

WITNESS

Mr Adam Wojtonis, Acting State Director, Liberal Party of Australia (Victorian Division).

The CHAIR: I would like to welcome Adam Wojtonis. Thank you for coming and providing evidence to the hearing today. Thank you for the submission that the Liberal Party provided.

Before we begin, I would like to note that many of the submissions to this Inquiry raise matters in regard to group voting, upper house voting and vote counting. The Committee, whilst recognising that these are important issues, has decided to take evidence on these issues at a later date rather than today.

I also need to let you know that all of the evidence provided today is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you repeat the same things outside the hearing, you may not be protected by that privilege.

All of the evidence is being recorded by Hansard, and you will receive a proof version of the transcript to check as soon as it is available. The verified transcripts, PowerPoint presentations and handouts will be placed on the Committee's website as soon as possible.

With those introductory remarks, thank you for coming, and I invite you to make a 5-minute submission, and then the Committee will have some questions for you.

Mr WOJTONIS: Thank you, Chair, and thank you members of the Committee. I would like to start by thanking the Committee and its members on behalf of the Victorian division of the Liberal Party for the opportunity to make a submission and appear at this inquiry into the 2018 state election.

The Liberal Party acknowledges the important role that the Electoral Matters Committee plays in inquiring into the electoral processes and its contribution to the strength of our democracy. I would also like to restate our appreciation to the electoral commissioner and his staff at the Victorian Electoral Commission for the care and diligence they exercised in the conduct of the 2018 state election. It is my intention to talk to various written submissions of the Liberal Party and to assist the Committee by answering any questions today.

The 2018 state election was the first electoral event held after the introduction of the electoral reforms contained in the Electoral Legislation Amendment Bill last year. These reforms were passed in late July 2018, nearly four months before election day. The significant changes relating to the 2018 state election that they contain left little time for their consideration, interpretation and implementation by political parties and the Victorian Electoral Commission. This meant that at times it was difficult to understand the way in which the VEC intended to implement the reforms and comply with the requirements of the *Electoral Act*. This was most acute in the signage restrictions at polling places. These restrictions came into force at the election, and we received inconsistent guidance from the Victorian Electoral Commission in relation to these restrictions. There were some delays in getting this information about how they would apply these restrictions and what was considered permissible. Of further concern was that this guidance became more restrictive the closer we came to election day.

The Act allows us to display two signs up to 60 centimetres by 90 centimetres in size at each entrance to the voting centre, and this was interpreted by the VEC to mean that a candidate could display two signs at the same entrance or a party could display two signs for each election that was held that was contested by a party. This effectively meant that a registered party could have four signs at each designated entrance and more if the voting centre was for multiple districts and regions. Generally speaking we do not challenge this interpretation. However, there are some issues that stem from other aspects of the process for appointing voting centres—namely, where voting centres serve more than one district and/or region but are not formally declared as such.

As electors may vote at any voting centre in Victoria for any district or for any region, there are times when the closest voting centre is in another district and/or region but it may not be officially designated as such. An illustrative example of this problem was the early voting centre for the district of Geelong that was located in the Geelong CBD but was the closest early voting centre for electors in parts of Lara, Polwarth, South Barwon and Bellarine, in addition to the electors in Geelong. This meant that candidates in Lara, Polwarth, South

Barwon and Bellarine were unable to promote their candidacy at the Geelong early voting centre where they would have had a large number of electors from their respective districts voting. This is one of the reasons why we have made our submission 14 about appointing early voting centres in future elections that are shared.

The guidance the VEC provided us in relation to the signs was severely limiting of the freedom of expression and political communication of candidates that were nominated by a registered political party. For a sign to qualify as a candidate sign it could not show any connection to a party, including colours, name, logo or party endorsement. A candidate for the Liberal Party could not put up a sign that said, 'Candidate X for district Y', with blue elements or even authorise the sign with their name and use of an address that is connected to a registered political party even if that was not the address at which they were contactable and the sign otherwise complied with the *Electoral Act*. This meant that a candidate was unable to promote their candidacy with their own sign if another sign could be subjectively considered linked to a registered political party. How these restrictions are applied should be revisited to allow candidates to promote their candidacy in line with the *Electoral Act* provisions in such a way that they could demonstrate their party endorsement and/or brand elements.

Another issue that occurred was VEC officials at polling centres confiscating signs that did not contravene the restrictions because they felt they were political or not displaying a political brand or message. This was overreach by local officials through their own subjective, creative opinion. It clearly demonstrates that the current guidelines and restrictions require amendment to make it clear for candidates, registered political parties, the VEC and their officials what is permissible or, at the very least, a mechanism by which it can be ascertained who a sign belongs to that goes beyond authorisation under the act.

