



Inquiry into the Functions and Administration of Voting Centres

Report to Parliament

Electoral Matters Committee

June 2010

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Inquiry into the Functions and Administration of Voting Centres

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Committee Information

Functions of the Committee

The Electoral Matters Committee is a Joint Investigatory Committee of the Parliament of Victoria. The Committee comprises seven Members of Parliament drawn from both Houses.

The powers and responsibilities of the Committee are determined by the *Parliamentary Committees Act 2003*. The functions of the Committee, as defined by Section 9A, are, if so required or permitted under this Act, to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with —

- The conduct of parliamentary elections and referendums in Victoria;
- The conduct of elections of Councillors under the *Local Government Act 1989*; and
- The administration of, or practices associated with, the *Electoral Act 2002* and any other law relating to electoral matters.

Matters are referred to the Committee either by resolution of the Council or the Assembly or by Order of the Governor in Council. The *Parliamentary Committees Act 2003* also enables a Joint Investigatory Committee to inquire into and report to Parliament on any annual report or other document relevant to its functions and which have been laid before either House of Parliament.

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Terms of Reference

On 3 May 2010 the Electoral Matters Committee, pursuant to section 33(3) of the *Parliamentary Committees Act 2003*, self-referenced an inquiry into the functions and administration of voting centres (including joint voting centres) giving consideration to issues of location, accessibility, participation and transparency.

Acknowledgements

The Electoral Matters Committee would like to thank Mignon Turpin for her editing work and Matt Clare of Mono Design for the cover design.

Chair's Foreword

This inquiry has provided Parliament and the community with the opportunity to give the Victorian Electoral Commissioner important and timely feed-back to assist him to implement activities relating to the functions and administration of voting centres for the forthcoming Victorian State election.

The importance of voting centres is reflected in both the number of submissions received and the range and quality of issues raised with the Committee by members of the public, Members of Parliament, political parties, interest groups, people involved in political activities, and the Australian and Victorian Electoral Commissioners.

The tight timeline of this six week inquiry prevented the Committee from hearing evidence from submitters, and examining overseas and interstate practices. The quality of submissions and their focus on practical issues however resulted in a timely report that not only surveys the ever ongoing work to improve electoral access, participation and transparency but makes a number of important recommendations.

During the course of the inquiry, the Attorney-General introduced the Electoral Amendment (Electoral Participation) Bill 2010 into Parliament. I was particularly pleased to note that a number of provisions in the Bill adopt important recommendations made by this Committee from its inquiry into voter participation and informal voting, and its most recent inquiry into misleading or deceptive political advertising.

The Committee received several submissions that expressed concern over the confusion experienced by electors at joint voting centres. The Committee considers that joint voting centres have the potential to create confusion amongst voters and increase informal voting. This is particularly the case where the voters are not fluent in English, are casting their votes outside of their electoral districts, or are voting at joint voting centres that service three electoral districts.

The Committee considers that the Victorian Electoral Commission should only appoint joint voting centres as a last resort and when it is unable to secure suitable voting centres in an electoral district. Accordingly, the Committee has recommended that if joint voting centres are appointed, the Electoral Commissioner should ensure that the centres are well resourced, organised, staffed and sign-posted to minimise informal voting, as well as any voter confusion outside of the centres.

The Committee further considers that the Victorian Electoral Commission when it is preparing EasyVote cards, should give prominence to the locations of election day voting centres located within the relevant electoral district, rather than joint voting centres located in other electoral districts.

The Committee received several submissions about the transparency of electoral processes, including on electronic voting and the electronic

counting of votes. The Committee has recommended that the Parliament, after the 2010 Victorian State election, should review the scrutineering, transparency and reporting of these electronic processes.

The Committee made important recommendations on early voting, mobile voting, consultation that should be taken by the Electoral Commissioner before he appoints voting centres, and the availability and provision upon request of 'how-to-vote' card folders at mobile voting centres.

The Committee has also recommended that the Victorian Electoral Commission should establish, as a key electoral performance indicator, that voters, except in exceptional circumstances, should receive their ballot papers within 10 minutes of them joining a queue at a voting centre.

On behalf of the Committee, I thank all the people and organisations who made submissions to the inquiry. The briefing, submissions and advice provided to the Committee by the Electoral Commissioner and his staff were particularly useful.

I express my gratitude to the Deputy Chair, Mr Michael O'Brien MP and fellow Committee members for their commitment to the inquiry. The Committee members worked well to consider the issues that were raised on this important subject.

I also take this opportunity to acknowledge the Committee secretariat for their excellent work on this inquiry. I thank the secretariat's Executive Officer, Mr Mark Roberts, Mr Lawrie Groom, the principal researcher for this inquiry and Ms Kate Woodland who provided valuable administrative support to the Committee.

Robin Scott MP

Chair

Electoral Matters Committee
21 June 2010

Recommendations

Recommendation 1: The Parliament reviews the use and availability of early voting centres and the criteria that permits electors to vote at an early voting centre.

Recommendation 2: The Victorian Electoral Commission undertakes a review of the class of elector that is entitled to vote at particular mobile voting centres.

Recommendation 3: The Victorian Electoral Commission only appoints joint voting centres when it is unable to secure other suitable voting centres in an electoral district.

Recommendation 4: If joint voting centres are appointed by the Victorian Electoral Commission, the Electoral Commissioner ensures that the centres are well resourced, organised, staffed and sign-posted to minimise informal voting, as well as any voter confusion outside of the centres.

Recommendation 5: The Victorian Electoral Commission gives prominence to the locations of election day voting centres located within the relevant electoral district, rather than joint voting centres located in other electoral districts, when it prepares EasyVote cards.

Recommendation 6: The Victorian Electoral Commission, before it appoints voting centres, consults with the public, including relevant non-government organisations, disability groups, local government, registered political parties, prospective candidates and Members of Parliament, and provides 21 days for the public to provide suggestions and to respond to a draft list of voting centres.

Recommendation 7: Where a joint voting centre services two or more Legislative Council regions, the Victorian Electoral Commission should print the Legislative Council ballot papers in different, distinct colours to avoid confusion amongst electoral officials and scrutineers.

Recommendation 8: The Victorian Electoral Commission should ensure that each elector attending a mobile voting centre to vote is informed of the availability of 'how-to-vote' cards, and that when requested, sufficient folders of these cards are both available and provided to electors, prior to voting.

Recommendation 9: The Victorian Electoral Commission establishes, as a key electoral performance indicator, that voters, except in exceptional circumstances, receive their ballot papers within 10 minutes of joining a queue at a voting centre.

Recommendation 10: Parliament, after the 2010 Victorian State election, reviews the casting, counting, scrutineering, transparency and reporting of electronic voting processes.

Recommendation 11: Parliament, after the 2010 Victorian State election, reviews the counting, scrutineering, transparency and reporting of the process to electronically count votes at elections.

Recommendation 12: The Victorian Electoral Commission should, wherever practical, facilitate scrutineers and candidate workers with access to shade, shelter and toilet facilities at voting centres.

Table

Table 1: Number of Voting Centres by Type of Centre 2006 9

Abbreviations

2CP	Two candidate preferred
2PP	Two party preferred
ABS	Australian Bureau of Statistics
AEC	Australian Electoral Commission
ANAO	Australian National Audit Office
CALD	Culturally and Linguistically Diverse
CCTV	Closed Circuit Television
DFAT	Department of Foreign Affairs and Trade
EAAG	Electoral Access and Advisory Group
EAV	Electronically Assisted Voting
EECV	Ethnic Communities' Council of Victoria
EVC	Early Voting Centres
GPV	General Postal Voter
ISO	International Organization for Standardization
PDA	Personal Digital Assistant
PIAC	Public Interest Advocacy Centre
PILCH	Public Interest Law Clearing House (Vic)
UK	United Kingdom
USA	United States of America
VEC	Victorian Electoral Commission
VMC	Victorian Multicultural Commission
W3C	World Wide Web Consortium
WCAG	Web Content Accessibility Guidelines

Chapter 1: Introduction

On 3 May 2010, the Electoral Matters Committee (the Committee) pursuant to section 33(3) of the *Parliamentary Committees Act 2003* agreed, by self-reference, to inquire into the functions and administration of voting centres (including joint voting centres) giving consideration to issues of location, accessibility, participation and transparency.

Responsibilities of the Electoral Matters Committee

The Committee is one of twelve joint investigatory committees of the Parliament of Victoria. The functions of the Committee are defined by section 9A of the *Parliamentary Committees Act 2003* to inquire into, consider and report to Parliament on any proposal, matter or thing concerned with:

- The conduct of parliamentary elections and referendums in Victoria;
- The conduct of elections of Councillors under the *Local Government Act 1989*; and
- The administration of, or practices associated with, the *Electoral Act 2002* and any other law relating to electoral matters.

The Committee was established in the 55th Parliament of Victoria, however no members were appointed during that Parliament and it did not meet. In the current 56th Parliament, members were appointed and the Committee met for the first time on 26 March 2007. A list of reports presented by this Committee to the Parliament is contained in Appendix 3.

Conduct of the Inquiry

The Committee advertised the inquiry into the functions and administration of voting centres in *The Age* and *Herald Sun* on 8 May 2010. The Committee also wrote to and invited stakeholders in the electoral process to make a submission on the inquiry. Thirty individuals and organisations made submissions to the inquiry. Submissions accepted by the Committee were placed on the Committee's website to inform interested parties, including the Victorian Electoral Commission (VEC).

The Committee did not conduct public hearings given the tight timeline to table the report in Parliament but did meet with the Victorian Electoral

Commissioner and staff of the VEC and received a briefing on the Commission's submission and other relevant matters. The evidence was recorded by Hansard and published on the Committee's website.

Background to the Inquiry

This inquiry took place in a year of considerable public interest in the conduct of elections both in Australia and overseas. There was interest not only in the political outcome but also in the administration of the elections.

A recent general election was conducted in the United Kingdom where there were reports of long queues of people at voting centres and an announcement by the new government that it would introduce legislation to provide for a greater public say over how they are represented in Parliament, improve the reputation of Parliament and provide for more parliamentary control over the government.¹

In Australia, general elections were conducted in South Australia and Tasmania, and a Commonwealth election is expected during the second half of 2010. The Victorian State election is scheduled for 27 November 2010.

In November 2010, elections will also be conducted in the United States of America for members of the House of Representatives and the Senate.

In 2008, the Committee undertook an investigation on international electoral practice where it observed that Australia, and Victoria in particular, is at the forefront of electoral administration.²

In view of these electoral activities and in the light of the forthcoming State election the Committee considered it appropriate to conduct an inquiry into the functions and administration of voting centres. Such an inquiry would inform the public, electoral administrators, observers and the Parliament of improvements to voting processes that have been considered and planned since the 2006 State election, and those proposed to be implemented for the 2010 election. The Committee was also interested in the views of the community and electoral stakeholders on the function and administration of voting centres so that Victoria could continue to be a world leader in the conduct of democratic elections.

With respect to this inquiry into the functions and administration of voting centres, the Committee noted that in planning for the conduct of the 2010 State election, the VEC has in place plans to implement initiatives, including:

¹ Queen's Speech, 25 May 2010, website accessed on 7 June 2010
www.number10.gov.uk/queensspeech/2010/05/queens-speech-parliamentary-reform-bill-50657

² Parliament of Victoria (2008) *Report on International Investigations into Political Donations and Disclosure and Voter Participation and Informal Voting*, Report of the Electoral Matters Committee

- Electronic roll marking for early voting and selected voting centres including at the Melbourne CBD voting centre
- An extension of electronic voting facilities for blind and low vision voters and potentially other special category electors
- Redesign of the EasyVote card from the 2006 State election to include specific voting centre details and a barcode for easy roll identification at early voting and some election day voting centres
- Verification of ballot papers completed below the line for the Legislative Council.³

The State Government, during the course of this inquiry, announced that it proposed to introduce further electoral initiatives for the 2010 State election.

On 10 June 2010, the Attorney-General introduced the Electoral Amendment (Electoral Participation) Bill 2010. The purpose of this proposed legislation is to amend the Act to provide for increased electoral participation and improved operation of the Act.⁴ The Committee notes that a number of the amendments in the Bill relate to recommendations of the Committee from its 2008-09 inquiry into voter participation and informal voting,⁵ and its 2009-10 inquiry on the provisions in the Act relating to misleading or deceptive political advertising.⁶

Main Issues Raised in Submissions and Considered by the Committee

The main issues raised in submissions to this inquiry and considered by the Committee were:

- The appointment, functions and administration of voting centres, and in particular of early voting centres, mobile voting centres and joint voting centres
- The location of voting centres, how the locations are determined by the VEC, and voter confusion and informal voting at joint voting centres
- The accessibility of voting centres to electors
- The participation of electors at voting centres
- The transparency of electoral arrangements.

³ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 2

⁴ Clause 1 *Electoral Amendment (Electoral Participation) Bill 2010*

⁵ Parliament of Victoria (2009) *Inquiry into Voter Participation and Informal Voting in Victoria*, Report of the Electoral Matters Committee

⁶ Parliament of Victoria (2010) *Inquiry into the Provisions of the Electoral Act 2002 (Vic) Relating to Misleading or Deceptive Political Advertising*, Report of the Electoral Matters Committee

Outline of the Report

The structure of the report adopts the themes set out in the inquiry's reference.

Chapter 2 sets out the powers of the VEC to appoint voting centres. The chapter also explains what voting centres are and the functions and administration of the different types of centres that can be appointed and used in State elections.

Chapter 3 describes where voting centres were located for the 2006 State election and explains the criteria and processes followed by the VEC to select and then appoint voting centres for State elections. The chapter also addresses the processes adopted in Victoria to review the location of centres in past elections and to plan their location in forthcoming elections.

Chapter 4 describes the arrangements put into place to provide accessible voting for electors at voting centres.

Chapter 5 describes how voter participation in State elections is implemented and enhanced at voting centres.

Chapter 6 addresses the transparency of electoral arrangements at voting centres.

Chapter 2: The Functions and Administration of Voting Centres

This chapter sets out the powers of the Victorian Electoral Commission (VEC), to amongst other matters, appoint voting centres. The chapter also explains what voting centres are, and the functions and administration of the different types of centres that can be appointed and used in State parliamentary elections.

