

Report of Dr Michael Turner

Acknowledgement, Instructions & Details About the Author

1. Name & Address

- 1.1. My name is Michael Thomas Eugeniusz Turner PhD MSc BSc CMRS
- 1.2. My place of work is C|T Group Research. Strategies. Results., Level 26, Governor Macquarie Tower, 1 Farrer Place, Sydney, 2000, New South Wales, Australia

2. Acknowledgement

- 2.1. I confirm that I have read the following documents and agree to be bound by them:
 - 2.1.1. The Federal Court of Australia: Harmonised Expert Witness Code of Conduct
 - 2.1.2. The AAT guidelines on Persons Giving Expert and Opinion
 - 2.1.3. The Federal Court of Australia: Expert Evidence Practice Note

3. Instructions

- 3.1. Attached is a letter of instruction that I received from Harpur Phillips dated 3rd March 2021 to undertake a voter research survey with appropriate parameters and provide a report in relation to the results of that survey (Appendix 7).
- 3.2. On 18th March 2021, I provided to Harpur Philips, the research report that is contained in appendix 6.
- 3.3. Attached is a letter of instruction from Harpur Phillips dated 29th June 2021, to provide a further supplementary report in relation to the original research report (Appendix 8).

4. Qualifications & Experience

- 4.1. I am a trained social and political scientist, having worked in the fields of social, political and market research for more than a decade. I am qualified in the practice of research methods, having completed methods-based courses at both Bachelors and Masters degree level. My full curriculum vitae is provided in appendix 1.
- 4.2. My Masters degree in Social Research covered many areas of research methods, including quantitative data analysis, survey design, sampling and analysis of quantitative results. My Masters thesis focused on the quantitative analysis of public opinion data.

- 4.3. I continued methods training during my doctoral studies in Political Science at The Elections Centre, Plymouth University. My PhD thesis focused significantly on the quantitative analysis of elections results and survey data¹.
- 4.4. Since my academic studies, I have continued training, attending many renowned courses on survey design and analysis, across several institutions and industry bodies. Most relevant to this research, are the methods courses that I have attended at the University of Essex, the University of Vienna, and the University of Oxford.
- 4.5. I have also conducted industry recognised short courses in experimental survey designs run by the Market Research Society in the UK. All these courses have some relevance for the conduct and analysis of this research project.
- 4.6. I am a certified member of the Market Research Society (MRS), a member of the Research Society (RS) and a Fellow of The Royal Statistical Society (RSS).
- 4.7. Being members of these industry bodies binds me to higher standards of professional practice of research and statistical analysis. I am obliged, in my professional activities, to uphold the MRS Code of Conduct, to comply with the RS Code and abide by the RSS Code of Conduct.
- 4.8. My experience also includes working to produce representative and accurate surveys that gather official population estimates, for the Office for National Statistics (ONS), the national statistics agency for the UK.
- 4.9. During my time as an Assistant Methodologist in the methodology department at the ONS, I specialised in sample design and estimation, working on projects such as the Census Non-Response Linkage Study (CNRLS), which sought to understand how to make opt-in surveys more accurate by using data from the Census, which is compulsory.
- 4.10. I was also responsible for the sample design of several key surveys, to ensure that they were representative of the population.
- 4.11. Since my time at the ONS, I have held senior positions at several leading social, political and market research firms.
- 4.12. Though I am a methods generalist, I have built up substantial expertise in quantitative survey methods, design, and analysis. I have produced robust research and insight for a range of academic institutions, corporations, media, charitable organisations, government, and official agencies, including the ONS and the Electoral Commission in the UK.

¹ Turner, M (2014). Incumbency Effects in English Local Elections 1974-2010: Assessing the Advantage of Electoral Defence, University of Plymouth, URL: <https://pearl.plymouth.ac.uk/handle/10026.1/2994>

Research Design & Methodology

5. Purpose of the Project & Considerations

- 5.1. The purpose of this research project was to provide robust evidence to identify the impact of including a political party named “The New Liberals” into the voting process in Australian Federal elections. The following questions guided the research design and analysis of results:
 - 5.1.1. Does the inclusion of a party called ‘The New Liberals’ make it more difficult for voters to correctly identify the political party that they want to vote for?
 - 5.1.2. Does the inclusion of a political party called ‘The New Liberals’ lead to confusion, among voters, about the nature of the relationship between ‘The New Liberals’ and other political parties, that are already registered?
- 5.2. When designing the research approach required to sufficiently answer these research questions, several primary criteria were taken into account.
- 5.3. First, it is important to have the ability to simulate the voting process as closely as practically possible in a private environment, free from interviewer and social desirability biases.
- 5.4. The voting process is a text-based exercise for voters. They follow written instructions, not oral ones. The ballot paper is not read aloud for all voters by polling officials. As is outlined in the Australian Electoral Commission’s (AEC’s) own official resources, it is important “to read and follow the directions on the ballot paper to make sure your vote is counted”². In other words, the best way to simulate the voting process is for our sample to take a text-based, self-completion approach.
- 5.5. Second, to firmly establish whether voters were confused, or truly able to correctly identify their political party of choice, the ability to convey more detailed information to voters, about each political party, after they have given their vote intention, would be required.
- 5.6. To know if The New Liberals are seen by voters as a separate political party from existing ones, or a related, or even the same political party, we must be able to corroborate voters’ intentions. We can do this by presenting them with non-political, factual information about each party, that will not appear on the ballot paper, and therefore cannot be considered simply in the act of voting.
- 5.7. Information such as the party leader, the year of their formation and the nature of the relationship between the parties has to be presented to voters

² Voting in Australia, Australian Electoral Commission, pp14, URL: <https://education.aec.gov.au/teacher-resources/files/voting-in-australia.pdf>

for them to make an informed decision about who the party is, and whether they intended to vote for them.

- 5.8. Finally, the ability to run an experimental design is essential in order to provide robust evidence that establishes the causal effect of inclusion of 'The New Liberals' on the ballot, and the magnitude of any electoral impact.
- 5.9. For this reason, a sample size of more than n=2,000 would be required to provide sufficient confidence in the estimates provided. This will mean that each of the four different ballot papers required to be evaluated will have a minimum sample of approximately n=500.
- 5.10. The ballot designs were as follows.
Ballot A: The New Liberals are not displayed (a control ballot A to compare results against).
Ballot B: The New Liberals are displayed below the Liberal Party (test ballot).
Ballot C: The New Liberals are displayed above the Liberal Party (test ballot).
Ballot D: New Liberals are displayed but the Liberal Party is not displayed (test ballot).
- 5.11. By simulating different levels of prominence for the Liberal Party and The New Liberals, while keeping other factors constant, the experimental design ballot evaluation can confirm whether inclusion of The New Liberals disproportionately confuses Liberal voters.
- 5.12. If voters felt The New Liberals were an entirely separate party, unrelated to the Liberal Party, then there is no reason to suggest that their inclusion and position on the ballot would disproportionately impact on the Liberal party, while leaving other political parties, across the political spectrum, relatively unchanged.
- 5.13. An example ballot paper for Federal elections to the House of Representatives (Figure 1, Appendix 4) shows clearly that a Liberal Party of Australia candidate and a candidate for The New Liberals can be placed some distance away from each other (due to random order of the candidates/political parties). Therefore, there is a high chance that voters will see and read 'The New Liberals' before knowing if there is a candidate standing for the Liberal Party.
- 5.14. In this scenario, ballot order effects are very likely to lead to erroneous results if voters conflate the two parties or if they feel that two parties are related or connected in the same way that other the Coalition parties are, or divisions within political parties.

- 5.15. The ballot order effect is well-known phenomenon confirmed by the academic publications for both experimental election design³ and for actual election results in the UK⁴, and Australia⁵.
- 5.16. Given these primary considerations, it is clear that a computer-assisted, self-completion, text-based approach would be required for this research.
- 5.17. It is worth noting that a telephone survey approach was ruled out on several grounds, including, but not limited to:
 - 5.17.1. First, that the introduction of an interviewer in the process could lead to erroneous effects, such as interviewer and social desirability biases, which are well known in social and market research⁶.
 - 5.17.2. Second, the inability to simulate as closely as practically possible, the voting process, such as reading instructions and observing a mock ballot.
 - 5.17.3. Third, in order to verify whether voters intended to vote for a particular party, there is a requirement to convey significant and detailed information about several political parties to voters. It is an unreasonable expectation for voters to answer this question on an informed basis, without it available to them to consider in written form.
 - 5.17.4. Fourth, telephone response rates have been in significant decline in recent years⁷, and when probability-based survey designs have low response rates, the tools that are used for remediation, are similar, if not identical, to those used for non-probability samples⁸. This means there is likely no benefit in taking a telephone or a paper-based approach from a sampling perspective. The bias introduced by high levels of non-response is unlikely to guarantee more accurate results than an adequately weighted non-probability design.
- 5.18. The only probability-based survey approach that would yield any material benefit to the sample design, whilst meeting the modal criteria, would have been a simple random sample, household, computer assisted personal

³ Johnson, J & Miles, C (2011). Order effects of ballot position without information-induced confirmatory bias, *British Politics*, pp479-490, URL: <https://link.springer.com/article/10.1057/bp.2011.26>

⁴ Webber, R et al (2012). Ballot Order Positional Effects in British Local Elections, 1973-2011, *Parliamentary Affairs*, Vol 67(1), pp119-136, URL: <https://academic.oup.com/pa/article-abstract/67/1/119/1539298>

⁵ King, A & Leigh, A (2009). Are Ballot Order Effects Heterogeneous?, *Social Science Quarterly*, Vol 90(1), pp71-87, URL: <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1540-6237.2009.00603.x>

⁶ Alazar, M (1990). Interviewer Bias: How it Affects Survey Research, *AHAOHN Journal*, Vol 38(12), pp568-569, URL: <https://journals.sagepub.com/doi/pdf/10.1177/216507999003801203>

⁷ Kennedy, C & Hartig, H (2019). Response rates in telephone surveys have resumed their decline. Pew Research Center. 27/02/2019, URL: <https://www.pewresearch.org/fact-tank/2019/02/27/response-rates-in-telephone-surveys-have-resumed-their-decline/>

⁸ Kennedy, C et al (2016). Evaluating Online Nonprobability Surveys. Pew Research Center, 02/05/2016, URL: <https://www.pewresearch.org/methods/2016/05/02/evaluating-online-nonprobability-surveys/>

- interview (CAPI) approach. A computer-based, self-completion survey that is delivered to households via trained interviewers.
- 5.19. This approach would have been both impractical, and prohibitively expensive to conduct, for little additional benefit to a research project of this scope and nature. Even for a very short survey, the fieldwork required would have taken several weeks, and could have cost several hundred thousand dollars.
 - 5.20. Trained and experienced researchers regularly make judgements about the size and scope of studies that are required to give adequate evidence to answer research questions. Researchers identify the appropriate approach and design, based on the timeframe, resources and level of precision required to come to a set of conclusions that we can be confident about.
 - 5.21. In conclusion, given the objectives of this research project, and key considerations outlined above, it is my expert view that the optimal approach and most appropriate research design for this project, was for the survey to be conducted online, via a self-completion survey approach, of sufficient sample size ($n=2000+$), using commercially available panel providers, taking careful consideration of the sample design (i.e. stratification), and following best practice guidance on questionnaire design and analysis of results.

6. Overview of Approach

- 6.1. The overall approach taken was typical of much of the high-quality public opinion and market research that is produced for academic, commercial, and public policy focused organisations. Though there are very slight differences across the designs, the general approach is similar to polls such as ANUPoll⁹, Newspoll¹⁰, the Global Consumer Confidence Index¹¹, and polling by the Lowy Institute¹².
- 6.2. The research findings are based on results from survey responses of $n=2,036$ voters aged 18 years and over, who are eligible to vote in Australian Federal Elections.
- 6.3. The fieldwork was conducted between the 6th and 9th of March 2021 using an online approach.
- 6.4. The online research panel comprised a number of traditional actively managed market research panels that either adhere to the ESOMAR standards or are ISO20252 certified. Multi-source sampling approach aimed to mitigate any potentially inherent bias that might occur from using a single source of online sample.

⁹ Methodology, ANUPoll, Australian National University, <https://csmr.cass.anu.edu.au/research/surveys/anupoll/methodology>

¹⁰ Ramadila, N (2018). Australian Polling Council: Public Polling Methodology Statements, YouGov, 18/05/2021, <https://au.yougov.com/news/2021/05/18/apc/>

¹¹ Jackson, C & Silverstein, K (2021). Global consumer confidence at highest reading since March 2020, Ipsos, 17/06/2021, URL: <https://www.ipsos.com/en/global-consumer-confidence-June-2021>

¹² The Lowy Institute Poll, 2021 Methodology, <https://poll.lowyinstitute.org/report/2021/methodology>

- 6.5. Participation was by invitation only. Invitations were sent at random (a double-blinded selection process) to members of online panels, via a stratified design with proportions set according to age-sex interlocking and state/territory. These were based on Australian Bureau of Statistics (ABS) Census results from 2016.
- 6.6. The questionnaire design, fieldwork, and analysis of survey results followed code of conduct and best practice guidance from both The Research Society¹³ and the Market Research Society¹⁴.
- 6.7. As per industry standards, all participants gave their consent for survey responses to be used for market research purposes, by opting-in to the study via a process of informed consent.
- 6.8. Calibration weights were used to ensure that the final sample was representative of the Australian electorate, using weighting targets derived from official population statistics, and Federal election results collected by the Australian Electoral Commission (AEC).

7. Questionnaire Design

- 7.1. The questionnaire (Appendix 1) was developed with the intention of collecting quantitative evidence that is both representative and statistically generalisable, to help answer the research questions detailed above.
- 7.2. Careful consideration was given to the questionnaire design. Specifically, care was taken to minimise any bias that may arise from question ordering, wording, or the order of response options.
- 7.3. To ensure that the survey conformed to the established understanding of survey response processes, such as ensuring the comprehension of questions, that they have reasonable retrieval and judgement requirements, and have adequate response frames¹⁵, the survey was drafted entirely by me, drawing on my more than 10 years of experience as a social researcher and a highly qualified market research professional.
- 7.4. As is standard practice in market research, the survey was then piloted on a small sample of respondents (n=30). An optional, text response, feedback box was given at the end of the survey, which returned no queries or concerns about the design of questions, or the questionnaire overall.
- 7.5. The feedback box was then removed, before the survey was full launched for the remaining n=2,006 responses.
- 7.6. Where practical, the order of questions, and question response options were randomised. These have been detailed in the questionnaire (Appendix 1).

¹³ Best practice for interviews and questionnaires, The Research Society, April 2021, URL: <https://researchsociety.com.au/documents/item/2800>

¹⁴ MRS Guidelines for Online Research (2014), Market Research Society, URL: <https://www.mrs.org.uk/pdf/2014-09-01%20Online%20Research%20Guidelines.pdf>

¹⁵ Tourangeau, R et al (2000). The Psychology of Survey Response, Cambridge University Press, pp7-16

- 7.7. Key considerations that were taken into account in the questionnaire design include:
- 7.7.1. Ensuring that key prevalence questions, such as 9a, 9b, 9c, 9d, 11, 12, 13, and 14, were placed earlier in the survey to ensure that statements containing both the name and details of ‘The New Liberals’ did not have an influence on responses to these questions. Prevalence questions are designed to accurately measure the proportion of people with a particular view, or voting intention, at a particular timepoint. To get accurate results it is important to minimise the placement of subjective content that may raise their awareness of an issue, or in this case a political party, in advance of asking them.
 - 7.7.2. Questions that were less likely to be impacted by the presentation of new information to respondents, such as attitudinal statements requiring judgment, or clarification of previous responses, were asked towards the end of the survey in order to ensure that the new information did not impact on questions that sought to identify what voters understood about the specific nature of the relationship between the Liberal Party of Australia, and ‘The New Liberals’.
 - 7.7.3. Where practically possible, question answer options were either randomly rotated, or the direction of agree/disagree Likert scales¹⁶ was randomly assigned (i.e. randomly ‘flipped’) in order to ensure that the order of response options did not impact or bias results in a particular way (Appendix 2).
- 7.8. Given the requirement for quantitative results that are both robust and generalisable, the use of clear and plain language closed questions was favoured over ‘loosely framed’ open questions.
- 7.9. Survey researchers tend to favour closed-ended questions as they are simpler to understand and help clarify the meaning of the question for respondents (see Tourangeau *et al.* 2000¹⁷).
- 7.10. Open-ended questions can suffer from issues of generalisability, categorisation, and bias, including but not limited to:
- 7.10.1. Respondents to open-ended questions will often give different degrees of detail when answering, which can be associated with different levels of engagement. If more engaged respondents give clearer, more thorough, and more detailed responses, then this will significantly bias the coding and classification of their responses in favour of a more highly engaged set of respondents.

¹⁶ A Likert scale is a closed-ended scale question, that enables people to self-report the extent to which they agree or disagree with a given proposition.

¹⁷ Tourangeau, R *et al* (2000). *The Psychology of Survey Response*, Cambridge University Press, pp231

- 7.10.2. Using open-ended questions can lead to some answers becoming unconnected or lost in detail that is either insignificant or irrelevant to the topic we are interested in. An average voter cannot be expected to understand intricate detail of the Commonwealth Electoral Act. So, in circumstances where the subject matter may be difficult to understand, or requires significant expertise, or background knowledge, it is better for research professionals to craft clear and easy to understand closed questions.
- 7.10.3. Analysis can become too focused on answers from respondents of advantaged groups, such as the highly literate, older respondents, those who regularly write or use computers, which will bias results in favour of the experienced and technically skilled¹⁸, and could result in greater survey drop-out rates¹⁹.
- 7.11. These concerns are just some that led the report author to conclude that open-ended questions would provide little, if any, additional benefit for this research project. Consequently, the questionnaire design favoured an approach that gave respondents as much freedom of response as was reasonable, within a closed-end response environment.
- 7.12. The questionnaire design followed code of conduct and best practice guidance from both The Research Society and the Market Research Society. Market research industry guidance includes a requirement that participants of any market research process should give their consent to participate in the study on an informed basis about how their response data will be used. This is the case, no matter the mode through which data is collected, online, telephone, or face-to-face.
- 7.13. All respondents of this study were informed that their responses would be anonymised and used for market research purposes (Appendix 1). The final sample of respondents opted-in to the research process by giving their consent for use of their data for research purposes.

8. Survey Sample

- 8.1. The process taken to achieve a representative sample of Australian voters for this research project, is similar in nature, to other online market research projects that I have been commissioned to undertake in the past. It is now a standard industry approach used regularly by social and market research firms, for commercial and government clients, in Australia and globally.

¹⁸ Reja, U et al (2003). Open-ended vs. Close-ended Questions in Web Questionnaires, Advances in Methodology and Statistics, Vol 19, pp173-174, URL: <https://1library.net/document/zp7dm34z-open-ended-vs-close-ended-questions-web-questionnaires.html>

¹⁹ Desai, S & Reimers, (2019). Comparing the use of open and closed questions for Web-based measures of the continued-influence effect, Behavior Research Methods, Vol 51, pp1426-1440, URL: <https://link.springer.com/article/10.3758/s13428-018-1066-z>

- 8.2. The survey was conducted online, with invitations sent to a sample of online panellists via a random invitation stratified design that was representative of adult voters in Australia.
- 8.3. In order to send invitations to a sample of residents, I used an intermediary exchange, who gave access to a number of specialist panel companies, sometimes referred to as 'panel providers'. These panel providers are responsible for engaging, recruiting, and managing approximately 1.57 million residents living in Australia.
- 8.4. Participants are typically paid a small and standardised fee to take part in market research surveys, based on the length of each survey that they complete.
- 8.5. A wide range of social and market research studies, for commercial and government clients, is conducted in this way.
- 8.6. Although I was responsible for the sample design (i.e. setting the strata and final sample targets), and for designing and hosting the online questionnaire, I was not responsible for inviting Australian residents to participate and had no knowledge or means to invite people to take part. This was the responsibility of the panel provider.
- 8.7. Respondents were invited through a randomised, double-blinded process. Neither me, nor the online panels, nor respondents, influenced which specific individuals could take part. The process for selecting panellists to invite, is an automated and randomised one.
- 8.8. Once the stratification targets were set, panellists were selected at random within key strata. Sample stratification targets were age-sex interlocking and state/territory. These were based on Australian Bureau of Statistics population estimates and data from the 2016 Census. The target sample structure can be found in table 1, below.
- 8.9. These selected panellists were then invited to take part in a study, the content of which they did not know.
- 8.10. In total, 71 panels were used, via an intermediary exchange.
- 8.11. The panel provider sends all randomly selected panellists a notification, usually via email, but also via other means, that contains the length of the survey, the expected reward for completion, and a web address link to the survey. No information about the survey's subject or content is provided in advance.
- 8.12. If they have received the invitation, and would like to take part, then they can click the link in the invitation where they will be taken to the start of the online hosted survey. The survey was hosted and run by me.
- 8.13. When they arrive at the web address, they are given information about how their data may be used and the length of the survey. They will be asked to consent to their data being used for market research purposes, which forms the basis of question 1 of the questionnaire (Appendix 2).

- 8.14. ‘Soft’ quota survey completion caps were set for age-sex groups (10%), and state/territories (25%) in order to mitigate the effects of differential non-response. This is a typical approach used widely in market and social research²⁰.
- 8.15. Approximately 11,110 respondents were invited to take part in the survey.
- 8.16. The total number of eligible residents who started the survey was n=2,265, this puts the estimated response rate at approximately 20.4%, which is considered typical for online research²¹.
- 8.17. After screening, the survey had a completion rate of 90%, meaning that of the 2,265 people who started the survey, 2,036 completed it.
- 8.18. The final completed sample size was n=2,036 respondents, who were all Australian residents aged 18 years and over, and eligible to vote in Australian Federal elections. This forms the final dataset used for analysis.
- 8.19. It is now standard in the social and market research industry to assign confidence intervals to similarly designed online survey research. Examples include but are not limited to; YouGov’s Newspoll²² which takes a classical approach to calculating the margin of error, and online polling conducted by market research firm Ipsos MORI²³ which uses Bayesian Credibility Intervals²⁴.
- 8.20. Online, random invitation, stratified design approaches have also been shown to be as accurate, if not more so, than modern-day random digit dial (RDD) telephone surveys, with the correct weighting approach²⁵.
- 8.21. The ‘panel providers’ used were actively managed market research suppliers, and all are ISO20252²⁶ compliant and all comply with the standards that ESOMAR²⁷ provides.
- 8.22. These suppliers recruit panellists using a variety of approaches, including but not limited to, random probability designed surveys, face-to-face and telephone studies, referral programmes, direct marketing, and online adverts.
- 8.23. In order to mitigate any inherent bias that might occur from using a single source of panel provider, based on their recruitment or management style, a

²⁰ What are opinion polls? Guidance on how to read opinion polls, The Research Society, January 2021, <https://researchsociety.com.au/documents/item/3063>

²¹ Nulty, D (2008). The adequacy of response rates to online and paper surveys: what can be done?, Assessment & Evaluation in Higher Education, Vol 33(3), pp301-314, URL: <https://www.tandfonline.com/doi/abs/10.1080/02602930701293231>

²² Ramadila, N (2018). Australian Polling Council: Public Polling Methodology Statements, YouGov, 18/05/2021, URL: <https://au.yougov.com/news/2021/05/18/apc/>

²³ Polling Methodology Disclosure Statements, Ipsos, URL: <https://www.ipsos.com/en-au/polling-methodology-disclosure-statements>

²⁴ Credibility Intervals for Online Polling (2012). Ipsos Public Affairs, URL: https://www.ipsos.com/sites/default/files/2017-03/IpsosPA_CredibilityIntervals.pdf

²⁵ Kennedy, C et al (2016). Evaluating Online Nonprobability Surveys. Pew Research Center, 02/05/2016, URL: <https://www.pewresearch.org/methods/2016/05/02/evaluating-online-nonprobability-surveys/>

²⁶ ISO20252 is the international standard for organisations that produce market, opinion, and social research, including insights and data analytics.

²⁷ European Society for Opinion and Marketing Research (ESOMAR) is a membership organization for market, social, and opinion researchers.

multi-source sampling approach was adopted for this project, limiting the individual contribution of any single source across the study.

- 8.24. IP and cookie blocking techniques were used to ensure there was no cross-panel respondent duplication.
- 8.25. The following Table 1 outlines the targeted quotas and final achieved sample for each age-sex group and each state/territory.