On the nomination of candidates, we made a submission in relation to amending the qualifications for nomination to make them consistent with the Commonwealth qualifications. The Commonwealth Act provides the ability for a person who is not on the electoral roll but is qualified to be an elector to nominate. What this means is that as long as they are able to put in a form to say they are an elector and registered for the electoral roll then they can actually register to be a candidate in an election. This consistency would enfranchise people who otherwise have not enrolled to vote to vote as they are qualified. It also means that the commissioner or his staff would make inquiries to make sure that they are qualified to be a candidate.

On the endorsement of candidates, at the last election we had a number of issues concerning the endorsement status of candidates that have repercussions even to this day. This issue has stemmed from the withdrawal of endorsement—a procedure which is under the Liberal Party's internal constitution—which related to the party's nominated candidate in the district of Yan Yean. At the close of nominations the Liberal Party had endorsed a candidate in Yan Yean and that candidate appeared on the ballot paper as such for the duration of the election. The Labor Party challenged the VEC's decision not to reprint ballot papers to reflect that the Liberal Party had withdrawn its endorsement of the candidate and was unsuccessful in the Supreme Court, with Her Honour Justice Richards holding that the VEC did not have to reprint ballot papers in the Yan Yean district once the candidate had their endorsement by a registered political party withdrawn. However, in a subsequent matter before Her Honour, on appeal from VCAT, Her Honour held that how-to-vote cards that were initially registered and indicated a recommendation to vote for a candidate who was no longer endorsed by the party had their registration rejected on the basis that they were likely to mislead or deceive a voter in casting their ballot even though the ballot paper still indicated the party's name and logo next to the candidate's name.

While I do not wish to reflect on Her Honour's reasoning and judgement, Her Honour did identify that the Parliament made a choice in the *Electoral Act* to fix the endorsement information to print on the ballot papers at the time of nomination and not whether or not the ballot paper was likely to mislead or deceive electors in casting their votes. However, this is different in relation to the how-to-vote cards that were subsequently registered and then denied registration by VCAT and the courts. Her Honour rightly identified this inconsistency in the *Electoral Act* relating to endorsement, and this leads me on to the nomination procedure, which provides that a candidate can retire by the time of close of nomination, so they can withdraw their endorsement or nomination at noon on the day before the final nomination day. This means that a registered political party, or for that matter any candidate, is unable to withdraw their candidature after that deadline.

Furthermore, it would also appear that a candidate or a registered political party could not alter their nomination after that deadline either. This has implications for the VEC in the printing of ballot papers but also for public

funding of election campaigns. Registered political parties pay a deposit for a candidate when nominating them. They also are entitled to public funding related to the election and the return of the deposit subject to a voting threshold. However, given Her Honour Justice Richards's judgements, there has been a large question raised over whether a candidate's endorsement status can be altered for the purposes of applying the *Electoral Act*—for example, in relation to public funding the afternoon on the day before the final nomination deadline.

Also, under the new campaign finance reforms prior to the election there is also a need to define the period during which a person is a candidate under the *Electoral Act* as this has implications for candidates who make payments in furtherance of their own campaigns. This is due to candidates being considered under the Act a candidate from the time they nominate until the declaration of the polls. However, as in normal commercial terms, when you are running a campaign candidates have bills to pay within 30-day net terms and things like that so the timings of those invoices may come after the declaration of the poll, which means that they are subject to the cap so they will only be able to pay up to \$4000 that would be disclosable. But anything above and beyond that would be in breach of the Act and then the political parties would have to cover the cost out of their future campaign funds. Therefore it would be beneficial to have a consistency in the concept of endorsement by a registered political party across all aspects of the *Electoral Act* to make sure that everyone knows what their footing is when they are endorsing a candidate.

The Liberal Party also had a number of issues around registration of how-to-vote cards. This was a major pain point at the start of the campaign after the nomination period had ended. There were some delays in receiving decisions from the VEC in relation to the registration of how-to-vote cards, and of major concern to us as a political party was that how-to-vote cards had to be registered to be used for mobile voting teams. For early voting centres you did not have to register them but for mobile voting teams you did, and given that mobile voting started merely on the Wednesday after nominations closed and submitting how-to-vote card registrations happened on the Monday, the delay caused issues in actually being able to have how-to-vote cards in the field in time for mobile voting teams to be able to give them to voters.

