

**JSCEM HEARING BRIEF – Back Pocket**

Joint Standing Committee on Electoral Matters

Hearing – 13 November 2014

**SUBJECT: DIVERGENCE OF THE ELECTORAL  
ROLL**

**ISSUE 1: What is divergence?**

**SUGGESTED RESPONSE:**

- **Divergence occurs where an elector has an enrolment on either the federal or state/territory roll; and no enrolment, or an enrolment at a different address on another roll.**
- Divergence, particularly where enrolments are for different addresses, or where they are eligible, but are not enrolled for a particular jurisdiction, can cause considerable confusion for affected electors with regard to their enrolment status for forthcoming electoral events.

**ISSUE 2: What causes divergence?**

**SUGGESTED RESPONSE:**

- **Divergence is caused when there is either a difference in legislation or a difference in practice between the commonwealth and a state/territory.**
- The differences in legislation can be confined to small groups, or affect the population more generally.
- The largest cause of divergence is the parallel running of direct enrolment programs, run by the Commonwealth, NSW and Vic. Legislatively, the Commonwealth cannot recognise the NSW and Victorian programs, while WA legislatively cannot recognise the commonwealth processes.
- The next most common reason for divergence is current and previous requirements for witnessing of enrolments, particularly in Victoria and WA.
- Other more minor causes of divergence include differing legislation for prisoners, other territories (such as Norfolk Island), British Subjects and overseas electors.

### ISSUE 3: How much divergence is there?

#### SUGGESTED RESPONSE:

- More than 550,000 electors have divergent enrolments (see table 1).
- The level of divergent enrolments is concentrated in NSW, Victoria and WA.
- NSW and Victoria have the highest levels of divergence, where a combination of differences in law and parallel running of direct enrolment has impacted.
- WA, which cannot legislatively recognise the commonwealth direct enrolment and update process has the next largest divergence.
- The remaining states have comparatively lower levels of divergence which primarily relate to differing entitlements for particular groups.

**Table 1: Divergent electors as at 30 September 2014 by jurisdiction (excluding electors with dual enrolments at the same address) (a)**

Jurisdiction	Single enrolment		Dual enrolment		Total persons with split enrolment
	Only Federal Enrolment	Only State enrolment	Dual enrolment - Federal leading	Dual enrolment - State leading	
NSW	297	139,898	94	102,427	242,716
VIC	53,664	41,754	24,444	103,899	223,761
QLD	197	539	0	11	747
WA	30,769	1,040	51,300	354	83,463
SA	180	1,141	83	385	1,789
TAS	45	0	0	2	47
ACT	476	0	2	1	479
NT	1	0	0	0	1
<b>Grand Total</b>	<b>85,629</b>	<b>184,372</b>	<b>75,923</b>	<b>207,079</b>	<b>553,003</b>

(a) Includes enrolments of 16 and 17 year olds.

## ISSUE 4: What data sources do the direct enrolment programs use?

### SUGGESTED RESPONSE:

- **Table 2 outlines the data sources currently, previously and considered for use by the three direct enrolment programs in operation in Australia.**

**Table 2: Data sources used in direct enrolment and update processes in Australia**

AEC	NSWEC	VEC
Driver's licence data obtained from NEVDIS	Driver's licence data obtained from NSW Roads and Maritime Services	Driver's licence data obtained from VicRoads
Centrelink	Board of Studies NSW	Year 12 students from the Victorian Curriculum and Assessment Authority – used once a year
Previously used: NSWEC SmartRoll data and Victorian direct enrolment data	Previously used: NSW TAFE and 1st Home Owners grant information	
	Investigating: Rental Bonds	

**Date:** November 2014  
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**Consultation:** Nil