Table 1: Sample Structure

| | | Target Sample (<i>n</i>) | Achieved Sample (<i>n</i>) |
|-------------------|--------------------|----------------------------|------------------------------|
| Sex | Female 18-24 | 116 | 120 |
| | Female 25-34 | 187 | 207 |
| | Female 35-44 | 175 | 193 |
| | Female 45-54 | 174 | 183 |
| | Female 55-64 | 156 | 171 |
| | Female 65+ | 216 | 240 |
| | Male 18-24 | 120 | 78 |
| | Male 25-34 | 182 | 154 |
| | Male 35-44 | 171 | 188 |
| | Male 45-54 | 168 | 148 |
| State / Territory | Male 55-64 | 148 | 148 |
| | Male 65+ | 187 | 206 |
| | New South Wales | 640 | 633 |
| | Victoria | 510 | 523 |
| | Queensland | 397 | 429 |
| | Western Australia | 210 | 188 |
| | South Australia | 146 | 186 |
| | Tasmania | 44 | 34 |
| | ACT | 34 | 34 |
| | Northern Territory | 19 | 9 |
| Total | | n=2000 | n=2036 |

- 8.26. To act as an indicative guide of the general representativeness of the final sample composition, Table 4 (Appendix 3), outlines the composition of the final and unweighted sample for several indicative variables not contained in the stratification of the sample invitation.
- 8.27. These are compared against expected sample counts based on official population statistics collected by the ABS. These variables are tenure, employment status and level of education.

- 8.28. The results show that final, pre-weighting sample is reasonably close to expected counts based on official population statistics. This suggests that the sample is, generally, of a good quality.

9. Post-Fieldwork Weighting

- 9.1. To ensure the results were both accurate, and generalisable, calibration weights were applied to the final collected data. Calibration weighting is an approach for reducing the error of population estimates that are produced from a survey sample by, applying mild adjustments to the sample. Calibration weighting does this by adjusting certain ‘calibration’ variables, to equal known, or better-estimated population totals.
- 9.2. Weighting targets included age-sex interlocking, state/territory, level of education and 2019 Federal election primary vote.
- 9.3. Targets were derived from population statistics collected by the Australian Bureau of Statistics (ABS), as well as the results of the 2019 Federal election collected by the Australian Electoral Commission (AEC).
- 9.4. A raking technique was used for calculating the weights, which is a typical approach in market and social research²⁸.
- 9.5. The smallest weight assigned was 0.46, and the largest weight was 2.32, suggesting that the weighting efficiency was good, and the final collected sample was reasonably close to national population statistics for weighting targets.
- 9.6. The effective sample size is a measure of the precision of a survey sample. Even if a survey research study has a sample of 1,000 respondents, an effective sample size of 500 would suggest that the final weighted results are no more robust than a well-executed, but un-weighted simple random sample of 500 respondents. So, it is important to take the weighting design into consideration when assigning confidence to survey research.
- 9.7. Taking the weighting design into account, the final efficiency for this study was 91.5%. This means that across the study as a whole, results for the poll had an approximate effective sample size of n=1,863.
- 9.8. Please note that efficiency estimates will vary slightly across the question results as the impact of the weight differs slightly for different statistics calculated.
- 9.9. An approximate margin of error breakdown has been calculated for the study toplines at the 95% confidence level (Table 2 below).

²⁸ Mercer, A et al (2018). For Weighting Online Opt-In Samples, What Matters Most? Pew Research Center, 26/01/2018. <https://www.pewresearch.org/methods/2018/01/26/how-different-weighting-methods-work/>

Table 2: Margin of error table for an effective sample size of n=1,863

| Proportion Percentage (%) | Margin of Error |
|---------------------------|-----------------|
| 50% | +/- 2.3% |
| 60% / 40% | +/- 2.2% |
| 70% / 30% | +/- 2.1% |
| 80% / 20% | +/- 1.8% |
| 90% / 10% | +/- 1.4% |

10. Ballot Effects Experiment (Randomised Control Trial)

- 10.1. To identify the nature of any impact that including ‘The New Liberals’ on a Federal election ballot paper may have, a randomised control trial (RCT) experiment was conducted, with one of four different ‘mock ballot papers’ shown at random to respondents.
- 10.2. This experimental design approach helps to identify the causal impact of introducing a political party called ‘The New Liberals’ on people’s voting behaviour.
- 10.3. Respondents were assigned, at random, to one of four mock ballot papers; either Q9a, Q9b, Q9c, or Q9d (see Table 3a below and Appendix 2).
- 10.4. Please note that for script-testing purposes, a small number of respondents, n=30, were shown all four ballot papers at the pilot stage of the fieldwork, to ensure that an opportunity for sufficient feedback on all 4 ballots was provided²⁹ before full launch of the fieldwork.
- 10.5. Each of the mock ballots showed different combinations and positions of ‘The New Liberals’, and the Liberal Party, Liberal National Party and the Country Liberals. See Table 3a, below, for details.
- 10.6. Please note, the mock ballot paper did not prevent voters from choosing their preferred party. All ballot designs included an option for voters to assign a first, or ‘primary vote’ to preferred political party via a ‘write-in’ free text option (Appendix 2).

²⁹ For the n=30 pilot, the four ballots were shown in a random order to respondents

Table 3a: Mock ballot paper design information

| Ballot Design | Design detail | Total respondents |
|------------------------------|--|---------------------|
| Control Ballot Paper A (Q9a) | The New Liberals was not included in the party list; the Liberal Party was included | n=539 ³⁰ |
| Test Ballot Paper B (Q9b) | The New Liberals was included in the party list and fixed at the bottom to simulate being placed below the Liberal Party on the ballot paper | n=506 ³¹ |
| Test Ballot Paper C (Q9c) | The New Liberals was included in the party list and fixed at the top to simulate being placed ahead of the Liberal Party on the ballot paper | n=535 ³² |
| Test Ballot Paper D (Q9d) | The Liberal Party was not included in the party list; The New Liberals was included | n=546 ³³ |

- 10.7. As the mock ballot shown to respondents was assigned randomly via a double-blinded process, we can be confident that any statistically significant difference in the share of vote for mock ballots B, C and D, compared to the control ballot A, can be attributed to the inclusion and prominence of The New Liberals on the ballot paper.
- 10.8. The total sample size and composition of respondents shown will vary slightly. This means that each mock ballot has between n=476 and n=509³⁴ unique responses and an additional n=30 from the pilot (Table 3b below).
- 10.9. To correct for any slight differences in sample composition of each design (due to random variation of assignment) a calibration weight was calculated for each mock ballot subset to ensure comparable analysis.
- 10.10. These weights were on average 83% efficient (with slight variations across each ballot design), meaning that the average effective sample size of each of the mock ballots in the experiment was n=455 (4.6% margin of error).
- 10.11. The maximum margins of error for proportion statistics at 50% (calculated for the effective sample size) are detailed in Table 3b below.

³⁰ n=509 uniquely shown Ballot Paper A + n=30 shown all four ballots = n=539

³¹ n=476 uniquely shown Ballot Paper B + n=30 shown all four ballots = n=506

³² n=505 uniquely shown Ballot Paper C + n=30 shown all four ballots = n=535

³³ n=516 uniquely shown Ballot Paper D + n=30 shown all four ballots = n=546

³⁴ Please note that because a small portion of respondents, n=30, were shown all 4 ballots; Q9a, Q9b, Q9c and Q9d, this means there is a small overlap in responses.

Table 3b: Maximum margin of error for each ballot paper shown

| Ballot Design | Total Sample Size | Effective Sample Size | Maximum MoE |
|------------------------------|-------------------|-----------------------|-------------|
| Control Ballot Paper A (Q9a) | 539 | 478 | +/- 4.5% |
| Test Ballot Paper B (Q9b) | 505 | 423 | +/- 4.8% |
| Test Ballot Paper C (Q9c) | 535 | 481 | +/- 4.5% |
| Test Ballot Paper D (Q9d) | 546 | 462 | +/- 4.6% |

11. Percentages in Charts

- 11.1. In some charts, response categories shown may not sum to 100% due to rounding of the numbers displayed.
- 11.2. It should also be noted that for questions where multiple responses were allowed response categories may sum to more than 100%.

12. List of Appendices

Appendix 1: Michael Turner PhD MSc BSc CMRS – Curriculum Vitae

Appendix 2: Questionnaire

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Appendix 5: Survey Results Data Table

Appendix 6: Research Report

Appendix 7: Original Letter of Instruction

Appendix 8: Second Letter of Instruction



Dr M Turner

30 June 2021

Appendix 1 – Michael Turner PhD MSc BSc CMRS – Curriculum Vitae

Academic Qualifications

PhD, Political Science, The Elections Centre, Plymouth University, 2009-2013

My doctoral study included the detailed quantitative analysis of survey and elections data to examine whether electoral advantage can be assigned to incumbency, and if so, to estimate its magnitude.

Thesis: Incumbency Effects in English Local Elections 1974-2010: Assessing the Advantage of Electoral Defence.

Synopsis: The thesis serves as a major quantitative examination of the effects of incumbency and campaigns in English local elections. The research presents evidence in support of the hypothesis, that councillors have a mild, yet significant advantage and constructs models to estimate its nature and electoral effect. The study utilises both elections results and survey data.

Supervisors: Professor Colin Rallings & Professor Michael Thrasher

MSc, Social Research, Plymouth University, 2008-2009 – Pass with Merit

My postgraduate study focused extensively on social research fundamental design, methods, analysis, and reporting of results, with modules teaching both quantitative and qualitative approaches to research practice. Survey design, sampling, analysis, and reporting were included as part of the programme.

Thesis: Do Londoners View the Implementation of a Directly Elected Mayor as a Success or Failure?

Synopsis: The thesis assessed the introduction of a directly elected mayor in the capital and whether it was viewed as a success through the eyes of Londoners. Primarily a quantitative analysis, the research utilised elections, aggregate polling, and survey data. The results showed that Londoner's were relatively unfamiliar with the nuances of the Supplementary Vote electoral system, that they treated the mayoral post in a representative democracy style and were willing to break with their traditional party ties to vote for candidates they believed to hold the best personal qualities to run the city.

Supervisor: Professor Colin Rallings

BSc, International Relations with Politics, University of Plymouth, 2004-2008 – Upper Second Class with Honours

My undergraduate study included several modules that taught social research methods, including primary data collection, data analysis, and reporting practice.

Thesis: An Analysis of the European Union's Energy Security

Supervisor: Professor Karl Cordell

Relevant Professional Courses

Quantitative Data Analysis – Pass with Distinction - July 2012, Dr Sona Golder, 45th Essex Summer School in Social Science Data Analysis – University of Essex

Course details: The Essex Summer School in Social Science Data Analysis provides intensive social science methods training with instruction from an internationally renowned faculty. The course covered a wide range of statistical methods for analysing survey data, including core statistical methods, such as crosstabulation, t-tests, analysis of variance, correlation, and various forms of regression. These methods are widely used by academic and professional researchers in a range of fields such as political, social and market research.

Comparative Cross-National Survey Design – Pass with Distinction – February 2012, Dr Ineke Stoop, European Consortium of Political Research Winter School in Methods and Techniques, University of Vienna

Course details: The European Consortium of Political Research (ECPR) is the leading scholarly society for political scientists in Europe. The Winter School is designed to equip participants with valuable new knowledge for their research. The course covered key information about how to robustly design survey research, but also how to systematically collect good-quality data for statistical analysis, how to compile and manage these data.

Conjoint Analysis Masterclass - November 2017, Ray Poynter – Market Research Society

Course details: The Market Research Society runs a number of short courses for research professionals. This course provided detail on how to manage, design, and interpret a wide range of experimental design projects, including conjoint analysis, MaxDiff scaling and other variants of Discrete Choice Modelling (DCM). This course covered material directly relevant to the experimental design ballot evaluation conducted in this research.

Other professional courses

Mixed Methods Research – Unassessed - August 2010, Dr Jason Seawright, 43rd Essex Summer School in Social Science Data Analysis – University of Essex

Multilevel Analysis - April 2012, Prof Tom Snijders & Daniel Stegmueller, Oxford Spring School in Quantitative Methods for Social Research – University of Oxford

A Practical Application of Behavioural Economics in Research – Understanding Consumer Behaviour – December 2017, Laura Parker - MRS

Introduction to Behavioural Economics – November 2017, Anthony Tasgal – MRS

Professional Experience

Head of Research (Director) – C|T RSR (Jan 2019 – Present)

In my current role, I specialise in producing public opinion, communications, social, public policy and political insight for major corporations and organisations, in Australia and across the globe.

The research tends to involve the collection of primary data, via quantitative and qualitative approaches. This includes online surveys, which then feed into the production of strategic research reports through statistical analysis of the data.

At C|T, I work across the full range of subject areas, and tailor research approaches and methods to the project requirements, often utilising online panel-invitation survey designs, when necessary, to produce accurate statistics and robust insight for our partners and clients.

I am responsible for ensuring that C|T RSR's research outputs are produced to the highest standards of practice and oversee the design and analysis of all major research projects, including online survey research projects.

I continue to produce research projects end-to-end, from inception and design to analysis and reporting.

Director of Research & Head of Polling - BMG Research (May 2015 – Jan 2019)

I specialised in the conduct of public opinion, public policy, elections, and social research. I led the research approach and methodology design for major projects for the business and worked across the full range of quantitative survey research methods and statistical analyses.

I was the company representative to the British Polling Council (BPC) and principal academic liaison. I was programme leader for the BMG Research Graduate Training Programme & the summer placements scheme, principally because of my academic background and methods training.

I designed, managed, analysed, and reported on more than two hundred survey research projects that required a detailed understanding of sample design, survey design, statistical analysis, and reporting to the highest industry standards, across a range of approaches, including online survey research.

I produced research for several key institutions including universities, government departments and official agencies. These include but are not limited to; the Office for National Statistics (ONS), the UK Electoral Commission, the Department for the

Environment, Farming and Agriculture (Defra), Department for Transport, Department for Business, Energy and Industrial Strategy (BEIS), the Home Office, the Department for International Trade (DIT), the University of Essex, and the University of Sheffield.

Director of Political & Social Research, Survation (Oct 2014 – May 2015)

During my time at Survation, I specialised in the conduct of elections, political and social research. I worked across the full range of research methods, including online and telephone survey research approaches.

I was responsible for designing, managing, analysing, and reporting on survey research projects which required a detailed understanding of sample design, survey design, statistical analysis, and reporting to industry standards.

Assistant Methodologist, Office for National Statistics (ONS) (Sep 2013 – Oct 2014)

During my time as an Assistant Methodologist at the ONS, I worked in the methodology department, and was responsible for the sample design and calculation of corrective weights for several major surveys.

My work on sample design was to ensure that major national surveys were representative of the adult population, and my work calculating weights was to help produce more accurate population estimates and official statistics which the ONS was responsible for collecting.

While I was at the ONS, I worked on several major projects, including the Census Non-Response Linkage Study (CNRLS), which was a study that sought to identify and correct for those residents who took part in the compulsory Census, but tended not to opt-in to other types of survey conducted by the ONS. This is a set of skills and experience that I have taken forward, into the rest of my professional career.

My time at the ONS gave me valuable skills, experience, and expertise in the designing of representative and accurate surveys, across a variety of modes of fieldwork and interview completion.

Associate Lecturer, School of Management, Plymouth University (Sep 2009 – Jul 2013)

Research Assistant, The Elections Centre, Plymouth University (Mar 2012 – Apr 2013)

Membership of Professional Bodies

Certified Member of the Market Research Society – No. 2201375

The Market Research Society is the professional body and regulator of the market research industry in the UK. They promote the highest professional standards throughout the sector via the MRS Code of Conduct³⁵.

Certified membership is the higher professional grade of membership and recognises academic achievements and career experience of individuals in market research. It is awarded to senior market research practitioners who have progressed to a leadership level in research, insight, or analytics. Michael's membership binds him to uphold the MRS Code of Conduct.

Member of The Research Society

The Research Society is the highest level of organisation in Australia for those engaged in market, social and opinion research. The Research Society regulates research professionals by compelling its members to adhere to the Code of Professional Behaviour³⁶ that aligns with Australian Privacy requirements.

The Code is intended to foster public confidence and to demonstrate practitioners' recognition of their ethical and professional responsibilities when carrying out research, and Michael's membership binds him to comply with the Code in his professional activities.

Fellow of the Royal Statistical Society (RSS)

The Royal Statistical Society is a professional and learned society which, through its members, has an obligation in the public interest to provide the best possible statistical service and advice.

Professional membership of the Society is an assurance of ability and integrity. Fellows are required to abide by the Code of Conduct³⁷. In particular, they must:

- 1) Act in the public interest
- 2) Fulfil their obligations to employers and clients
- 3) Fulfil their obligations to the profession and the Society
- 4) Show professional competence and integrity at all times

The Code is mandatory for all professionally qualified fellows, and it is recommended to all levels of fellow of the Society.

³⁵ <https://www.mrs.org.uk/pdf/MRS-Code-of-Conduct-2019.pdf>

³⁶ <https://researchsociety.com.au/standards/code-of-professional-behaviour>

³⁷ <https://rss.org.uk/RSS/media/File-library/About/2019/RSS-Code-of-Conduct-2014.pdf>

Appendix 2 – Questionnaire

ASK ALL

1) Thank you for taking part in this survey. We hope you will find it interesting.

The survey takes, on average, around 10 minutes to complete and we have allowed plenty of time for you to consider your responses carefully.

Please note, your responses will be treated in the strictest confidence. We abide by the Market Research Society Code of Conduct, and your personal data will not be passed on to any third parties.

If you agree for your survey response data to be used for market research purposes, please click the 'Yes' below to begin the survey. If you would rather that your responses are not used, then please select 'No'.

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) Yes
- 2) No [SCREEN OUT]

ASK ALL

2) Which state or territory are you from?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) New South Wales
- 2) Victoria
- 3) Queensland
- 4) South Australia
- 5) Western Australia
- 6) Tasmania
- 7) Australian Capital Territory
- 8) Northern Territory
- 9) Other Commonwealth Territory [SCREEN OUT]
- 10) Elsewhere [SCREEN OUT]

ASK ALL

3) And to ensure we have a representative sample; can you please enter your postcode in the box below?

[OPEN TEXT RESPONSE]

ASK ALL

4) Are you eligible and enrolled to vote in Australian Federal and State Elections?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) Yes - I am enrolled to vote
- 2) No - I am not enrolled to vote [SCREEN OUT]
- 3) Unsure [SCREEN OUT]
- 4) Refused [SCREEN OUT]

ASK ALL

5) Please indicate your gender

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) Male
- 2) Female
- 3) Prefer not to say
- 4) Other (please specify): _____

ASK ALL

6) Which age group do you fall into?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) 17 or under [SCREEN OUT]
- 2) 18 – 19
- 3) 20 – 24
- 4) 25 – 29
- 5) 30 – 34
- 6) 35 – 39
- 7) 40 – 44
- 8) 45 – 49
- 9) 50 – 54
- 10) 55 – 59
- 11) 60 – 64
- 12) 65 – 69
- 13) 70 – 74
- 14) 75+
- 15) Prefer not to say

ASK ALL

7) Which one of the following best describes your current employment situation?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) Employed full-time (more than 35 hours per week)
- 2) Employed part-time / casual (less than 35 hours per week)
- 3) Self Employed
- 4) Retired / Pensioner
- 5) Unemployed
- 6) Not in the Labour force
- 7) Home duties
- 8) Student
- 9) Other (please specify): _____

ASK ALL

8) What is the highest level of education you have received?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) None - I have no qualifications
- 2) Certificate 1 or 2
- 3) Year 9 or below
- 4) Diploma
- 5) Certificate 3 or 4
- 6) Year 10 – 12
- 7) Bachelor's degree
- 8) Master's degree or higher

9) Other (please specify): _____

RANDOMLY ASSIGNED EITHER 9A, 9B, 9C OR 9D

9a) If a Federal Election were held today, which party would you give your first preference vote to in the House of Representatives?

[SINGLE CODE, RESPONSE OPTIONS 1-15 IN RANDOM POSITION, ELSE FIXED]

- 1) Liberal Party [SHOW IN ALL OTHER THAN QLD + NT]
- 2) Liberal National Party [SHOW ONLY IN QLD]
- 3) Country Liberals [SHOW ONLY IN NT]
- 4) Australian Labor Party
- 5) The Greens
- 6) The Nationals [SHOW IN ALL OTHER THAN QLD + NT]
- 7) United Australia Party
- 8) An Independent Candidate
- 9) Pauline Hanson's One Nation
- 10) Animal Justice Party
- 11) Christian Democratic Party
- 12) Katter's Australian Party
- 13) Anning Conservative National
- 14) Centre Alliance
- 15) Shooters, Fishers and Farmers
- 16) Other (please specify): _____
- 17) Unsure
- 18) Refuse

9b) If a Federal Election were held today, which party would you give your first preference vote to in the House of Representatives?

[SINGLE CODE, RESPONSE OPTIONS 1-15 IN RANDOM POSITION, ELSE FIXED]

- 1) Liberal Party [SHOW IN ALL OTHER THAN QLD + NT]
- 2) Liberal National Party [SHOW ONLY IN QLD]
- 3) Country Liberals [SHOW ONLY IN NT]
- 4) Australian Labor Party
- 5) The Greens
- 6) The Nationals [SHOW IN ALL OTHER THAN QLD + NT]
- 7) United Australia Party
- 8) An Independent Candidate
- 9) Pauline Hanson's One Nation
- 10) Animal Justice Party
- 11) Christian Democratic Party
- 12) Katter's Australian Party
- 13) Anning Conservative National
- 14) Centre Alliance
- 15) Shooters, Fishers and Farmers
- 16) The New Liberals
- 17) Other (please specify): _____
- 18) Unsure
- 19) Refuse

9c) If a Federal Election were held TODAY, which party would you give your first preference vote to in the House of Representatives?

[SINGLE CODE, RESPONSE OPTIONS 2-16 IN RANDOM POSITION, ELSE FIXED]

- 1) The New Liberals
- 2) Australian Labor Party
- 3) The Greens
- 4) The Nationals [SHOW IN ALL OTHER THAN QLD + NT]
- 5) United Australia Party
- 6) An Independent Candidate
- 7) Pauline Hanson's One Nation
- 8) Animal Justice Party
- 9) Christian Democratic Party
- 10) Katter's Australian Party
- 11) Anning Conservative National
- 12) Centre Alliance
- 13) Shooters, Fishers and Farmers
- 14) Liberal Party [SHOW IN ALL OTHER THAN QLD + NT]
- 15) Liberal National Party [SHOW ONLY IN QLD]
- 16) Country Liberals [SHOW ONLY IN NT]
- 17) Other (please specify): _____
- 18) Unsure
- 19) Refuse

9d) If a Federal Election were held TODAY, which party would you give your first preference vote to in the House of Representatives?

[SINGLE CODE, RESPONSE OPTIONS 1-13 IN RANDOM POSITION, ELSE FIXED]

- 1) The New Liberals
- 2) Australian Labor Party
- 3) The Greens
- 4) The Nationals [SHOW IN ALL OTHER THAN QLD + NT]
- 5) United Australia Party
- 6) An Independent Candidate
- 7) Pauline Hanson's One Nation
- 8) Animal Justice Party
- 9) Christian Democratic Party
- 10) Katter's Australian Party
- 11) Anning Conservative National
- 12) Centre Alliance
- 13) Shooters, Fishers and Farmers
- 14) Other (please specify): _____
- 15) Unsure
- 16) Refuse

ASK ALL

10) Under the preferential voting system, you must assign a preference to either the Liberal Party/LNP or the Australian Labor Party. Regardless of WHERE you would place them in your preference list, would you put the Liberal Party/LNP ahead of the Labor Party or the Labor Party ahead of the Liberal Party/LNP?

