

ELECTORAL MATTERS COMMITTEE

Inquiry into the Conduct of the 2022 Victorian State Election

Melbourne – Friday 25 August 2023

MEMBERS

Luba Grigorovitch – Chair

Evan Mulholland – Deputy Chair

Brad Battin

David Ettershank

Sam Hibbins

Emma Kealy

Nathan Lambert

Lee Tarlamis

Emma Vulin

WITNESSES (*via videoconference*)

Chris Anderson, and

Veronica Monaghan.

The CHAIR: I declare open the public hearing for the Electoral Matters Committee Inquiry into the Conduct of the 2022 Victorian State Election. All mobile telephones should now be turned to silent.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands each of us are gathered on today, and paying my respect to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings.

I am Luba Grigorovitch. I am the Chair of this committee and the Member for Kororoit. The other members of the committee here today are Evan Mulholland, Member for Northern Metropolitan; Sam Hibbins, the Member for Prahran; Emma Kealy, who joins us on the screen, the Member for Lowan; Nathan Lambert, the Member for Preston; Lee Tarlamis, Member for South-Eastern Metropolitan; and also Emma Vulin, who joins us on the screen, the Member for Pakenham. We have got Brad Battin there as well.

On the screen, our witnesses are Mr Chris Anderson and Ms Veronica Monaghan. Welcome here today.

All evidence taken by this committee is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, including on social media, those comments may not be protected by this privilege. The committee does not require witnesses to be sworn, but questions must be answered fully, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

All evidence given today is being recorded by Hansard and is also being broadcast live on the Parliament's website. You will be provided with a proof version of the transcript for you to check as soon as it is available. Verified transcripts, PowerPoint presentations and handouts will be placed on the committee's website as soon as possible. I note we have some people here today, but I do not believe there is any media.

I invite you to proceed with a brief 5-minute opening statement to the committee, which will be followed by questions from the committee. Either Mr Anderson or Ms Monaghan, who wants to start us off?

Chris ANDERSON: I can go first, if you like.

The CHAIR: Please.

Chris ANDERSON: I am Chris Anderson of [REDACTED] I am a member of the Nationals and was a state councillor for Lowan at the time of the election. I spent many years organising how-to-vote cards for approximately six different booths in the area, handing out how-to-vote cards and scrutineering. I found the last election to be the most unprofessionally organised in regard to pre-poll and the total mess with the lack of ballot papers. Quickly, on the pre-poll they had at Ararat – Ararat is in Ripon and Stawell is in Lowan – being 20 minutes away from pre-poll, it is very convenient for Stawell people and Halls Gap people to go there to pre-poll their vote. Apparently they had three options for a booth, and the one chosen was a building you had to climb two sets of stairs to get up to in the rain. I believe somebody fell over there. It was the worst possible position. You could get in a back way, but there was no parking allowed, with signage there. That is just a quick one on there, and I believe Wendouree Shopping Centre was a problem also.

The ballot papers were the biggest issue – running out. Concongella ran out I believe at about 11:30. More were delivered and finally ran out at 1:30. This affected not only the people who had to go to vote, but it was a major fundraising day for that particular school. People were then sent into Stawell to the senior citizens, where they were given priority to go and vote. If they were found to be inconvenienced by having to come in, they were put ahead of everybody else in line and allowed to go straight in. There were many angry people from Concongella having to come in there because a lot of the mine people vote there – it is very close to the Stawell gold mine, and there are 550 people employed at that mine. So you have got there and you have got the surrounding little towns and farms that use it as well. Great Western I believe ran out at approximately 2:30,

and then the Stawell senior citizens, which was where I was giving out how-to-vote cards, ran out at approximately 4 o'clock. More arrived about 4:30 and ran out by 5. From then on the names were written off the roll but you did not have the opportunity to vote, and I was one of those that never got to vote for my member.

What would happen, I ask, in the case of Ripon, where the election before was won by 15 votes? There were a lot more than 15 people who missed out on voting at Stawell senior citizens, let alone worrying about Great Western and Concongella. Sidelines that I have got here just as far as the voting goes – do we need so many polling booths in areas of pre-poll? I noted also that in the polling booth where I was, and I believe at Stawell West, there were only a couple of tables used for actually marking off the lists. Could that have been made a little bit better?

A concern I would also put is: because the numbers were down at Concongella and at Great Western due to people having to come to Stawell, will that affect them or those booths being left open at the next election? Thank you.

The CHAIR: Thank you, Mr Anderson. Ms Monaghan, would you like to give us your 5-minute briefing?