Powers and Independence of the Victorian Electoral Commission

Victorian Electoral Law

The VEC, a body corporate, consists of one member, the Electoral Commissioner who is responsible for the administration of the enrolment process and the conduct of parliamentary elections in Victoria.⁷

The Commissioner is appointed by the Governor in Council and holds office for ten years and may be re-appointed for one or more ten-year periods.⁸

The VEC is not subject to the directions or control of the Minister in respect of the performance of its responsibilities and functions and the exercise of its powers.⁹

Victorian Constitution

The Electoral Commissioner is one of three independent officers of the Parliament; the others are the Auditor-General and Ombudsman.¹⁰ Section 94F(6) of the *Constitution Act 1975* provides that subject to this section, the *Electoral Act 2002* (the Act) and other laws of the State, the Electoral Commissioner has complete discretion in the performance or exercise of his or her functions or powers.

⁷ Sections 6, 7 & 8 *Electoral Act 2002*

⁸ Section 12 *Electoral Act 2002*

⁹ Section 10 *Electoral Act 2002*

¹⁰ Sections 94B, 94E & 94F *Constitution Act 1975*

What is a Voting Centre?

The prime function of a voting centre is to provide a secure environment in which electors can cast a considered and confidential vote. The voting centre is the place where the voter engages in one of the most important aspects of democratic life.

A voting centre is defined in section 3 of the Act as a place appointed by the VEC for voting at elections as an early voting centre, a mobile voting centre and an election day voting centre.

Section 65 (1) of the Act provides that the VEC must appoint as many voting centres as the Commission considers necessary. The VEC must publicly advertise the location and time of operation of each centre, other than a mobile voting centre.

Voting centres are administered and managed by the VEC. The Commission, in the main, does not own the buildings and grounds used as voting centres but uses public buildings, including schools and town halls, or leases premises from private owners.

If the VEC considers that there are exceptional circumstances which so require the use of a licensed premise, the Commission may, subject to any conditions, authorise the use of any premise which is, or of which any part is, a licensed premise within the meaning of the *Liquor Control Reform Act 1998* for the purpose of a voting centre.¹¹ However, if any part of a licensed premise is used as a voting centre, that part of the premise must not be used for the sale of liquor, or accessible from any other part of the premise which is being used for the sale of liquor.

The different types of centres are designated and appointed to facilitate the different ways of voting at an election, such as when an elector votes in person on election day at an election day voting centre, or prior to election day at an early voting centre. Indeed, the Act provides that the VEC must, in exercising its powers, ensure that electors are provided with an accessible service that facilitates the opportunity to vote.¹²

The Types and Functions of Voting Centres

Early Voting Centres

The VEC has the power to designate appropriate voting centres as early voting centres, and specify the class of elector that is entitled to vote at particular early voting centres.¹³ For the 2010 State election, the VEC has stated that it will appoint early voting centres to cater for the needs of people who believe they will have difficulty getting to a voting centre on election

¹¹ Section 66(2) *Electoral Act 2002*

¹² Section 65(3) *Electoral Act 2002*

¹³ Section 65(2) *Electoral Act 2002*

day, including interstate and overseas electors, and electors travelling interstate or overseas.

An elector may apply at an early voting centre to vote early within the period of the election that starts at 4pm on the final nomination day and ends at 6pm on the day immediately before election day.¹⁴ For the 2010 State election, early voting will commence at 4pm on Friday 12 November and close at 6pm on Friday 26 November 2010.¹⁵

Electronic Voting Centres

The VEC may designate a voting centre as an electronic voting centre for access by an elector who because of a visual impairment cannot otherwise vote without assistance.¹⁶

Victorian Interstate and Overseas Early Voting Centres

The Commission may appoint interstate and overseas early voting centres,¹⁷ and section 5 of the Act provides that the legislation extends to election officials appointed for the purposes of the Act outside Victoria.

Mobile Voting Centres

The VEC has the power to designate appropriate voting centres, such as nursing homes, hostels, hospitals and prisons, as mobile voting centres, and specify the class of elector that is entitled to vote at particular mobile voting centres.¹⁸

The Commission must notify each registered political party and the candidates for the district or region in which the mobile voting centre will be located of the mobile voting centre's location and time of operation.¹⁹

Election Day Voting Centres

The Commission has the power to use as an election day voting centre any room or hall in what the Act describes as a prescribed premise.²⁰ A prescribed premise is a school or building that is not used exclusively for religious services and that is supported wholly or in part by public funds, or a

¹⁴ Section 99(1) *Electoral Act 2002*

¹⁵ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 28

¹⁶ Sections 110C & 110D *Electoral Act 2002*; *provisions in the Electoral Amendment (Electoral Participation) Bill 2010, propose to widen the availability of electronic voting to include those electors who cannot vote without assistance because of a visual impairment, a motor impairment or insufficient literacy skills (whether in the English language or in their primary spoken language)*

¹⁷ Section 100 *Electoral Act 2002*

¹⁸ Section 65(2) *Electoral Act 2002*

¹⁹ Section 65(1)(c) *Electoral Act 2002*

²⁰ Section 67(1) *Electoral Act 2002*

perpetual endowment, or has been built with, or is supported wholly or in part by, a grant from the State's Consolidated Fund.²¹

Electors who attend an election day voting centre are able to cast an ordinary vote. Voting commences at election day voting centres at 8am on election day and, unless the election is adjourned, the centres close at 6pm on the same day.²²

Joint Voting Centres

Joint voting centres are not defined in the Act or regulations but the VEC has stated that:

*Joint voting centres provide ordinary voting facilities for electors from 2 or more designated districts – in effect, they operate like 2 or more voting centres at the one facility, each with a defined area within the venue.*²³

²¹ Section 67(5) *Electoral Act 2002*

²² Section 89 (1) *Electoral Act 2002*

²³ Victorian Electoral Commission (March 2010) *Joint Voting Centres Position Paper*, page 2

Chapter 3: Location of Voting Centres

This chapter describes where voting centres were located for the 2006 Victorian State election and explains the criteria and processes followed by the Victorian Electoral Commission (VEC) to select and then appoint voting centres for state elections. The chapter also addresses the processes adopted in Victoria to review the location of centres in past elections and to plan their location in forthcoming elections. Issues relating to accessibility of voting centres are addressed in Chapter 4.

Where Were Voting Centres Located for the 2006 State Election?

Section 65(3) of the *Electoral Act 2002* provides that the VEC must, in exercising its powers to appoint voting centres, “ensure that electors are provided with an accessible service that facilitates the opportunity to vote.”

Table 1 sets out the number of voting centres appointed by the VEC and the numbers of votes cast at each of these centres in the 2006 State Election.

Table 1: Number of Voting Centres by Type of Centre, 2006

TYPE OF VOTING CENTRE	NUMBER OF CENTRES	NUMBER OF VOTES CAST
Early Voting *	77	255,161
Electronic Voting	6	199
Interstate and Overseas Early Voting **	39	10,805
Mobile Voting	892	11,187
Election Day Voting	1,652	2,440,009
Joint Voting	148	73,595 (votes issued to electors from neighbouring electorates at centres)

* Early voting was also possible at mobile voting centres and at interstate and overseas locations.

** Does not include the Antarctic where 13 electors voted

Sources: Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, section 2, and page 72; Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 3; and email dated 17 June 2010 from the Deputy Victorian Electoral Commissioner.

Early Voting Centres

For the 2006 State election, the VEC appointed 77 early voting centres in 66 electoral districts throughout the State, including at Melbourne and Avalon airports, for use by electors, in person, prior to election day. Early voting services were also provided for firefighters in Casterton, and at 11 interstate and 28 overseas locations, including for Australian service personnel in Dili, East Timor.²⁴

With respect to the location of early voting centres, the Commission in its 2007 *Report to Parliament on the 2006 Victorian State Election* stated:

*With the likelihood of a further increase in early voting in future, the VEC will review the locations of early voting centres, with a commitment to ensuring adequate coverage and resourcing.*²⁵

The Committee during its *Inquiry into the Conduct of the 2006 Victorian State Election* considered evidence on the number and location of early voting centres and supported the commitment by the VEC that it would “review the locations of early voting centres, with a commitment to ensuring adequate coverage and resourcing.”²⁶

The Public Interest Advocacy Centre,²⁷ the Victorian ALP,²⁸ George Seitz MP,²⁹ Christine Campbell MP³⁰, and Louise Asher MP³¹ advised the Committee in their submissions that early voting centres should be located in every electorate. The League of Women Voters of Victoria, whilst supporting the need for improvements to the provision of early voting centres, suggested that an expanded range of early voting centres may distract from the principle of using well-recognised centres in locations with disability parking and wheelchair access.³² The Public Interest Advocacy Centre also stated that these centres should be accessible by public transport, have access to disability parking, with location and opening times advertised in the media and to groups likely to use the centres.

Ken Jasper, MP, Member for Murray Valley, in his submission to the inquiry advised the Committee that “consideration should be given to the number and location of pre-polling centres to ensure that there are not too many

²⁴ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 27, 28 & 30, & Appendix 9

²⁵ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 116

²⁶ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 151

²⁷ Submission 5

²⁸ Submission 21

²⁹ Submission 20

³⁰ Submission 26

³¹ Submission 1

³² Submission 25

such centres.” Mr Jasper expressed the view that “pre-polling is being abused as a convenience for people wanting to avoid the perceived hassles of voting on Election Day, where they may face delays, rather than for people who genuinely cannot get to a polling centre on Election Day.”³³ The Deputy Electoral Commissioner advised the Committee that the VEC appoints early voting centres to maximise access for electors.³⁴

The VEC’s *2010 State Election Plan* addresses early voting, and with respect to the location of this service states that:

*Electors unable to attend a voting centre on election day will be able to vote early at any early voting centre across the state. The VEC will establish at least one early voting centre in each District for the 2010 State election. Early voting will be available from 4pm on Friday, 12 November to 6pm on Friday 26 November at each election office and at additional early voting centres across the State, including Melbourne International and Avalon airports.*³⁵

The Electoral Commissioner in his submission to the inquiry advised the Committee that:

- For the 2010 election, early voting centres will be established in every district, plus additional centres to cover the Melbourne CBD, airports and geographically large electorates
- As far as possible, the VEC will seek to appoint central and accessible venues
- All early voting centres within Victoria will be equipped with facilities to enable electronically assisted voting for electors who are blind or have low vision; these electors will be able to vote by using a voting kiosk or telephone; every effort will be made to maximise accessibility to public transport and for electors with physical disabilities
- Early voting centres will be established in all State and Territory Electoral Commission offices as well as on the Gold Coast, Sunshine Coast and Cairns; facilities will be provided for electors who are eligible to vote with electronic assistance
- Early voting centres will be established overseas and in the Antarctic; electronic voting will be provided at the four voting centres in the United Kingdom.³⁶

The Electoral Commissioner also advised the Committee that where possible the VEC will endeavour to secure premises to maximise access for

³³ Submission 29

³⁴ Email to the Committee dated 17 June 2010

³⁵ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 17

³⁶ Submissions 4 & 4(a), and letter to the Committee dated 4 June 2010

electors. The VEC proposes to advise registered parties of these locations once premises have been secured. Early voting will also operate from election offices.³⁷

The Electoral Commissioner, in his briefing to the Committee on the inquiry and in answer to a question on the increasing use of early voting centres by voters, stated that:

*Each early voting centre is capable of issuing votes across Victoria. They will all have voting look up facilities, they will all have the necessary stationery and requirements to issue votes for anywhere, so anyone going to any early voting centre will be able to vote anywhere in Victoria. I need to clearly state, though, and I note your observation of the trends, that there is still a requirement that they are unable to vote on election day. That is the requirement they have to either meet in a declaration on a postal vote or in a verbal declaration at an early voting centre. Convenience is not a reasonable reason for doing it; they have to not be able to vote on election day. I accept that people have different lives — they might be working or they are more mobile — and that does increase the trend, but I suspect also that there are other factors at play that we need to carefully monitor. No one who goes to the VEC will be turned away without something.*³⁸

The Committee considers that the use and availability of early voting centres should be reviewed with respect to the trends in their use and their convenience to electors. The review should also address whether the criteria that permits electors to cast a vote at an early voting centre needs to be revised.