[SINGLE CODE, RESPONSE OPTIONS 1-4 IN RANDOM POSITION, ELSE FIXED]

- 1) Liberal Party [SHOW IN ALL OTHER THAN QLD + NT]
- 2) Liberal National Party [SHOW ONLY IN QLD]
- 3) Country Liberal [SHOW ONLY IN NT]
- 4) Australian Labor Party
- 5) Unsure
- 6) Refused

ASK ALL

**11) The New Liberals may stand a candidate in your area at the next Federal election.
From the list below, who do you think the current leader of the New Liberals is?
[SINGLE CODE, RESPONSE OPTIONS 1-7 IN RANDOM POSITION, ELSE FIXED]**

- 1) Victor Kline
- 2) Scott Morrison
- 3) Anthony Albanese
- 4) Adam Bandt
- 5) Michael McCormack
- 6) Pauline Hanson
- 7) Clive Palmer
- 8) Other (please specify): _____
- 9) Unsure
- 10) Refused

ASK ALL

**12) From the list of options below, please select the parties that you think form part
of the Liberal-National Coalition, commonly known as the Coalition?**

Please select all those options that you feel apply

[MULTI CODE, RESPONSE OPTIONS 1-11 IN RANDOM POSITION, ELSE FIXED]

- 1) The Liberals
- 2) The LNP
- 3) The Nationals
- 4) The Country Liberals
- 5) The New Liberals
- 6) Labor
- 7) The Greens
- 8) Pauline Hanson's One Nation
- 9) United Australia party
- 10) Katter's Australian party
- 11) Shooters Fishers and Farmers
- 12) Unsure
- 13) Refused

ASK ALL

13) Below is a list of political parties.

**From the list below, please select those that you feel are connected, or have an
existing relationship with the Liberal Party?**

Please select all that apply

[MULTI CODE, RESPONSE OPTIONS 1-11 IN RANDOM POSITION, ELSE FIXED]

- 1) The Liberal National Party
- 2) The Country Liberal Party
- 3) The National Party
- 4) The New Liberals
- 5) The Australian Labor Party
- 6) The Green Party
- 7) Pauline Hanson's One Nation
- 8) The New Progressives
- 9) The Green Progressives
- 10) None
- 11) Unsure
- 12) Refused

ASK ALL

14) Do you think the Liberal Party and The New Liberals are both part of the same party or different parties?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) Different parties
- 2) The same party
- 3) Unsure
- 4) Refused

ASK ALL

15) As far as you are aware, does a relationship exist between the Liberal Party and the New Liberals?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) They have no existing relationship
- 2) They have an existing relationship
- 3) Something else
- 4) Unsure
- 5) Refused

ASK ALL

16) If a party standing at a Federal election, had the word 'New' in front of an existing name in party politics (for example, New Labor, New Liberals, New Greens); in your view, which of the following options best represents who the party is?

[SINGLE CODE, RESPONSE OPTIONS 1-5 IN RANDOM POSITION, ELSE FIXED]

- 1) A new political party entirely separate to existing parties with no relationship to them
- 2) A separate party but has a connection or relationship with them
- 3) A national rebrand of an existing political party
- 4) Localised branding of an existing party
- 5) A separate division within an existing party
- 6) Other (please specify): _____
- 7) Unsure
- 8) Refused

ASK ALL

17) The New Liberals may stand a candidate in your area at the next Federal election. From what you know, which of the following options best represents who you think the New Liberals are?

[SINGLE CODE, RESPONSE OPTIONS 1-5 IN RANDOM POSITION, ELSE FIXED]

- 1) A new party entirely separate to the Liberal Party with no relationship to them
- 2) A separate party from the Liberal Party but has a connection or relationship with them
- 3) A national rebrand of the Liberal Party
- 4) Localised branding of the Liberal Party
- 5) A separate division within the Liberal Party
- 6) Other (please specify): _____
- 7) Unsure
- 8) Refused

ASK ALL

18) Which of the following is closest to your view?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) The name 'The New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship
- 2) The name 'The New Liberals' sounds like it is a rebrand of the 'Liberal Party', with slightly changed priorities
- 3) Something else: _____
- 4) Unsure
- 5) Refused

ASK ALL

19) Which of the following is closest to your view?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) The name 'The New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship
- 2) The name 'The New Liberals' sounds like it is a division within the 'Liberal Party'
- 3) Something else: _____
- 4) Unsure
- 5) Refused

ASK ALL

20) Which of the following is closest to your view?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) The name 'The New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship
- 2) The name 'The New Liberals' sounds like it is a new and fresh party that is separate from the 'Liberal Party' but is connected and works closely with them
- 3) Something else: _____
- 4) Unsure
- 5) Refused

ASK ALL

21) Which of the following is closest to your view?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) The name 'The New Liberals' sounds like it is completely separate from the 'Liberal Party'
- 2) The name 'The New Liberals' sounds like it is connected in some way to the 'Liberal Party'
- 3) Something else: _____
- 4) Unsure
- 5) Refused

ASK ALL

22) Do you think that placing the term 'New' in front of an existing party name is sufficient for voters to fully understand that this party has no relationship with an existing party?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) Yes – it is sufficient
- 2) No – it is not sufficient
- 3) Unsure
- 4) Refused

ASK ALL

23) Do you think that placing the term 'New' in front of an existing party name is sufficient for voters to fully understand that this party is a completely separate entity from an existing political party?

[SINGLE CODE, RESPONSE OPTIONS 1-2 IN RANDOM POSITION, ELSE FIXED]

- 1) Yes – it is sufficient
- 2) No – it is not sufficient
- 3) Unsure
- 4) Refused

ASK THOSE WHO SELECTED 'THE NEW LIBERALS' AT 9A, 9B, 9C OR 9D.

24) Earlier you said that you would most likely vote for The New Liberals.

The New Liberals are a new political party led by Victor Kline, which is seeking registration, with no connection or relationship to the Liberal Party currently in government.

Having been given this information, can you confirm that you intended to vote for The New Liberals earlier, or did you intend to vote for another party?

I meant to vote for...

[SINGLE CODE, RESPONSE OPTIONS 2-8 IN RANDOM POSITION, ELSE FIXED]

- 1) The New Liberals, led by Victor Kline, currently seeking registration
- 2) The Liberal Party, currently led by Scott Morrison, currently in government and established in 1944
- 3) The Liberal National Party of Queensland, established in 2008
- 4) The Country Liberal Party, established in 1974

- 5) The Australian Labor Party, currently led by Anthony Albanese, currently in opposition and established in 1901
- 6) The Australian Greens, currently led by Adam Bandt, established in 1992
- 7) Pauline Hanson's One Nation Party, led by Pauline Hanson, established in 1997
- 8) The National Party, led by Michael McCormack, established in 1920
- 9) Other (please specify): _____
- 10) Unsure
- 11) Refused

ASK ALL

25) If they were on the same ballot paper, would you find it clear or confusing, to correctly identify the party you wish to vote for when choosing between 'The New Liberals' or the 'Liberals'?

[SINGLE CODE, RESPONSE OPTIONS 1-4 RANDOMLY FLIP, ELSE FIXED]

- 1) Very confusing
- 2) Fairly confusing
- 3) Fairly clear
- 4) Very clear
- 5) Unsure
- 6) Refused

ASK ALL

26) Can you say whether you agree, or disagree with the following statements?

[SINGLE CODE, RANDOM POSITION OF STATEMENTS A-F]

| Statement | Text |
|------------------|---|
| A | The names 'Liberal' and 'The New Liberals' very clearly tell me that they are entirely separate organisations from one another |
| B | The Liberal Party and The New Liberals have names that are too similar for me to be sure who I am voting for |
| C | It sounds like there is no difference between the Liberal Party and The New Liberals |
| D | By voting for The New Liberals, I am helping to elect a Liberal government |
| E | A vote for The New Liberals goes to the Liberal Party |
| F | 'The New Liberals' and 'Liberal Party' sound like they have an existing relationship and are connected to one another in some way |

[RESPONSE OPTIONS, SCALE RANDOMLY FLIP 1-5]

- 1) Strongly agree
- 2) Somewhat agree

- 3) Neither agree, nor disagree
- 4) Somewhat disagree
- 5) Strongly disagree
- 6) Unsure
- 7) Refused

ASK ALL

27) Can you say whether you agree, or disagree with the following statements?

[SINGLE CODE, RANDOM POSITION OF STATEMENTS A-E]

| Statement | Text |
|------------------|---|
| A | If both a 'New Liberals' candidate, and a 'Liberal' candidate stood in my electorate, I might feel confused about which party to preference above the other |
| B | The Liberals and The New Liberals sound very similar to me |
| C | If candidates from both the Liberals and The New Liberals stood in my electorate at the next election, I would find the voting experience much more difficult |
| D | The New Liberals is just a marketing exercise from the Liberals to get more votes |
| E | If a Party uses the name The New Liberals, it will confuse voters into voting for a party they do not intend to vote for |

[RESPONSE OPTIONS, SCALE RANDOMLY FLIP 1-5]

- 1) Strongly agree
- 2) Somewhat agree
- 3) Neither agree, nor disagree
- 4) Somewhat disagree
- 5) Strongly disagree
- 6) Unsure
- 7) Refused

ASK ALL

28) Thinking back to the 2019 Federal Election, who did you vote for in the house of representatives?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) Liberal Party or LNP or Country Liberals
- 2) Labor Party
- 3) Greens Party
- 4) National Party **[SHOW IN ALL OTHER THAN QLD + NT]**
- 5) Pauline Hanson's One Nation Party
- 6) United Australia Party
- 7) An independent

- 8) Other (please specify): _____
- 9) Unsure
- 10) Refused
- 11) I did not vote

ASK ALL

29) Which of the following best describes your living situation?

[SINGLE CODE, RESPONSE OPTIONS FIXED POSITION]

- 1) Own home with a mortgage
- 2) Own home outright
- 3) Private Renting
- 4) Social Housing
- 5) Other (please specify): _____
- 6) Refused

Appendix 3 – Sample Profile

Table 4: Unweighted Sample Profile

| | | Achieved (<i>n</i>) | ABS Estimate (<i>n</i>) |
|--------------------|--------------------|-----------------------|---------------------------|
| Sex-Age* | Female 18-24 | 120 | 118 |
| | Female 25-34 | 207 | 190 |
| | Female 35-44 | 193 | 178 |
| | Female 45-54 | 183 | 177 |
| | Female 55-64 | 171 | 159 |
| | Female 65+ | 240 | 221 |
| | Male 18-24 | 78 | 122 |
| | Male 25-34 | 154 | 185 |
| | Male 35-44 | 188 | 174 |
| | Male 45-54 | 148 | 171 |
| State / Territory* | Male 55-64 | 148 | 151 |
| | Male 65+ | 206 | 190 |
| | New South Wales | 633 | 652 |
| | Victoria | 523 | 519 |
| | Queensland | 429 | 404 |
| | Western Australia | 188 | 214 |
| | South Australia | 186 | 149 |
| | Tasmania | 34 | 45 |
| Tenure | ACT | 34 | 35 |
| | Northern Territory | 9 | 19 |
| | Own home | 1270 | 1364 |
| Employment Status | Renting | 660 | 628 |
| | Other | 106 | 44 |
| Education Level* | Employed full-time | 732 | 708 |
| | Employed part-time | 337 | 373 |
| | Self-employed | 110 | 136 |
| | Not in workforce | 757 | 722 |
| | Other | 100 | 97 |
| Total | Degree | 788 | 600 |
| | Other | 1248 | 1436 |
| Total | | n=2036 | n=2036 |

*These variables were included in post-fieldwork weighting.

Appendix 4 – Sample House of Representatives Ballot Paper

Figure 1: Sample House of Representatives Ballot Paper

The image shows a sample House of Representatives ballot paper. At the top left is the coat of arms of Australia, followed by the text "House of Representatives" and "Ballot Paper". To the right is a circular seal with the text "ELECTORAL COMMISSION AUSTRALIA". Below this, the word "State" is printed. A bold heading "Electoral Division of Division name" is underlined. A large bold instruction "Number the boxes from 1 to 8 in the order of your choice." is centered. The ballot lists eight candidates in a column:

| | |
|--------------------------|---|
| <input type="checkbox"/> | SURNAME, Given names INDEPENDENT |
| | <input type="checkbox"/> SURNAME, Given names SUN PARTY |
| | <input type="checkbox"/> SURNAME, Given names FOG PARTY |
| | <input type="checkbox"/> SURNAME, Given names THE HUMID PARTY |
| <input type="checkbox"/> | SURNAME, Given names THE CLOUD PARTY |
| | <input type="checkbox"/> SURNAME, Given names THE BREEZE PARTY |
| | <input type="checkbox"/> SURNAME, Given names RAIN PARTY |
| | <input type="checkbox"/> SURNAME, Given names THE FROST PARTY |

At the bottom left, a note says "Remember..number every box to make your vote count". A diagonal banner across the bottom right corner reads "SAMPLE".

This is a sample ballot paper taken from the Australian Electoral Commission's website³⁸. Please note that on the ballot paper, candidate and therefore party names, are placed in a column, with positions being determined by random lot³⁹. It demonstrates that there can be substantial distance between candidate and party names.

³⁸ https://www.aec.gov.au/Voting/How_to_vote/practice/practice-house-of-reps.htm

³⁹

https://www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/RP0708/08rp05#preferential

Appendix 5 – Survey Results Data Tables

Table 5. Q1) Thank you for taking part in this survey. We hope you will find it interesting. The survey takes, on average, around 10 minutes to complete and we have allowed plenty of time for you to consider your responses carefully. Please note, your responses will be treated in the strictest confidence. We abide by the Market Research Society Code of Conduct, and your personal data will not be passed on to any third parties. If you agree for your survey response data to be used for market research purposes, please click the 'Yes' below to begin the survey. If you would rather that your responses are not used, then please select 'No'. Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

| | % |
|----------|------|
| Yes | 100% |
| No | 0% |
| Column n | 2036 |

Table 6. Q2) Which state or territory are you from?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1862 (91%)

| | % |
|------------------------------|------|
| New South Wales | 32% |
| Victoria | 26% |
| Queensland | 20% |
| South Australia | 9% |
| Western Australia | 9% |
| Tasmania | 2% |
| Australian Capital Territory | 2% |
| Northern Territory | 0% |
| Other Commonwealth Territory | 0% |
| Elsewhere | 0% |
| Column n | 2036 |

Table 7. Q4) Are you eligible and enrolled to vote in Australian Federal and State Elections?
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

| | % |
|--------------------------------|------|
| Yes - I am enrolled to vote | 100% |
| No - I am not enrolled to vote | 0% |
| Unsure | 0% |
| Refused | 0% |
| Column n | 2036 |

Table 8. Q5) Please indicate your gender
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1835 (90%)

| | % |
|-------------------|------|
| Male | 48% |
| Female | 51% |
| Prefer not to say | 0% |
| Other | 0% |
| Column n | 2036 |

Table 9. Q6) Which age group do you fall into?
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

| | % |
|-------------|------|
| 17 or under | 0% |
| 18-24 | 12% |
| 25-34 | 19% |
| 35-44 | 17% |
| 45-54 | 17% |
| 55-64 | 15% |
| 65+ | 20% |
| Column n | 2036 |

Table 10. Q7) Which one of the following best describes your current employment situation?
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1793 (88%)

| | % |
|---|------|
| Employed full-time (more than 35 hours per week) | 34% |
| Employed part-time / casual (less than 35 hours per week) | 17% |
| Self Employed | 6% |
| Not in workforce | 37% |
| Other | 6% |
| Column n | 2036 |

Table 11. Q8) What is the highest level of education you have received?
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 2236 (110%)

| | % |
|----------|------|
| Degree | 29% |
| Other | 71% |
| Column n | 2036 |

Table 12. RCT If a Federal Election were held today, which party would you give your first preference vote to in the House of Representatives?

Total sample; Weight: RCT Age-Gender, State, PV, Education; base n = from 506 to 546; effective sample size = 455 (83%)

| Column % | Q9a | Q9b | Q9c | Q9d |
|--------------------------------------|-----|-----|-----|-----|
| Liberal Party | 29% | 27% | 17% | 2% |
| Liberal National Party | 5% | 6% | 7% | 0% |
| Country Liberal | 0% | 0% | 0% | 0% |
| <i>SUM: Liberal Party / LNP / CP</i> | 35% | 33% | 24% | 2% |
| The New Liberals | 0% | 0% | 7% | 25% |
| Australian Labor Party | 32% | 31% | 35% | 35% |
| The Greens | 11% | 11% | 11% | 11% |
| The Nationals | 1% | 1% | 2% | 2% |
| Pauline Hanson's One Nation | 6% | 5% | 7% | 7% |
| An Independent Candidate | 5% | 3% | 2% | 7% |
| Animal Justice Party | 2% | 2% | 1% | 1% |
| Shooters, Fishers and Farmers | 1% | 1% | 1% | 1% |
| United Australia Party | 0% | 1% | 1% | 1% |
| Anning Conservative National | 0% | 0% | 0% | 0% |
| Centre Alliance | 0% | 1% | 0% | 0% |
| Christian Democratic Party | 0% | 1% | 1% | 1% |
| Katter's Australian Party | 0% | 0% | 1% | 0% |
| Other | 1% | 1% | 1% | 1% |
| Unsure | 7% | 8% | 9% | 6% |
| Refused | 0% | 1% | 0% | 1% |
| Column n | 539 | 506 | 535 | 546 |

Table 13. Q10) Under the preferential voting system, you must assign a preference to either the Liberal Party/LNP or the Australian Labor Party. Regardless of WHERE you would place them in your preference list, would you put the Liberal Party/LNP ahead of the Labor Party or the Labor Party ahead of the Liberal Party/LNP?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1830 (90%)

| | % |
|--------------------------------------|------|
| Liberal Party | 34% |
| Liberal National Party | 8% |
| Country Liberal | 0% |
| <i>SUM: Liberal Party / LNP / CP</i> | 42% |
| Australian Labor Party | 47% |
| Unsure | 10% |
| Refused | 1% |
| Column n | 2036 |

Table 14. Q11) The New Liberals may stand a candidate in your area at the next Federal election. From the list below, who do you think the current leader of the New Liberals is?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

| | % |
|------------------------|------|
| Victor Kline | 6% |
| Scott Morrison | 42% |
| Anthony Albanese | 6% |
| Adam Bandt | 2% |
| Michael McCormack | 3% |
| Pauline Hanson | 1% |
| Clive Palmer | 2% |
| Other (please specify) | 1% |
| Unsure | 37% |
| Refused | 0% |
| Column n | 2036 |

Table 15. Q12) From the list of options below, please select the parties that you think form part of the Liberal-National Coalition, commonly known as the Coalition? Please select all those options that you feel apply

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1839 (90%)

| | % |
|------------------------------|------|
| The Liberals | 74% |
| The LNP | 25% |
| The Country Liberals | 19% |
| The Nationals | 55% |
| The New Liberals | 27% |
| Labor | 5% |
| The Greens | 5% |
| Pauline Hanson's One Nation | 5% |
| United Australia party | 4% |
| Katter's Australian party | 2% |
| Shooters Fishers and Farmers | 2% |
| Unsure | 13% |
| Refused | 0% |
| Column n | 2036 |

Table 16. Q13) Below is a list of political parties. From the list below, please select those that you feel are connected, or have an existing relationship with the Liberal Party? Please select all that apply

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1853 (91%)

| | % |
|-----------------------------|------|
| The Liberal National Party | 68% |
| The Country Liberal Party | 41% |
| The National Party | 46% |
| The New Liberals | 42% |
| The Australian Labor Party | 7% |
| The Green Party | 5% |
| Pauline Hanson's One Nation | 9% |
| The New Progressives | 3% |
| The Green Progressives | 3% |
| None | 5% |
| Unsure | 11% |
| Refused | 0% |
| Column n | 2036 |

Table 17. Q14) Do you think the Liberal Party and The New Liberals are both part of the same party or different parties?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1865 (92%)

| | % |
|-------------------|------|
| Different parties | 40% |
| The same party | 29% |
| Unsure | 31% |
| Refused | 0% |
| Column n | 2036 |

Table 18. Q15) As far as you are aware, does a relationship exist between the Liberal Party and The New Liberals?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1854 (91%)

| | % |
|------------------------------------|------|
| They have no existing relationship | 13% |
| They have an existing relationship | 31% |
| Unsure | 53% |
| Refused | 0% |
| Something else | 3% |
| Column n | 2036 |

Table 19. Q16) If a party standing at a Federal election, had the word 'New' in front of an existing name in party politics (for example, New Labor, New Liberals, New Greens) in your view, which of the following options best represents who the party is?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1858 (91%)

| | % |
|--|------|
| A new political party entirely separate to existing parties with no relationship to them | 16% |
| A separate party but has a connection or relationship with them | 31% |
| A national rebrand of an existing political party | 24% |
| Localised branding of an existing party | 4% |
| A separate division within an existing party | 9% |
| Other (please specify) | 1% |
| Unsure | 15% |
| Refused | 0% |
| Column n | 2036 |

Table 20. Q17) The New Liberals may stand a candidate in your area at the next Federal election. From what you know, which of the following options best represents who you think The New Liberals are?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1867 (92%)

| | % |
|--|------|
| A new party entirely separate to the Liberal Party with no relationship to them | 16% |
| A separate party from the Liberal Party but has a connection or relationship with them | 30% |
| A national rebrand of the Liberal Party | 23% |
| Localised branding of the Liberal Party | 5% |
| A separate division within the Liberal Party | 8% |
| Other | 0% |
| Unsure | 18% |
| Refused | 0% |
| Column n | 2036 |

Table 21. Q18) Which of the following is closest to your view?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1859 (91%)

| | % |
|--|------|
| The name 'The New Liberals' sounds like it is a completely separate organisation from the Liberal Party with no connection or relationship | 23% |
| The name 'The New Liberals' sounds like it is a rebrand of the Liberal Party, with slightly changed priorities | 62% |
| Unsure | 13% |
| Something else | 2% |
| Refused | 0% |
| Column n | 2036 |

Table 22. Q19) Which of the following is closest to your view?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1849 (91%)

| | % |
|--|------|
| The name 'The New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship | 26% |
| The name 'The New Liberals' sounds like it is a division within the 'Liberal Party' | 58% |
| Unsure | 13% |
| Something else | 2% |
| Refused | 0% |
| Column n | 2036 |

Table 23. Q20) Which of the following is closest to your view?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1848 (91%)

| | % |
|--|------|
| The name 'The New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship | 22% |
| The name 'The New Liberals' sounds like it is a new and fresh party that is separate from the 'Liberal Party' but is connected and works closely with them | 57% |
| Unsure | 18% |
| Something else | 3% |
| Refused | 0% |
| Column n | 2036 |

Table 24. Q21) Which of the following is closest to your view?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1858 (91%)

| | % |
|--|------|
| The name 'The New Liberals' sounds like it is completely separate from the 'Liberal Party' | 20% |
| The name 'The New Liberals' sounds like it is connected in some way to the 'Liberal Party' | 69% |
| Unsure | 10% |
| Something else | 1% |
| Refused | 0% |
| Column n | 2036 |

Table 25. Q22) Do you think that placing the term 'New' in front of an existing party name is sufficient for voters to fully understand that this party has no relationship with an existing party?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1846 (91%)

| | % |
|---------------------------|------|
| Yes – it is sufficient | 12% |
| No – it is not sufficient | 77% |
| Unsure | 10% |
| Refused | 0% |
| Column n | 2036 |

Table 26. Q23) Do you think that placing the term 'New' in front of an existing party name is sufficient for voters to fully understand that this party is a completely separate entity from an existing political party?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1852 (91%)

| | % |
|---------------------------|------|
| Yes – it is sufficient | 11% |
| No – it is not sufficient | 78% |
| Unsure | 10% |
| Refused | 0% |
| Column n | 2036 |

Table 27. Q24) Earlier you said that you would most likely vote for The New Liberals. The New Liberals are a new political party led by Victor Kline, which is seeking registration, with no connection or relationship to the Liberal Party currently in government. Having been given this information, can you confirm that you intended to vote for The New Liberals earlier, or did you intend to vote for another party? I meant to vote for...