The Liberal Party supports the registration requirement though. It is an important part of our democracy in Victoria due to the fact that in the past there have been instances where misleading or deceptive how-to-vote cards have been put into the field by other parties that misrepresented themselves as being the Liberal Party or another party. Originally this requirement was introduced after the 1985 Nunawading province re-election, where there were some how-to-vote cards issued for the Nuclear Disarmament Party that were not officially endorsed by that party. This also occurred in the last election in Northcote district where an individual sought to register a how-to-vote card that purported to be a Liberal Party how-to-vote card, containing design elements and other marks designed to replicate and mimic the Liberal Party's how-to-vote card, that was inconsistent with the official how-to-vote card and how-to-vote recommendation of the Liberal Party in the Northcote district.

The Liberal Party believes it is important that voters, when receiving how-to-vote cards at voting centres, should be able to rely on their provenance, when they bear the wording and other marks of the registered political parties, as coming from those parties and bearing an official recommendation of how to vote for that party or in support of that party, without other persons attempting to confuse or mislead voters to support a different candidate. Especially where preferences may change the result, as was the case in Northcote.

I am happy to answer any questions further relating to the Yan Yean candidate disendorsement, because that had implications for how-to-vote card registration as well. While the Liberal Party withdrew its registration for the Yan Yean district in particular, there were issues when we registered statewide how-to-vote cards for all the state where they bore a recommendation to vote for a candidate in every district, not limited to just the Liberal Party candidates. This had issues where that how-to-vote card was rejected on the basis that it purported to be an endorsement for a Liberal Party candidate who was no longer endorsed; however, due to the different issues around endorsement and consistency of endorsement, that could be easily solved by having consistent application of endorsement for all purposes under the Act and registration of how-to-vote cards and endorsement would be consistently held.

In relation to early voting, I have already raised the issue around the Geelong district early voting centre being one where we could actually have a shared voting centre to enable regional electors to be able to participate in an election much more easily and allow candidates to campaign at those voting centres. I would like to note that

the Liberal Party supports the electoral reforms where the additional qualifications for electors to vote early were removed. Additionally, the Liberal Party would like to see the length of early voting reduced to one week, as the length is now so long that no-one can reasonably consider the electoral event as occurring merely on election day, as early voting was originally intended to be for exceptional circumstances for those who could not vote on the Saturday of election day.

This means that we are increasingly seeing an elongated election and voting period where political parties and their candidates are focused on early voting centres and not campaigning in the community. This has the added disadvantage of precluding some electors from casting a vote in full awareness of the plans and policies of candidates they are voting for. For these reasons the Liberal Party would respectfully suggest the Committee consider reducing the length of early voting to one week—the week that immediately precedes election day—obviously with timing for postal voting and mobile voting remaining unchanged as they are really important parts of the process as they stand at the moment.

While we believe that early voting should be convenient to the voter, it should not be merely an exercise in facilitating the easiest option for the voter. I note that early voting is available on the Saturday prior to election day and if it is not possible for someone to vote on an election day that is on the Saturday, then necessarily the Saturday prior to election day would also be a day on which they would be prevented from voting. Therefore giving the option for voters to vote on any day in the days leading up to an election makes sense, and making election day in fact two election weeks is an exaggeration of early voting that is meant to allow electors to vote who cannot vote on election day.

I would just like to quickly touch on scrutiny and recounts. The Liberal Party would like to raise an issue relating to scrutiny and the conduct of recounts that occurred after election day. The Liberal Party commends the efforts of the VEC to conclude the scrutiny and counting of votes to deliver a timely result in election on the whole, as it was a competently run process. There are a number of improvements that could be introduced in the process, especially in relation to timing of scrutiny events and the notification to candidates and political parties. Overall the system of notifying candidates directly of scrutiny activities by local VEC officials is adequate in ensuring scrutineers can attend and observe counting processes.

This notification could be improved by improving the format of notifications and introducing a common template that all local officials could use for such notifications, as at the 2018 state election there were significant differences in the manner and form by which activities were notified. Additionally, it would avoid circumstances where information is inadvertently missed as it is not clearly indicated. It would also be helpful that minimum notice periods be introduced for scrutiny activities as there were many occasions where local officials sent notification of counts without adequate time to organise scrutineers to attend count centres due to required travelling distances, especially in regional Victoria.