E-Centres

Electronic voting in 'voting kiosks' located in E-Centres was provided by the VEC to electors in the 2006 State election who because of a visual impairment could not otherwise vote without assistance. The E-Centres were open for both early voting and election day voting and were located at Vision Australia centres (Ballarat, Kooyong, Shepparton and Warragul), and at the Melbourne Town Hall and Heidelberg North Leisure Centre.³⁹

The VEC, in its report to Parliament on the 2006 State election describes the process followed to select where electronic voting would take place:

It was decided that the best way to support the voting kiosks was to place them within special voting centres, called E-Centres. The E-Centres were open for early voting and election day voting, and

³⁷ Letter to the Committee dated 4 June 2010

³⁸ Steve Tully, Victorian Electoral Commissioner, Victorian Electoral Commission, *Transcript of Evidence*, Melbourne, 7 June 2010, page 13

³⁹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 69 & 70

were designed to be especially accessible to people with vision impairments and other disabilities, as well as allowing for electors from anywhere in the State to come to use the specialised facilities. They were to be fully wheelchair accessible according to the VEC's audit tool, which included considerations such as:

- *accessible car parking;*
- *ready access to public transport;*
- *a wheelchair-friendly path from the car park to the voting centre;*
- *wide doorways, without lips or stairs (or with appropriate ramps); and*
- *sufficient space to allow for the flow of voters in wheelchairs.*⁴⁰

The E-Centres at Vision Australia were selected by the Commission because they fitted the criteria and were also familiar venues to people with vision impairments. Heidelberg North was chosen before legislation made electronic voting only available for the vision-impaired – the centre contained a Scope office and ran programmes for mobility-impaired groups. It was also in an area rich in linguistic diversity.⁴¹

The VEC in its analysis of the 2006 election made two comments on the resourcing of electronic voting and the location of E-Centres:

*A major issue regarding the feasibility of future potential uses of the software is cost. Substantial costs were incurred in resourcing the E-Centres, compared to other voting centres, which limit the practicality of having more E-Centres under the present legislative provisions. Extending the franchise of users for electronic voting could substantially reduce the cost per vote and maximise the return on the investment.*⁴²

Regarding venues, the VEC believes that placing the electronic voting kiosks within the E-Centres which catered for various disabilities worked well. The VEC notes the particularly low electronic vote turn-out at the Heidelberg E-Centre. The VEC considers that this shows the importance of choosing venues that are familiar to vision-impaired voters if the use of electronic voting is restricted to these electors. A significant issue is that the participation rate for electronic voting was significantly less than had been hoped for, and well below the capacity of the infrastructure put in place. Although the VEC considers that it achieved a good spread of publicity, anecdotally it was suggested that

⁴⁰ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 69

⁴¹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 70

⁴² See proposed expansion of electronic voting in the Electoral Amendment (Electoral Participation) Bill 2010

there was a low rate of awareness of the trial amongst the vision impaired community. A number of people who did vote at Vision Australia centres had not come there specifically to vote, but had come for other reasons and only voted electronically due to 'spruiking' by VEC staff. The two Vision Australia centres that took the most electronic votes (Kooyong and Ballarat) were the larger ones where regular programmes continued through the voting period. Other reasons suggested as to why people were hesitant included:

- *concern that by declaring themselves to be vision-impaired, electors may then be labelled disabled by other government departments;*
- *vision-impairment is quite often related to ageing and older people tend to be less comfortable with computers;*
- *there were concerns about the security of the system, based on issues encountered overseas with electronic voting and some misunderstandings about how the system worked (one person reported that the name 'E-Centre' had caused some confusion because it suggested that the votes were emailed); and*
- *many vision-impaired voters are registered as general postal voters and so are automatically sent their ballot papers – many may have found it easier to simply fill in those papers rather than come to a voting centre, or may have filled them out before learning about the electronic voting option.*⁴³

The VEC made a number of recommendations on how the legislation relating to electronic voting could be improved and these are noted by the Committee in Chapter 5 of this report.

The Committee in its report on the *Inquiry into the Conduct of the 2006 Victorian State Election* addressed electronic voting. With respect to the location of E-Centres, the Committee received evidence from Vision Australia suggesting that among the reasons for the low turnout of vision-impaired electors was the location of E-Centres. Vision Australia and the VEC identified a number of initiatives that it hoped would increase impaired voters' use of electronic voting at state elections including, with respect to location:

- Selecting locations for E-Centres that are familiar to vision-impaired voters
- Establishing electronic voting booths at all key voting centres in districts.⁴⁴

⁴³ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 75

⁴⁴ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 185

The Committee, in its report of the inquiry, supported the investigation and implementation of these and other identified initiatives to encourage increasing electronic voting at future state elections.⁴⁵ The Committee recommended that further limited electronic voting trials be conducted at future state elections.⁴⁶ The State Government in its formal response to that recommendation stated that it supported the recommendation in principle, adding that:

*Part 6A of the Electoral Act 2002 provides that electronic voting may be made available for electors who are visually impaired and this service will continue to be offered by the VEC in future State elections. As indicated in recommendation 8.2 the Government will consider expanding access to electronic voting and this may be done through e-voting trials.*⁴⁷

Recommendation 8.2 was that the State Government should consider amending the *Electoral Act 2002* to expand electronic voting to the print disabled community which includes people with motor impairments, people with poor English language skills and people who are illiterate in English. The Government supported the recommendation, adding that it would consider expanding access to electronic voting with particular reference to the print disabled community.⁴⁸

In 2008-09, the Committee conducted an inquiry into voter participation and informal voting and made reference to the possibility of expanding electronic voting to Victorian electors outside Victoria. The Committee noted the following advice in the VEC's submission to that inquiry:

Turning to electronic voting outside Victoria, stand-alone electronic kiosks in overseas and interstate voting centres would be able to easily supply ballot papers for any District and Region. Currently large numbers of paper ballots must be shipped to these venues – this would be replaced with a small number of CDs and smartcards. The votes could also be sent back to Melbourne electronically (as they were from the non-metropolitan locations in the 2006 trial) and printed for inclusion in the count on election night, reducing the delay that currently occurs waiting for the ballot papers to be transported to Victoria. The VEC would also consider the AEC's 2007 trial of voting over the Department of Defence's intranet. Many Defence personnel overseas are stationed

⁴⁵ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 186

⁴⁶ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 192

⁴⁷ Government Response (ND) *Electoral Matters Committee – Inquiry into the Conduct of the 2006 Victorian State Election*, recommendation 8.2

⁴⁸ Government Response (ND) *Electoral Matters Committee – Inquiry into the Conduct of the 2006 Victorian State Election*, recommendation 8.3

*in remote areas, and often the normal postal voting process does not serve them well.*⁴⁹

The VEC's 2010 State Election Plan addresses electronic voting and with respect to the location of this service states that the Commission is "exploring ways to provide electronic voting in more locations across Victoria and potentially to Victorians overseas."⁵⁰

Victorian Interstate and Overseas Early Voting Centres

For the 2006 State election, the VEC appointed 11 interstate and 28 overseas early voting centres. Interstate centres were appointed in all the state and territory capital cities, as well as in Alice Springs, Cairns, Noosa and Southport. The overseas centres were located in Asia (13), Europe (7), New Zealand (2) and North America (6).⁵¹ In addition to appointing these overseas centres, the VEC provided electronic voting services for Antarctic electors employed in the Antarctic on election day.⁵²

The VEC provides an early postal voting service to armed services personnel serving overseas.⁵³ The overseas centres appointed for the 2006 election included an early voting centre in Dili for Australian service personnel stationed in East Timor, which was additional to other voting arrangements established for service personnel.⁵⁴

The VEC experienced difficulties with voting centres at some overseas centres in the 2006 election:

*This included material being delayed in Customs, and the lack of training for some consular election officials. Information technology opportunities to assist in relaying materials will be pursued in the future, as well as the appointment of better trained staff at particular centres.*⁵⁵

The VEC's 2010 State Election Plan provides the following detail on these issues:

The VEC experienced a number of difficulties with voting at some overseas locations with the main issues surrounding voting in the United States of America. Delays were experienced with material being held by USA customs due to being incorrectly tagged by the carrier when

⁴⁹ Parliament of Victoria (2009) *Inquiry into Voter Participation and Informal Voting*, Report of the Electoral Matters Committee, page 174

⁵⁰ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 18

⁵¹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 154

⁵² Victorian Electoral Commission (2009) *2010 State Election Plan*, page 19

⁵³ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 19

⁵⁴ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 30

⁵⁵ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 116

*leaving Australia. Voting in the USA is also impacted by Thanksgiving Day and the Thanksgiving Day holiday that in some States is the Thursday and Friday before election day.*⁵⁶

In early 2010, the VEC undertook a full review of the locations to be appointed for interstate and overseas early voting, and consideration was given to options for improved service provision. Contact was also made with the largest overseas voting centre in London to better understand and address particular issues that were raised following the 2006 State election.⁵⁷ The Committee understands that whilst Thanksgiving Day will always impact on Victorian State elections, the VEC has made arrangements for the early delivery of resources so that they arrive in time for the commencement of early voting in the USA.

Mobile Voting Centres

For the 2006 State election, the VEC appointed 892 mobile voting centres in locations such as nursing homes, hostels, hospitals and prisons. Mobile voting centres were also established at the Melbourne Assessment Centre and the Melbourne Remand Centre.⁵⁸ This service enabled electors in those facilities to vote when a mobile voting team visited in the lead-up to the election. A centre was also appointed at St Mary's House of Welcome for electors experiencing homelessness.⁵⁹

The Committee in its report on the *Inquiry into the Conduct of the 2006 Victorian State Election* noted that:

*Mobile voting centres also visited various special events within Victoria including the Spring Car Nationals in Shepparton, the Queenscliff Music Festival, the Great Victorian Bike Ride in Wangaratta and the Corporate Games in Melbourne. A mobile voting centre was also provided for the 400 fire fighters temporarily located in Casterton.*⁶⁰

The Committee in its 2008 report congratulated the VEC on responding quickly and effectively to establish mobile voting centres based on the needs of voters.

The Committee also noted that November is becoming 'prime bushfire season' and as State elections are scheduled to be held every four years on the last Saturday in November, bushfires may impact on electoral services

⁵⁶ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 18

⁵⁷ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 18

⁵⁸ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 28 & 30

⁵⁹ Letter to the Committee from the VEC dated 4 June 2010

⁶⁰ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 152

and influence the location of mobile voting centres.⁶¹ This is particularly important where authorities have evacuated or are considering evacuating members of the public in areas of high fire danger.

The Committee in its inquiry into voter participation and informal voting received evidence from the Council on the Ageing and Hanover Welfare Services about the usefulness of mobile voting centres in residential care facilities and crisis accommodation centres. The Committee heard that mobile voting centres could be more inclusive and accommodating for electors and agreed that electors from the electorate should not be precluded from voting at mobile voting centres. The Committee recommended that the VEC should consider allowing electors from the electorate to vote at mobile voting centres where convenient.⁶² The State Government in its formal response to that recommendation stated that it supported the recommendation in principle, adding:

The VEC appointed 892 mobile voting centres for the 2006 State election.

Mobile voting is a specialized service usually offered to hospitals, nursing homes, hostels etc. where residents would find it difficult to vote by other means. The VEC will also organize mobile voting centres to cater for electors attending large organized events on election day or unplanned events that draw large groups of the community on election day (such as the volunteer firefighters at the Casterton fires).

In most instances, the VEC designates those centres to be used as mobile voting centres in consultation with the administration of each centre. The VEC also designates the class of elector that is entitled to vote (i.e. residents, patients, staff and family) at a particular mobile voting centre in consultation with the centre administration. The administrators of each venue provide advice in this regard depending on the age, health and mobility of the electors together with the physical layout of the venue. But the VEC does not own or lease these venues and does not have the authority to allow general members of the public into these venues to access mobile voting facilities.

Where the VEC establishes a mobile voting centre to cater for electors outside of health care facilities it maintains a flexible approach in allowing electors to vote at the centre.

The VEC will continue to offer the same mobile voting service to health care facilities in future and is considering increasing the

⁶¹ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 152

⁶² Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 152

*number of early voting centres for those electors who are not able to attend a voting centre on election day.*⁶³

The Committee in its inquiry into voter participation and informal voting, considered the difficulties persons experiencing homelessness had participating in elections and recommended that the State Government funds the VEC to continue to expand the location of mobile voting centres to organisations serving people experiencing homelessness.⁶⁴

The VEC's *2010 State Election Plan* addresses mobile voting and with respect to the location of this service states that:

The Electoral Commissioner will appoint as many nursing homes, hostels, hospitals and other institutions as is necessary as mobile voting centres to enable electors in those institutions to vote on the spot when a mobile voting team visits in the lead-up to the election.

Additionally a number of homeless support agencies will be appointed as mobile voting centres for the 2010 State election.

The VEC will initiate a pilot mobile voting program at between 12 and 20 agencies that provide services to electors with a disability.

*The VEC will consult with its Electoral Access Advisory Group (EAAG) to establish the most suitable strategy for the delivery of mobile voting facilities.*⁶⁵

The submission from the Public Interest Law Clearing House (Vic) (PILCH) and PILCH Homeless Persons' Legal Clinic suggested to the Committee that additional mobile voting centres be provided at locations where people experiencing homelessness are engaged, including Centrelink and Medicare offices and homelessness service providers.⁶⁶

The Electoral Commissioner in his submission to this inquiry advised that for the 2010 State election mobile voting facilities will be provided to around 850 locations in the two weeks prior to election day, including at retirement villages, nursing homes, hospitals, homeless shelters and prisons.⁶⁷ With respect to the submission from PILCH, the Commissioner advised the Committee that the VEC expects there will be an increased need for mobile voting facilities at agencies supporting the homeless for this year's election.⁶⁸

⁶³ Government Response (ND) *Electoral Matters Committee – Inquiry into the Conduct of the 2006 Victorian State Election*, recommendation 7.1

⁶⁴ Parliament of Victoria (2009) *Inquiry into Voter Participation and Informal Voting*, Report of the Electoral Matters Committee, page 161

⁶⁵ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 18

⁶⁶ Submission 15

⁶⁷ Submissions 4 & 4(a)

⁶⁸ Letter to the Committee dated 4 June 2010

The Committee notes that the *Electoral Act 2002* authorises the VEC to specify the class of elector that is entitled to vote at particular mobile voting centres.⁶⁹ The Committee understands that the classes of eligible electors at each venue are selected in consultation with the administration at each venue and for mobile voting centres include residents, clients, patients, prisoners, staff and carers. Given their specific purpose, mobile voting centres are not advertised by the VEC as being open to the general public.

The Committee considers that the VEC should consider widening the class of voters who can vote at mobile voting centres to include the elderly, those experiencing infirmity and their carers in the immediate vicinity of the centre.

Election Day Voting Centres

For the 2006 State election the VEC appointed 1,652 voting centres, primarily in schools and community halls, throughout Victoria on election day. Voters were able to cast an ordinary vote at a voting centre within their electorate or cast an absent vote at any other voting centre in the State outside their electorate.

A total of 2,440,009 votes were cast on election day. These included 199,517 absent votes, a decrease on the 230,576 issued in 2002 and 226,608 in 1999. The Commission in its report to Parliament on the 2006 State election stated that the reduction in the number of absent votes was primarily attributed to an increase in the number of joint voting centres (see below). The VEC also stated that the reduction in absent votes could be further explained in part by the use by electoral officials of Personal Digital Assistants (PDAs). PDAs were available at 123 voting centres and election officials were able to locate a person's correct district from the electoral roll on the PDA, or advise the elector if they were not enrolled correctly and provide them with an enrolment form. The Commission stated in the report to Parliament that in the past a large percentage of absent votes were rejected due to people inadvertently providing incorrect enrolment details.⁷⁰

The Committee in its report on the *Inquiry into the Conduct of the 2006 Victorian State Election* considered evidence about the location of voting centres in rural Victoria and stated that it recognised "the historical tradition of voting in person on election day in Australia and supports the preservation of voting centres in the smaller communities of rural Victoria." The Committee recommended that the VEC considers maintaining voting centres in the smaller communities of rural Victoria.⁷¹

⁶⁹ Section 65(2)(b) *Electoral Act 2002*

⁷⁰ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 30

⁷¹ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, page 163

The State Government in its formal response to that recommendation stated that it supported the recommendation, adding that:

*The VEC will continue to maintain voting centres in smaller communities of Victoria - providing that venues remain available and in a suitable condition for this purpose.*⁷²

The VEC's 2010 State Election Plan addresses the selection of voting centres and states that:

The VEC has undertaken a review of all voting centres used at the 2006 State election with a view to recommending and booking voting centres for the 2010 State election.