Total sample; Weight: Age-Gender, State, PV, Education; base n = 175; effective sample size = 165 (94%)

| | % |
|--|------------|
| The New Liberals, led by Victor Kline, currently seeking registration | 5% |
| The Liberal Party, currently led by Scott Morrison, currently in government and established in 1944 | 73% |
| The Liberal National Party of Queensland, established in 2008 | 14% |
| The Country Liberal Party, established in 1974 | 0% |
| SUM: Liberal Party / LNP / CP | 88% |
| The Australian Labor Party, currently led by Anthony Albanese, currently in opposition and established in 1901 | 3% |
| The Australian Greens, currently led by Adam Bandt, established in 1992 | 2% |
| Pauline Hanson's One Nation Party, led by Pauline Hanson, established in 1997 | 0% |
| The National Party, led by Michael McCormack, established in 1920 | 0% |
| Other | 1% |
| Unsure | 1% |
| Refused | 1% |
| Column n | 175 |

Table 28. Q25) If they were on the same ballot paper, would you find it clear OR confusing, to correctly identify the party you wish to vote for when choosing between 'The New Liberals' or the 'Liberals'?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

| | % |
|------------------|------|
| Very confusing | 23% |
| Fairly confusing | 39% |
| Fairly clear | 20% |
| Very clear | 11% |
| Unsure | 7% |
| Refused | 0% |
| Column n | 2036 |

Table 29. Q26) Can you say whether you agree, or disagree with the following statements?
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

| Row % | Strongly Agree | Somewhat Agree | Neither agree nor disagree | Somewhat Disagree | Strongly Disagree | Unsure | Refused |
|---|----------------|----------------|----------------------------|-------------------|-------------------|--------|---------|
| The names 'Liberal' and 'The New Liberals' very clearly tell me that they are entirely separate organisations from one another | 7% | 16% | 16% | 26% | 29% | 6% | 0% |
| The Liberal Party and The New Liberals have names that are too similar for me to be sure who I am voting for | 34% | 38% | 13% | 7% | 4% | 3% | 0% |
| It sounds like there is no difference between the Liberal Party and The New Liberals | 19% | 34% | 16% | 17% | 6% | 7% | 0% |
| By voting for The New Liberals, I am helping to elect a Liberal government | 22% | 30% | 16% | 9% | 8% | 16% | 0% |
| A vote for The New Liberals goes to the Liberal Party | 19% | 27% | 16% | 10% | 8% | 20% | 0% |
| 'The New Liberals' and 'Liberal Party' sound like they have an existing relationship and are connected to one another in some way | 32% | 43% | 10% | 6% | 3% | 6% | 0% |

Table 30. Q27) Can you say whether you agree, or disagree with the following statements?
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1859 (91%)

| Row % | Strongly Agree | Somewhat Agree | Neither agree nor disagree | Somewhat Disagree | Strongly Disagree | Unsure | Refused |
|---|----------------|----------------|----------------------------|-------------------|-------------------|--------|---------|
| If both a 'New Liberals' candidate, and a 'Liberal' candidate stood in my electorate, I might feel confused about which party to preference above the other | 27% | 40% | 13% | 9% | 7% | 3% | 0% |
| The Liberals and The New Liberals sound very similar to me | 40% | 43% | 8% | 4% | 3% | 2% | 0% |
| If candidates from both the Liberals and The New Liberals stood in my electorate at the next election, I would find the voting experience much more difficult | 19% | 37% | 19% | 11% | 9% | 4% | 0% |
| The New Liberals is just a marketing exercise from the Liberals to get more votes | 16% | 24% | 23% | 13% | 8% | 16% | 0% |
| If a Party uses the name The New Liberals, it will confuse voters into voting for a party they do not intend to vote for | 34% | 43% | 13% | 4% | 2% | 4% | 0% |

Table 31. Q28) Thinking back to the 2019 Federal Election, who did you vote for in the house of representatives?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1777 (87%)

| | % |
|--|------|
| Liberal Party or LNP or Country Liberals | 36% |
| Labor Party | 31% |
| Greens Party | 10% |
| National Party | 2% |
| Pauline Hanson's One Nation Party | 6% |
| United Australia Party | 1% |
| An independent | 6% |
| Other | 1% |
| Unsure | 4% |
| Refused | 1% |
| I did not vote | 3% |
| Column n | 2036 |

Table 32. Q29) Which of the following best describes your living situation?

Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1803 (89%)

| | % |
|----------|------|
| Own home | 60% |
| Renting | 35% |
| Other | 5% |
| Column n | 2036 |



Research Report The New Liberals

Dr. Michael Turner (Head of Research, Director)

March 2021



Methodology Summary

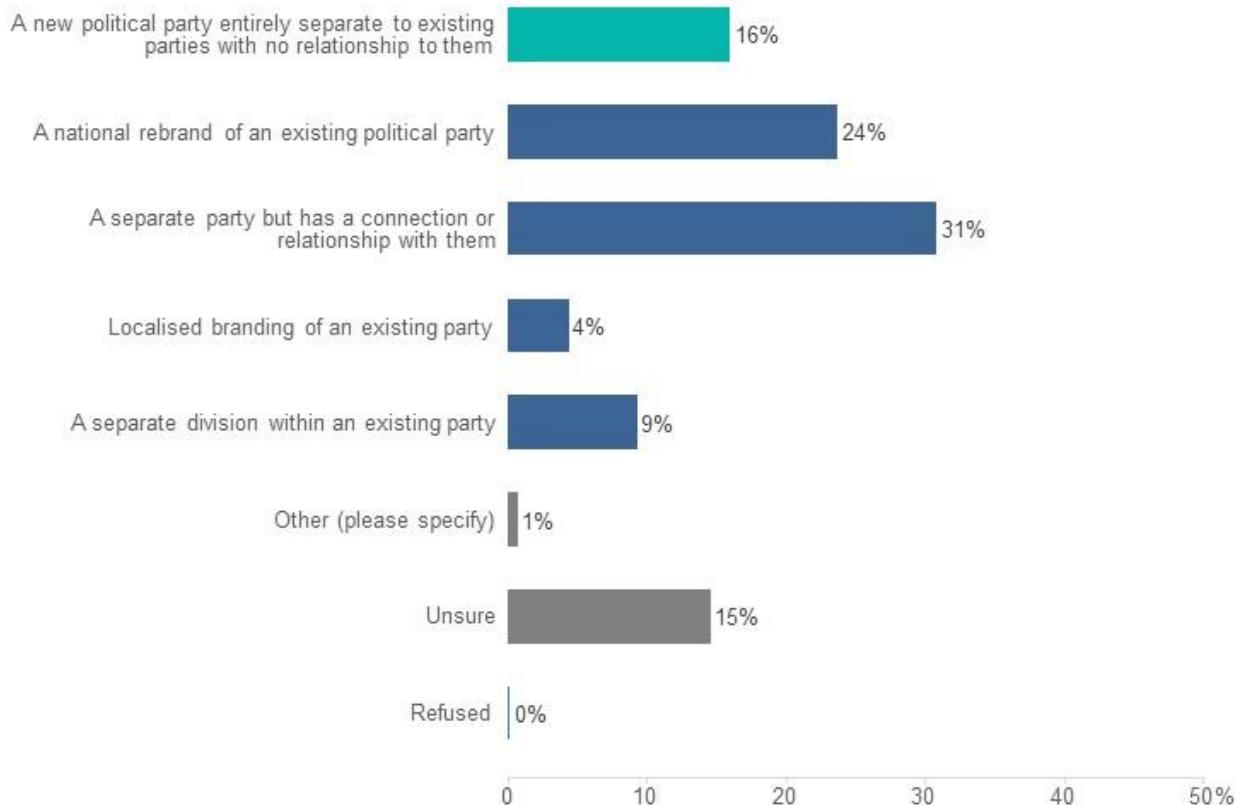
The objective of this research was to provide independent insight of the potential impact that the introduction of a party named *The New Liberals* may have on the voting process, what voters understand *The New Liberals* to be, and whether they are perceived to be connected to any existing parties.

Quantitative Approach:

- A 10-minute survey was conducted online respondents between 06/03 – 09/03
- Respondents were sourced from an online panel via an opt-in process, and were screened for eligibility to vote in State and Federal elections
- The aggregate sample comprised n=2036 voters across Australia.
- Respondents were sampled at random with quotas set for key demographic groups and was proportionally stratified
- The data was weighted to Age-Sex, State/Territory, Education-level and Past Vote statistics collected by the ABS and the AEC
- Aggregate proportion statistics are accurate to a maximum margin of error of +/-2% (95% confidence, SRS), with sub-samples being subject to wider confidence intervals. The weighting scheme was recomputed at the RCT level to ensure comparability
- At every stage of this survey, respondents were given the option to refuse to answer the question or indicate that they were unsure
- A Randomised Control Trial (RCT) for voting intention was conducted. Respondents were randomly assigned one of four potential voting ballot options. Results for each ballot are based on a sample size of between n=506 and n=546, with corresponding margins of error of +/-4% for proportion statistics
- In Queensland and the Northern Territory, instead of the “Liberal Party”, respondents were shown the *Liberal National Party* and the *Country Liberal Party* respectively. In all other jurisdictions respondents were shown the *Liberal* or the *Liberal* party.

**Do Voters feel there is a
Relationship OR Connection
between The New Liberals and
other parties?**

In general, what does ‘New’ represent?

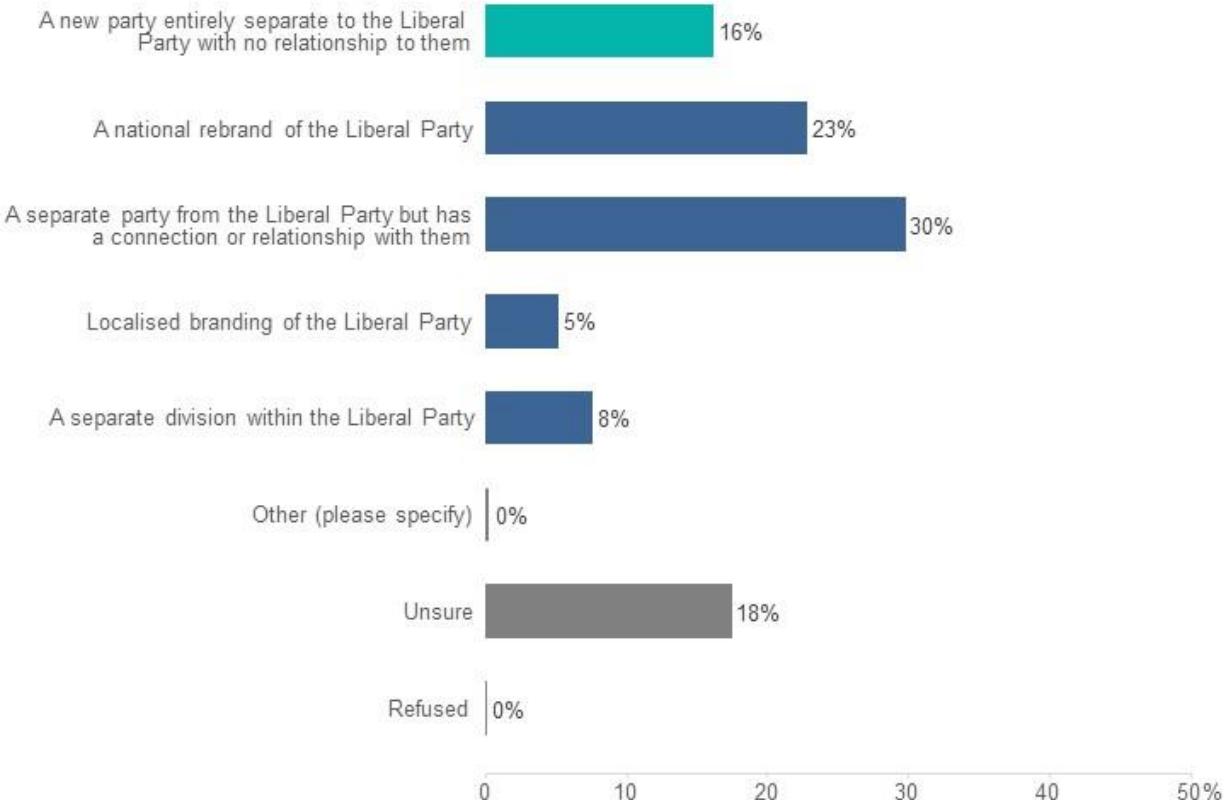


Question

If a party standing at a Federal election, had the word ‘New’ in front of an existing name in party politics (for example, New Labor, New Liberals, New Greens) in your view, which of the following options best represents who the party is?

- When Australian voters were asked which of the options best describe what the term ‘New’ in front of an existing party name would mean to them, one in seven (16%) selected “**A new political party, entirely separate to existing parties, with no relationship to them**”
- In total, **more than two-thirds of voters (68%) selected an option that indicated they felt the party was connected to an existing party in some way**. Either a party rebrand, a separate party with connection, localised branding or a division within an existing party.
- Around **one in seven voters (15%) were unable to decide**.

Who are The New Liberals in respect to the Liberal Party?



Question

The New Liberals may stand a candidate in your area at the next Federal election. From what you know, which of the following options best represents who you think The New Liberals are?

- Voters were then asked to select the option that best represents who they think 'The New Liberals' are. **Just 1 in 6 (16%) selected that they are a new party entirely separate to the Liberal Party.**
- Almost 7 in 10 (66%) selected that they have some kind of connection with the Liberal Party.
- One in five (18%) voters were unable to decide.



Do voters think the Liberal Party and The New Liberals are 'separate' OR 'connected'?

The name 'New Liberals' sounds like it is completely separate from the 'Liberal Party'



The name 'New Liberals' sounds like it is connected in some way to the 'Liberal Party'



Unsure



Something else



Refused



0 20 40 60 80 100%

Question

Which of the following is closest to your view?

- Voters were then asked to select that statement that was closest to their view.
- **Almost 7 in 10 (69%) said that they felt the name, 'The New Liberals', sounds like it is connected in some way to the 'Liberal Party'.**
- Only 1 in 5 voters (20%) selected that 'The New Liberals' sounds like it is completely separate from the 'Liberal Party'.
- 10% of voters were unsure of their answer, while 1% thought it meant 'something else'.



Separate or Rebrand?

The name 'New Liberals' sounds like it is a completely separate organisation from the Liberal Party with no connection or relationship

23%

The name 'New Liberals' sounds like it is a rebrand of the Liberal Party, with slightly changed priorities

62%

Unsure

13%

Something else

2%

Refused

0%

0 20 40 60 80 100%

Question

Which of the following is closest to your view?

- Voters were asked to select that statement that was closest to their view. **Just over 6 in 10 (62%) said that they felt the name, 'The New Liberals', sounds like it is a rebrand of the Liberal Party, with slightly changed priorities.**
- Less than 1 in 4 voters said that they felt the name sounds like it is a completely separate organisation from the Liberal Party with no connection or relationship.
- 13% of voters were unsure of their answer, while 2% thought it meant 'something else'.

Separate or New Party with Close Connections?

The name 'New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship

22%

The name 'New Liberals' sounds like it is a new and fresh party that is separate from the 'Liberal Party' but is connected and works closely with them

57%

Unsure

18%

Something else

3%

Refused

0%

0 20 40 60 80 100%

Question

Which of the following is closest to your view?

- When asked in a different context, almost 6 in 10 (57%) voters said that the name 'The New Liberals' sounds like it is a new and fresh party that is separate from the Liberal Party but is connected and works closely with them.
- Just over 1 in 5 (22%) voters selected that it sounds like it is a completely separate organisation from the Liberal Party with no connection or relationship.
- 18% of voters were unsure of their answer, while 3% thought it meant 'something else'.



Question

Which of the following is closest to your view?

Separate or Internal Division?

The name 'New Liberals' sounds like it is a completely separate organisation from the 'Liberal Party' with no connection or relationship

26%

The name 'New Liberals' sounds like it is a division within the 'Liberal Party'

58%

Unsure

13%

Something else

2%

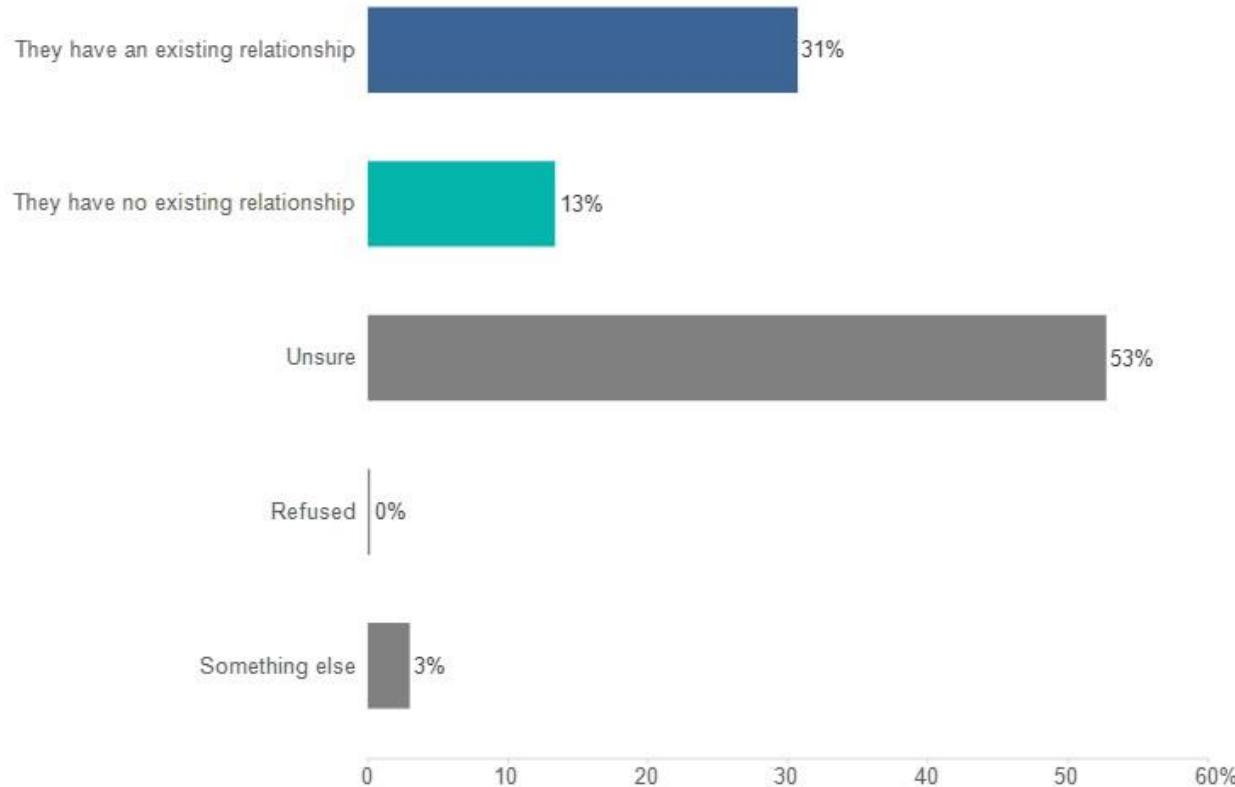
Refused

0%

0 20 40 60 80 100%

- Again, voters were then asked to select that statement that was closest to their view.
- Almost 6 in 10 (58%) selected that the name 'The New Liberals' sounds like it is a division within the Liberal Party.**
- Just over 1 in 4 (26%) voters selected that it sounds like it is a completely separate organisation from the Liberal Party with no connection or relationship.
- 13% of voters were unsure of their answer, while 2% thought it meant 'something else'.

Do Voters think there is a relationship between the Liberal Party and The New Liberals?



Question

As far as you are aware, does a relationship exist between the Liberal Party and The New Liberals?

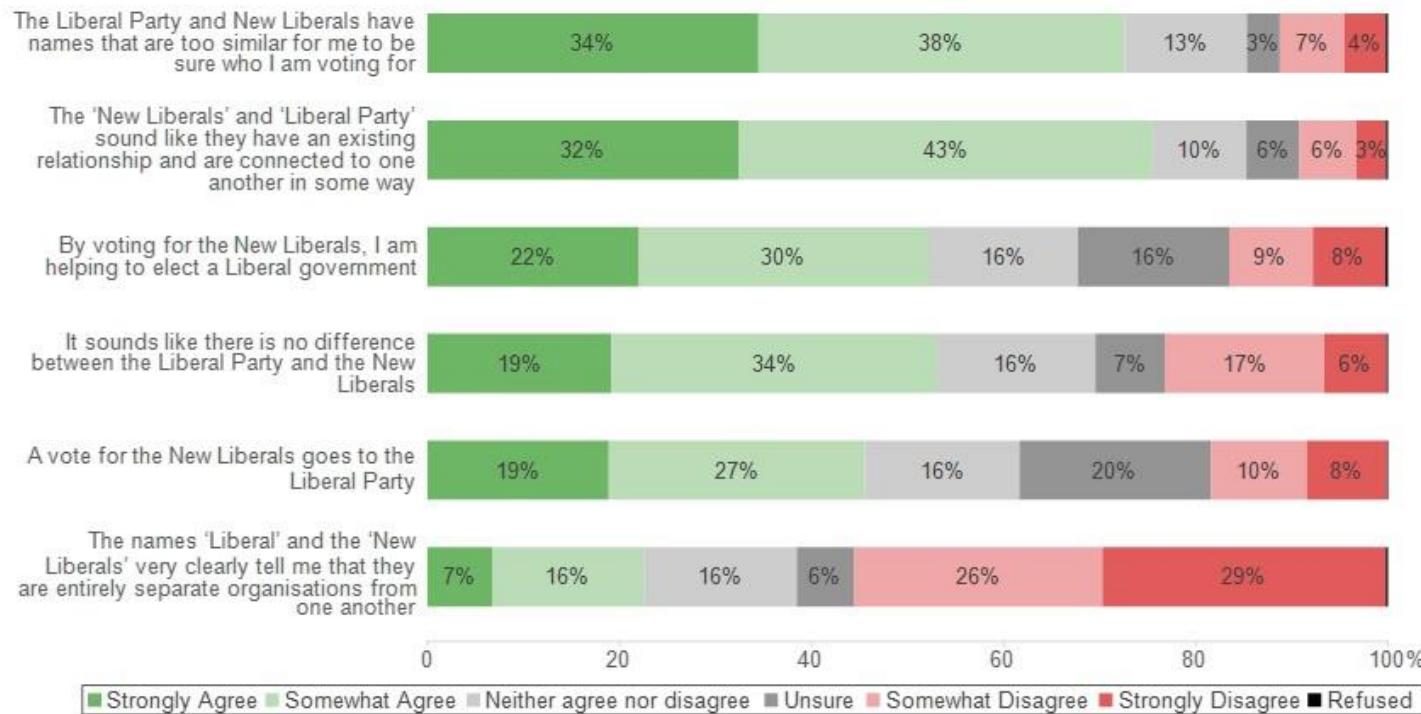
- Voters were asked if they were aware of a relationship between the Liberal Party and The New Liberals.
- **Almost 1 in 3 (31%) selected that they have an existing relationship, while just 13% indicated that they have no relationship.**
- Over half of respondents (53%) were unsure of the answer to this question.
- 3% of voters indicated 'something else'.



Question

Can you say whether you agree, or disagree with the following statements?

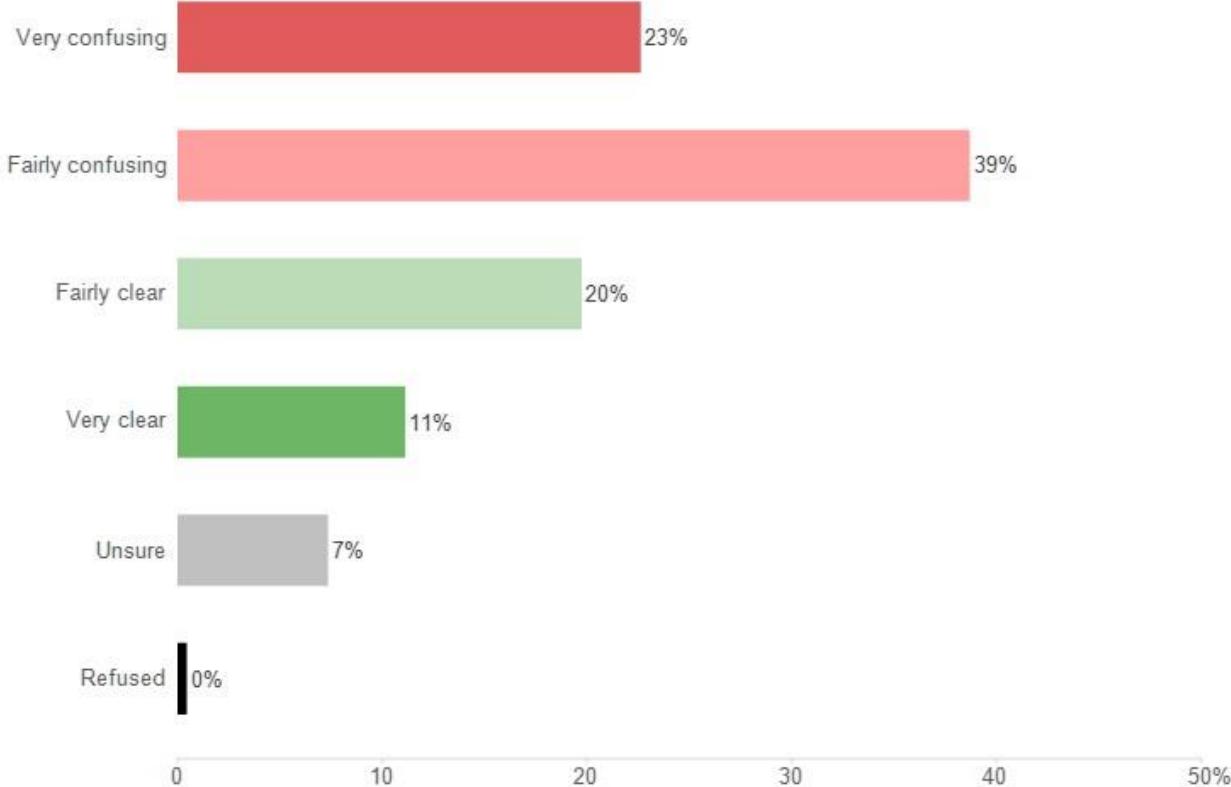
Exploring the Liberal Connection



- Voters were then asked to read each of the statements on the left and indicate the extent to which they agreed or disagreed.
- Over 7 in 10 voters (72%) indicated that the Liberal Party and The New Liberals have names that are too similar for them to be sure of who they are voting for.
- Three quarters of voters (75%) agree that The New Liberals and the Liberal Party sounds like they have an existing relationship.
- Over half of voters (55%) disagreed with the statement that the names 'Liberal' and 'The New Liberals' very clearly indicate that they are entirely separate organisations.