A recount was also called at the election in the district of Ripon, and for the committee's benefit I would like to note that the Ripon election manager did send a notice of the recount before the commencement of counting. However, the notice period was relatively short, which was approximately 1 hour for an electorate the size of Ripon where some local scrutineers would have to travel for 2 hours or more to get to the election office in Stawell, not to mention any other scrutineers that were coming from elsewhere in Victoria. Political parties treat recounts with the highest priority and devote considerable resources to participating in them. Generally speaking, political parties have experienced teams of scrutineers available to participate in recounts after elections. This is to ensure that the correct result is achieved and officials are not delayed in achieving it, as invariably recounts occur at the very end of the scrutineering process and weeks after election day.

To avoid the misunderstanding that was claimed by the Labor Party in its submission to the Court of Disputed Returns in relation to the Ripon recount, it may be advisable to prescribe the form of words and notice period that a commissioner or a VEC official must issue to all candidates to initiate a recount under the *Electoral Act*. Furthermore, it should be considered whether the commissioner or the VEC official initiating the recount should also advise the registered officers of political parties that nominated a candidate in the election concerned. This would also ensure that local members avoid misinterpreting notifications from VEC officials in relation to important events like a recount.

Another measure that the Liberal Party would like to see considered is whether it would be appropriate to formalise a policy for recounts with a threshold margin for automatic recounts similar to that of the Australian Electoral Commission. The AEC has a threshold of 100 votes in an election for the House of Representatives, and it may be the case that a margin in the order of 50 to 100 votes be set as an appropriate threshold.

I would like to thank the Committee for the opportunity to present today, and I am happy to answer any questions.

The CHAIR: Great, we will move on to questions. I might just kick off on the matter that you were just talking about. You speak of a set time period of notice before a recount commences. Do you have a view as to what the time should be?

Mr WOJTONIS: I think it should be relative to the size of the electorate and its proximity to metropolitan Melbourne and regional centres. So, for example, in Stawell the primary issue there was we received the notice about an hour before the recount was to actually occur. I remember communicating with VEC officials on that at head office and they said that local scrutineers could attend, that it is incumbent on them to be available. While I understand that from the VEC's perspective, from a practical perspective for a political party local scrutineers may not be as experienced or have the same expertise as central party scrutineers, and that said, a recount requires fresh eyes and fresh people to actually have a look at those votes as well. So giving an hour's notice for a remote regional centre like Stawell is, I think, inappropriate because it is about a 3-hour drive from Melbourne. I remember having to get some local scrutineers to come in, and they could not get there for an hour and a half because they live that far away. I think it is important that we have reasonable requirements for that because if we are talking about an electorate like Kew or Brunswick or Melbourne, it is probably reasonable to give 1 hour's notice, but if we are talking about, say, Warrnambool, I think 1 hour's notice is probably inappropriate given the vast expanse of that electorate.

The CHAIR: The Labor Party submission suggests a time frame between 6 and 12 hours would be reasonable. Is that something that you would agree with?

Mr WOJTONIS: I would not be against that. I think that would be reasonable given that, you know, if we were to have notice of any scrutiny activities or recounts the day before for the next day, I think that is probably the best way of doing it and avoids all doubt when it comes to scrutiny activities.

The CHAIR: Thank you.

Mrs McARTHUR: Thank you, Adam. In your submission you suggest we reduce the early voting period to one week. The Labor Party would like the early voting period to stay at two weeks. Our friend Dr Read has suggested we reduce it to one week but extend the hours. Would that be a reasonable compromise, do you think?

Mr WOJTONIS: I think that would be an eminently sensible compromise to extend the hours in the week preceding, because the issue is the vast majority of the early votes actually happen in that week prior to election day, so there are people who vote, who have made up their minds, but essentially people who vote early usually vote in that week preceding election day. The queues actually get much longer in that week and the frequency of people actually arriving increases as well. So it would be reasonable to have one week of early voting and have those hours extended during those periods.

Mr MELHEM: Thank you, Adam. You have recommended that someone who is not on the electoral roll but is qualified to be an elector should be allowed to nominate as a candidate. What do you see as an advantage of this and what problems have been encountered in the current system? Lastly, if someone cannot be bothered to be on the electoral roll to vote, why should they be given the right to stand? I am just curious, basically, on the logic.