Veronica MONAGHAN: Yes, I will. Good morning, Chair and members. My name is Veronica Monaghan. I live in Stawell, Western Victoria, in the state district of Lowan. I have been an active member of the Labor Party for over 20 years. In that time I have been involved in every election, handing out how-to-vote cards, rostering booth workers, planning the logistics of delivering and picking up how to votes and corflutes, scrutineering and whatever else is needed, so I have a lot of experience with the VEC. For the 2022 election I was also a volunteer campaign manager for my husband, who was Labor's candidate for Lowan.

I have a number of observations and experiences of the incompetencies of how the VEC conducted and managed the election, and I have suggestions. I am not trying to drastically change the electoral laws, just pointing out how inept the VEC is. By far the most serious concerns are the lack of ballot papers and the lack of trained staff, and that is what I will speak about.

I was eagerly awaiting an updated VEC website for polling booth locations so I could start planning. Initially, the Lowan electorate map of polling booths was wrong, with only a few listed. I contacted the election manager and was sent a link to the correct map, which is when I noticed the number of expected voters was way too low, so I rang the election manager again. She admitted that they realised the Stawell area was incorrect because there was no early voting centre there this time, so they would increase by a couple of hundred. I told her that was still vastly inadequate and they should be looking at the recent May 2022 federal election voter figures for an accurate estimate. For example, at Stawell, where the main problem was, they estimated ordinary votes to be 900 when there were actually 1181 voters. In the federal election there were 1279. The way calculations for the estimated number of ballot papers needed are done needs to change. Previous elections have shown there were many more than the number of ballot papers provided this election.

I have a few thoughts on polling places. In Lowan there were early voting centres in Horsham and Hamilton. On election Saturday the number of polling booths was four and three respectively. I believe the VEC should look at reducing the number of booths in locations where there are early voting centres. Most will vote early if it is close to home. Smaller polling places have been closed. How is it decided to close these, leaving people with long distances to travel to vote? Lowan electorate had 53 booths, and it is not practical for parties or independent candidates to provide volunteers for a full day in areas where there is only a handful of votes. I think consideration could be given to allow how-to-vote cards to be available within regional booths with low voter attendance to ensure all voters have equal access to the important voting information.

Early voting – candidates were making mistakes by having more than two corflutes, and the independent did not have her how-to-votes authorised. How-to-votes were being returned to volunteers, and I asked an election official why when they had recycling bins inside. She said they had been told to instruct voters to do that. I asked for them not to, as we would not re-use them and just put them in the voting places' bins. More training is needed for the officials, and candidates need to be aware of their responsibilities.

On election Saturday I started the morning at Stawell West. It would help if the AEC and the VEC worked together if they are using the same locations. Six months after the federal election the entrance doors were different. Party volunteers were setting up where the entrance was in May and were told the opposite doors

were the entrance. We all went around there with the corflutes et cetera, when the booth manager came out and tried to tell us we could not have a corflute within 100 metres and we should be outside the school grounds. I told her to measure out the 6-metre exclusion zone from the entrance and we would stay behind that. She said if we did not, she would call the police. Obviously she was short of training. Not long after, she asked me if I could go inside with her to sign for the sealing of the ballot boxes. People were putting ballot papers in the box while we were trying to seal it. It should have been done before voting started. There were also two staff at the absentee voting table when only one would have been sufficient. Then the queue started, and it got longer and longer and did not seem to move. An election official was speaking with me and said she had only finished her online training early that morning and did not really understand it all. We had had a redistribution, and voters were unsure what electorate they were in. The official kept asking me, as I had good knowledge of the changes. There was no electoral boundary map in the polling booth.

People started leaving, saying they would go to Concongella – another polling booth – as the queues are usually shorter there. A couple of hours later those same people came back without having voted. At Concongella one of our volunteers was at the senior citizens around 8 am until approximately 12:30. He left there to go to Concongella to vote and get a democracy sausage. There was a huge queue at the gate. Voters were being told they had run out of papers and could not get any more. He stuck around till approximately 2 pm and went back to the senior cits to vote. He was chatting in the line and an election official overheard. The official was already aware that Concongella had run out. He announced that anyone from Concongella who had been turned away because they could not vote could come to the front of the queue. Our volunteer just managed to get to vote when they ran out of ballot papers there too. Officials said they should be able to get more from Great Western. Our candidate went to Concongella at about 2. The car park was empty and the gate into the school was locked. The VEC is totally wrong saying the booth did not close and no-one could not vote there. There are many witnesses that could be called to speak to that. At Stawell senior citizens I was rostered on for the afternoon. Queues were still long; people were turning up from Stawell West hoping for a shorter wait. At one stage they ran out of ballot papers. Voters waited, as they were told they were getting more. Then, at about 5:15, that was it – they had run out completely, could not get any more and people were being turned away. Speaking with the voting centre manager – I cannot remember his name as he was new – he said he was taking down names and addresses so those people would not get fined for not voting. There was no mention of blank ballot papers that could be used. He also said he would ask if there were a way they could do a postal vote or some other way to have their vote counted. I said it was extremely important as every vote counts in the upper house. He said he would ask and see what could be done. Obviously he did not know the rules. I did not bother staying to scrutineer; I was so furious with what is usually a really enjoyable day and how it turned out to be so frustrating. How can the VEC truthfully say that no voter was turned away and a very limited number of voting centres ran short?