**Do voters report any
confusion or difficulty
by seeing The New
Liberals alongside the
Liberal Party?**

Is putting The New Liberals alongside the Liberals clear or confusing for voters?



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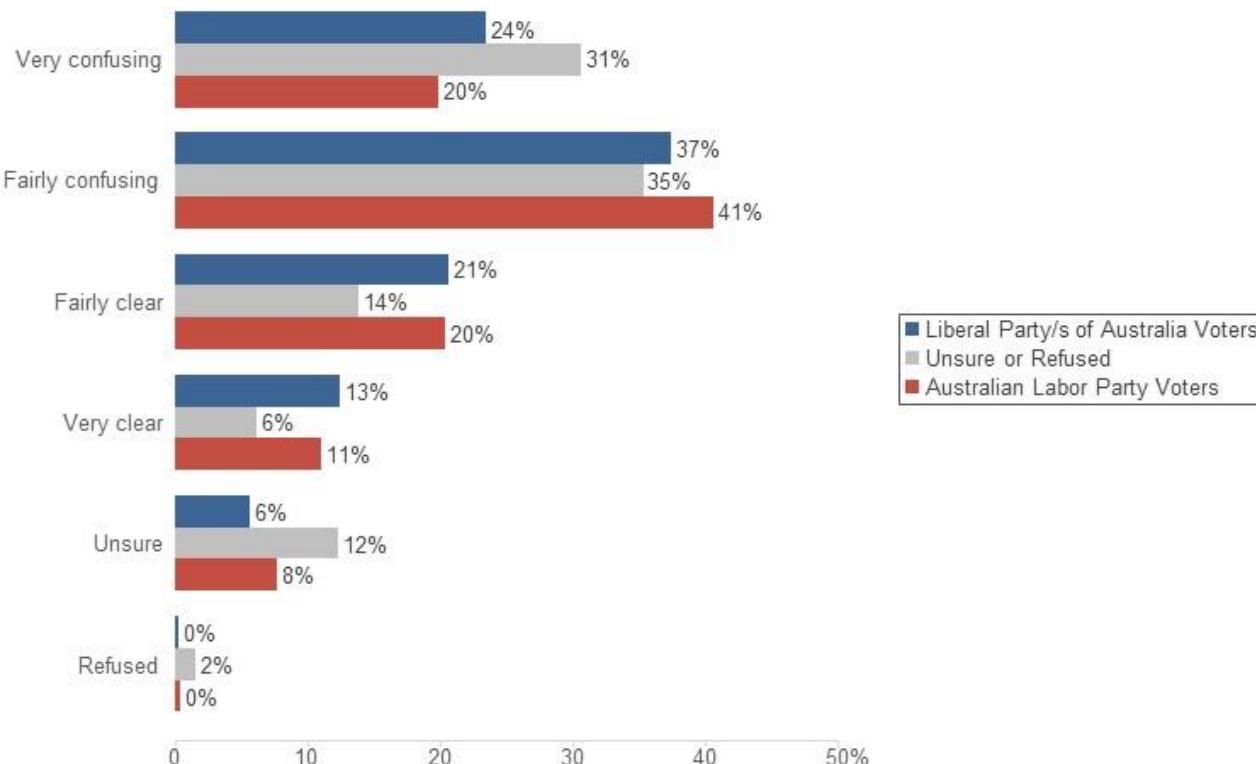
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1864 (92%)

Question

If they were on the same ballot paper, would you find it clear OR confusing, to correctly identify the party you wish to vote for when choosing between the 'New Liberals' or the 'Liberals'?

- Over 6 in 10 voters (62%) feel that, if they were on the same ballot paper, it would be fairly or very confusing to identify the party that they wished to vote for.
- Just 3 in 10 voters (31%) felt that it would be either fairly clear or very clear.
- 7% were unable to answer this question.

Is putting The New Liberals alongside Liberal clear or confusing for voters? by Two Party Preferred vote

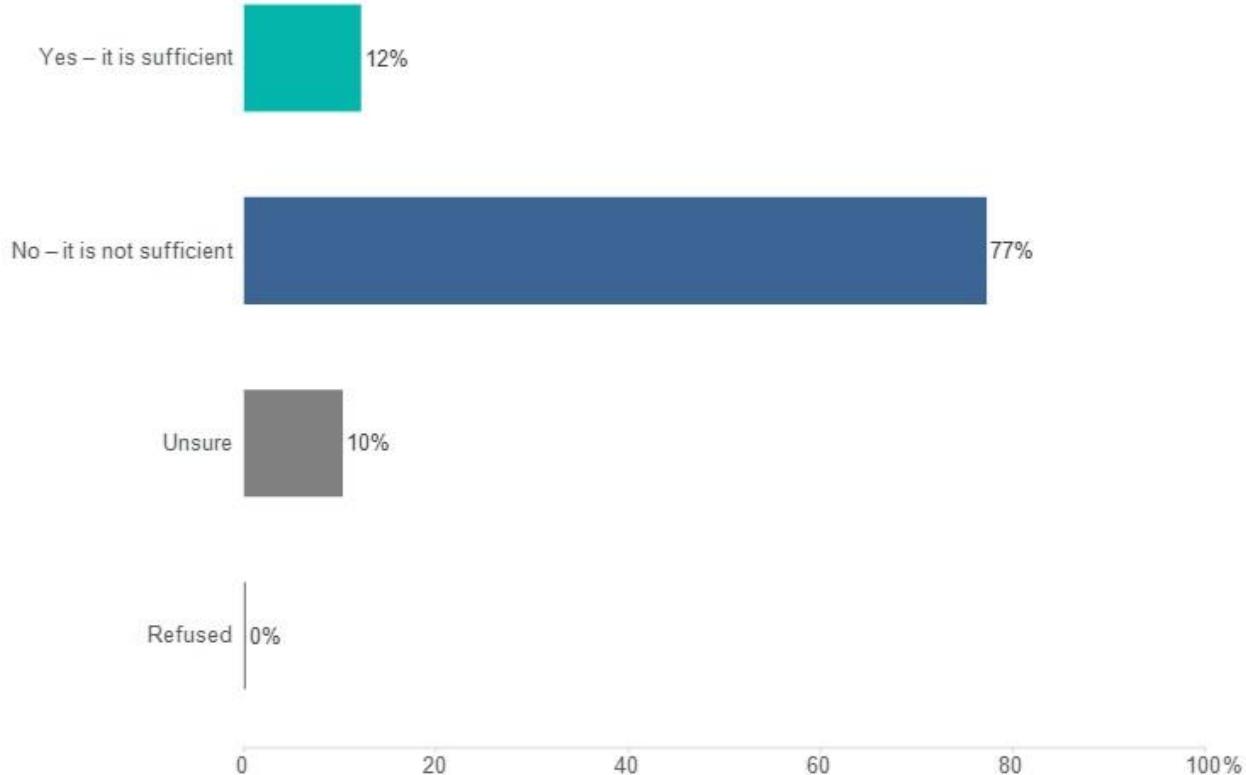


Question

If they were on the same ballot paper, would you find it clear OR confusing, to correctly identify the party you wish to vote for when choosing between the 'New Liberals' or the 'Liberals'?

- This chart looks at the same question as the previous slide but segmented by respondents' two party preferred vote.
- The indicated level of confusion was consistent across parties.
- 6 in 10 (61%) Liberal Party (TPP) voters indicating that it was fairly or very confusing.
- 6 in 10 (61%) Labor Party (TPP) voters indicating that it was fairly or very confusing.

Is 'New' sufficient for voters to understand there is no relationship?

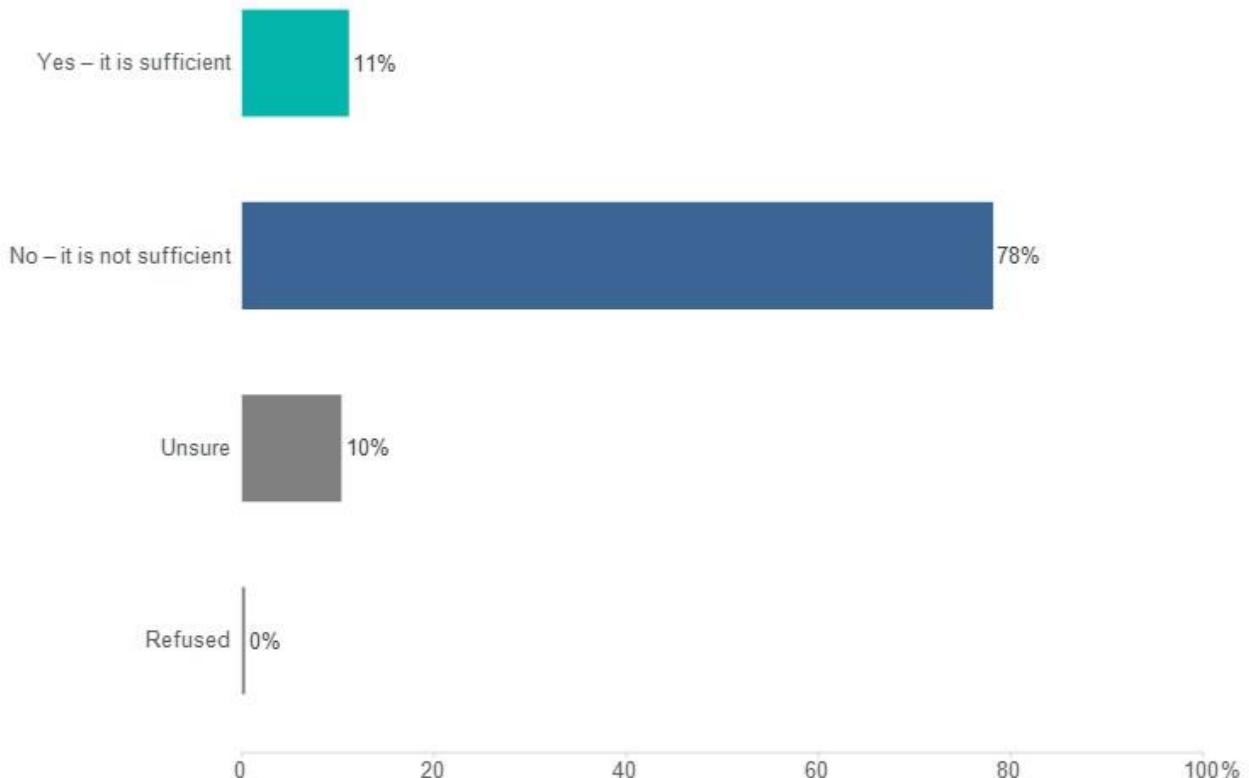


Question

Do you think that placing the term 'New' in front of an existing party name is sufficient for voters to fully understand that this party has no relationship with an existing party?

- Voters were asked if they felt that placing the term New in front of an existing party name was sufficient for them to fully understand that the party has **no relationship** with an existing party.
- Over 3 in 4 voters (77%) felt that it was not sufficient, while just over 1 in 10 (12%) felt that it was sufficient.
- 10% of voters were unsure how to respond.

Is 'New' sufficient for voters to know The New Liberals is completely separate?



Question

Do you think that placing the term 'New' in front of an existing party name is sufficient for voters to fully understand that this party is a completely separate entity from an existing political party?

- Voters were asked if they felt that placing the term New in front of an existing party name was sufficient for them to understand that it is a **completely separate entity** from an existing political party.
- Again, over 3 in 4 voters (78%) felt that it was not sufficient, while just over 1 in 10 (11%) felt that it was sufficient.
- 10% of voters were unsure how to respond.

**The impact of including
The New Liberals on the
ballot paper.**

The New Liberals Ballot Position Simulation – A Randomised Control Trial

What is a Randomised Controlled Trial (RCT)?

A randomised controlled trial (hereafter RCT) is a scientific approach **designed to establish causality** between a treatment (in this case the introduction of The New Liberals on a ballot paper) and an outcome (in this case, voting behavior).

Used widely across scientific research projects, it can also be applied to market research studies. Respondents are randomly allocated into one of two or more groups with each group assigned a different 'treatment' (in this case a different type of ballot design).

In this case, respondents were asked "If a Federal Election were held TODAY, which party would you give your first preference vote to in the House of Representatives?" They were then assigned one of four different ballots at random. Each respondent was only shown one ballot. What was shown on each ballot is summarised below, but screenshots of what respondents saw are shown in Appendix A, and annotated screenshots showing which options were displayed and how are shown in Appendix B.

Ballot Paper A: The New Liberals was not prompted in the party list, the Liberal Party was included ($n=539$, **TNL NOT PROMPTED** hereafter)

Ballot Paper B: The New Liberals was prompted in the party list and fixed at the bottom to simulate being placed below the Liberal Party on the ballot ($n=506$, **TNL BOTTOM** hereafter)

Ballot Paper C: The New Liberals was prompted in the party list and fixed at the top to simulate being placed ahead of the Liberal Party on the ballot ($n=535$, **TNL TOP** hereafter)

Ballot Paper D: The Liberal Party was not prompted in the party list; The New Liberals was included ($n=546$, **LPA NOT PROMPTED** hereafter)

Note:

- In every question respondents were given the option to refuse to answer the question, to indicate that they are undecided or to write in their own answer. No limitations were placed on which party respondents could vote for
- In Queensland and the Northern Territory instead of the Liberal Party, respondents were shown the Liberal National Party and the Country Liberal Party respectively. In all other jurisdictions respondents were only shown The Liberal Party.

Ballot Paper Effects on Vote

| Column % | Ballot Paper A: TNL Not Prompted | Ballot Paper B: TNL Bottom | Ballot Paper C: TNL Top | Ballot Paper D: LPA Not Prompted |
|-----------------------------------|-------------------------------------|-------------------------------|----------------------------|-------------------------------------|
| Liberal | 29% | 27% | 17% | 2% |
| Liberal National Party | 5% | 6% | 7% | 0% |
| Country Liberal | 0% | 0% | 0% | 0% |
| SUM: Liberal Party/s of Australia | 35% | 33% | 24% | 2% |
| The New Liberals | 0% | 0.4% | 7% | 25% |
| Australian Labor Party | 32% | 31% | 35% | 35% |
| The Greens | 11% | 11% | 11% | 11% |
| Pauline Hansons One Nation | 6% | 5% | 7% | 7% |
| An Independent Candidate | 5% | 3% | 2% | 7% |
| Animal Justice Party | 2% | 2% | 1% | 1% |
| The Nationals | 1% | 1% | 2% | 2% |
| Shooters, Fishers and Farmers | 1% | 1% | 1% | 1% |
| United Australia Party | 0% | 1% | 1% | 1% |
| Anning Conservative National | 0% | 0% | 0% | 0% |
| Centre Alliance | 0% | 1% | 0% | 0% |
| Christian Democratic Party | 0% | 1% | 1% | 1% |
| Katters Australian Party | 0% | 0% | 1% | 0% |
| Other | 1% | 1% | 1% | 1% |
| Unsure | 7% | 8% | 9% | 6% |
| Refuse | 0% | 1% | 0% | 1% |

Question

If a Federal Election were held TODAY, which party would you give your first preference vote to in the House of Representatives?

- **Ballot Paper A:** When The New Liberals was not prompted, the Liberal Party/s received 35% of the primary vote, while no one indicated that they would vote for The New Liberals (i.e. via the write-in option).
- **Ballot Paper B:** When The New Liberals was prompted on the ballot, but fixed BELOW the Liberal Party/s, they received 0.4% of the vote.
- **Ballot Paper C:** When The New Liberals was prompted, and fixed ABOVE the Liberal Party/s, they received 7% of the vote.
- **Ballot Paper D:** When The New Liberals was prompted, and the Liberal Party/s was not prompted, they received 25% of the vote.
- This indicates a clear and causal relationship with the introduction of The New Liberals on the ballot paper. The more prominent The New Liberals are on the ballot paper, the more vote share is taken away from the Liberal Party/s. Note that this is NOT the case for other parties. This clearly demonstrates that voters feel there is a connection, or that they are conflating between the two parties.
- **Note:** Respondents were not restricted in the options of who they could vote for.

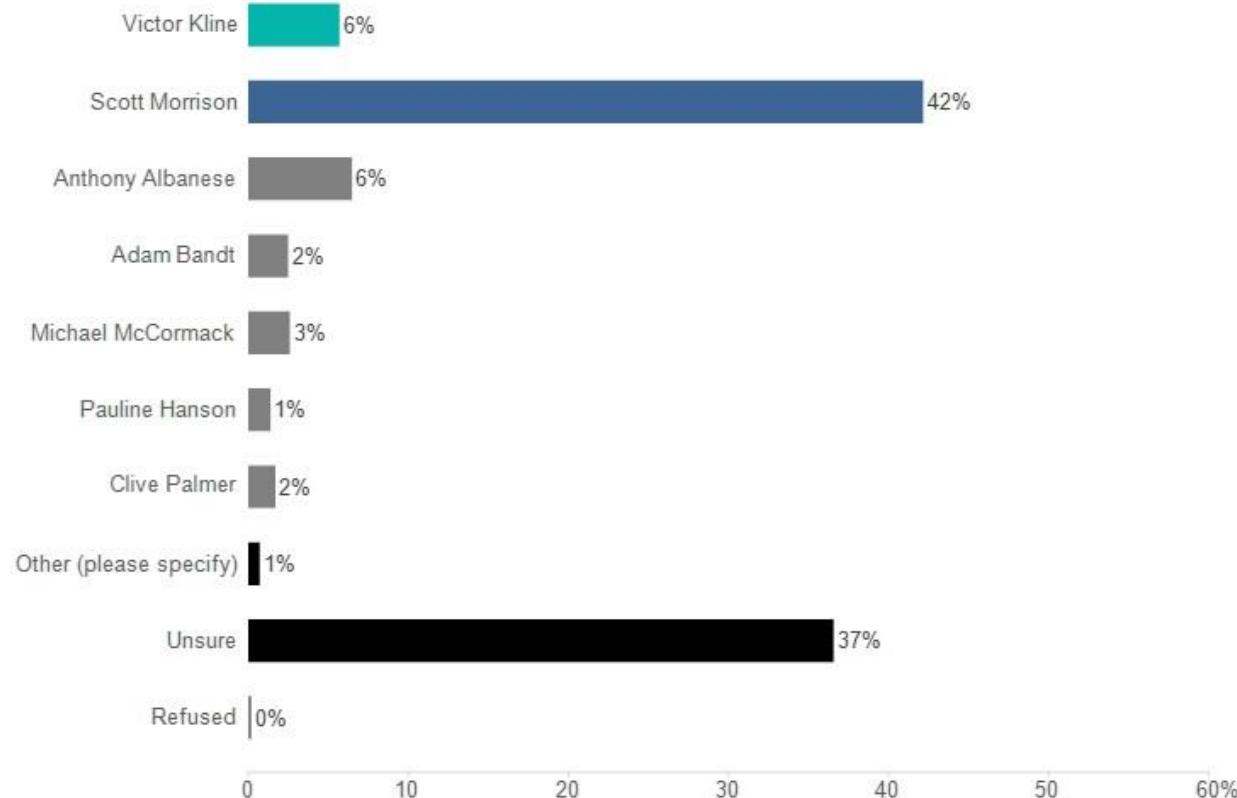
**Who do voters think
they are voting for?**



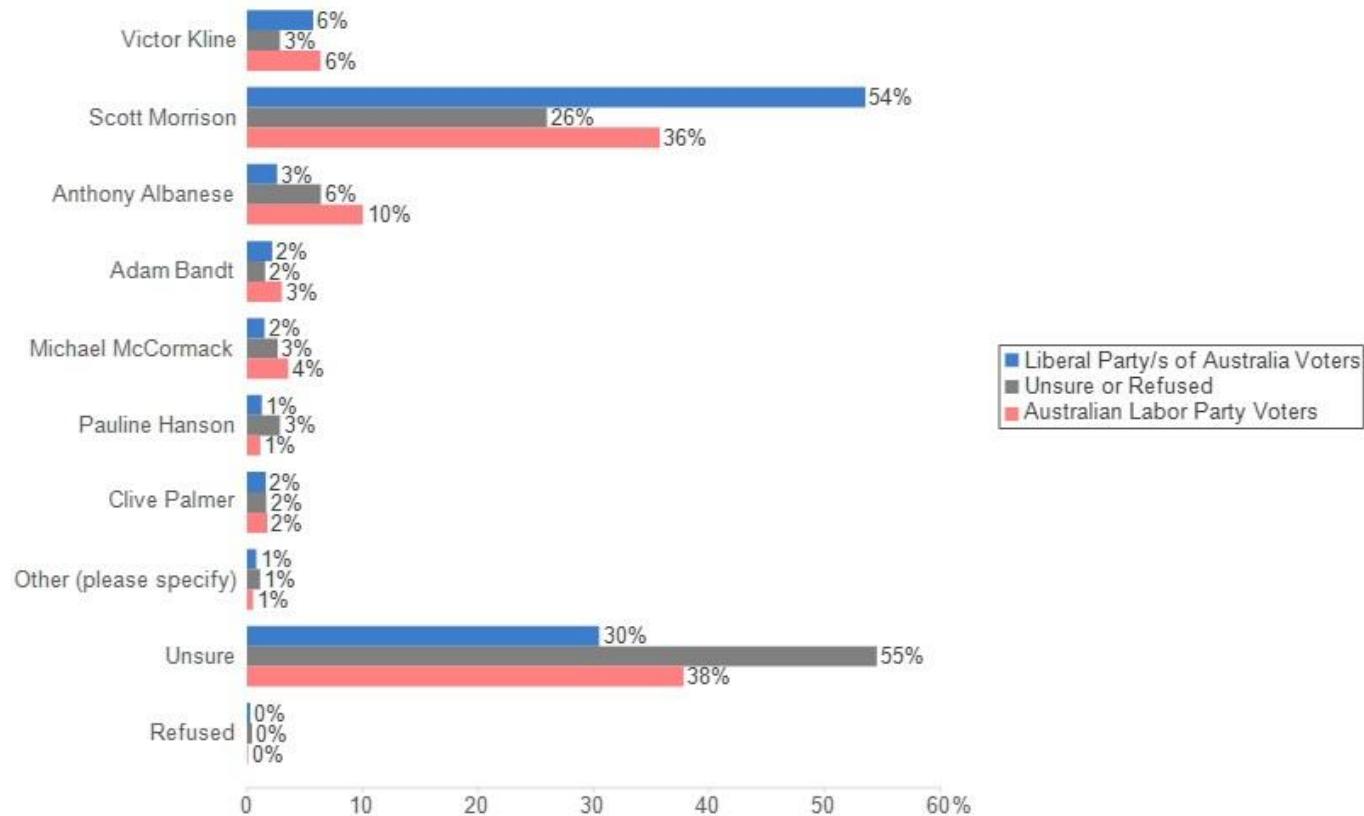
Question

The New Liberals may stand a candidate in your area at the next Federal election. From the list below, who do you think the current leader of The New Liberals is?