In doing so, the VEC has considered those voting centres that have been used at State, Federal and Council elections in the past, and will ensure that voting centres are geographically well located within each District. The VEC will also consider voting centres that can provide maximum access for voters and will attempt to ensure that there is at least one fully accessible voting centre in each ward.

*The VEC will work co-operatively with the AEC in the selection of voting centres for 2010, as it is anticipated that the Federal and Victorian State elections could take place within a very short time interval. As far as possible, the same voting centres will be appointed to avoid confusion.*⁷³

For the 2010 State election, the VEC plans to appoint about 1,820 election day centres and all of the centres will be able to cater for ordinary and absent voting.⁷⁴ The Committee notes that this is a proposed increase of 168 voting centres over the 2006 State election and commends the VEC for this initiative.

Joint Voting Centres

Several submissions to the inquiry expressed concern about the appointment of joint voting centres, including the Kororoit State Electoral Campaign Committee, Australian Labor Party which expressed concern over the location (especially if located on busy roads) and confusion to voters caused by these centres.⁷⁵

The Bendigo Federal Electorate Assembly of the Australian Labor Party expressed concern over the management of joint voting centres at the 2006 State election:

⁷² Government Response (ND) *Electoral Matters Committee – Inquiry into the Conduct of the 2006 Victorian State Election*, recommendation 7.7

⁷³ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 19

⁷⁴ Submissions 4 & 4(a)

⁷⁵ Submission 10

- Eight joint voting centres were “poorly staffed”
- Some centres were “extremely over crowded” or “poorly attended”
- “Voters were generally confused”
- Many voters did not know in which electorate they were enrolled.

The submission proposed that if joint voting centres were to be appointed:

- Fewer be appointed to avoid confusion and over crowding
- They be well staffed
- There is clear delineation between the different district voter rolls at the centres
- Clear directions are given to voters at joint voting centres.⁷⁶

With regard to the issues raised in the submission from the Bendigo Federal Electorate Assembly of the Australian Labor Party, the Commissioner stated that:

- *Additional staff are allocated to joint centres to assist elector flow.*
- *Electors are encouraged to bring their voter cards with them when they vote – which clearly identifies in which electorate the elector is enrolled.*
- *Joint voting centres are laid out in such a way that each electorate has a clearly defined voting area.*⁷⁷

The Electoral Commissioner advised the Committee that the VEC aims to appoint voting centres with the best access for all electors. Given that there is limited availability of venues and that the VEC does not own the buildings used as voting centres, this is not always possible.⁷⁸

The Public Interest Advocacy Centre stated that:

Joint voting centres, particularly on electoral boundaries should provide better access for voters. A joint polling centre would be preferable to one where voters had to travel further, or to a location that was not directly accessible by public transport or had other access problems. Issues that may occur due to voter confusion about collecting ballot

⁷⁶ Submission 8

⁷⁷ Letter to the Committee dated 4 June 2010

⁷⁸ Letter to the Committee dated 4 June 2010

*papers should be solved by signage, assistance from staff in managing queues and general management of the centre.*⁷⁹

Marlene Kairouz MP, Member for Kororoit opposed the appointment of joint voting centres, stating:

*People have a history of going to a particular booth at a particular entrance when voting. Coupled with a high proportion of people from CALD communities,⁸⁰ shared booths would only confuse them.*⁸¹

The Commissioner, in response to this issue, advised the Committee that:

*In relation to the concerns raised about the potential confusion [of] CALD electors at joint voting centres, one of the advantages in the appointment of joint voting centres is that the voting process is much simpler for electors who are enrolled in a neighbouring electorate.*⁸²

Danielle Green MP, Member for Yan Yean, in her submission to the inquiry stated that:

The State electorate of Yan Yean contains more split postcodes and localities than any other electoral district in Victoria which I believe means that joint voting centres are an essential part of the electoral process.

However it does need to be taken into account that this requires a number of different how to vote (htv) cards across the Yan Yean district and that errors in production and distribution of htv cards by parties and candidates can lead to a higher rate of informal voting. ...

*I believe that joint voting centres should have clearly designated and well signed voting areas for each district at the joint voting centre and where possible separate rooms for each district to ensure ease of voting, counting and to decrease the likelihood of informal voting or the wrong ballot papers being issued.*⁸³

George Seitz MP, Member for Keilor, in his submission stated that electoral district booths in joint voting centres should be in separate rooms and that the different electorate areas should be clearly marked so that voters can join the correct queue.⁸⁴

⁷⁹ Submission 5

⁸⁰ The Australian Bureau of Statistics defines cultural and linguistic diversity (CALD) by three variables: country of birth, language other than English spoken at home, and English language proficiency.

⁸¹ Submission 11

⁸² Letter to the Committee dated 4 June 2010

⁸³ Submission 17

⁸⁴ Submission 20

The Commissioner, in response to this issue, advised the Committee that:

Where venues do have access to adjacent rooms at joint voting centres, these will generally be utilised as separate areas for each district. However, where rooms are some distance apart, there is potential for voter confusion where electors attending from other districts who need to complete an absent vote – choose the wrong room.

*Voting centre managers are given clear guidelines on the layout of joint voting centres and it is the VEC's experience that inside the venue, electors are ushered to their voting areas in an orderly manner.*⁸⁵

Nicholas Reece, State Secretary, Campaign Director, Victorian ALP, in his submission to the Committee stated that joint voting centres should only exist “where there is a longstanding and strong community of interest argument.” Mr Reece further stated that “where reasonable we [the Victorian ALP] believe that joint voting centres should be aligned with electorates.” Information was also provided on informal voting data at joint voting centres.⁸⁶

Judith Graley MP, Member for Narre Warren South, in her submission, expressed concern over the function and organisation of joint voting centres, stating that at a joint voting centre in her electorate voters were confused about which electorate to vote in, with many taking their place in the wrong queue (many waiting for up to one hour). The submission, referring to specific areas in the electorate, proposes that joint voting centres should not be established in growth areas.⁸⁷

The Commissioner, in response to these issues, advised the Committee that:

The VEC has done considerable work in estimating anticipated voter numbers in growth areas to ensure that all voting centres are adequately resourced and staffed for the 2010 election.

The anticipated voter numbers for Brentwood Park are 4,009 ordinary Narre Warren South electors and 711 anticipated absent voters from across a number of electorates. The venue is large enough to manage the anticipated voters.

*Given the high number of anticipated absent voters, the VEC is proposing that netbooks be used at this venue to electronically mark electors names on a central copy of the roll. This removes the requirement for absent electors to complete a written declaration vote and will allow electors to move through the centre much faster.*⁸⁸

⁸⁵ Letter to the Committee dated 4 June 2010

⁸⁶ Submission 21

⁸⁷ Submission 22

⁸⁸ Letter to the Committee dated 4 June 2010

The VEC appointed 148 joint voting centres for the 2006 election compared to 23 in 2002.⁸⁹ Of the 148 joint voting centres, 138 operated across two electoral districts and nine operated across three districts.⁹⁰ The Commission in its *Report to Parliament on the 2006 Victorian State Election* stated that the aim of the increase in these centres was to reduce the number of absent votes issued at voting centres located close to electorate boundaries.⁹¹ An absent vote is a type of declaration vote where the elector is able to cast a vote on election day (after making a written declaration to the election official) at a voting centre outside of their enrolled electoral district.⁹² The VEC stated in its report to Parliament that:

*The VEC will continue to utilise joint voting centres in order to reduce declaration voting. The centres will be located close to electoral boundaries.*⁹³

The Commission, in a paper published on joint voting centres in March 2010, provided the following data to support its position:

*An increase in the number of joint voting centres from the 2002 State election to the 2006 State election, contributed to a decrease in the number of absent voters from 230,576 (2002) to 199,517 (2006).*⁹⁴

The VEC selects the location of joint voting centres by having regard to the following matters:

When considering the appointment of all voting centres across Victoria, the VEC avoids using venues close to district boundaries as far as possible.

Where there is a venue close to a district boundary, the VEC will consider how many electors crossed the boundary to vote at that venue, if it was used, at previous elections. This process is completed by analyzing the areas (called census collector districts) where voters came from to vote at each voting centre at the most recent election.

Where it is expected that a significant number of electors from a neighbouring district will use the venue, other options within the

⁸⁹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 30

⁹⁰ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 3

⁹¹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 30

⁹² Voting by electors in voting centres located outside of the elector's enrolled electoral district is authorised by section 109 *Electoral Act 2002*

⁹³ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 117

⁹⁴ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 4

same electorate away from the boundary are considered. Options on the other side of the boundary are also considered to provide an additional facility for electors from that district.

However, where there are no suitable alternatives, and the VEC expects that a significant number of electors from the adjoining district(s) will use a particular venue, the VEC will appoint that voting centre as a joint venue.

Experience demonstrates that the great majority of electors are habitual in where they vote for Commonwealth and State elections. This pattern also continues after redistributions which can shift areas of one district into others.

If the VEC did not provide a joint facility, political parties and candidates would be unaware of the voters from an adjoining district and would not be able to furnish them with how-to-vote material.⁹⁵

The VEC, in its March 2010 position paper on joint voting centres, stated that it had commenced consideration of joint voting centres for the 2010 State election, which involved:

- Checking on the availability and accessibility of all venues
- Identifying any proposed voting centres that are situated close to district boundaries
- Investigating alternative venues away from the boundary
- Reviewing elector numbers voting at these venues in 2006
- Establishing elector estimates (from each electorate) anticipated to attend these venues in 2010; any changes in population density are also considered.⁹⁶

The VEC stated that if a venue is close to a district boundary, no alternative venues are available away from district boundaries and the elector estimate for an adjoining electorate exceeds 150 votes, the VEC proposed to designate that venue as a joint voting centre.⁹⁷

The Committee in its report on the *Inquiry into the Conduct of the 2006 Victorian State Election* noted concerns expressed by political parties about how joint voting centres “can complicate the voting process and confuse voters on election day” and from a Member of Parliament that these centres

⁹⁵ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 2

⁹⁶ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 4

⁹⁷ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 4

“may have increased the number of errors made by election officials”.⁹⁸ The Committee also noted that:

- Widespread use of ‘dual polling booths’ between adjoining seats was likely to give rise to the view that electors are able to vote in any booth, regardless of the seat in which they are enrolled⁹⁹
- Indications that informal voting in many electorates increased at joint voting centres.¹⁰⁰

While the VEC recognised the concerns held by some of the registered political parties and independent candidates, it understood that decreasing the number of joint voting centres would impact on electors’ voting experience. The VEC, in its submission to that inquiry, stated:

From an elector’s perspective, an ordinary vote is easier and quicker to cast and the vote can be counted on election night. If the VEC were to reduce joint voting centres, it is almost certain that absent votes would increase, and that party workers would be unable to furnish such electors with material, processing time for electors would increase and could impact on waiting time at voting centres.¹⁰¹

The Committee reported that the VEC intended to establish joint voting centres close to electoral boundaries in order to reduce declaration voting. Indeed, the VEC anticipated that the number of joint voting centres would be increased at the 2010 state election.¹⁰² In March 2010, the VEC estimated that the number of joint voting centres proposed for the 2010 election will be 157. Of these, the VEC anticipates that 151 will operate across two electoral districts and six will operate across three districts.¹⁰³ Since then the VEC has advised the Committee that for the 2010 State election, the six joint voting centres that will service three electorates, will be on the boundaries of the following districts:

- Bentleigh: Wickham Road Uniting Church Hall (serving the Bentleigh, Sandringham and Mordialloc districts)

⁹⁸ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, pages 153

⁹⁹ From the Commonwealth’s Joint Standing Committee on Electoral Matters 2005 report, *The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Other Matters Related Thereto*, at page 112)

¹⁰⁰ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, pages 154

¹⁰¹ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, pages 154

¹⁰² Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, pages 154

¹⁰³ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 4

- Kilsyth: Eastwood Primary School (serving the Bayswater, Kilsyth and Warrandyte districts)
- Mount Waverley: Glen Waverley Primary School (serving the Forest Hill, Mount Waverley and Scoresby districts)
- Narre Warren South, two 'triple' joint voting centres: Berwick Lodge Primary School (serving the Gembrook, Narre Warren North and Narre Warren South districts), and Lyndhurst Secondary College (serving the Cranbourne, Lyndhurst and Narre Warren South districts)
- Warrandyte: Brushy Creek Hall (serving the Evelyn, Kilsyth and Warrandyte districts).¹⁰⁴

The Committee concluded from its inquiry into the 2006 State election that it did not support the VEC increasing joint voting centres at the 2010 State election. The Committee stated that its decision was based on the evidence received from the two major registered political parties, together with anecdotal evidence and joint voting centre informal voting statistics, which showed that joint voting centres contributed to voter confusion on election day. The Committee recommended that the VEC considers reducing the number of joint voting centres at the 2010 Victorian State election.¹⁰⁵ The State Government in its formal response to that recommendation stated that it supported the recommendation, adding that:

*The VEC will consider reducing the number of joint voting centres at the 2010 Victorian state election.*¹⁰⁶

The VEC's *2010 State Election Plan* addresses joint voting centres and with respect to establishment of these centres states that:

*The VEC will establish as many joint voting centres as considered necessary to support the election. Utilisation of joint voting centres will assist in the reduction of declaration voting which is more time consuming for electors and takes more time to process and count after election day. These voting centres will be located close to electoral boundaries. It is anticipated that there will be 200 joint voting centres for the 2010 State election. The increased number of joint voting centres is as a result of voting centres that issued 150 or more absent votes for an adjoining District at the 2006 State election.*¹⁰⁷

¹⁰⁴ Victorian Electoral Commission Voting Centre Planning Maps 2010 tabled at briefing on 7 June 2010

¹⁰⁵ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*. Report of the Electoral Matters Committee, page 154

¹⁰⁶ Government Response (ND) *Electoral Matters Committee – Inquiry into the Conduct of the 2006 Victorian State Election*, recommendation 7.2

¹⁰⁷ Victorian Electoral Commission (2009) *2010 State Election Plan*, pages 19 & 20

In the VEC's March 2010 position paper on joint voting centres, the Commission states:

The VEC holds a strong view that joint voting centres provide:

- *a faster and more convenient service for electors who cross an electorate boundary to vote at a voting centre;*
- *faster communication of election results from voting centres where joint facilities operate; and*
- *an indication to parties and candidates of the number of voters expected to attend a voting centre from an adjoining electorate.¹⁰⁸*

The paper further states:

The VEC has carefully considered the appointment and operation of joint voting centres and a number of reasons have been presented in this paper to indicate why the establishment of joint voting centres is necessary and desirable in particular circumstances.