Mr WOJTONIS: I will say that I speak from personal experience in relation to this as I became the candidate for Brunswick in the election due to this exact issue occurring for us in the party. Basically, for background, essentially what occurred was that our nominated, endorsed candidate put in paperwork I think to update their details but inadvertently actually took themselves off the electoral roll. That is what I understand it to be. Obviously I have not looked into it too closely, but that is my understanding of the situation. In that sort

of instance sometimes there are errors that people make during the course of updating their details or doing other things. While I take your point that if someone cannot be bothered to enrol to vote, it is one thing, but I think there are a lot of people in newly arrived communities that basically do not realise that they have to enrol to vote and want to participate in the process as well that actually would be disenfranchised from the process if this was not implemented. I think that is one of the reasons why the *Commonwealth Electoral Act* provides for that. I think it is a sensible sort of compromise situation. They are qualified to be electors. They are allowed to vote at an election by declaration ballot on election day or in the early voting period, so they can actually enrol to vote at the voting centre and then be issued with an envelope declaration vote. Then a check is made to see that they are actually qualified to be enrolled, and if they are enrolled, their vote gets admitted. If they are not qualified to be enrolled, then their vote does not get admitted. I think this is just a natural extension of that.

Mr MELHEM: Just a follow-up from that, are you suggesting that as long as they do it before the cut-off date for the enrolment or if someone even extends beyond that? Because if someone does not nominate or put their name on the roll prior to the cut-off date, then they miss the boat and they cannot vote. Is that right?

Mr WOJTONIS: No it is not, because they can vote on election day with a declaration vote.

Mr MELHEM: Even though they are not on the roll?

Mr WOJTONIS: Yes.

Mr MELHEM: Right, so basically you are saying there is a—

Mr WOJTONIS: Because it then becomes a more complicated process by the VEC. As far as I understand, they have to make the checks to see that they are qualified to be enrolled, and if they are qualified to be enrolled, their vote gets admitted into the count.

The CHAIR: Just on that also, you mentioned that what you are proposing replicates the commonwealth requirements. Do you have any knowledge as to how much that provision is actually used?

Mr WOJTONIS: I would not be able to speak to that directly but I would say it is rarely used. But I think it is one of those provisions that is sort of a catch-all in those sort of situations where people who are otherwise qualified to vote but are not on the roll do get disenfranchised through that process.

Ms LOVELL: Adam, we are having a little bit of trouble in this corner hearing. We had trouble hearing Kosmos as well. I might be asking you to go over something you have already talked about, but I was going to ask you to talk about that inconsistency I heard you mention that during your presentation—the inconsistency in Yan Yean where the ballot papers were deemed to be legitimate and to go ahead with listing the candidate who had been disendorsed as a Liberal candidate but our statewide how-to-vote card and the funding was deemed to be not Liberal. Also the confusion with whether they were voting for the Liberal Party or not was further compounded on the day because that candidate had people out in Liberal T-shirts, so she obviously had an agenda there to make people think she was the Liberal. Does that differ with the feds, because on the federal election day I wasn't but other people were still handing out statewide how-to-vote cards for the Labor Party that had the disendorsed candidate for Melbourne on them, so is there a difference between the federal and state laws, and should they be harmonised?

Mr WOJTONIS: Well, I believe it is an interpretive sort of question, and Her Honour in her judgement basically made a distinction between the requirements for the ballot papers being set as at the close of nominations but then the procedure in the how-to-vote card and that is to actually say that that was not the case in relation to the registration requirements in relation to misleading and deceptive conduct. My understanding of the commonwealth law as the AEC treats it is that once nominations close the record is set as at that point, and for all public funding and all things considered relating to that it is considered that that person is still endorsed by that party. In relation to how-to-vote cards, I do not think this area has been tested at the federal level. In relation to whether it is misleading or deceptive to continue handing out cards, I do not think anyone has challenged that in the courts because there is no registration requirement for how-to-vote cards at a federal level. But, that said, I think it would be advisable to have a consistent approach for everyone who is participating in the process to understand what endorsement needs and set a fixed time when they actually are endorsed. Then if it is the case that withdrawal of endorsement can occur, then obviously the nomination

deadline is no longer the fixed point at which people have to look at it. It might require some harmonisation in the Act to actually specify a relevant period for someone actually being endorsed as the candidate.

Ms LOVELL: Okay. Can I also just ask—and I am going to do a Labor Party Stawell and disagree with something in the Liberal Party’s submission here. I do not disagree with the intent of the submission; I just disagree with the colour. Recommendation 23 in your submission is:

That the Committee consider white ballot papers for Region elections and green ballot papers for District elections—

to align with the federal white and green. This is probably more a statement on my behalf. I have for a long time had a problem with the green ballot papers at a federal election because we cannot go into a polling group or Ros cannot go into a polling booth with our blue Liberal or red Labor T-shirts on because it is considered it might influence people, yet somebody could be standing in there thinking, ‘Who should I vote for? Oh, green ballot paper—vote for the Greens’. It is a name of a political party and perhaps should be ruled out of being a word that is used in the polling booths.

