

GetUp applauds quick justice

Electoral law

James Eyers

One month ago, Marque Lawyers' Damian Sturzaker and GetUp's chief executive Simon Sheikh hadn't met. But one morning they shared a cab from the airport into Canberra and the rest is legal history.

Sheikh asked Sturzaker for Marque to scrutinise various electoral issues. The small Sydney firm agreed and last week GetUp notched up its second win in as many weeks when the Federal Court found a digital signature on an Australian Electoral Commission enrolment form was valid under the Electronic Transactions Act. The previous week, the High Court had struck down the controversial amendments to electoral laws that slashed enrolment deadlines in another GetUp case (Ron Merkel, QC, and Mallesons Stephen Jaques advised.)

"GetUp has achieved remarkable success with the two court wins. They have



Simon Sheikh ... more cases to come.

fundamentally changed the manner in which Australians can enrol to vote. This will, over time, subtly change the composition of the Australian electorate in terms of a greater number of young voters," Sturzaker said.

This weekend, Marque will be available by phone to provide advice to the large

number of GetUp volunteers who will be out in force at various polling booths and who are sometimes impeded in carrying out their roles at those locations.

Sheikh says he has been "blown away" by the pace at which the system has reacted to the cases. "It has been fantastic that not only was a team of lawyers pulled together very quickly and were prepared to work around the clock to prepare the cases, but also the High Court would allow the [enrolment deadline] case to be heard very quickly."

Emboldened by the decisions, GetUp is now pushing the AEC to implement online voting enrolment, starting in the Victorian state election. Sheikh says the group will also carefully examine the reasons in the High Court case, which are yet to be published, to determine whether it can press for automatic voter enrolment.

While it will choose its cases carefully, GetUp will pursue more strategic litigation, Sheikh says. "In the future we will look at what other laws need to be changed, particularly in the electoral space."