Perceived Leader of The New Liberals



Perceived Leader of The New Liberals by Two Party Preferred vote

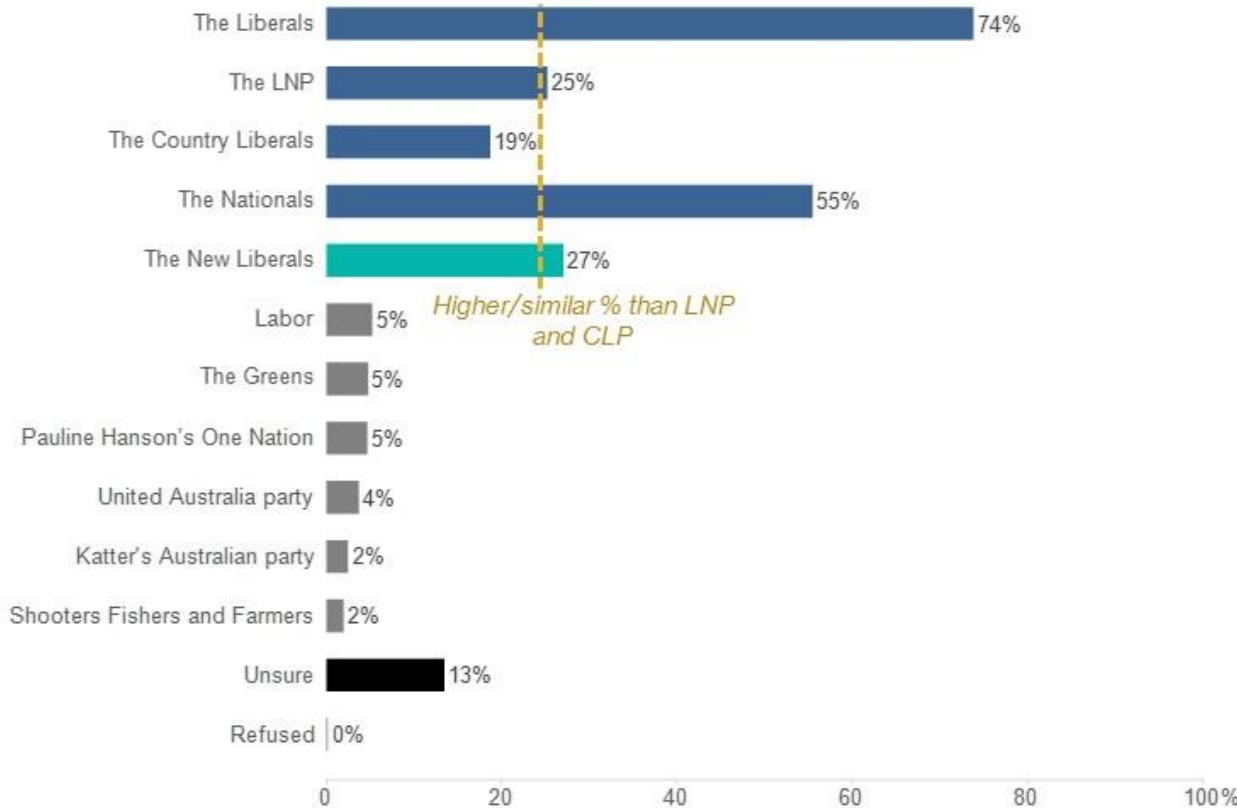


Question

The New Liberals may stand a candidate in your area at the next Federal election. From the list below, who do you think the current leader of The New Liberals is?

- This chart looks at the same question as the previous slide but segmented by respondents two party preferred vote.
- Over half (54%) of those that voted for Liberal Party/s selected that Scott Morrison was the leader of The New Liberals.
- Over 1 in 3 (36%) Labor voters selected that Scott Morrison was the leader of The New Liberals.

Perceived parties that form part of the Liberal-National Coalition

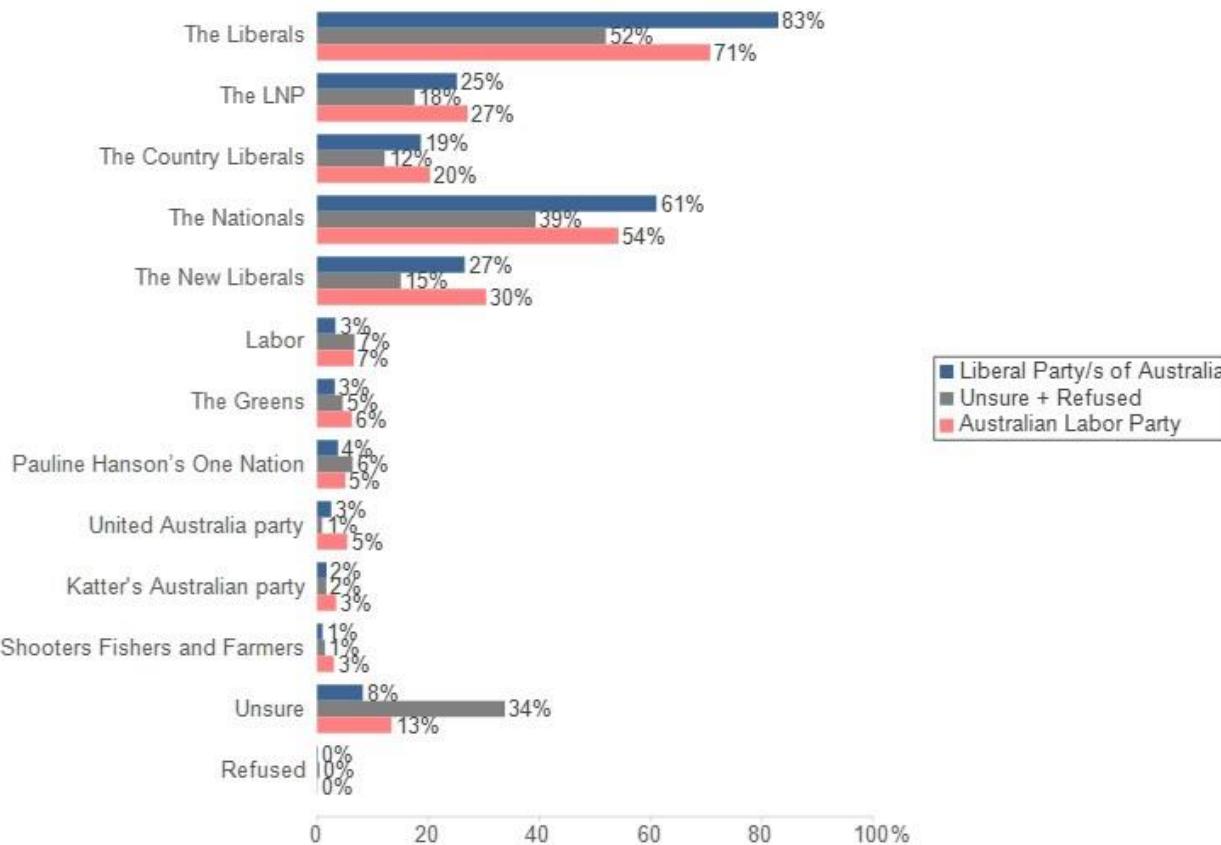


Question

From the list of options below, please select the parties that you think form part of the Liberal-National Coalition, commonly known as the Coalition? Please select all those options that you feel apply...

- Voters were asked to select the parties that form part of the Liberal-National Coalition.
- Over 1 in 4 voters (27%) selected that The New Liberals was part of the Coalition. This is statistically greater than those that selected Country Liberals (19%), and statistically the same as those that selected the LNP (25%).
- 13% of voters were unable to answer this question.

Perceived parties that form part of the Liberal-National Coalition by Two Party Preferred vote

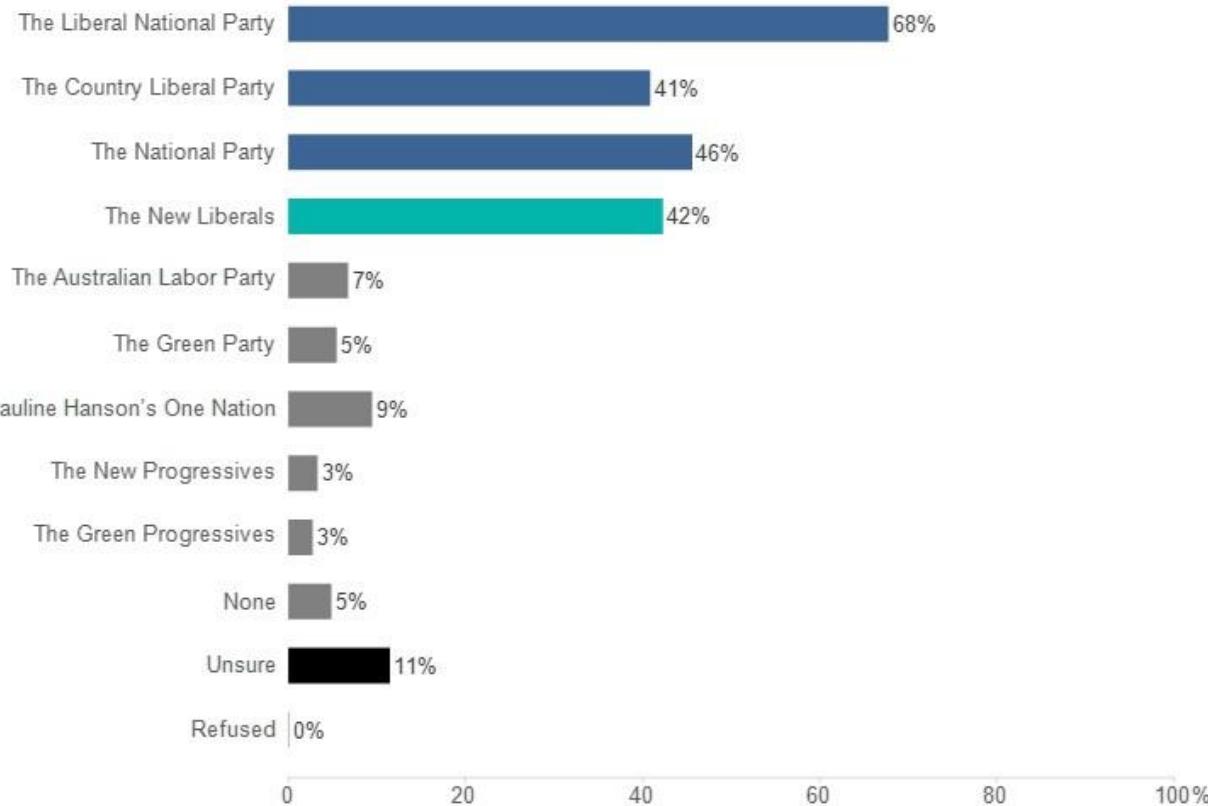


Question

From the list of options below, please select the parties that you think form part of the Liberal-National Coalition, commonly known as the Coalition? Please select all those options that you feel apply...

- These results did not differ drastically according to whether the respondent preferred the Liberal Party/s or Labor.
- 27% of Liberal Party/s TPP voters, and 30% of Labor TPP voters selected that The New Liberals was part of the coalition.

Perceived Parties That Have a Connection/Relationship with the Liberal Party



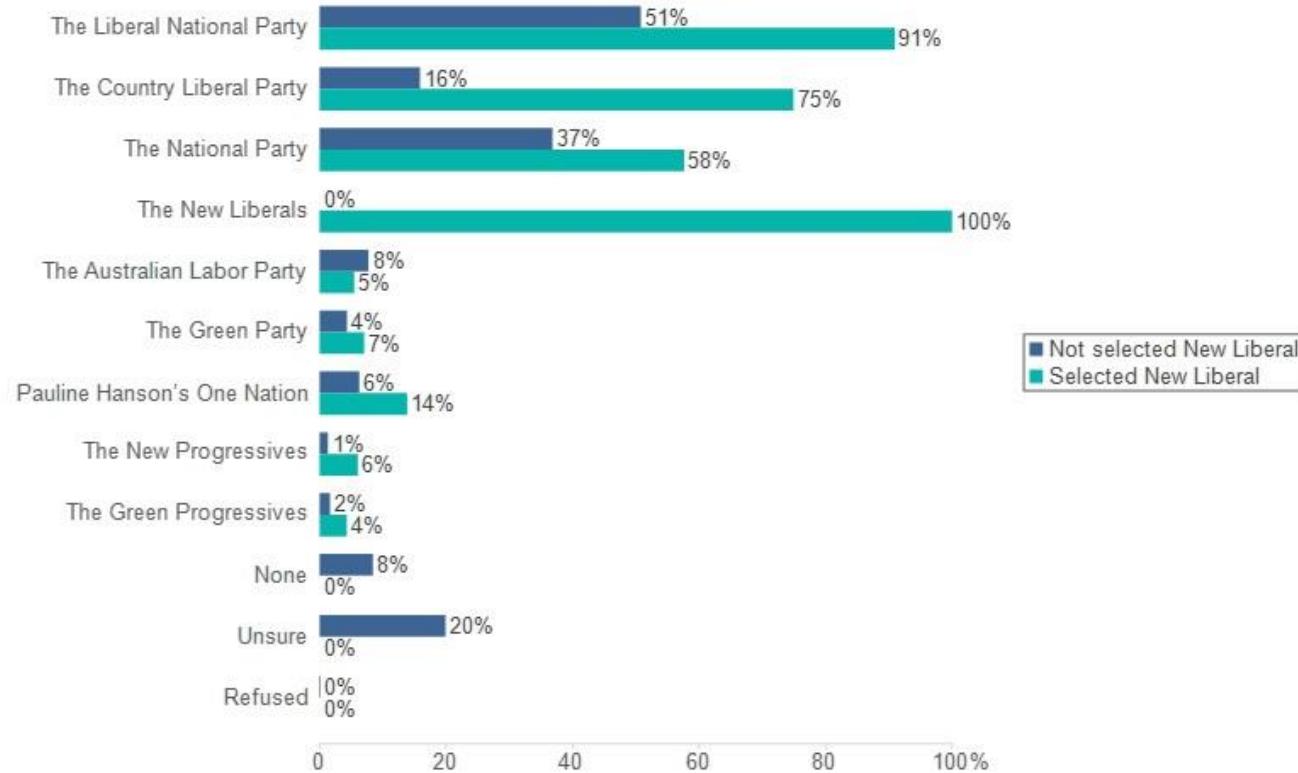
Question

Below is a list of political parties. From the list below, please select those that you feel are connected, or have an existing relationship with the Liberal Party?
Please select all that apply...

- Voters were asked to select the parties that they felt were connected with, or had an existing relationship with the Liberal Party.
- Just under half (42%) of voters indicated that The New Liberals had some form of connection or relationship with the Liberal Party.
- 11% of voters were unsure of their response to this question.

If they selected The New Liberals, who else did they also pick?

Segmented by those that **SELECTED** The New Liberals and those that **did NOT** select The New Liberals



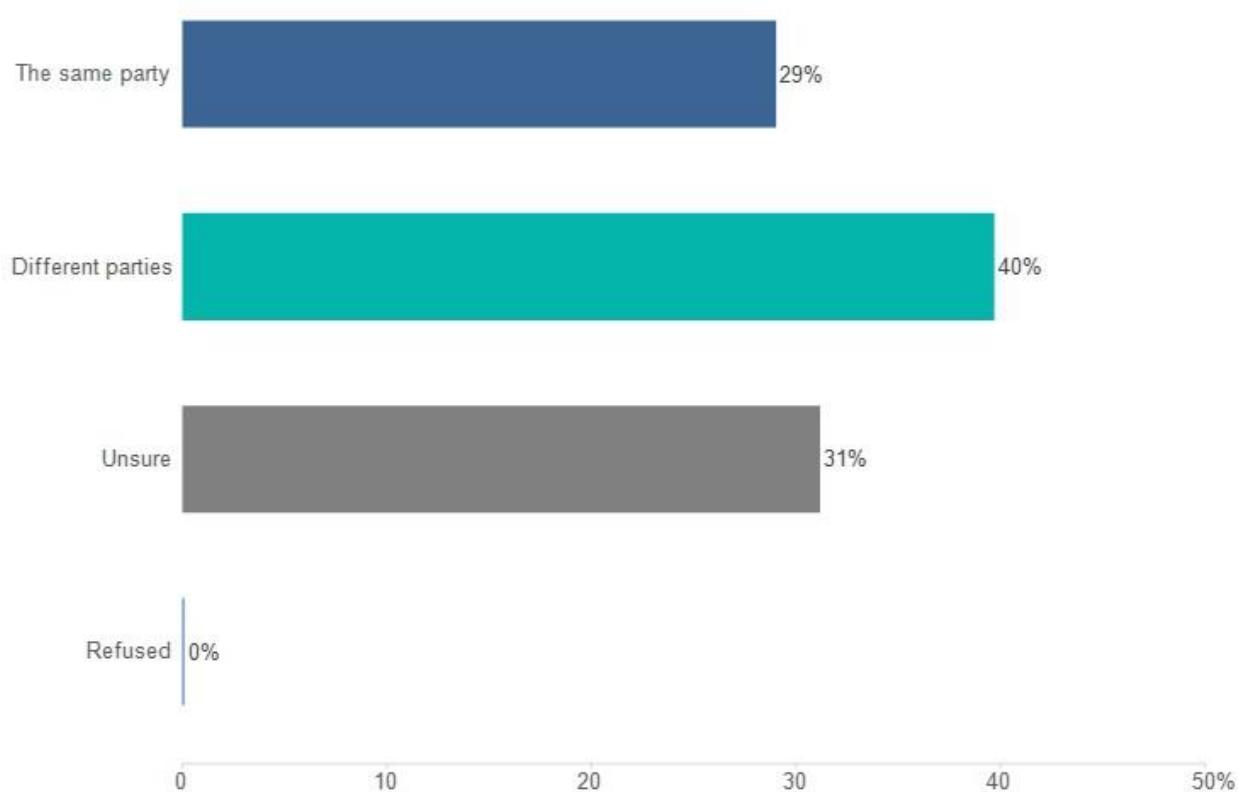
Question

Below is a list of political parties. From the list below, please select those that you feel are connected, or have an existing relationship with the Liberal Party? Please select all that apply...

- This slide looks at the 42% of voters who selected The New Liberals as a party that is connected to the Liberal Party.
- These results show that voters are deliberately selecting parties that 'sound' like they are part of the Liberal-National Coalition, together.
- Those who selected The New Liberals, were significantly more likely to select that the LNP (91%), Country Liberals (75%) and the National Party (58%) were also part of the Coalition. This is compared with just 5% who selected Labor, or 7% who selected the Greens.
- Those who did not select The New Liberals as linked with the Liberal Party were significantly less likely to choose other Coalition parties such as the CLP (16%), the Nationals (37%) and the LNP (51%), demonstrating the association further.



Do Voters Think Liberal Party and The New Liberals are the Same Party?



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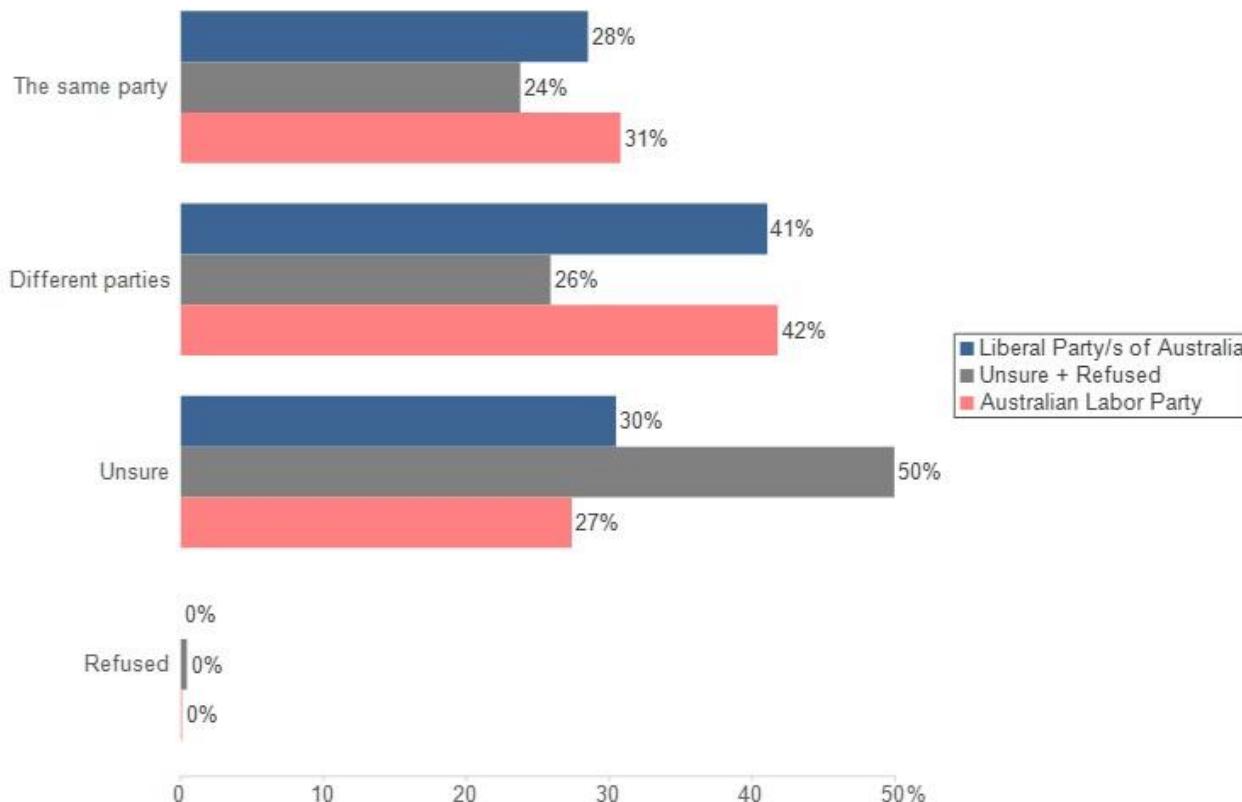
Total sample; Weight: Age-Gender, State, PV, Education; base n = 2036; effective sample size = 1865 (92%)

Question

Do you think the Liberal Party and The New Liberals are both part of the same party or different parties?

- Voters were asked directly, if they thought that the Liberal Party and The New Liberals are part of the same party, or different parties.
- Some 4 in 10 voters indicated that they felt the two parties were different, while 6 in 10 said that they were either unsure or that they are part of the same party.

Do Voters Think The Liberal Party and The New Liberals are the Same Party? by Two Party Preferred vote

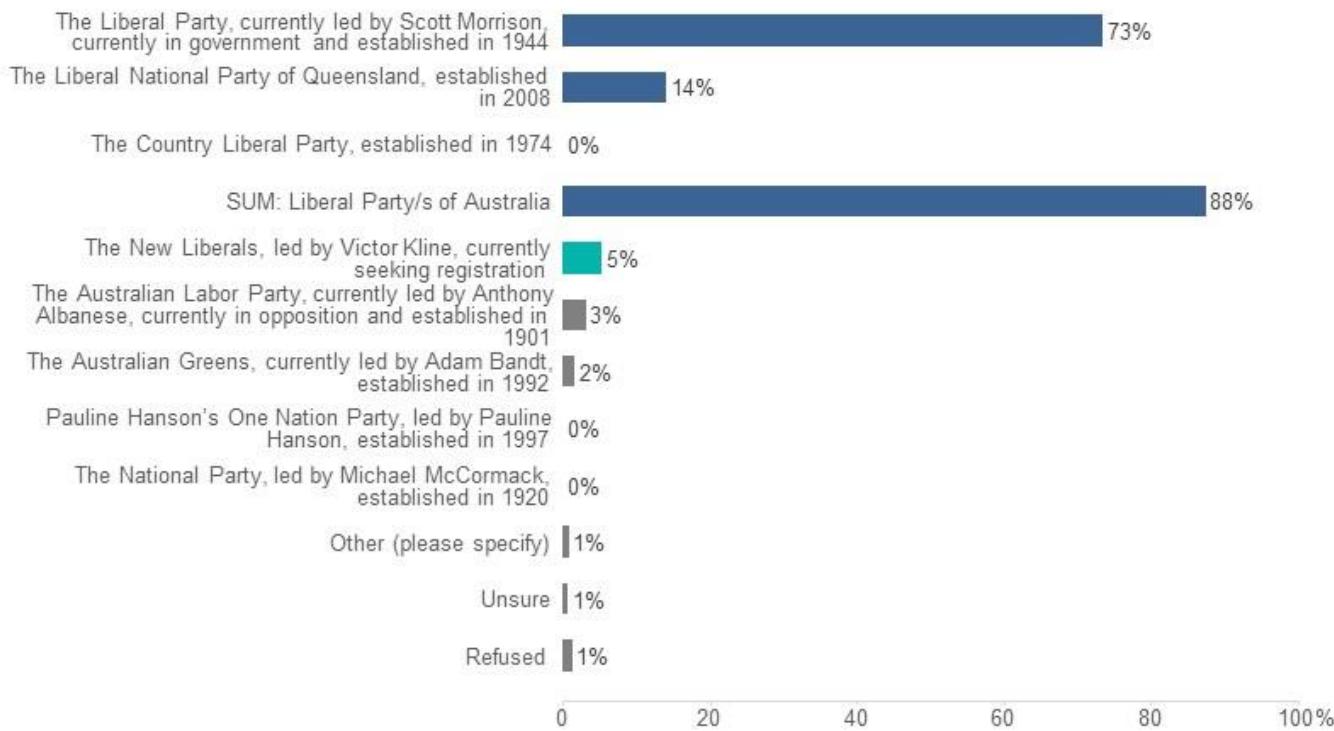


Question

Do you think the Liberal Party and The New Liberals are both part of the same party or different parties?