Mr WOJTONIS: While I think we make a recommendation on green and white ballot papers, that is not the core of our recommendation. I think that was more along the lines of it is a suggestion based on what occurs federally. If the Committee had a different view of different coloured ballot papers—whether they were red, blue, purple, yellow, orange—it does not really matter. The submission actually goes to the heart of that the ballot paper should be consistent across the state for everyone. I think it is really important from a perspective of voter education that there is consistency in the ballot papers so that when the VEC does their education campaigns they can say, let us say—for the purpose of what our submissions was the green paper, but whatever colour that would be—‘On the green ballot paper, number every box in order of your preference’; ‘On the white ballot paper, number 1 above the line or 1 to 5 below the line at the very least’. I think it creates an opportunity for consistency in education methods for people who are not probably as engaged in the process as we are to actually participate in the process and actually understand it much more easily.

Ms LOVELL: I agree with you on consistency. I just think colours are getting more firmly aligned with parties now, and even with Independents—for instance, ‘Put your orange ballot paper here’ in Indi would significantly disadvantage everybody else. So I think perhaps the VEC and the AEC need to start considering what colours are used consistently by political parties and Independents and find some colours that do not align with anyone.

The CHAIR: Might be running out of colours.

Mr MEDDICK: Thank you, Adam. Like my colleague next to me, I was having trouble hearing what you were saying, so forgive me if you have already covered this. Let me know please and I will just refer to Hansard. You stated here in your submission that you had asked the Committee to consider:

... measures that address the short timeframe between the opening of registration of how-to-vote cards and the commencement of mobile voting.

Can you elaborate on what measures you might think they might be, what form they might take?

Mr WOJTONIS: I believe that the Labor Party submission talked of a registration process where tickets are issued or reference numbers and things like that. I think that is a sensible suggestion as well. I think it is primarily a resourcing issue—it comes down to how many resources the VEC actually has to process this. As invariably happens, the moment registration opens everyone submits their forms in physical hard copy format so that actually ties up VEC staff to actually have to witness the declaration and then sign off on every single application. There is no receipt generated for that or anything else to track it through the process. And then at some point the VEC—the commissioner or their delegate—makes a decision on a how-to-vote card registration. But it is inconsistent when that will actually occur. I think there is a requirement that it is done within a certain time frame. However, given that on the Monday if you submit it in the morning, 9.00 am or 10.00 am when it opens, there is no guarantee that you will have it by that same time on the Tuesday. Given the logistics involved in printing 88 district how-to-vote cards statewide and then delivering them to different parts of the state in time for a Wednesday morning mobile voting team, it creates challenges for political parties and the candidates to actually do that in time if they do not actually understand what time they will have that

decision and whether or not they have been accepted or rejected, which means that they have to take other measures to cover those sorts of occurrences as well.

Mr QUILTY: Just on that point, do you think there would be value in having a preapproval process—obviously there is a current limitation with the ballot draw, but if you had the design and everything preapproved except the names and places? We had a lot of problems with how-to-votes as well. It seems to me that if the VEC signed off on everything except the names, you could get things through faster.

Mr WOJTONIS: I believe that would be difficult regardless due to the fact that nominations do close on the Friday and we do not actually get advised of the full candidate list until sometime Friday afternoon. So the process of setting the preferences probably happens at the same time as that, so I do not think that would give any value-add or time frame add to the whole process, because the VEC does look at ensuring that all the candidates are listed correctly in ballot paper order and things like that. So unless we have that information earlier than the Friday afternoon, that would still cause the same bottlenecks that we experienced during the campaign. I believe it might be worthwhile. I think the solution to this problem is that deadlines are set and better processes are implemented, potentially an electronic process for registration of how-to-vote cards so that it can be tracked throughout the process and then it can speed up the delivery process as well for political parties and candidates. When it comes to preapproval of designs and things like that, I think that would be limited by the fact that we do not know who has actually nominated and the order in which they will appear on the ballot paper, which will cause the same issues regardless.

Ms BLANDTHORN: We had a discussion earlier—you may have heard it—with the Labor Party in relation to the suitability of early voting centres. Do you have a view about that yourselves? In my view they need to be suitable for all aspects of the democratic process, from the campaign workers, the candidate, through to the staff and most importantly obviously the voters. What was the Liberal Party's experience of early voting centres?