- *On average, the time saving for each elector crossing a district boundary to vote at a joint voting centre is 3 minutes – which extrapolates to a saving of 25 hours per venue or 3,675 hours across Victoria.*
- *The establishment of joint voting centres enables results to be included on election night for votes that would otherwise not be counted until the week following election day.*
- *The establishment of joint voting centres also significantly reduces processing times (and costs) after election day, where the enrolment status of absent electors must be checked, the roll marked, declaration envelopes opened and ballot papers extracted.*

From a transparency perspective, candidates and political parties are advised of the anticipated number of electors expected to attend a joint voting centre from an adjoining electorate.

The VEC will always aim to locate suitable accessible voting centres away from district boundaries. However, it is the VEC's view that where this is not possible, and it is expected that significant numbers of electors from neighbouring districts will vote at a particular venue,

¹⁰⁸ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 1

*the establishment of a joint voting centre provides the best service for the elector.*¹⁰⁹

With regard to informal voting at joint voting centres, the Committee in its inquiry into voter participation and informal voting recommended that the VEC should continue to analyse informal voting statistics following all Victorian state elections and publish the results in the form of an informal voting survey in its election report to Parliament.¹¹⁰

The VEC, in its submission to this inquiry stated:

The VEC is aware from its analysis of informality rates that generally, informality rates can be a little higher in joint voting centres, but certainly not in all cases. It is reasonable to assume that in cases where the rates are significantly higher, that voters from neighbouring electorates have not had access to how-to-vote cards. This, would of course, also occur if the voting centre had not been appointed as a joint venue and the same electors had voted as absent declaration voters.

The most compelling statistic of all is that at the 2002 election with 23 joint voting centres, there were 230,576 absent voters. In 2006 by implementing more joint voting centres, the number of absent voters dropped to 199,517 (a decrease of 31,059).

In other words, the joint voting centres captured many voters and enabled them to vote as ordinary voters and not as absent declaration voters.

*The issue of proselytizing the vote is one for candidates and parties, and by the VEC disclosing joint voting centres and the anticipated number of voters from the local electorate and neighbouring electorates, party workers will be able to prepare themselves in a much more effective way than simply ignoring the attendance patterns of voters.*¹¹¹

The Commissioner further advised the Committee that:

Informality rates at joint voting centres are also discussed in the VEC's submission. The VEC believes that informality rates increase where electors do not have access to how-to-vote cards. This will be the case for absent voters attending a voting centre that is not appointed as a joint venue, as well as electors attending a joint venue from a neighbouring district. The appointment of the joint venue however, provides parties with the opportunity to anticipate expected numbers of

¹⁰⁹ Victorian Electoral Commission (March 2010) *Joint Voting Centres*, Position Paper, page 5

¹¹⁰ Parliament of Victoria (2009) *Inquiry into Voter Participation and Informal Voting*, Report of the Electoral Matters Committee, page 96

¹¹¹ Submissions 4 & 4(a)

*electors from neighbouring districts and to have how-to-vote cards available.*¹¹²

The Committee considered the level of informal voting at joint voting centres and noted with great concern that at some of these centres there was evidence of high levels of informality in the 2006 State election, in particular in the Broadmeadows and Pascoe Vale electoral districts.

Informal voting in the 2006 State election at joint voting centres in Broadmeadows was:

- Hadfield joint voting centre 17.17%
- Glenroy joint voting centre 15.15%
- Westmeadows joint voting centre 11.6%¹¹³

Informal voting in the 2006 State election at joint voting centres in Pascoe Vale was:

- Glenroy East joint voting centre 15.79%
- Newlands joint voting centre 10.77%.¹¹⁴

The Committee also noted that both of these electorates contain large proportions of people who are not fluent in English. That is, in Broadmeadows, at the 2006 census, 10.1% of persons in the electorate were not fluent in English, and in Pascoe Vale, 6.0% were not fluent in that language.¹¹⁵ These electorates also contain large numbers of people whose highest level of completed schooling was Year 10 or below. For instance, in Broadmeadows, at the 2006 census, 39.1% of people in the electorate had only completed schooling to Year 10 or below, whilst in Pascoe Vale the proportion of the electorate's population was 31.5%.¹¹⁶

Other electorates with high levels of informal voting for the 2006 Victorian State election at joint voting centres, include Derrimut (over 12% at the Sunshine joint voting centre), Thomastown (over 11% at Thomastown East), Macedon (over 11% at Kyneton), Altona (over 11% at Mossfiel), Mill Park (over 10% at Epping), Bayswater (over 10% at Knox), Dandenong (over 9% at Glen Eagles) and Kororoit (over 9% at St Albans West).¹¹⁷ A large proportion of people in four of these electorates are also not fluent in English, that is in Derrimut (14.4% of persons in the electorate at the 2006

¹¹² Letter to the Committee dated 4 June 2010

¹¹³ Data provided to the Committee by the VEC

¹¹⁴ Data provided to the Committee by the VEC

¹¹⁵ Parliament of Victoria, Parliamentary Library Research Service (2008) *Victoria State Electoral District Rankings 2006 Census*, Table 2.12, page 44

¹¹⁶ Parliament of Victoria, Parliamentary Library Research Service (2008) *Victoria State Electoral District Rankings 2006 Census*, Table 4.4, page 62

¹¹⁷ Data provided to the Committee by the VEC

census), Thomastown (13.8%), Dandenong (10.2%) and Kororoit (10.1%).¹¹⁸

The Committee considers that joint voting centres have the potential to increase informal voting and create confusion amongst voters. This is particularly the case when the voters are not fluent in English, are casting their votes outside of their electoral districts, or are voting at joint voting centres that service three electoral districts.

The Committee considers that the VEC should only appoint joint voting centres as a last resort and when it is unable to secure other suitable voting centres in an electoral district. If joint voting centres are appointed, the Electoral Commissioner should ensure that the centres are well resourced, organised, staffed and sign-posted to minimise informal voting, as well as any voter confusion outside of the voting centres.

The Committee considers that the VEC should give prominence to the locations of election day voting centres located within the relevant electoral district, rather than joint voting centres located in other electoral districts, when it prepares EasyVote cards.

Where a joint voting centre services two or more Legislative Council regions, the Committee further considers that the VEC should print the Legislative Council ballot papers in different, distinct colours to avoid confusion amongst electoral officials and scrutineers.

Planning and Reviewing the Location of Voting Centres

Several submitters advised the Committee of the importance of locating voting centres close to public transport and parking, and having regard to the needs of the disabled.¹¹⁹

The League of Women Voters of Victoria and Christine Campbell MP, Member for Pascoe Vale, in their submissions to the inquiry, raised the issue of consultation on the location of voting centres suggesting that it involve Members of Parliament, the general public¹²⁰ and local government.¹²¹ The Committee noted that the Australian Electoral Commission consults Members of Parliament on any contemplated appointment or abolition of what the Commonwealth terms polling places, and generally allows 21 days for them to provide their views.¹²²

¹¹⁸ Parliament of Victoria, Parliamentary Library Research Service (2008) *Victoria State Electoral District Rankings 2006 Census*, Table 2.12, page 44

¹¹⁹ For example, submission 5

¹²⁰ Submission 26

¹²¹ Submission 25

¹²² Submission 27

The Electoral Commissioner advised the Committee that:

*The VEC liaises with MPs via the Registered Political Parties in regard to election arrangements to ensure that, as far as practicable, the same information and opportunities are provided to prospective candidates and sitting members.*¹²³

The Committee considers that the VEC should widen its consultative program before it appoints voting centres and draws on the experience and local knowledge of members of the community. This could be achieved through a combination of measures, including seeking formal input from the public before it appoints voting centres, by placing notices in newspapers and on the VEC's website, and writing and seeking the views of relevant non-government organisations, disability groups, local government, registered political parties, prospective candidates and Members of Parliament. A period of 21 days could be provided for members of the public and these parties to provide suggestions and to respond to a draft list of voting centres.

During the course of this inquiry the Committee noted that the VEC reviews the operation of each centre and reports to the Parliament on the administration of elections generally. As noted above, the Commission has also prepared a plan for the conduct of the 2010 State election. The plan notes that:

*A fully accessibility audit of proposed voting centres will be undertaken during early 2010. As a result of the audits it may be necessary to seek some alternative venues to those currently proposed.*¹²⁴

With respect to the location of election day voting centres, the Electoral Commissioner in his Foreword to the VEC's *Report to Parliament on the 2006 Victorian State Election* stated that "Outside complaints about political parties and candidates, queues at voting centre were the next largest cause for complaint."¹²⁵

The VEC engaged Colmar Brunton Social Research to conduct a survey of voters during the 2006 State election. The purpose of the survey was to evaluate awareness of and satisfaction with the services provided by the Commission. With respect to location, and as part of the assessment of the voting experience, survey respondents were asked if they had to queue before they received their ballot papers:

Sixty-seven percent of respondents stated that they did have to queue. Of those respondents who indicated that they had to queue before receiving ballot papers, 41% spent less than 5 minutes queuing, and 20% stated that they queued for 5 minutes. Eighteen percent waited for

¹²³ Letter to the Committee dated 4 June 2010

¹²⁴ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 19

¹²⁵ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 11

*6 to 10 minutes, 9% for 11 to 15 minutes, 9% for 16 to 20 minutes and 3% reported that they had to queue for more than 20 minutes to receive their ballot papers.*¹²⁶

The matter of queuing at voting centres is also considered in Chapter 4.

The VEC noted that it had received written complaints about its services to voters:

Early voting centres

Five complaints were received from candidates in relation to early voting centres, in particular, their location.

Voting centres

*Some 23 complaints were received in relation to voting centres. This included complaints about queues, the appropriateness of certain locations as voting centres including access considerations, and staff behaviour. All complaints were investigated.*¹²⁷

The VEC's report stated:

All complaints about queues were investigated, with a detailed analysis of the difference between the number of votes estimated for that particular centre and the number of actual votes received. In those areas where there were significant queues, it was found that the number of actual votes was greater than the number estimated. This was particularly true in growth areas, as well as areas that were close to major infrastructure such as the Melbourne Town Hall. In 2010, the VEC will utilise mapping software and other data besides historical information, to better predict the volume of votes likely to be received at each centre.

There is a strong likelihood that the 2010 Victorian State election will be conducted shortly after a Federal election, on current timelines. This will further enable the VEC to be more accurate with estimations.

*In addition, online venue location search facilities will clearly indicate those centres located within the elector's district and those that are not.*¹²⁸

¹²⁶ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 43

¹²⁷ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 45

¹²⁸ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 117

The Committee in its report into the *Conduct of the 2006 Victorian State Election* also noted the complaints received from candidates by the VEC on the location of early voting centres (EVCs). The report stated:

The Liberal Party of Australia (Victorian Division) indicated that while the number of votes cast at EVCs had increased, the number of EVCs had decreased. In addition, they stressed the importance of having at least one EVC in every electorate/district.

*In his submission Bob Saunder [a submitter to that inquiry] suggested that an EVC be located at the site of the largest voting centre in each rural centre. Luke O’Sullivan, State Director of The Nationals, indicated that this would not solve the transport and distance issues for more remote Victorian communities. The VEC also pointed out the difficulty of leasing a voting centre, in particular a school or town hall, for the entire two week early voting period. Consequently, the VEC did not support this suggestion...*¹²⁹

The Committee notes that the VEC will be engaging a market research service to evaluate the delivery of the 2010 State election. The evaluation is planned to take into account awareness of the election and election services and satisfaction with those services, primarily amongst early voters, election day voters, CALD voters and those electors experiencing homelessness who utilise mobile voting services.¹³⁰

Recommendations

Recommendation 1: The Parliament reviews the use and availability of early voting centres and the criteria that permits electors to vote at an early voting centre.

Recommendation 2: The Victorian Electoral Commission undertakes a review of the class of elector that is entitled to vote at particular mobile voting centres.

Recommendation 3: The Victorian Electoral Commission only appoints joint voting centres when it is unable to secure other suitable voting centres in an electoral district.

Recommendation 4: If joint voting centres are appointed by the Victorian Electoral Commission, the Electoral Commissioner ensures that the centres are well resourced, organised, staffed and sign-posted to minimise informal voting, as well as any voter confusion outside of the centres.

Recommendation 5: The Victorian Electoral Commission gives prominence to the locations of election day voting centres located within the relevant

¹²⁹ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*. Report of the Electoral Matters Committee, pages 150 & 151

¹³⁰ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 26

electoral district, rather than joint voting centres located in other electoral districts, when it prepares EasyVote cards.

Recommendation 6: The Victorian Electoral Commission, before it appoints voting centres, consults with the public, including relevant non-government organisations, disability groups, local government, registered political parties, prospective candidates and Members of Parliament, and provides 21 days for the public to provide suggestions and to respond to a draft list of voting centres.

Recommendation 7: Where a joint voting centre services two or more Legislative Council regions, the Victorian Electoral Commission should print the Legislative Council ballot papers in different, distinct colours to avoid confusion amongst electoral officials and scrutineers.