- Again, these results are consistent across both Liberal and Labor TPP voters.
- Over 4 in 10 of those Liberal and Labor TPP voters indicated that they were separate parties, while 6 in 10 either thought they were the same party, or were unsure.

Who did The New Liberals voters want to vote for?



Question

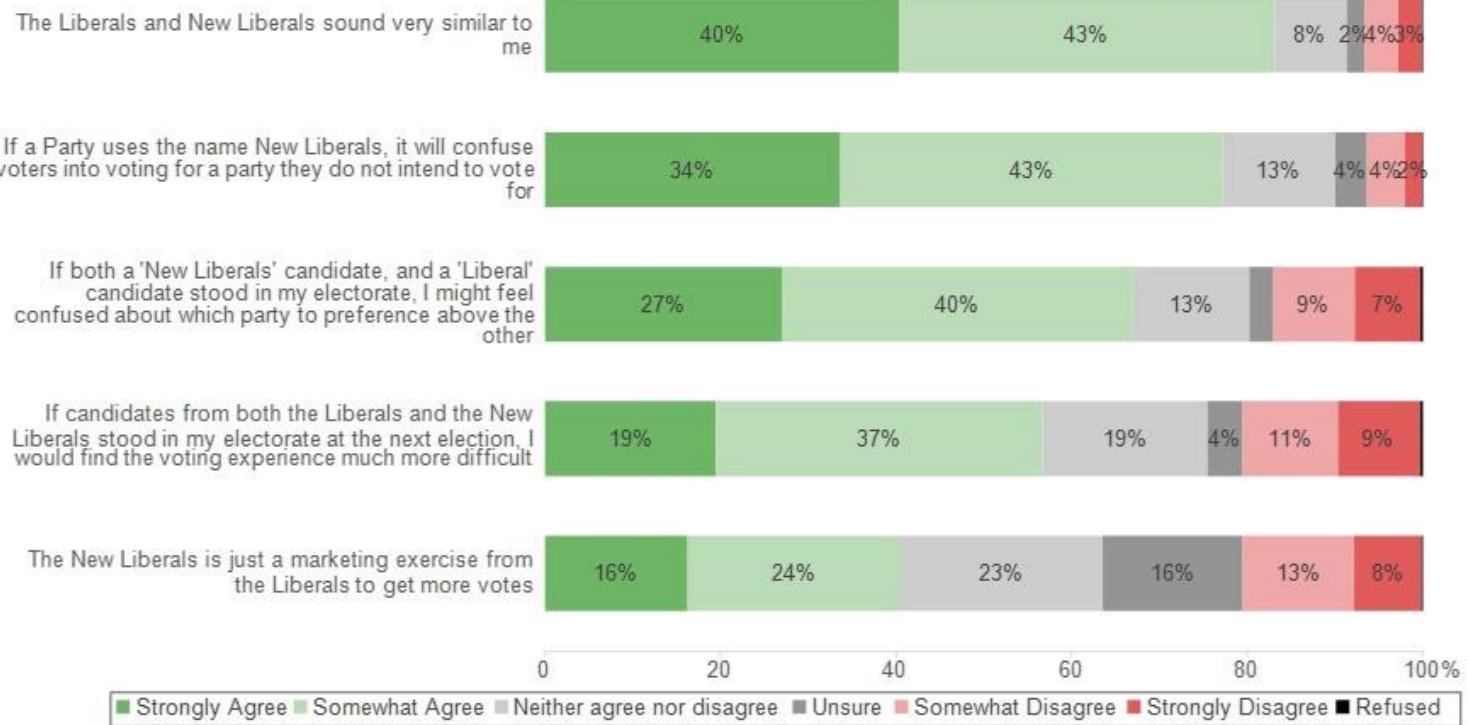
Earlier you said that you would most likely vote for The New Liberals. The New Liberals are a new political party led by Victor Kline, which is seeking registration, with no connection or relationship to the Liberal Party currently in government. Having been given this information, can you confirm that you intended to vote for The New Liberals earlier, or did you intend to vote for another party?

I meant to vote for...

- Those voters who indicated that they would vote for The New Liberals across the previous RCT, were then asked if they made a mistake, or if they correctly voted for The New Liberals.
- Almost 9 in 10 (88%) of those that voted for The New Liberals indicated that they made a mistake and meant to vote for Liberal Party/s.
- Just 5% of those that voted for The New Liberals indicated that they meant to vote for The New Liberals. In other words, 95% of those that initially selected The New Liberals, made a mistake by doing so.

What do voters feel the potential impact will be of including The New Liberals alongside the Liberal Party?

Exploring how voters see the potential impact of including The New Liberals



Question

Can you say whether you agree, or disagree with the following statements?

- Voters were asked to indicate the extent to which they agreed or disagreed with a number of statements.
- Over 8 in 10 voters (83%) indicated that the name Liberals and The New Liberals sound very similar.
- Just over 3 in 4 voters (76%) felt that using the name 'New Liberals' will confuse voters into voting for a party they do not intend to vote for.
- Over half (56%) of voters felt that if both New Liberals and the Liberals were standing in their electorate at the next election that it would make their voting experience much more difficult.

Appendix

Appendix A

Answer codes to voting intention RCT

Ballot Paper A

- Liberal
- Liberal National Party
- Country Liberal
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Aning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- Other
- Unsure
- Refuse

Ballot Paper B

- Liberal
- Liberal National Party
- Country Liberal
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Aning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- The New Liberals
- Other
- Unsure
- Refuse

Ballot Paper C

- The New Liberals
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Aning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- Liberal
- Liberal National Party
- Country Liberal
- Other
- Unsure
- Refuse

Ballot Paper D

- The New Liberals
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Aning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- Other
- Unsure
- Refuse

Appendix B

Answer codes to voting intention RCT

Ballot Paper A

- Liberal
- Liberal National Party
- Country Liberal
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Anning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- Other
- Unsure
- Refuse

Ballot Paper B

- Liberal
- Liberal National Party
- Country Liberal
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Anning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- The New Liberals
- Other
- Unsure
- Refuse

Ballot Paper C

- The New Liberals
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Anning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- Liberal
- Liberal National Party
- Country Liberal
- Other
- Unsure
- Refuse

Fixed position

Order randomised

Ballot Paper D

- The New Liberals
- Australian Labor Party
- The Greens
- The Nationals
- United Australia Party
- An Independent Candidate
- Pauline Hansons One Nation
- Animal Justice Party
- Christian Democratic Party
- Katter's Australian Party
- Anning Conservative National
- Centre Alliance
- Shooters, Fishers and Farmers
- Other
- Unsure
- Refuse

Appendix C

Dr. Michael Turner – Curriculum Vitae

Professional Experience

- Head of Research (Director) - C|T RSR (Jan 2019 - Present)
- Head of Polling and Director of Research - BMG Research (May 2015 - Jan 2019)
- Director of Political & Social Research, Survation (Oct 2014 - May 2015)
- Assistant Methodologist, Office for National Statistics (Sep 2013 - Oct 2014)
- Associate Lecturer, School of Management, Plymouth University (Sep 2009 - Jul 2013)
- Research Assistant, Elections Centre, Plymouth University (Mar 2012 - Apr 2013)

Academic Qualifications

- PhD, Political Science, The Elections Centre, Plymouth University, 2009-2013
- MSc, Social Research, Plymouth University, 2008-2009 - Pass with Merit
- BSc, International Relations with Politics, University of Plymouth, 2004-2008 - Upper Second Class with Honours

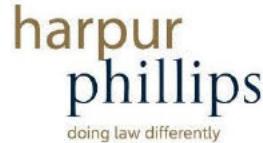
Professional Courses

- A Practical Application of Behavioural Economics in Research - Understanding Consumer Behaviour - December 2017, Laura Parker - MRS
- Conjoint Analysis Masterclass - November 2017, Ray Poynter - MRS
- Introduction to Behavioural Economics - November 2017, Anthony Tasgal - MRS
- Quantitative Data Analysis - Pass with Distinction - July 2012, Dr Sona Golder, 45th Essex Summer School in Social Science Data Analysis - University of Essex
- Multilevel Analysis - Unassessed - April 2012, Prof Tom Snijders & Daniel Stegmüller, Oxford Spring School in Quantitative Methods for Social Research - University of Oxford
- Comparative Cross-National Survey Design - Pass with Distinction - February 2012, Dr Ineke Stoop, European Consortium of Political Research Winter School in Methods and Techniques, University of Vienna
- Mixed Methods Research - Unassessed - August 2010, Dr Jason Seawright, 43rd Essex Summer School in Social Science Data Analysis - University of Essex

Membership of Professional Bodies

- Fellow of the Royal Statistical Society (RSS)
- Certified Member of the Market Research Society UK (MRS) -No. 2201375
- Member of The Research Society
- Member of the Political Studies Association

Appendix 7 – Original Letter of Instruction



3 March 2021

Dr M Turner
Head of Research
CJT RSR
[REDACTED]

Dear Dr Turner

Re “The New Liberals”

I confirm I act for the Liberal Party of Australia and the Liberal Party of Australia New South Wales Division (collectively, “the Liberal Party”).

An application has been made to the AEC by an organisation unrelated to the Liberal Party to register “The New Liberals” as a political party. Attached is a copy of the Notice issued by the AEC.

The Liberal Party wishes to lodge an objection to the registration using that name. Objections are due by 19 March 2021.

The Party’s objection will be made under sub-sections 129(d) and (da) of the *Commonwealth Electoral Act* on the basis that the proposed name:

- so nearly resembles the name of the Liberal Party, and its abbreviation, “the Liberals”, that it is likely to be confused with or mistaken for that name or abbreviation; and
- is one that a reasonable person would think suggests a connection or relationship exists between “The New Liberals” and the Liberal Party.

Of relevance in making an Objection on these grounds is:

- whether there is a real chance of the name will be confused with that of the Liberal Party and that an elector will mark a vote for The New Liberals, thinking it is a vote for the Liberal Party;
- whether electors will be left with such uncertainty that they will not be able to cast an informed vote without further information; and
- whether a reasonable person would think that there is a connection between the two.

You are instructed to:

1. Undertake a voter research survey with appropriate parameters and provide a report in relation to the results of that survey. If possible, please conduct research which is able to distinguish between different segments of the voting public, as there may be different responses depending on education, language skills, age and the like.
2. Provide any other information, including in relation to the use of names of political parties or their abbreviations in other contexts, which may assist in consideration of the above issues.
[REDACTED] P | [REDACTED]
ABN 23134244727 W | harpurphillips.com.au

Liability limited by a scheme approved under Professional Standards Legislation

It is possible that this issue will be the subject of litigation. Accordingly, I attach the Federal Court of Australia Expert Witness Code of Conduct and ask that you have regard to it in carrying out this engagement.

Please let me know if there is any further information or instructions you require to undertake these tasks.

Kind regards



Michelle Harpur
Principal



Federal Court of Australia

Harmonised Expert Witness Code of Conduct^[2]

Application of Code

1. This Code of Conduct applies to any expert witness engaged or appointed:
 - (a) to provide an expert's report for use as evidence in proceedings or proposed proceedings; or
 - (b) to give opinion evidence in proceedings or proposed proceedings.

General Duties to the Court

2. An expert witness is not an advocate for a party and has a paramount duty, overriding any duty to the party to the proceedings or other person retaining the expert witness, to assist the Court impartially on matters relevant to the area of expertise of the witness.

Content of Report

3. Every report prepared by an expert witness for use in Court shall clearly state the opinion or opinions of the expert and shall state, specify or provide:
 - (a) the name and address of the expert;
 - (b) an acknowledgment that the expert has read this code and agrees to be bound by it;
 - (c) the qualifications of the expert to prepare the report;
 - (d) the assumptions and material facts on which each opinion expressed in the report is based [a letter of instructions may be annexed];
 - (e) the reasons for and any literature or other materials utilised in support of such opinion;
 - (f) (if applicable) that a particular question, issue or matter falls outside the expert's field of expertise;
 - (g) any examinations, tests or other investigations on which the expert has relied, identifying the person who carried them out and that person's qualifications;
 - (h) the extent to which any opinion which the expert has expressed involves the acceptance of another person's opinion, the identification of that other person and the opinion expressed by that other person;
 - (i) a declaration that the expert has made all the inquiries which the expert believes are desirable and appropriate (save for any matters identified explicitly in the report), and that no matters of significance which the expert regards as relevant have, to the knowledge of the expert, been withheld from the Court;
 - (j) any qualifications on an opinion expressed in the report without which the report is or may be incomplete or inaccurate;

- (k) whether any opinion expressed in the report is not a concluded opinion because of insufficient research or insufficient data or for any other reason; and
- (l) where the report is lengthy or complex, a brief summary of the report at the beginning of the report.

Supplementary Report Following Change of Opinion

- 4. Where an expert witness has provided to a party (or that party's legal representative) a report for use in Court, and the expert thereafter changes his or her opinion on a material matter, the expert shall forthwith provide to the party (or that party's legal representative) a supplementary report which shall state, specify or provide the information referred to in paragraphs (a), (d), (e), (g), (h), (i), (j), (k) and (l) of clause 3 of this code and, if applicable, paragraph (f) of that clause.
- 5. In any subsequent report (whether prepared in accordance with clause 4 or not) the expert may refer to material contained in the earlier report without repeating it.

Duty to Comply with the Court's Directions

- 6. If directed to do so by the Court, an expert witness shall:
 - (a) confer with any other expert witness;
 - (b) provide the Court with a joint-report specifying (as the case requires) matters agreed and matters not agreed and the reasons for the experts not agreeing; and
 - (c) abide in a timely way by any direction of the Court.

Conference of Experts

- 7. Each expert witness shall:
 - (a) exercise his or her independent judgment in relation to every conference in which the expert participates pursuant to a direction of the Court and in relation to each report thereafter provided, and shall not act on any instruction or request to withhold or avoid agreement; and
 - (b) endeavour to reach agreement with the other expert witness (or witnesses) on any issue in dispute between them, or failing agreement, endeavour to identify and clarify the basis of disagreement on the issues which are in dispute.

Appendix 8 – Second Letter of Instruction



29 June 2021

Dr M Turner
Head of Research
CJT RSR


Dear Dr Turner

Re: Preparation of Expert Report concerning “The New Liberals”

Introduction

1. I confirm that I act for the Liberal Party of Australia and its Divisions (collectively, **the Liberal Party**).
2. I refer to my previous letter of instructions to you, dated 3 March 2021, in which I instructed you to carry out voter research and provide the results in a report. I also refer to your "Research Report: The New Liberals", dated March 2021 (**the Research Report**).
3. The purpose of this letter is to provide you with instructions for the preparation of a further expert report (**Expert Report**), to supplement the Research Report. It is intended that the Expert Report will contain a more detailed and formal explanation regarding the conclusions presented in the Research Report.

Background

4. On 16 December 2020, an application was made to the Australian Electoral Commission (**the AEC**) to register a new party, '**The New Liberals**', in the Register of Political Parties, under the *Commonwealth Electoral Act 1918* (**the Act**).
5. On 18 March 2021, the Liberal Party lodged an objection to the proposed registration of The New Liberals. The objection was made on dual grounds, namely that:
 - a. The proposed name so nearly resembles the name or abbreviation of the name of the Liberal Party that it is likely to be confused with or mistaken for that name or that abbreviation (s 129(d) of the Act); and
 - b. The proposed name is one that a reasonable person would think suggests that a connection or relationship exists between The New Liberals and the Liberal Party where that relationship or connection does not in fact exist (s 129(da) of the Act).
6. In support of its objection, the Liberal Party relied on your Research Report.

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7. On 3 June 2021, Joanne Reid, Assistant Commissioner of the AEC, acting as a delegate of the AEC, approved the application for the registration of The New Liberals.
8. The Liberal Party intends to exercise its rights under the Act to have the delegate's decision reviewed. In short, there are at least two levels of review open to the Liberal Party:
 - a. First, under s 141(2) of the Act, within 28 days of the delegate's decision, the Liberal Party may make a written application to the AEC for the review of the delegate's decision;
 - b. Secondly, if unsuccessful at the first level of review, an application may be made under s 141(5) of the Act to the Administrative Appeals Tribunal (**AAT**) for review of the decision made by the AEC at the first level under s 141(4). In determining such a review, the AAT would be constituted by 3 members, as least one of whom must be a Judge of the Federal Court of Australia.
9. At the different levels of review, the following matters, to which I drew your attention in my first letter of instructions, will continue to be relevant:
 - a. whether there is a real chance that the name, The New Liberals, will be confused with that of the Liberal Party and that an elector will mark a vote for The New Liberals, thinking it is a vote for the Liberal Party;
 - b. whether electors will be left with such uncertainty, as between the two names, that they will not be able to cast an informed vote without further information; and
 - c. whether a reasonable person would think that there is a connection between the two.

Request for Expert Report

10. In my first letter of instructions, you were instructed to:
 - a. Undertake a voter research survey with appropriate parameters and provide a report in relation to the results of that survey; and
 - b. Provide any other information, including in relation to the use of names of political parties or their abbreviations in other contexts, which may assist in consideration of the issues identified above at [9].
11. You are now instructed to prepare a further and more formal and comprehensive expert report (**Expert Report**), as a supplement to your Research Report. It is intended that the Expert Report, together with the Research Report, will be relied upon by the Liberal Party at the next stage of review and any subsequent stages of review or appeal.
12. While it is acknowledged that your Research Report already presents the material conclusions of your research, the purpose of the Expert Report is to provide further detail and explanation of the methodology, foundation, and reasoning for your conclusions. Moreover, if you have developed or do develop any further conclusions relevant to the issues identified above at [9], please also include these in your further report.

Preparation of the Expert Report

Formal matters

13. The Expert Report should be presented on numbered pages, with the text presented in numbered paragraphs. Headings and subheadings may be used where appropriate.

14. Further, the report must clearly identify your name and your professional address, and it must be signed and dated.

Practice Note and Guidelines

15. Given that your report might be eventually relied upon in litigation before the AAT and potentially beyond, we ask that you give careful attention to the following two practice directions, each of which is attached:

- a. *AAT Guideline: Persons Giving Expert and Opinion Evidence (AAT Practice Note)*; and
- b. *Federal Court of Australia: Expert Evidence Practice Note (GPN-EXPT) (Federal Court Practice Note)*, which refers to Annexure A containing the 'Harmonised Expert Witness Code of Conduct' (**Federal Court Code**).

16. In accordance with the purposes of [4.5] of the AAT Practice Note, [5.2] of the Federal Court Practice Note, and [3(b)] of the Federal Court Code, we ask that, in your report, you acknowledge and expressly declare that you have read each of the practice notes and that you agree to be bound by them.

Summary of qualifications and your curriculum vitae

17. The report should contain a summary of your relevant qualifications and experience. In addition, the report should attach a copy of your full curriculum vitae.

Assumptions and material facts

18. The report should identify and set out all assumptions and primary facts upon which your opinions are based. Some of the background information for the preparation of your report is set out above. You may attach copies of my letters of instruction to you. Further, if you rely on other assumptions or primary facts in the course of arriving at your opinions, please make this clear in your report.

Examinations, tests, analyses etc

19. The report must provide and explain any examinations, tests, analyses, or investigations relied upon in arriving at your conclusions.
20. It is noted that the results of your research and analyses are already presented, in part, in the Research Report. We ask that you now present and explain those findings in full written form. In doing so, you may include and refer to tables or graphs as a means of illustration.

Conclusion

21. Please let me know if there is any further information or instructions you require to complete your further report.

Yours sincerely



Michelle Harpur
Principal





Persons Giving Expert and Opinion Evidence

1. About this Guideline

Application

- 1.1 The Administrative Appeals Tribunal (AAT) has jurisdiction to review a broad range of administrative decisions and must determine issues in a wide variety of subject areas. In many applications, evidence given by persons with special knowledge or experience in an area assists the AAT to reach the correct or preferable decision.
- 1.2 The AAT is not bound by the rules of evidence and may take into account any matter that is relevant to the issues to be determined. In particular, the AAT is not bound by the rules relating to opinion evidence and may have regard to material that would not be admissible in a court applying the rules of evidence. The AAT must determine the weight that should be given to any evidence that is before it.
- 1.3 This Guideline is designed to inform parties, their representatives and persons giving evidence about the AAT's expectations in relation to this kind of evidence
- 1.4 This Guideline applies to any evidence before the AAT that has been obtained from a person because he or she has special knowledge or experience in a subject area.
- 1.5 This Guideline applies to written reports and oral evidence. It applies to evidence which consists of factual information only as well as evidence which consists of factual information and the expression of an opinion.¹
- 1.6 Compliance with the matters referred to in this Guideline may be relevant to determining the weight that will be given to evidence from the person.
- 1.7 Parties or their representatives must ensure that any person who is engaged to prepare a report or to give evidence in proceedings before the AAT:
 - is provided with a copy of this Guideline at the time the person is engaged; or
 - already has a copy of this document.

¹ Treating doctors, for example, may wish to confine a report and any oral evidence to factual matters relating to a patient's condition.

2. Relevance of this Guideline to reports in the Section 37 documents

- 2.1 Documents provided to the AAT pursuant to section 37 of the *Administrative Appeals Tribunal Act 1975* may include reports that fall within the scope of this Guideline. If a party wishes to place particular reliance on such a report but the report does not include information of the kind referred to in paragraphs 4.1 and 4.2 of this Guideline, the party should consider whether any additional information should be sought from the person and provided to the AAT.

3. Duty to the AAT

- 3.1 A person giving evidence based on his or her special knowledge or experience in an area:
- (a) has an overriding duty to provide impartial assistance to the AAT on matters relevant to the person's area of knowledge or experience;
 - (b) is not an advocate for a party to a proceeding.

4. Reports

- 4.1 A written report prepared for the purpose of proceedings in the AAT must include the following information either in the body of the report or as an annexure:
- (a) details of the person's area of knowledge and his or her qualifications and/or experience;
 - (b) the letter of instruction or details of the questions or issues the person was asked to address in the report as well as a reference to any documents or other materials the person was given to consider;
 - (c) details of any facts and assumptions that inform the report and the sources for the factual information in the report;
 - (d) reasons for any opinion that is expressed.
- 4.2 Where relevant, the written report must also include the following information either in the body of the report or as an annexure:
- (a) details of any examinations, tests or other investigations upon which the person has relied in preparing the report as well as the identity, qualifications and experience of the person who conducted any examinations, tests or investigations;
 - (b) details of any literature or other material relied on particularly in preparing the report.
- 4.3 If the person preparing the report believes that his or her opinion is not a concluded opinion or the person is unable to reach a concluded opinion for any reason, this must be stated in the report. Where the person believes the report may be incomplete or inaccurate without some qualification, that qualification must also be stated in the report.
- 4.4 A person preparing a report must make it clear when a particular question or issue falls outside his or her field of knowledge.

For further information about the AAT, please call us on 1800 228 333 or go to www.aat.gov.au.

Administrative Appeals Tribunal / Guideline / Persons Giving Expert and Opinion Evidence

Declaration

- 4.5 Any report prepared for the purpose of proceedings before the AAT, whether it consists of factual information only or factual information and opinion, must include the following declaration:

I acknowledge that I have an overriding duty to provide impartial assistance to the Tribunal. No matters of significance have been withheld from the Tribunal.