Mr WOJTONIS: I would completely agree with you: I think they should be suitable for every person who is engaged in the process, so from the volunteers at the polling place to the voters, to the VEC officials and staff. It should be suitable for everyone. Especially they should be accessible to all voters as well.

Part of the problem I think with some of the early voting centres was that they were located in locations that were unsuitable. They were in high traffic areas or in shopfronts in busy high street shopping strips, which caused angst with the local business owners and others who engage in the local area. I know there were instances where local councils also got involved in the process, where they took action against campaign volunteers for displaying signs at the front of those voting centres.

I believe that in our submission we make recommendations along the lines of the VEC actually finding suitable locations that are, one, accessible, but also enable campaign volunteers to stand out the front and campaign and exercise their political freedoms. What that means is that there should not be any restriction on their ability to display signage that is compliant with the *Electoral Act*. They should not be restricted from being able to hand out how-to-vote cards that are in compliance with the *Electoral Act*. As long as they act lawfully there should not be any restriction on what they do there.

The inference, I think, is that at times landlords have objected to signage being displayed outside the front of a polling place. They have objected to campaign volunteers standing on the footpath outside of the places. I think what has to be considered is that the VEC has a set deadline for a polling place, so they know that they are going to need it for, like, 26 November 2022 at this stage and the week or two preceding that period. So they can actually identify suitable locations any time from now until then and also negotiate leases that allow for those suitability requirements for the whole process. I think that should be considered as part of the broader leasing policy and procedure by the VEC to enable everyone to be active participants.

Dr READ: I think Bev asked earlier about the idea of longer hours but going from two weeks to one week for early voting. How would you feel about having early voting for two or three weeks at Melbourne Airport? I am just thinking of that as a particular site where it would be useful to have a longer period of early voting.

Mr WOJTONIS: I believe that at the federal election—I am not sure if at the state election there was a polling place at Melbourne Airport; I know that at one of the two elections in the last 12 months there was not one at Melbourne Airport. I believe that the frequency at Melbourne Airport has been significantly lower than previously, so I do not think people actually vote there as often as they would have otherwise. I think it also creates logistical problems for candidates and political parties to actually participate there, obviously due to the same requirements around suitability of the venue. And I think most of the time for people who are at Melbourne Airport, while they may be residents in Victoria or elsewhere, there are ample opportunities for them to vote at other places, so even if they are travelling overseas, they can vote at a voting centre in a consulate or embassy. At the same time there are central voting centres in Melbourne and throughout the districts in which they live as well which they could attend.

Dr READ: We have heard from some submissions about inappropriate behaviour or bullying outside some voting centres, and they have called for firmer action by VEC and/or police. Do you have any views or comments on that?

Mr WOJTONIS: I would have to say on the whole I was happy with the VEC's response in relation to that inappropriate behaviour and calling police as necessary. I believe that there will be occasions where there are some people who will act inappropriately and cause problems for campaign workers. I think the reforms last year actually improved behaviour on polling places. While it can be improved further—I think there were some instances at early voting centres where the commissioner restricted the number of volunteers at the polling place and things like that, but I think that they were measured responses, and I think that they had the intended effect. I cannot really speak to specific examples of where we found behaviour to be such that it was very problematic. I know we made complaints to the VEC on occasions relating to certain people, but I think they were handled appropriately and resolved within a reasonable time frame.

Ms BLANDTHORN: Just to follow up on a couple of things there, but principally are there particular areas that, with the greatest respect of course, you would recommend that VEC staff could benefit from further training in? Whether it is policing signs and material on election day, counting ballots, whatever it might be, are there are particular areas that you think could benefit from better training of staff?

Mr WOJTONIS: I believe that the training systems in place for VEC staff could be drastically improved. While I appreciate that a lot of VEC staff, especially the professional staff that are ongoing, are across their brief, there are a significant number of casual and sessional staff that they actually have to engage in the lead-up to an election, which presents certain difficulties for them.

I note that the AEC has, post the 2016 federal election, after they had issues in WA in the Senate vote, introduced significant measures after conducting large-scale studies of what actually occurred to actually train staff and implement standardised processes across vote counting, across communications, across different things. I think the VEC would benefit from obviously learning from those experiences, but also from those procedures and trying to standardise as much of the processes as possible.