Sometime after the election the VEC rang our candidate to ask his opinion on how the election was conducted. Obviously he mentioned the shortage of ballot papers and how people were unable to vote. The VEC person said they could have voted online, as that was an option. It was pointed out that was not an option. VEC staff need to have more training obviously.

To summarise, the key issues I want to highlight to the committee are the lack of ballot papers and the lack of trained staff – basically, what is needed to hold an election, not the disgraceful, shameful debacle that 2022 was. I want something positive to come out of this so that changes will be made and this never happens again. Thank you.

The CHAIR: Thank you very much, Ms Monaghan and also Mr Anderson. You were obviously both invited along today to appear because of the issues documented in the Lowan district. On that note I might actually pivot to Ms Kealy to kick off the questions – if you have got one, Ms Kealy?

Emma KEALY: Fabulous. Thank you so much, Chair. Thank you very much for your contributions today, Chris and Veronica, and thank you both for being loyal to your respective parties and for your conduct on the day. It was very much appreciated. You have both provided evidence today which contradicts the VEC's evidence that they provided in an earlier hearing, and that was that the VEC have said that Concongella, Great Western and Stawell West primary schools ran low on ballot papers but did not run out of ballot papers and, further, no voters missed out on voting as a result. Can you just both confirm that in your understanding of booth managers in the Stawell region, Concongella, Great Western and Stawell West primary schools ran out of ballot papers on election day?

Chris ANDERSON: Yes, they both did, and so did Great Western, so there were actually three.

Emma KEALY: Yes, Concongella, Great Western and Stawell West.

Chris ANDERSON: And I think Veronica will be able to back me up on this: Concongella also was marking people off the list even though they could not vote in the later stages. That was the feedback I got.

Emma KEALY: And you agree with that, Veronica?

Veronica MONAGHAN: No, I do not. Concongella was actually closed when Mick, the candidate, went there. The gate was locked. He could not even get into the school, into the booth.

Emma KEALY: And what time do you think that the gate was locked?

Veronica MONAGHAN: He said approximately 2.

Emma KEALY: Thank you.

Veronica MONAGHAN: I cannot confirm Great Western. We did not have any volunteers there. Stawell West I do not believe ran out, but Stawell senior citizens definitely did. That is where Chris and I were, and Chris was not able to vote because they had run out late in the afternoon. At Stawell West Primary School I do believe they did have enough, because we had volunteers there until the end.

Emma KEALY: Chris, this is specific to you because you were unable to vote on the day. Can you confirm that it was not offered to you as an option that, even though there were no ballot papers, you could handwrite on a separate blank piece of paper? There was no option given to you for an alternative way to have your democratic right to cast your vote on election day last November?

Chris ANDERSON: No, there was nothing offered at all. It was just said: 'We'll mark you off the list as having voted', or whatever, but there were no ballot papers or any offer of a way you could vote.

Emma KEALY: The VEC have also provided evidence that they estimate 100 people were unable to cast their vote on the day. They have not provided any evidence about the number of people who had their name crossed off the electoral roll but were not able to actually cast their vote. Given both of your positions in the community – Chris, you have a highly successful bakery, Chris N' Di's bakery – you see a lot of people in the community. Chris, how many people would you estimate were unable to cast a vote, whether it was that they were unable to access a ballot paper or unable to get into a voting centre?

Chris ANDERSON: Look, it is very hard to say because it was such a long period, and the line-ups were still quite big and that was just where we were. I can only speak for Stawell senior cits on that. I am not sure with any confidence what happened at the end at Concongella. I just had heard that they were marking some off, and Veronica said, 'Well, they closed the gates at 2.' I do not know what happened before that, so I cannot say that conclusively, or with Great Western. But it would be enough, if it had been like not the last Ripon election but the one before, to actually change that party at the end of the day.

Emma KEALY: And Veronica, your views on that? About how many people do you think missed out on their opportunity to exercise their democratic right to be able to vote?