Chapter 4: Accessibility of Voting Centres

This chapter describes the administrative arrangements undertaken, in the main by the Victorian Electoral Commission (VEC), to plan and provide accessible voting for electors at voting centres. The chapter focuses on the physical accessibility of voting centres. The following chapter addresses how voter participation in state elections is implemented and enhanced at voting centres.

Legislative Requirements and the VEC's Corporate Plan

'Access' or 'accessibility' in terms of electoral practice is usually understood to mean the opportunity, ability and ease of people to become involved in electoral matters, and in the context of this inquiry, to physically access voting centres during parliamentary elections.

Vision Australia, in its submission to this inquiry, addressed the concept of 'accessibility' and stated that:

Accessibility relates to the interaction between people and things. It covers physical access to buildings and spaces, it speaks to the communication of information whether that be inter-personal, digital, hard copy print or otherwise, and it informs a need to maintain and develop policy that promotes inclusion across all spheres of civil, political, economic, social and cultural life.¹³¹

As noted above, this chapter addresses the physical aspects of access to voting centres, whilst the other aspects of the concept referred to by Vision Australia are addressed in the next chapter. However, in this context, it is relevant to recall that the Commonwealth Government is a party to the *International Covenant on Civil and Political Rights*, where Article 25 provides that:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

(a) To take part in the conduct of public affairs, directly or through freely chosen representatives;

¹³¹ Submission 18

(b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

*(c) To have access, on general terms of equality, to public service in his country.*¹³²

The Victorian Equal Opportunity Commission aims to eliminate unlawful discrimination and promote equal opportunity in Victoria pursuant to equal opportunity legislation, whilst at the Commonwealth level, the Human Rights and Equal Opportunity Commission monitors compliance with the *Disability Discrimination Act 1992*.

In Victoria, section 18 (2)(b) of the *Charter of Human Rights and Responsibilities Act 2006* provides that every eligible person has the right, and is to have the opportunity, without discrimination “to have access”, on general terms of equality, to the Victorian public service and public office.

A person's access to parliamentary electoral processes including the central processes of enrolling and voting is provided for in the *Electoral Act 2002*. It is through this Act that people gain access to the electoral system and thus become entitled to vote if they are qualified to enrol as an elector under the *Constitution Act 1975* and are enrolled as an elector on the electoral roll or “register of electors”.¹³³

Part 5 of the *Electoral Act 2002* sets out the election procedures and section 65(3) of the Act provides that the VEC must, in exercising its powers to appoint voting centres, “ensure that electors are provided with an accessible service that facilitates the opportunity to vote.”

These legislative requirements are reflected in the VEC's *Corporate Plan 2007-2012*, ‘Our Voters’, which includes as a key strategy “Enhance accessibility to voting services”. The actions relating to this strategy include:

- *Promote and facilitate early voting*
- *Expand mobile voting initiatives to homeless, Indigenous groups and groups of disabled persons who cannot access voting centres*
- *Encourage the extension of electronic voting to culturally and linguistically diverse communities and those with poor motor skills*
- *Ensure adherence to the Charter of Human Rights and Responsibilities Act 2006.*¹³⁴

¹³² Department of Foreign Affairs and Trade (1998) *Australian Treaty Series*

¹³³ Ss. 21 & 87 *Electoral Act 2002*

¹³⁴ Victorian Electoral Commission (2007) *Corporate Plan 2007-2012*, page 7

Voting Times

Voting times for electors were extended at early voting centres, which for the 2006 State election were open for two weeks prior to election day, from Friday 10 to Friday 24 November. In addition to normal business hours, early voting centres were also open from 8am to 2pm on Saturday 18 November and until 8pm on Thursday 23 November 2006.

The VEC in its report to the Parliament on the 2006 State election stated that some travelling electors who wished to vote at the airports were disappointed with the operating hours of airport early voting centres, specifically that the hours did not reflect the extended operating hours of the airport.¹³⁵

In accordance with section 99(1) of the *Electoral Act 2002*, electors with special circumstances were able to vote from 4pm on Friday 10 November, four hours after the close of nominations. However they were only able to vote on ballot papers with below-the-line voting options, as group voting tickets were not finalised until the Sunday after the commencement of early voting.¹³⁶

The VEC in its *Report to Parliament on the 2006 Victorian State Election* recommended that consideration should be given to amending the Act so that early voting commences on the Monday after nominations close.¹³⁷ The VEC stated that this would allow sufficient time to produce and distribute ballot papers and permit electors to vote above-the-line if they so chose. Electors unable to vote at a voting centre were able to apply for a postal vote.

An associated issue to this was raised in a submission to the inquiry from Louise Asher MP, Member for Brighton, who stated that there should be a sufficient number of 'how-to-vote' cards available for individual electors at mobile voting centres.¹³⁸

The Commissioner advised the Committee that:

The Electoral Act 2002 allows mobile voting officials to provide on request to electors, copies of how-to-vote cards that have been provided to the Election Manager. Mobile teams will continue to carry folders of registered cards that have been provided to the Election Manager for mobile voting purposes and will provide electors with copies of the folder on request. This process enables the elector to keep private, the

¹³⁵ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 28

¹³⁶ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 27 & 28

¹³⁷ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 27 & 28

¹³⁸ Submission 1

particular card they are seeking. The VEC will increase the number of folders allocated to each team for the 2010 election.

The Committee notes that if how-to-vote cards relating to an election are supplied to the election manager, the Act provides that the election official at the mobile voting centre must advise electors that how-to-vote cards have been supplied and show electors how-to-vote cards if so requested.¹³⁹ The Committee considers that the VEC should ensure that each elector attending a mobile voting centre to vote is informed of the availability of 'how-to-vote' cards, and that when requested, sufficient folders of these cards are both available and provided to electors, prior to voting.

Ken Jasper, MP, Member for Murray Valley, in his submission to the inquiry stated that:

the two week period allowed for pre-polling is too long and that a period of one week prior to the election should be sufficient to allow people who are genuinely unable to get to a polling booth on election day to participate in the election, recognising that postal voting is another option for people who are unable to attend, for any reason.

Statistics reveal more and more people are now taking advantage of pre-polling – almost 6400 voters used the pre-poll centre in Murray Valley compared to around 1000 postal voters - making it the most important 'booth' in the electorate. This is surely a clear indication pre-polling is being abused as a convenience for people wanting to avoid the perceived hassles of voting on Election Day, where they may face delays, rather than for people who genuinely cannot get to a polling centre on Election Day.

With research indicating that many people do not make up their mind on how they are going to vote until they reach the polling booth, it is imperative that they have access to 'how to vote' information and under our current system this means rostering volunteers to hand-out the information at the polling venues.¹⁴⁰

The Deputy Electoral Commissioner advised the Committee in response to this matter that an amendment to the *Electoral Act 2002* would be necessary to reduce the pre-poll voting period.¹⁴¹

The VEC in its report to the Parliament drew attention to the difficulty some electors had with the witness provision on the application form¹⁴² and

¹³⁹ Section 65 (4) *Electoral Act 2002*

¹⁴⁰ Submission 29

¹⁴¹ Email to the Committee dated 17 June 2010

¹⁴² Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 28 & 29

recommended that consideration should be given to removing the requirement for postal vote declarations to be witnessed.¹⁴³

The VEC, in its report to the Parliament, made a number of other recommendations on postal voting concerning the distribution of applications for postal votes and clarifying the postmarking of postal vote declarations.¹⁴⁴

Physical Accessibility of Voting Centres

The VEC is committed to improving access to electoral services for Victorians with disabilities.¹⁴⁵

The VEC, in its report to the Parliament on the 2006 State election, provided details of the issues related to the physical accessibility of voting centres, in particular, those that were designed to assist voters with a disability.¹⁴⁶ The Commission in its report gave notice of the following service improvements for voters who rely on wheelchair access:

*The VEC received complaints in relation to the lack of wheelchair accessible voting centres. Despite considerable liaison with disability organisations, the VEC was unable to locate and lease many accessible venues. The VEC will continue to liaise with community and disability organisations to identify more suitable venues. In addition, the VEC will liaise with the Department of Education at a more strategic level to seek assistance on sourcing and rating venues.*¹⁴⁷

The Committee in its report of its *Inquiry into the Conduct of the 2006 Victorian State Election* also addressed the difficulties ageing and physically disabled voters experienced gaining physical access to voting centres.¹⁴⁸

¹⁴³ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 120 & 121

¹⁴⁴ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 120; the Electoral Amendment (Electoral Participation) Bill 2010 proposes to clarify provisions in the Act which relate to the acceptance of postal vote declarations to reflect the current VEC practice, and provide that Legislative Council candidates, who choose to form a group on the ballot paper, must register a group voting ticket with the VEC (this will provide the VEC with sufficient time to print the relevant ballot papers and guard against the possibility of inadvertent informal votes being cast in favour of groups who fail to lodge a group voting ticket)

¹⁴⁵ Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 – 2011*, page 8

¹⁴⁶ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 122

¹⁴⁷ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 117

¹⁴⁸ Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, pages 158 to 160

The VEC assesses whether locations are suitable based on many objectives, including:

- Prominent locations that are easily identifiable
- Suitable size
- Availability
- Proximity to public transport
- Disabled parking
- Cost
- Uniformity with Australian Electoral Commission locations.¹⁴⁹

The VEC has incorporated wheelchair accessibility as an objective and assessed locations as either:

- Wheelchair accessible
- Wheelchair accessible with assistance, or
- No wheelchair access.

At the 2006 State election, the wheelchair accessibility rating was promoted on the VEC's website and voting centre finder, and also in the press advertisements which listed all voting centres in the State.¹⁵⁰

Accessibility within a voting centre is assessed by the VEC and determined by the layout of furniture, colour schemes, lighting, ease of entry and egress, and flow-through for people with limited mobility, and the readability and ease of understanding of the instructions. The VEC considers the layout of the voting centre as very important for the efficient running of the election, particularly in terms of limiting congestion and ensuring adequate privacy and security.¹⁵¹

The VEC consults on access issues with its Electoral Access Advisory Group, which comprises representatives from peak disability advocacy groups and Carers Victoria. The Committee notes that the group assists the VEC to implement its *Disability Action Plan* and to advise on disability issues. The VEC sought comments from this group on training issues, the Commission's corporate plan and has asked members to recommend

¹⁴⁹ Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 – 2011*, page 18

¹⁵⁰ Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 – 2011*, page 18

¹⁵¹ Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 – 2011*, page 20

venues for voting centres that have high standards of accessibility.¹⁵² Despite this, the Committee notes from the Foreword of the VEC's Disability Action Plan that there is a dearth of public buildings rated as fully wheelchair accessible.¹⁵³

The Committee further notes that whilst the VEC would ideally like to lease only fully wheelchair accessible venues, in some parts of the State, locations that fit all the VEC objectives do not exist. In addition, as the VEC is unable to make modifications, or direct owners to make modifications, the availability of suitable venues is a significant restriction.¹⁵⁴

Richard T Marsh, in his submission to the inquiry, drew the Committee's attention to access problems for the elderly or people with a disability during the 2006 State election at the Wangaratta early voting centre.¹⁵⁵ The Electoral Commissioner advised the Committee that:

The VEC establishes early voting centres in the two weeks before election day. The venues obtained depend on availability and are secured on short term leases.

*Every effort is made, and will continue to be made, to secure venues which are fully accessible for electors. In some cases, this is not always possible where options are limited and short term leases are not attractive to agents. The VEC has extended the leasing period in an effort to secure more suitable venues.*¹⁵⁶

The Public Interest Advocacy Centre stated that ideally all voting centres should be accessible to wheelchair users, particularly in rural areas, and that buildings should comply with *Disability Standards for Access to Premises*.¹⁵⁷

Disability access issues that were specific to electorates were also raised in submissions by the Kororoit State Electoral Campaign Committee, Australian Labor Party¹⁵⁸, Marlene Kairouz MP, Member for Kororoit¹⁵⁹ and Ken Jasper MP, Member for Murray Valley.¹⁶⁰

¹⁵² Submission 4a, and Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 - 2011*

¹⁵³ Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 – 2011*, page 4

¹⁵⁴ Victorian Electoral Commission (2008) *Improving Access to the Victorian Electoral System: A Disability Action Plan 2008 – 2011*, page 19

¹⁵⁵ Submission 3

¹⁵⁶ Letter to the Committee dated 4 June 2010

¹⁵⁷ Submission 5

¹⁵⁸ Submission 10

¹⁵⁹ Submission 11

¹⁶⁰ Submission 29

Blind Citizens Australia, in its submission to the Committee, stated that it was important that:

- Voting centres are located close to public transport
- Orientation and wayfinding are critical to assist people to navigate, as are clear and high contrast large print and raised tactile and Braille signage
- There are readily identifiable and welcoming officials located outside the centre
- All centres should be clear and unobstructed at all times to allow independent and safe movement.¹⁶¹

Ken Jasper MP, Member for Murray Valley, in his submission also suggested that shade and shelter for party and candidate workers should be a consideration when voting centres are selected.¹⁶² This specific matter is addressed in Chapter 6.

Vision Australia, in its submission to the Committee, stated that physical access to voting centres requires:

- Signage of *Building Code* standard size and colour contrast
- Wayfinding mechanisms which include tactile ground surface indicators and navigational cues for passage from the centre gates to the administration desk.

Vision Australia further stated that:

- All voting centres need to be within easy walking distance from public transport and the passage from transport to the centre should have audio tactile pedestrian crossings across busy roads and adequate street crossing mechanisms for suburban streets
- Adequate personnel to offer sighted-guide assistance should be deployed, both during the pre-poll period and on election day
- Centres should be designated well in advance to ensure access; it would also enable capital works planning and maintenance programs to be planned and funded.

The submission recommended that Vision Australia sites be a permanent fixture on the VEC's polling centre locality plan, as familiarity for their client group is important for safety, general amenity and convenience.

¹⁶¹ Submission 16

¹⁶² Submission 29; note the submission addressed early voting centres

The submission expressed concern that information about new interface technology that was not used in 2006 (eg. stand-alone telephone key pads) “is still far from being clearly communicated to potential users.” The submission suggests that the VEC embark on a wide-reaching publicity campaign about voting options.