I think that a larger education program for VEC staff, especially the ones that are engaged solely for the election, should be implemented. I think part of the problem was that this was the first time that every district had their own election office, which meant that some of those staff were not as adequately prepared as they could otherwise have been if they were handling multiple districts at the same time and were the ongoing staff of the VEC. So I think that there is room for improvement. I think on the whole it was generally good. I would not say that there was anything that was shockingly bad or otherwise and given the nature of the electoral reforms and when they came in I think everyone was trying to figure out what they meant. So I think the VEC tried their best to make sure that everyone had a level playing field in relation to that.

I think in relation to the signage requirements there were some staff that misinterpreted things and took action into their own hands to remove signs that were properly authorised and in compliance with the Act. I think that was handled generally well by the head office of the VEC—once that was raised with them and escalated to them, they handled that with their prompt attention. So it was actually quite well done. It should not have happened in the first place, but I think generally speaking the reactions were adequate.

Mr ATKINSON: There was a change to the postal votes that this election implemented. Do you have any observations of the changes?

Mr WOJTONIS: I think the Liberal Party is generally supportive of those changes and their implementation. We are not calling for it to be changed. Obviously there were some issues around the provision of postal vote data and things like that where there were some delays in that data that was meant to be provided on a daily basis should be provided earlier in the day. That meant that obviously our normal campaign procedures were delayed by that. That said, I think on the whole and with the experience of the previous election, that will improve next time around. And obviously measures should be taken to try and assist the VEC in trying to actually make those procedures much clearer—and the time lines and deadlines by which they have to provide that sort of information.

Mr ATKINSON: I notice the Federal Council of the Liberal Party has suggested that there should be voter identification presented at polling booths. Do you wish to comment on that?

Mr WOJTONIS: I believe any measure that enhances the integrity of the electoral process should be considered, and I do not think that having voter ID requirements at polling places is a significant impost. Voters inherently are Australian citizens. If they have lived here for at least four years or however long it is—and in many cases much longer than that—they will have established themselves in the community here. They will have a drivers licence or some form of ID—or even an Australian passport—to be able to prove their identity.

I do not think it is a significant impost on any particular voter to be able to prove their identity at a polling place. I note that my ALP counterpart mentioned that it would create a further bureaucratic process for newly arrived immigrants to participate in the process. I respectfully disagree with him on that because in order to enrolled to vote they have to prove their identity. That means that they already have those forms of ID present. If there are driving to a polling place, they will have a drivers licence. It is not anything that would prevent them from being able to vote.

Mrs McARTHUR: Just a couple of points, Adam. Given that in the country now Australia Post are worse than Cobb & Co.—it takes five days at least to get a letter—the postal vote process is problematic in rural and regional areas. I wonder if you want to comment on that.

Further, there now appears to be in many instances a long conga line of people handing out material not necessarily related to a particular candidate. Should the volunteers be limited to the endorsed volunteers relevant to the candidate nominating instead of second or third party people? I wonder if you would like to comment on that.

Mr WOJTONIS: I will comment on the postal vote. I think especially in regional areas it is difficult for postal voters to be able to attend a voting centre due to the distances required. So on election day while there may be some voting centres that are close by it is still a significant distance for them to travel. I think that obviously the Victorian Electoral Commission is limited by what Australia Post actually provides for those services to those regional areas in relation to postage. I think that obviously the VEC should engage more closely with Australia Post and select other modes of delivery, if necessary, to actually provide those postal vote ballot papers to voters to enable them to actually participate in the process.

On the second point in relation to people handing out material who are not directly handing it out for an endorsed candidate or otherwise, I think it needs to be a balanced approach. Obviously there are people out there who are putting out clearly negative sorts of positions: where you should put someone last or trying to influence the vote through other means. People should be able to campaign in whatever way they wish and participate in the process. However, I think on election day the signs restrictions have introduced a limit to what candidates and registered political parties can do. I think it would be sensible to consider some measure by which—like the people campaigning on election day would have to be linked to a candidate that is actually running in the election. While I do not know to what extent that would actually solve the issue of having a cast of hundreds outside of polling place, because it would be a simple matter of registering with a particular candidate, at the same time I think that would potentially mean that some people who would otherwise act inappropriately would actually be subject to the control or influence of a particular candidate to act in a particular way.

The CHAIR: Very good. Thank you for your submission on behalf of the Liberal Party and thank you for providing evidence to us today in your capacity as Acting State Director of the Liberal Party. You will receive a proof of the Hansard transcript as soon as that is available.

Mr WOJTONIS: Thank you, Chair. Thank you, Committee members.

Witness withdrew.