General matters relating to reports prepared for the purposes of AAT proceedings

- 4.6 The AAT has developed a template cover sheet which a person may wish to use for a report prepared for the purpose of proceedings before the AAT. The cover sheet is attached to this Guideline and can also be downloaded from our website: www.aat.gov.au.
- 4.7 If a person who has prepared a report:
- (a) becomes aware of a material error or omission relating to a factual matter in a report; or
 - (b) changes his or her opinion on a material matter for any reason;
- the party who engaged the person must be notified of this in writing. If the report has been, or is subsequently, lodged with the AAT then the party must notify the AAT and the other party or parties of the material error or omission or the change in opinion without delay.

5. Conflict of interest

- 5.1 If a person is, or becomes, aware of an actual or perceived conflict of interest that may impact on his or her role, the person must disclose this to the party who engaged the person. If the person has prepared a report that has been, or is subsequently, lodged with the AAT then the party must notify the AAT and the other party or parties of the actual or perceived conflict of interest without delay.
- 5.2 If a person:
- (a) has a pre-existing relationship with the party who has engaged the person; or
 - (b) is party to any unusual remuneration arrangements, including whether the person's remuneration is dependent on the outcome of the matter;
- this must be disclosed in any report or disclosed to the AAT before the person gives oral evidence

**Justice Duncan Kerr
President**

30 June 2015

For further information about the AAT, please call us on 1800 228 333 or go to www.aat.gov.au.
Administrative Appeals Tribunal / Guideline / Persons Giving Expert and Opinion Evidence

COVER SHEET

REPORT PREPARED FOR THE PURPOSE OF A PROCEEDING IN THE
ADMINISTRATIVE APPEALS TRIBUNAL

| | |
|---------------------|--|
| File Number(s): | |
| Applicant: | |
| Respondent: | |
| Report prepared by: | |

- I have attached my CV or included in the report details of my qualifications and/or experience.
- I have attached the letter of instruction or included in the report details of the questions or issues that I was asked to address and a reference to any documents or other materials that I was given to consider.
- I have included in the report details of the facts and any assumptions that inform the report and the sources for the factual information in the report.
- I have included any other relevant matters such as details of examinations, tests and other investigations that I have relied upon or details of literature and other secondary sources that I have relied upon.

Declaration

I acknowledge that I have an overriding duty to provide impartial assistance to the Tribunal. No matters of significance have been withheld from the Tribunal.

(Signature)

_____/_____
(Date)



Expert Evidence Practice Note (GPN-EXPT)

J L B Allsop, Chief Justice 25 October 2016

General Practice Note

1. Introduction

1.1 This practice note, including the *Harmonised Expert Witness Code of Conduct* ("Code") (see **Annexure A**) and the *Concurrent Expert Evidence Guidelines* ("Concurrent Evidence Guidelines") (see **Annexure B**), applies to any proceeding involving the use of expert evidence and must be read together with:

- (a) the Central Practice Note (CPN-1), which sets out the fundamental principles concerning the National Court Framework ("NCF") of the Federal Court and key principles of case management procedure;
- (b) the Federal Court of Australia Act 1976 (Cth) ("Federal Court Act");
- (c) the Evidence Act 1995 (Cth) ("Evidence Act"), including Part 3.3 of the Evidence Act;
- (d) Part 23 of the Federal Court Rules 2011 (Cth) ("Federal Court Rules"); and
- (e) where applicable, the Survey Evidence Practice Note (GPN-SURV).

1.2 This practice note takes effect from the date it is issued and, to the extent practicable, applies to proceedings whether filed before, or after, the date of issuing.

2. Approach to Expert Evidence

2.1 An expert witness may be retained to give opinion evidence in the proceeding, or, in certain circumstances, to express an opinion that may be relied upon in alternative dispute resolution procedures such as mediation or a conference of experts. In some circumstances an expert may

be appointed as an independent adviser to the Court.

2.2 The purpose of the use of expert evidence in proceedings, often in relation to complex subject matter, is for the Court to receive the benefit of the objective and impartial assessment of an issue from a witness with specialised knowledge (based on training, study or experience - see generally s 79 of the Evidence Act).

2.3 However, the use or admissibility of expert evidence remains subject to the overriding requirements that:

(a) to be admissible in a proceeding, any such evidence must be relevant (s 56 of the Evidence Act); and

(b) even if relevant, any such evidence, may be refused to be admitted by the Court if its probative value is outweighed by other considerations such as the evidence being unfairly prejudicial, misleading or will result in an undue waste of time (s 135 of the Evidence Act).

2.4 An expert witness' opinion evidence may have little or no value unless the assumptions adopted by the expert (ie. the facts or grounds relied upon) and his or her reasoning are expressly stated in any written report or oral evidence given.

2.5 The Court will ensure that, in the interests of justice, parties are given a reasonable opportunity to adduce and test relevant expert opinion evidence. However, the Court expects parties and any legal representatives acting on their behalf, when dealing with expert witnesses and expert evidence, to at all times comply with their duties associated with the overarching purpose in the Federal Court Act (see ss 37M and 37N).

3. Interaction with Expert Witnesses

3.1 Parties and their legal representatives should never view an expert witness retained (or partly retained) by them as that party's advocate or "hired gun". Equally, they should never attempt to pressure or influence an expert into conforming his or her views with the party's interests.

3.2 A party or legal representative should be cautious not to have inappropriate communications when retaining or instructing an independent expert, or assisting an independent expert in the preparation of his or her evidence. However, it is important to note that there is no principle of law or practice and there is nothing in this practice note that obliges a party to embark on the costly task of engaging a "consulting expert" in order to avoid "contamination" of the expert who will give evidence. Indeed the Court would generally discourage such costly duplication.

3.3 Any witness retained by a party for the purpose of preparing a report or giving evidence in a proceeding as to an opinion held by the witness that is wholly or substantially based in the specialised knowledge of the witness^[1] should, at the earliest opportunity, be provided with:

(a) a copy of this practice note, including the Code (see Annexure A); and

(b) all relevant information (whether helpful or harmful to that party's case) so as to enable the expert to prepare a report of a truly independent nature.

3.4 Any questions or assumptions provided to an expert should be provided in an unbiased manner and in such a way that the expert is not confined to addressing selective, irrelevant or immaterial issues.

4. Role and Duties of the Expert Witness

4.1 The role of the expert witness is to provide relevant and impartial evidence in his or her area of expertise. An expert should never mislead the Court or become an advocate for the cause of the party that has retained the expert.

4.2 It should be emphasised that there is nothing inherently wrong with experts disagreeing or failing to reach the same conclusion. The Court will, with the assistance of the evidence of the experts, reach its own conclusion.

4.3 However, experts should willingly be prepared to change their opinion or make concessions when it is necessary or appropriate to do so, even if doing so would be contrary to any previously held or expressed view of that expert.

Harmonised Expert Witness Code of Conduct

4.4 Every expert witness giving evidence in this Court must read the *Harmonised Expert Witness Code of Conduct* (attached in Annexure A) and agree to be bound by it.

4.5 The Code is not intended to address all aspects of an expert witness' duties, but is intended to facilitate the admission of opinion evidence, and to assist experts to understand in general terms what the Court expects of them. Additionally, it is expected that compliance with the Code will assist individual expert witnesses to avoid criticism (rightly or wrongly) that they lack objectivity or are partisan.

5. Contents of an Expert's Report and Related Material

5.1 The contents of an expert's report must conform with the requirements set out in the Code (including clauses 3 to 5 of the Code).

5.2 In addition, the contents of such a report must also comply with r 23.13 of the Federal Court Rules. Given that the requirements of that rule significantly overlap with the requirements in the Code, an expert, unless otherwise directed by the Court, will be taken to have complied with the requirements of r 23.13 if that expert has complied with the requirements in the Code and has complied with the additional following requirements. The expert shall:

(a) acknowledge in the report that:

(i) the expert has read and complied with this practice note and agrees to be bound by it; and

- (ii) the expert's opinions are based wholly or substantially on specialised knowledge arising from the expert's training, study or experience;
- (b) identify in the report the questions that the expert was asked to address;
- (c) sign the report and attach or exhibit to it copies of:
- (i) documents that record any instructions given to the expert; and
 - (ii) documents and other materials that the expert has been instructed to consider.

5.3 Where an expert's report refers to photographs, plans, calculations, analyses, measurements, survey reports or other extrinsic matter, these must be provided to the other parties at the same time as the expert's report.

6. Case Management Considerations

6.1 Parties intending to rely on expert evidence at trial are expected to consider between them and inform the Court at the earliest opportunity of their views on the following:

- (a) whether a party should adduce evidence from more than one expert in any single discipline;
- (b) whether a common expert is appropriate for all or any part of the evidence;
- (c) the nature and extent of expert reports, including any in reply;
- (d) the identity of each expert witness that a party intends to call, their area(s) of expertise and availability during the proposed hearing;
- (e) the issues that it is proposed each expert will address;
- (f) the arrangements for a conference of experts to prepare a joint-report (see Part 7 of this practice note);
- (g) whether the evidence is to be given concurrently and, if so, how (see Part 8 of this practice note); and
- (h) whether any of the evidence in chief can be given orally.

6.2 It will often be desirable, before any expert is retained, for the parties to attempt to agree on the question or questions proposed to be the subject of expert evidence as well as the relevant facts and assumptions. The Court may make orders to that effect where it considers it appropriate to do so.

7. Conference of Experts and Joint-report

7.1 Parties, their legal representatives and experts should be familiar with aspects of the Code relating to conferences of experts and joint-reports (see clauses 6 and 7 of the Code attached in Annexure A).

7.2 In order to facilitate the proper understanding of issues arising in expert evidence and to manage expert evidence in accordance with the overarching purpose, the Court may require experts who are to give evidence or who have produced reports to meet for the purpose of identifying and addressing the issues not agreed between them with a view to reaching agreement where this is possible ("conference of experts"). In an appropriate case, the Court may appoint a registrar of the Court or some other suitably qualified person ("Conference Facilitator") to act as a facilitator at the conference of experts.

7.3 It is expected that where expert evidence may be relied on in any proceeding, at the earliest opportunity, parties will discuss and then inform the Court whether a conference of experts and/or a joint-report by the experts may be desirable to assist with or simplify the giving of expert evidence in the proceeding. The parties should discuss the necessary arrangements for any conference and/or joint-report. The arrangements discussed between the parties should address:

- (a) who should prepare any joint-report;
- (b) whether a list of issues is needed to assist the experts in the conference and, if so, whether the Court, the parties or the experts should assist in preparing such a list;
- (c) the agenda for the conference of experts; and
- (d) arrangements for the provision, to the parties and the Court, of any joint-report or any other report as to the outcomes of the conference ("**conference report**").

Conference of Experts

7.4 The purpose of the conference of experts is for the experts to have a comprehensive discussion of issues relating to their field of expertise, with a view to identifying matters and issues in a proceeding about which the experts agree, partly agree or disagree and why. For this reason the conference is attended only by the experts and any Conference Facilitator. Unless the Court orders otherwise, the parties' lawyers will not attend the conference but will be provided with a copy of any conference report.

7.5 The Court may order that a conference of experts occur in a variety of circumstances, depending on the views of the judge and the parties and the needs of the case, including:

- (a) while a case is in mediation. When this occurs the Court may also order that the outcome of the conference or any document disclosing or summarising the experts' opinions be confidential to the parties while the mediation is occurring;
- (b) before the experts have reached a final opinion on a relevant question or the facts involved in a case. When this occurs the Court may order that the parties exchange draft expert reports and that a conference report be prepared for the use of the experts in finalising their reports;
- (c) after the experts' reports have been provided to the Court but before the hearing of the experts' evidence. When this occurs the Court may also order that a conference report be prepared (jointly or otherwise) to ensure the efficient hearing of the experts' evidence.

7.6 Subject to any other order or direction of the Court, the parties and their lawyers must not involve themselves in the conference of experts process. In particular, they must not seek to encourage an expert not to agree with another expert or otherwise seek to influence the outcome of the conference of experts. The experts should raise any queries they may have in relation to the process with the Conference Facilitator (if one has been appointed) or in accordance with a protocol agreed between the lawyers prior to the conference of experts taking place (if no Conference Facilitator has been appointed).

7.7 Any list of issues prepared for the consideration of the experts as part of the conference of experts process should be prepared using non-tendentious language.

7.8 The timing and location of the conference of experts will be decided by the judge or a registrar who will take into account the location and availability of the experts and the Court's case management timetable. The conference may take place at the Court and will usually be conducted in-person. However, if not considered a hindrance to the process, the conference may also be conducted with the assistance of visual or audio technology (such as via the internet, video link and/or by telephone).

7.9 Experts should prepare for a conference of experts by ensuring that they are familiar with all of the material upon which they base their opinions. Where expert reports in draft or final form have been exchanged prior to the conference, experts should attend the conference familiar with the reports of the other experts. Prior to the conference, experts should also consider where they believe the differences of opinion lie between them and what processes and discussions may assist to identify and refine those areas of difference.

Joint-report

7.10 At the conclusion of the conference of experts, unless the Court considers it unnecessary to do so, it is expected that the experts will have narrowed the issues in respect of which they agree, partly agree or disagree in a joint-report. The joint-report should be clear, plain and concise and should summarise the views of the experts on the identified issues, including a

succinct explanation for any differences of opinion, and otherwise be structured in the manner requested by the judge or registrar.

7.11 In some cases (and most particularly in some native title cases), depending on the nature, volume and complexity of the expert evidence a judge may direct a registrar to draft part, or all, of a conference report. If so, the registrar will usually provide the draft conference report to the relevant experts and seek their confirmation that the conference report accurately reflects the opinions of the experts expressed at the conference. Once that confirmation has been received the registrar will finalise the conference report and provide it to the intended recipient(s).

8. Concurrent Expert Evidence

8.1 The Court may determine that it is appropriate, depending on the nature of the expert evidence and the proceeding generally, for experts to give some or all of their evidence concurrently at the final (or other) hearing.

8.2 Parties should familiarise themselves with the *Concurrent Expert Evidence Guidelines* (attached in Annexure B). The Concurrent Evidence Guidelines are not intended to be exhaustive but indicate the circumstances when the Court might consider it appropriate for concurrent expert evidence to take place, outline how that process may be undertaken, and assist experts to understand in general terms what the Court expects of them.

8.3 If an order is made for concurrent expert evidence to be given at a hearing, any expert to give such evidence should be provided with the Concurrent Evidence Guidelines well in advance of the hearing and should be familiar with those guidelines before giving evidence.

9. Further Practice Information and Resources

9.1 Further information regarding Expert Evidence and Expert Witnesses is available on the Court's website.

9.2 Further information to assist litigants, including a range of helpful guides, is also available on the Court's website. This information may be particularly helpful for litigants who are representing themselves.

J L B ALLSOP
Chief Justice
25 October 2016

Annexure A

Harmonised Expert Witness Code of Conduct^[2]

Application of Code

1. This Code of Conduct applies to any expert witness engaged or appointed:
 - (a) to provide an expert's report for use as evidence in proceedings or proposed proceedings; or

(b) to give opinion evidence in proceedings or proposed proceedings.

General Duties to the Court

2. An expert witness is not an advocate for a party and has a paramount duty, overriding any duty to the party to the proceedings or other person retaining the expert witness, to assist the Court impartially on matters relevant to the area of expertise of the witness.

Content of Report

3. Every report prepared by an expert witness for use in Court shall clearly state the opinion or opinions of the expert and shall state, specify or provide:

- (a) the name and address of the expert;
- (b) an acknowledgment that the expert has read this code and agrees to be bound by it;
- (c) the qualifications of the expert to prepare the report;
- (d) the assumptions and material facts on which each opinion expressed in the report is based [a letter of instructions may be annexed];
- (e) the reasons for and any literature or other materials utilised in support of such opinion;
- (f) (if applicable) that a particular question, issue or matter falls outside the expert's field of expertise;
- (g) any examinations, tests or other investigations on which the expert has relied, identifying the person who carried them out and that person's qualifications;
- (h) the extent to which any opinion which the expert has expressed involves the acceptance of another person's opinion, the identification of that other person and the opinion expressed by that other person;
- (i) a declaration that the expert has made all the inquiries which the expert believes are desirable and appropriate (save for any matters identified explicitly in the report), and that no matters of significance which the expert regards as relevant have, to the knowledge of the expert, been withheld from the Court;

- (j) any qualifications on an opinion expressed in the report without which the report is or may be incomplete or inaccurate;
- (k) whether any opinion expressed in the report is not a concluded opinion because of insufficient research or insufficient data or for any other reason; and
- (l) where the report is lengthy or complex, a brief summary of the report at the beginning of the report.

Supplementary Report Following Change of Opinion

4. Where an expert witness has provided to a party (or that party's legal representative) a report for use in Court, and the expert thereafter changes his or her opinion on a material matter, the expert shall forthwith provide to the party (or that party's legal representative) a supplementary report which shall state, specify or provide the information referred to in paragraphs (a), (d), (e), (g), (h), (i), (j), (k) and (l) of clause 3 of this code and, if applicable, paragraph (f) of that clause.
5. In any subsequent report (whether prepared in accordance with clause 4 or not) the expert may refer to material contained in the earlier report without repeating it.

Duty to Comply with the Court's Directions

6. If directed to do so by the Court, an expert witness shall:
 - (a) confer with any other expert witness;
 - (b) provide the Court with a joint-report specifying (as the case requires) matters agreed and matters not agreed and the reasons for the experts not agreeing; and
 - (c) abide in a timely way by any direction of the Court.

Conference of Experts

7. Each expert witness shall:
 - (a) exercise his or her independent judgment in relation to every conference in which the expert participates pursuant to a direction of the Court and in relation to each report thereafter provided, and shall not act on any instruction or request to withhold or avoid agreement; and
 - (b) endeavour to reach agreement with the other expert witness (or witnesses) on any

issue in dispute between them, or failing agreement, endeavour to identify and clarify the basis of disagreement on the issues which are in dispute.

Annexure B

Concurrent Expert Evidence Guidelines

Application of the Court's Guidelines

1. The Court's Concurrent Expert Evidence Guidelines ("Concurrent Evidence Guidelines") are intended to inform parties, practitioners and experts of the Court's general approach to concurrent expert evidence, the circumstances in which the Court might consider expert witnesses giving evidence concurrently and, if so, the procedures by which their evidence may be taken.

Objectives of Concurrent Expert Evidence Technique

2. The use of concurrent evidence for the giving of expert evidence at hearings as a case management technique^[3] will be utilised by the Court in appropriate circumstances (see r 23.15 of the Federal Court Rules 2011 (Cth)). Not all cases will suit the process. For instance, in some patent cases, where the entire case revolves around conflicts within fields of expertise, concurrent evidence may not assist a judge. However, patent cases should not be excluded from concurrent expert evidence processes.

3. In many cases the use of concurrent expert evidence is a technique that can reduce the partisan or confrontational nature of conventional hearing processes and minimises the risk that experts become "opposing experts" rather than independent experts assisting the Court. It can elicit more precise and accurate expert evidence with greater input and assistance from the experts themselves.

4. When properly and flexibly applied, with efficiency and discipline during the hearing process, the technique may also allow the experts to more effectively focus on the critical points of disagreement between them, identify or resolve those issues more quickly, and narrow the issues in dispute. This can also allow for the key evidence to be given at the same time (rather than being spread across many days of hearing); permit the judge to assess an expert more readily, whilst allowing each party a genuine opportunity to put and test expert evidence. This can reduce the chance of the experts, lawyers and the judge misunderstanding the opinions being expressed by the experts.

5. It is essential that such a process has the full cooperation and support of all of the individuals involved, including the experts and counsel involved in the questioning process. Without that cooperation and support the process may fail in its objectives and even hinder the case management process.

Case Management

6. Parties should expect that, the Court will give careful consideration to whether concurrent evidence is appropriate in circumstances where there is more than one expert witness having the same expertise who is to give evidence on the same or related topics. Whether experts should give evidence concurrently is a matter for the Court, and will depend on the circumstances of each individual case, including the character of the proceeding, the nature of the expert evidence, and the views of the parties.

7. Although this consideration may take place at any time, including the commencement of the hearing, if not raised earlier, parties should raise the issue of concurrent evidence at the first appropriate case management hearing, and no later than any pre-trial case management hearing, so that orders can be made in advance, if necessary. To that end, prior to the hearing at which expert evidence may be given concurrently, parties and their lawyers should confer and give general consideration as to:

(a) the agenda;

(b) the order and manner in which questions will be asked; and

(c) whether cross-examination will take place within the context of the concurrent evidence or after its conclusion.

8. At the same time, and before any hearing date is fixed, the identity of all experts proposed to be called and their areas of expertise is to be notified to the Court by all parties.

9. The lack of any concurrent evidence orders does not mean that the Court will not consider using concurrent evidence without prior notice to the parties, if appropriate.

Conference of Experts & Joint-report or List of Issues

10. The process of giving concurrent evidence at hearings may be assisted by the preparation of a joint-report or list of issues prepared as part of a conference of experts.

11. Parties should expect that, where concurrent evidence is appropriate, the Court may make orders requiring a conference of experts to take place or for documents such as a joint-report to be prepared to facilitate the concurrent expert evidence process at a hearing (see Part 7 of the Expert Evidence Practice Note).

Procedure at Hearing

12. Concurrent expert evidence may be taken at any convenient time during the hearing, although it will often occur at the conclusion of both parties' lay evidence.

13. At the hearing itself, the way in which concurrent expert evidence is taken must be applied flexibly and having regard to the characteristics of the case and the nature of the evidence to be given.

14. Without intending to be prescriptive of the procedure, parties should expect that, when evidence is given by experts in concurrent session:

- (a) the judge will explain to the experts the procedure that will be followed and that the nature of the process may be different to their previous experiences of giving expert evidence;
- (b) the experts will be grouped and called to give evidence together in their respective fields of expertise;
- (c) the experts will take the oath or affirmation together, as appropriate;
- (d) the experts will sit together with convenient access to their materials for their ease of reference, either in the witness box or in some other location in the courtroom, including (if necessary) at the bar table;
- (e) each expert may be given the opportunity to provide a summary overview of their current opinions and explain what they consider to be the principal issues of disagreement between the experts, as they see them, in their own words;
- (f) the judge will guide the process by which evidence is given, including, where appropriate:
 - (i) using any joint-report or list of issues as a guide for all the experts to be asked questions by the judge and counsel, about each issue on an issue-by-issue basis;
 - (ii) ensuring that each expert is given an adequate opportunity to deal with each issue and the exposition given by other experts including, where considered appropriate, each expert asking questions of other experts or supplementing the evidence given by other experts;
 - (iii) inviting legal representatives to identify the topics upon which they will cross-examine;
 - (iv) ensuring that legal representatives have an adequate opportunity to ask all experts questions about each issue. Legal representatives may also seek responses or contributions from one or more experts in response to the evidence given by a different expert; and

(v) allowing the experts an opportunity to summarise their views at the end of the process where opinions may have been changed or clarifications are needed.

15. The fact that the experts may have been provided with a list of issues for consideration does not confine the scope of any cross-examination of any expert. The process of cross-examination remains subject to the overall control of the judge.

16. The concurrent session should allow for a sensible and orderly series of exchanges between expert and expert, and between expert and lawyer. Where appropriate, the judge may allow for more traditional cross-examination to be pursued by a legal representative on a particular issue exclusively with one expert. Where that occurs, other experts may be asked to comment on the evidence given.

17. Where any issue involves only one expert, the party wishing to ask questions about that issue should let the judge know in advance so that consideration can be given to whether arrangements should be made for that issue to be dealt with after the completion of the concurrent session. Otherwise, as far as practicable, questions (including in the form of cross-examination) will usually be dealt with in the concurrent session.

18. Throughout the concurrent evidence process the judge will ensure that the process is fair and effective (for the parties and the experts), balanced (including not permitting one expert to overwhelm or overshadow any other expert), and does not become a protracted or inefficient process.

[1] Such a witness includes a "Court expert" as defined in r 23.01 of the Federal Court Rules. For the definition of "expert", "expert evidence" and "expert report" see the Dictionary, in Schedule 1 of the Federal Court Rules.

[2] Approved by the Council of Chief Justices' Rules Harmonisation Committee

[3] Also known as the "hot tub" or as "expert panels".