The submission also referred to the importance of parties and candidates providing access to information to electors.¹⁶³

The Electoral Commissioner, in response to these issues, advised the Committee that:

The VEC recognises the right for all eligible electors to cast a secret, verifiable and independent ballot, and is at the forefront of extending EAV [electronically assisted voting] to further eligible electors who are unable to vote without assistance.

Access to public transport is generally good in metropolitan areas as most voting centres are located in schools or community halls, however public transport in rural areas is more of an issue. Alternatives for people in rural areas are early voting and general postal voting.

The accessibility of all voting centres is rated and promoted through the VEC website, the EasyVote card (delivered to every elector on the roll) and in the metropolitan press.

In addition, the VEC considers access to the grounds enclosing a voting centre, access from external gates to internal buildings as well as access within the buildings when assessing the accessibility of a voting venue.

A VEC queue controller wearing a vest with a large “i”, the standard symbol for information, is located at the entrance to each voting centre to direct electors once inside the voting centre. At each point the elector is directed to the next destination – entrance to roll mark-off to voting screens to exit. As most of the voting centres are large halls, signage on walls or from the roof is not practicable or in some cases allowed.

Voting centre managers are trained and provided with instructions regarding layout to optimise voter flow. This includes consideration for electors in wheelchairs or with other access requirements.

The VEC has asked Vision Australia, Blind Citizens Australia and the Guide Dogs Association of Victoria to advise the best locations to site CCTV units for this year’s elections.

The VEC used key Vision Australia sites as early voting centres in 2006 and proposes to again in 2010 where centres meet accessibility audit requirements.

¹⁶³ Submission 18

*The distribution of election material produced by candidates and parties is outside the VEC's responsibility and authority. However, the VEC will raise this matter in party briefing sessions.*¹⁶⁴

Queues and Waiting at Voting Centres

The VEC, in its report to Parliament on the 2006 Victorian State election, stated that it had received complaints about queues at voting centres. Outside of complaints about political parties and candidates, queues at voting centres were the next largest cause of complaint to the VEC.¹⁶⁵ Concerns about queues to voting centres were raised in submissions to the inquiry from the Kororoit State Electoral Campaign Committee, Australian Labor Party¹⁶⁶ and Marlene Kairouz MP, Member for Kororoit.¹⁶⁷

The Electoral Commissioner, in response to concerns about queuing, advised the Committee that the VEC is taking a number of steps to reduce the risk of long waiting times for electors. Where there are alternative booths close by, voting centre managers will alert electors to this, should queues eventuate.¹⁶⁸

In response to submissions from David Cullen¹⁶⁹ and the Public Interest Advocacy Centre¹⁷⁰ about planning and staffing to avoid queues and reduce waiting times, the Electoral Commissioner advised the Committee that:

The VEC will continue to refine its staffing arrangements to minimise potential waiting times for electors in peak periods.

For the 2010 election the VEC:

- *Has utilised more sophisticated mapping and special technology as an aid to predicting voting estimates for voting centres.*
- *Will give special consideration to growth areas when establishing voting estimates. ...*
- *Will introduce part day election officials to provide support during peak times.*
- *Will remind voting centre managers to use staff from declaration tables to assist with ordinary voting as demand requires.*¹⁷¹

¹⁶⁴ Letter to the Committee dated 4 June 2010

¹⁶⁵ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 11 & 45; results of survey research on queues reported on pages 11 & 43 of the VEC's report

¹⁶⁶ Submission 10

¹⁶⁷ Submission 11

¹⁶⁸ Letter to the Committee dated 4 June 2010

¹⁶⁹ Submission 2

¹⁷⁰ Submission 5

In response to the suggestion by David Cullen that electoral officials manage both ordinary and absent/special voters to provide greater flexibility with staffing during peak times,¹⁷² the Commissioner stated that:

*Declaration issuing officers (estimated 2,250 required for the 2010 State election) do require specialist training and deal with a range of matters requiring a more in-depth understanding of the electoral process and different vote types. Training all election officials to cover these roles, would involve significant cost increases – in that training times and salary costs would increase for approximately 10,000 election officials. Given that the majority of ordinary officers would not be required to assist at declaration vote tables during the day, the VEC does not believe that this option is the most efficient way to address the management of peak times in voting centres.*¹⁷³

The Committee considers that the VEC should establish, as a key electoral performance indicator, that except in exceptional circumstances, voters receive their ballot papers within 10 minutes of joining a queue at a voting centre.

The Committee notes the provisions of the *Electoral Act 2002* that enhance the access of electors at voting centres in Victoria, and the on-going actions of the Commissioner and other parties to implement these measures.

Recommendations

Recommendation 8: The Victorian Electoral Commission should ensure that each elector attending a mobile voting centre to vote is informed of the availability of 'how-to-vote' cards, and that when requested, sufficient folders of these cards are both available and provided to electors, prior to voting.

Recommendation 9: The Victorian Electoral Commission establishes, as a key electoral performance indicator, that voters, except in exceptional circumstances, receive their ballot papers within 10 minutes of joining a queue at a voting centre.

¹⁷¹ Letter to the Committee dated 4 June 2010

¹⁷² Submission 2

¹⁷³ Letter to the Committee dated 4 June 2010

Chapter 5: Voter Participation at Voting Centres

This chapter describes how voter participation at voting centres in state elections is implemented and enhanced.

Legislative Requirements, the VEC's Corporate Plan & Annual Report

Participation, in terms of electoral practice means the right of people to take an equal part in electoral processes with other members of the community, and in the context of this inquiry, being able to vote at a voting centre.

Section 18(1) of the *Charter of Human Rights and Responsibilities Act 2006* provides that every person in Victoria has the right, and is to have the opportunity, without discrimination, “to participate” in the conduct of public affairs, directly or through freely chosen representatives.

A person's participation in parliamentary electoral processes including the central processes of enrolling and voting is provided for in Part 6 of the *Electoral Act 2002*, in particular section 87(3) which provides that an elector must vote at every election for which the elector is entitled to vote.

These legislative requirements are reflected in the Victorian Electoral Commission's (VEC) *Corporate Plan of 2007-2012*, 'Our Voters', which includes as an objective “Increase voter participation” with a key strategy including:

Research and deliver communication and education initiatives that encourage voter participation, with particular emphasis on low participation groups.

The actions for this strategy include:

- *Establishing partnerships with agencies and networks to deliver key communications*
- *Targeting outreach programs to low participation areas.*¹⁷⁴

Another relevant objective in the VEC's corporate plan is to “reduce informality”, with a key strategy to:

¹⁷⁴ Victorian Electoral Commission (2007) *Corporate Plan 2007-2012*, page 7

Improve accessibility and clarity of information so that voters understand how to complete a formal vote.

The actions for this strategy include:

- *Producing VEC publications in Easy English, other languages and alternative formats*
- *Expanding electronic voting to culturally and linguistically diverse communities*
- *Establishing a partnership with the Ethnic Communities' Council of Victoria to identify high priority communities*
- *Identifying other strategic government and community partners who may assist to access key communities.*¹⁷⁵

The Committee noted a further action planned to reduce informal voting is to review the instructions and layout of ballot papers.¹⁷⁶

The VEC in a section on participation in its 2008-09 *Annual Report* stated that:

The VEC uses three measures to determine participation in the electoral system:

- *enrolment: the degree to which those who are eligible enrol to vote;*
- *turn-out: the degree to which those who are enrolled vote in elections; and*
- *informal voting: the degree to which those who vote cast an informal vote.*

When combined, these measures indicate participation in the electoral system. However, the factors affecting each of these measures vary, as do the ways to improve participation rates.

*The VEC is committed to providing electoral education, and assistance with voting information, to low participation groups, and to community groups who contact the VEC requesting assistance. The VEC's range of communication products and Easy English publications is continually expanded and reviewed to ensure relevant and clear information is provided.*¹⁷⁷

The Committee noted that according to these measures the latest reported participation rates in Victoria are:

¹⁷⁵ Victorian Electoral Commission (2007) *Corporate Plan 2007-2012*, page 7

¹⁷⁶ Victorian Electoral Commission (2007) *Corporate Plan 2007-2012*, page 7

¹⁷⁷ Victorian Electoral Commission (2009) *Annual Report 2008-09*, page 37

- Enrolment: 92.67% (2008-09)¹⁷⁸
- Turn-out: 92.70% (2006 State election)¹⁷⁹
- Informal voting in the Legislative Assembly election: 4.56% (2006 State election)¹⁸⁰
- Informal voting in the Legislative Council election: 4.28% (2006 State election).¹⁸¹

The Committee in its report on the *Inquiry into the Conduct of the 2006 Victorian State Election* examined the enrolment and engagement of electors and made a series of recommendations which relate to participation, which were responded to by the Government.¹⁸²

The VEC in its report to the Parliament on the 2006 State election provided details of the communication activities that it had undertaken for the 2006 State election¹⁸³ and gave notice of the following service improvements:

Voting centre signage

*Signage remains an issue for the VEC as it is often faced with council restrictions on the placement of signage in prominent locations such as main roads etc. The organisation will continue to look at options for increased signage at the actual venue, bearing in mind consideration for building owners. In addition, the VEC will look to provide each elector with details of their closest local voting centres in a state-wide mail out.*¹⁸⁴

¹⁷⁸ Victorian Electoral Commission (2009) *Annual Report 2008-09*, page 4

¹⁷⁹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 4

¹⁸⁰ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 4

¹⁸¹ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 4

¹⁸² See for example, recommendations 3.1 to 3.10, and recommendations 4.1 to 4.18; the Electoral Amendment (Electoral Participation) Bill 2010 contains proposals to change enrolment procedures on election day for those electors not on the electoral roll, abolish the 'three-month rule' (which uses the elector's principal place of residence three months prior to election day as a measure of the elector's entitlement to vote), and streamline enrolment procedures whereby the VEC will have the power to enrol people on its own initiative based on information obtained from sources under section 26(4) of the Act

¹⁸³ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, pages 23 to 46, & pages 58 to 60

¹⁸⁴ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 116

Communication services

The State election communication campaign will be revised to consider:

- *the timing of the stages of various campaigns; with a particular emphasis on advertising early voting prior to the issuing of postal votes. This is to encourage those who can not attend a voting centre on election day to vote early, as opposed to applying for a postal vote; and*
- *the inclusion of more tailored information, such as a list of voting centres on the EasyVote card.*

*At this stage it is likely that the basic message and visuals from the 2006 advertising campaign will be used in 2010. Savings will be diverted to more targetted advertising.*¹⁸⁵

Media releases

*In future, the VEC will distribute media releases more broadly to obtain improved media coverage. This will include any individual media contacts, rather than rely on AAP's Medianet coverage.*¹⁸⁶

The Committee noted that the VEC in its *2010 State Election Plan* sets out details of its advertising and communication plan for the 2010 State election. This includes:

- Telephone enquiry service call centre
- Multi-language telephone interpreting service in more than 100 languages to be operated by the Victorian Interpreting and Translating Service
- Voting centre look-up service (the VEC intends to direct voters to voting centres at which the voter can cast an ordinary vote)
- Email contact info@vec.vic.gov.au access and filtering
- Enrolment and recruitment helper
- Link to the VEC on Department of Foreign Affairs and Trade (DFAT) SmartTraveller website for overseas voters (the VEC will use DFAT's list of overseas travellers to text or email advice of the State election to those already overseas); the VEC is considering whether to use the UK Agent General's "Victorians Abroad" database

¹⁸⁵ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 117

¹⁸⁶ Victorian Electoral Commission (2007) *Report to Parliament on the 2006 Victorian State Election*, page 117

- Electoral boundary maps on the updated VEC website
- EasyVote card, which will be sent to all electors
- Multi-language advertising campaign
- Community education and services program.¹⁸⁷

The Committee notes that the VEC's redesigned website will progressively publish the results of the 2010 State election as they become available and will include first preference results, two candidate preferred (2CP) and two party preferred (2PP) count results, recheck results, preference distribution results, and the names of elected members. Results will be aggregated to show State-wide trends for the Legislative Assembly and Legislative Council. The State election website will also comprise a virtual tally room similar to that used in 2006.¹⁸⁸

The Committee notes that the community education and services program continues a number of previous activities, as well as additional new initiatives for 2010.

Additional initiatives for the 2010 State election will include:

- An Auslan DVD guide to State elections for the hearing impaired
- Posters thanking the original owners of the land at each voting centre
- Translated voting instructions at the back of every voting booth (in 20 top languages)
- Expanded form of electronic voting for blind and vision-impaired voters, and potentially those with motor skill disabilities
- *Voting is for Everyone* – a DVD for electors with an intellectual disability, their carers, families and workers (produced as a result of the SCOPE pilot program).¹⁸⁹

Other community education initiatives will include:

- Online election focused youth enrolment and information campaign – this will be a dedicated section of the re-developed website aimed at encouraging greater levels of youth enrolment for the 18 – 25 age group
- Passport to Democracy – this in-school program will be expanded and continue to run, providing students with a positive experience of democracy within the classroom

¹⁸⁷ Victorian Electoral Commission (2009) *2010 State Election Plan*, pages 4 to 9

¹⁸⁸ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 5

¹⁸⁹ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 8

- Community sector consultations and information kit – a series of consultations targeting community sector organisations that deal with our key audiences
- In-language voter information sessions for CALD groups – the development of standardised voter information sessions for delivery to CALD community groups
- State election roadshow – which will travel around Victoria targeting town centres in low participation/high informality areas with enrolment look-up facilities, enrolment and voting information and giveaways
- Royal Melbourne Show – the VEC will take a stand at the Royal Melbourne Show to promote the importance of voting providing enrolment forms and election information
- Community festivals and events – will be targeted through the pre-enrolment and enrolment periods with information on enrolling and voting correctly
- Homeless – enrolment sessions will be available for homeless support agencies and crisis accommodation centres; mobile voting facilities will be established during the early voting period in a number of homeless support agencies
- Community radio stations – will be provided with a number of pre-recorded radio ‘stories’ or ‘profiles’ of voting experiences/importance, plus a number of ad-hoc interviews, relevant to the VEC’s key audiences
- Partnership with Aboriginal Affairs Victoria – a project will be established with this agency to encourage enrolment and voting within the Indigenous community
- Carers – a communication strategy will be put into place to support the carers within the community to understand the obligations of enrolling and voting for the person for whom they are caring, and special information services/support for this community sector (which may include electronic voting at early voting centres)
- Seniors – senior citizen groups will be provided with information regarding voting obligations for this sector of the community and the provision of information and forms regarding general postal voter (GPV) status and early voting options
- Prisoners – The VEC will work with the Department of Corrections to deliver enrolment and voting services for those serving a sentence of five years or less.¹⁹⁰

¹⁹⁰ Victorian Electoral Commission (2009) *2010 State Election Plan*, pages 8 & 9

The Submissions

Many of the submissions considered by the Committee during this inquiry raised important issues relating to the participation of voters at voting centres.