Veronica MONAGHAN: Yes, definitely they missed out on their right to vote. You should have seen the Stawell Community Facebook page – the number of irate people complaining. It was hundreds, I would say, so I do not know where the VEC get the figures from. Also, senior cits – when we were there in the afternoon, people had been to Concongella, could not vote there; been to Stawell West, the queues were too long; and came to the senior cits and there were no ballot papers. The upper house was very close for the last candidate, so yes, it could have gone a different way.

Emma KEALY: I will ask one more question, which you both touched on, which is around the long queues, and this is just because I saw both of you on election day. I do not want to plant your evidence, but in your opinion was that related to the number of voting booths inside the polling places, or were there other reasons around staffing? What do you believe contributed to the very long queues, and how long do you think people were queueing up to vote on election day?

Veronica MONAGHAN: I think that definite lack of staff and lack of training of the staff – the queues, I have never seen anything like them. It would have been an hour and a half, I would say, early morning at Stawell West, and these are elderly people. We have an elderly population, some are on walking frames and having to stand that long, and other young families with little kids. As I said previously, there were two absentee voting people in Stawell West. They only needed one, and that other person could have been helping to minimise the queues by crossing the names off – yes, just the lack of staff.

Chris ANDERSON: Yes, I was surprised when I went inside to – as you said, there were only a couple of tables doing the locals. I would have thought there would have been four or five people doing that, but there were not, and I think it was just ridiculous. And I think Stawell West was the same – their queues were enormous and the wait was long, for the same reason.

Veronica MONAGHAN: Particularly this time, where there was not an early voting centre, so there were more people voting in the area.

The CHAIR: Thank you, Ms Monaghan, and thank you, Mr Anderson. And thank you Ms Kealy, for your questions. I am mindful we are over time, but do other members of the committee have any questions that they would like to raise? Anyone on screen? Yes, Mr Lambert.

Nathan LAMBERT: Thank you, Chair. Thank you, both, Chris and Veronica, for your work generally supporting the democratic system. But your observations today – I think we certainly have some further investigation to do there. If I am correctly understanding things, there is a real difference of view here on what happened at Concongella and Great Western and basically the question whether they closed or not. Obviously you both think they did. Out of interest, did you or members of your team scrutineer those booths that evening?

Veronica MONAGHAN: No.

Chris ANDERSON: No. Concongella – I just cannot remember off the top of my head. There is usually someone that we do have scrutineering, but I am not sure if they did that night, and I have not got that information. I have got it here somewhere in my paperwork, but I cannot pull it out for you.

Nathan LAMBERT: And just –

Chris ANDERSON: Great Western is only small, so usually we do not worry about a scrutineer there.

Nathan LAMBERT: Yes. And they took, both of them, 300 or so – well, just over 300 – votes. Is it your feeling that that is lower than it should have been? You know, did 50 people miss out, a hundred people miss out? Do you have any sense for what that number should have been?

Chris ANDERSON: It is hard to say the number, but I would say it is significant. I mean, a lot do come into town, but how many actually got the opportunity to vote would be hard to say.

Nathan LAMBERT: What is the drive like to get in from Concongella to Stawell?

Chris ANDERSON: It is about 5 minutes.

Nathan LAMBERT: Thank you, Chair. I just wanted to get a sense for those two booths, thank you.

The CHAIR: Thanks, Mr Lambert. Did anyone else on the screen have anything they would like to raise?

Veronica MONAGHAN: Could I just mention Great Western? There were 316 votes counted. That is more than usual for there, so whether people had gone from Stawell or Stawell West to Great Western to avoid the queues – that is 10 minutes from Stawell. And also we had a scrutineer at Stawell West – that was the only place.

The CHAIR: Yes.

Nathan LAMBERT: Yes. And sorry, just actually really quickly, Chair – I think you said, Veronica, a 1½ hour wait people had at some points in terms of the –

Veronica MONAGHAN: Yes, at Stawell West.

Nathan LAMBERT: At Stawell West, yes. Chris, would you corroborate that, that queues were of that sort of magnitude, where people were waiting for over an hour?

Chris ANDERSON: That was the feedback we were getting. Just ridiculous.

Nathan LAMBERT: Yes, thank you.

The CHAIR: Thank you. Ms Kealy, as the Member for Lowan, do you have any final remarks you want to make?

Emma KEALY: No, just to thank Chris and Veronica for their time today and for being fierce advocates for their community as well. It is everybody's right to be able to cast a vote on election day, and both Chris and Veronica, by helping to deliver that, have done a lot for their community. So thanks for very much for your time, for turning up.

Chris ANDERSON: No worries.

The CHAIR: Absolutely, I will second that. Thank you very much to both of you for taking the time to speak to us today. As mentioned at the beginning, you will be sent a proof copy of the transcript as soon as it is available. So thank you, and this session is now concluded.

Witnesses withdrew.