ibid.
attention. During the 2004 election campaign, as previously, the AEC advertised extensively in the ethnic press.

Previously, the AEC has provided material in community languages to advise voters on voting procedures, and this may need to be revived. Ian McAllister has suggested that comparison of polling booth data in areas with high informal voting, such as Greenway, with demographic information for those local areas may yield some important findings, which could help minimise accidental informal voting.\(^{19}\)

The Greenway result highlights the need for funding to be restored to the AEC so that it can conduct adequate community education programs, particularly in electorates with large numbers of Australians from non-English speaking countries. This is particularly important given the current confusion between optional preferential voting systems, such as used for the NSW legislative Assembly and the full preferential system required for the House of Representatives. Such a high level of informal voting is at odds with the basic democratic value of political equality—a value that can only be achieved when all voters have equal knowledge of how to cast a valid vote.

\(^{19}\) Thanks to Rod Medew and Ian McAllister for these suggestions.