Louse Asher MP, Member for Brighton suggested that advertising the location of voting centres by the VEC should be commenced earlier.¹⁹¹

The Electoral Commissioner in response to this issue advised the Committee:

*The VEC will be writing to every elector after the close of roll to provide them with information about the voting locations within their enrolled electorate, other voting options prior to election day, and will provide them with an EasyVote card to take with them when they vote. The VEC plans to publicise voting centre locations on its website from early October. A facility will also be provided on the website enabling electors to locate their nearest voting centres. The VEC will also continue to advertise voting centre locations in [the] daily press.*¹⁹²

The Public Interest Advocacy Centre proposed improvements to signage at voting centres, a letterbox drop of centre locations, the expansion of electronic voting, recruitment of Indigenous and bilingual officials, improved electoral information about accessible centres and early voting centres, the opening of mobile voting centres to the public, where possible, the display of information in 19 languages explaining that information on voting is available from electoral officials, and amending legislation to allow prisoners to vote in Victorian elections.¹⁹³ The matter of signage at centres was also raised by the Kororoit State Electoral Campaign Committee, Australian Labor Party.¹⁹⁴

The Electoral Commissioner in response to these issues advised the Committee:

Signage is provided to all voting centre managers and includes directional signage and signs to aid the flow of voters through the venue. Two large A1 signs alerting electors to booklets showing the group voting tickets registered for each region will be provided at each venue. A sign showing electors the languages spoken by election officials and outlining the voting process in the voting centre has also been included.

Standard and seating height voting screens will have voting instructions in 19 languages printed on the back of the screen to provide information

¹⁹¹ Submission 1

¹⁹² Letter to Committee dated 4 June 2010

¹⁹³ Submission 5

¹⁹⁴ Submission 10

to electors where they need it at the point of voting. Voting screens for electors in wheelchairs will be provided at all venues.

*The VEC is encouraging those with language skills in addition to English and those of Aboriginal and Torres Strait Islander background to apply for election official roles.*¹⁹⁵

The Committee notes that the VEC has formed an Aboriginal Advisory Group, has established an Aboriginal Engagement Program and has employed a Gundungurra man as an Aboriginal Engagement Officer to the Commission.¹⁹⁶

With respect to extending access to mobile voting centres, the Commissioner stated that:

*Mobile voting is a specialized service offered to hospitals, nursing homes, hostels etc. where residents would find it difficult to vote by other means. In most instances the VEC designates those centres to be used in consultation with the administration of each centre. The VEC also designates the class of elector that is entitled to vote (i.e. residents, patient, staff, carers and family) at a particular venue, again in consultation with the centre administration. The administrators provide advice in this regard depending on the age, health and mobility of the electors together with the layout of the venue. The VEC does not own or lease these venues and does not have the authority to allow general members of the public into these venues to vote.*¹⁹⁷

On the matter of prisoner voting, the Commissioner stated:

*In Victoria, prisoners serving a sentence of less than 5 years are eligible to enrol and vote for State elections. The cut-off is 3 years for Commonwealth elections. A VEC team has been visiting prisons to encourage enrolment and participation in elections and it is planned that mobile teams will visit prisons to provide enrolment and voting services before election day.*¹⁹⁸

The Committee in its report into voter participation and informal voting addressed people experiencing incarceration, and recommended that the State Government funds the VEC to provide information to persons experiencing incarceration, corrections service providers and the Department of Justice to enhance prisoner franchise in Victoria.¹⁹⁹

¹⁹⁵ Letter to Committee dated 4 June 2010

¹⁹⁶ "Commission wants Victorians voting" in 2 June 2010 edition of *Koori Mail*

¹⁹⁷ Letter to Committee dated 4 June 2010

¹⁹⁸ Letter to Committee dated 4 June 2010

¹⁹⁹ Parliament of Victoria (2008) *Inquiry into Voter Participation and Informal Voting in Victoria*, Report of the Electoral Matters Committee, recommendation 7.13, page 164

The submission to the inquiry from National Seniors Australia stated that voters who are in a queue at a voting centre at the closing time should be either admitted and allowed to vote, or issued with an absentee or postal vote.²⁰⁰

In a response to this issue, the Electoral Commissioner advised the Committee that all VEC voting centre managers are trained in the procedures to be followed at the close of voting at 6pm, and that these procedures are re-enforced in their manuals. The Commissioner stated that at exactly 6pm, centre doors are closed and an election official is asked to stand at the end of any queue. All electors in the queue at that time are brought inside and allowed to vote.²⁰¹

The Kororoit State Electoral Campaign Committee, Australian Labor Party stated that there should only be one entrance to voting centres.²⁰² In response, the Commissioner advised the Committee that:

*As a general rule, for voting centres with two doors, voting centre managers will designate one doorway as the entry point and the other as the exit. Exceptions may apply in certain circumstances where there is only one ramp for electors in wheelchairs who will need to enter and exit via the same door.*²⁰³

One submitter expressed concern over party supporters wearing clothing at voting centres with slogans that were not endorsed by the VEC. The submission also stated that candidate 'how-to-vote' cards should be banned and replaced with endorsed posters, or similar, on display inside the voting centre.²⁰⁴

The registration of 'how-to-vote' cards and provisions regulating the conduct of people near or within voting centres are provided for in the *Electoral Act 2002*. The only election material that can be distributed between 3 metres and 400 metres of a voting centre between 8am and 6pm on election day are registered 'how-to-vote' cards.²⁰⁵ The Deputy Electoral Commissioner advised the Committee that there are no provisions in the Act that restrict the wearing of clothing containing slogans of a political nature outside voting centres. Those wearing clothing or badges of a political nature must remove them before entering a voting centre.²⁰⁶

The Public Interest Law Clearing House (Vic) Inc (PILCH) and the PILCH Homeless Persons' Legal Clinic in their submission to the inquiry about electoral provisions relating to those who experience homelessness suggested that:

²⁰⁰ Submission 7

²⁰¹ Letter to Committee dated 4 June 2010

²⁰² Submission 10

²⁰³ Letter to Committee dated 4 June 2010

²⁰⁴ Submission 14

²⁰⁵ Section 156 *Electoral Act 2002*

²⁰⁶ Email to the Committee dated 8 June 2010

- Election officials are given training on ways to assist people experiencing homelessness
- A consumer consultant trained or experienced in issues relating to homelessness is engaged to assist at mobile voting centres
- Information kits are developed and distributed to homeless people and service providers
- Medicare, Centrelink and homelessness service providers are engaged to encourage and assist people to enrol and vote
- A targeted advertising campaign is undertaken to raise awareness amongst the homeless; the campaign could include posters at high frequency contact points, including at Medicare, Centrelink and homelessness service providers, and billboards in locations with high levels of homelessness.²⁰⁷

The Electoral Commissioner advised the Committee that:

The VEC has been consulting with agencies who support people experiencing homelessness in the lead up to the 2010 State election and has offered to provide a number of services including:

1. Worker information sessions – These will guide staff and volunteers at facilities for the homeless through enrolment and voting processes and encourage them to support their clients with this process.

2. Enrolment outreach sessions – VEC staff will attend outreach sessions at designated venues and support clients through the enrolment process. This will be done in a very supportive and informative environment.

3. Mobile voting 2010 elections – Voting sessions will be conducted at designated venues in the two weeks before election day. Staff will have laptops with access to the State roll to assist with the process. Again, this will be done in a very supportive and informative environment.

The VEC has asked agencies to identify the services required before the end of June 2010.

The VEC expects that there will be an increased requirement for mobile voting facilities at agencies supporting the homeless for this year's election.

The Electoral Act 2002 requires that election day voting centres are publicly advertised and are open to the public between the hours of 8am and 6pm. To have homeless facilities open to the general public would not be desirable and could in fact have a detrimental effect on the

²⁰⁷ Submission 15

*electoral participation of its clients. For this reason, the VEC offers voting services to clients of homeless facilities during the early voting period, where legislation allows the Electoral Commissioner to designate the 'class' of voter who may vote at that centre.*²⁰⁸

Blind Citizens Australia in its submission to the inquiry stated that it is important that:

- Orientation and wayfinding are critical to assist people to navigate, as are clear and high contrast large print and raised tactile and Braille signage
- There are readily identifiable and welcoming officials located outside the centre
- All centres are clear and unobstructed at all times to allow independent and safe movement
- Election information and educational material (both government and political party) is available in alternative formats; websites (including those of political parties) should conform to Standards developed by the World Wide Web Consortium (W3C)
- Accessible voting options continue to be expanded, including Braille ballots, closed circuit television magnifiers, electronic voting kiosks and electronically assisted telephone voting systems.²⁰⁹

Blind Citizens Australia advised the Committee that at a minimum, future accessible voting should include:

- A greater commitment to the provision of electronically assisted telephone services and electronic voting kiosks in addition to that committed to for the 2010 State election
- Two copies of large print and Braille instructions at centres that offer electronically assisted voting
- Continuation of opt-in Braille ballots
- One closed circuit television magnifier at centres that have a high volume of vision impaired voters.²¹⁰

The submission from Blind Citizens Australia stated that:

- Electronic voting should be made available on election day and at early voting centres

²⁰⁸ Letter to Committee dated 4 June 2010

²⁰⁹ Submission 16

²¹⁰ Submission 16

- Officials should be provided with basic cultural and disability awareness training
- Participation barriers should be dismantled in rural areas.²¹¹

The submission stated that there is scope to further enable the participation of marginalised groups, including people with dual sensory disabilities who would not directly benefit from the expansion of electronically assisted voting (EAV). Further research should be undertaken to determine whether adaptive equipment could be used in conjunction with a voting kiosk or phone system to enable greater participation across a range of disabilities.²¹²

Vision Australia, in its submission to the Committee, also stated that adequate personnel should be available to offer sighted-guide assistance, both during the pre-poll period and on election day.²¹³

The Electoral Commissioner provided the following further advice to the Committee on the participation issues raised by Blind Citizens Australia and Vision Australia:

Protocols and information are provided in election official manuals in relation to providing assistance to electors with different needs.

Election officials are also provided with a DVD demonstrating the level of customer service expected in voting centres. The VEC is revising protocols and information with relevant associations prior to this year's elections.

An opt-in program for the delivery of Braille ballot material has now been made available at both council and State elections by the VEC.

The VEC places either a large poster in the front window (early voting) or a large horizontal banner on the fence of an election day voting centre. These banners are dark burgundy sans serif font on a white background giving good contrast.

As part of its Disability Action Plan, the VEC endeavours to have all key electoral information in alternative formats e.g Auslan DVD, audio, Braille and website. The VEC has not yet had a request for an alternative format that it hasn't been able to deliver.

Copies of large print or Braille instructions in relation to EAV should not be necessary given that audio instructions are included as components of both the telephone and kiosk systems.

²¹¹ Submission 16

²¹² Submission 16

²¹³ Submission 18

In 2010, the EAV system being provided is 20x the scale of 2006 and the VEC proposes to measure how well it is accepted by both the voting public and election staff before further expansion. Clearly there are cost, logistical, and training challenges associated with providing an EAV service at all election day voting centres. It would also be more likely that situations occur where only one elector completes an EAV at a particular venue, potentially compromising the secrecy of their vote. The VEC can more effectively focus its training of election officials supporting EAV on the 100+ early voting venues rather than spread the specialised training required across 17,000 officials. The pressure of people waiting to complete their votes on election day may also place undue pressure upon the blind or low vision elector to rush on what is a new and unfamiliar system and may result in them abandoning the system for a paper (non-secret) vote. The ability for the elector to take their time is desirable.

*The VEC is at the forefront of EAV in Australia and will continue to monitor advances on the international scene for application here. It is the ongoing mission of VEC to expand all eligible voters.*²¹⁴

The Women's Electoral Lobby, Victoria, in its submission to the Committee, suggests that all voting centres should have access to multilingual facilities and that an education campaign be undertaken to alert citizens to their responsibility to register and to vote.²¹⁵

The Ethnic Communities' Council of Victoria, in its submission to the inquiry, stated that extra educational and information resources (including in an oral form) need to be available to assist migrants to participate in voting. Information about the location of voting centres should include a graphic map and ideally a photo of the building. The submission proposed the use of culturally and linguistically competent 'Democracy Ambassadors' to provide an ongoing education on democracy directly to Victoria's ethnic communities. The primary responsibilities of 'Democracy Ambassadors' would be to communicate messages about enrolment, voting and elections. The Council stated that some members of the migrant and multicultural communities may require special assistance to travel to voting centres.²¹⁶

The submission from the Council, referring to an incident in the recent South Australian State election where voters could have been confused by misleading 'how-to-vote' cards and the activities of party "spruikers", suggested that legislation be instituted to ensure that this type of activity does not occur in Victoria and disadvantage people whose grasp of English is poor.²¹⁷

²¹⁴ Letter to Committee dated 4 June 2010; note some of the advice from the VEC on these and other areas are referred to in responses to other submissions

²¹⁵ Submission 23

²¹⁶ Submission 24

²¹⁷ Submission 24

The Electoral Commission in its advice to the Committee on the participation issues raised by the Women's Electoral Lobby and the Ethnic Communities' Council of Victoria, stated:

The VEC has engaged two staff members (one dedicated and one short term) to deliver education and outreach products and services for the 2010 State election. Neither of these positions existed for the VEC – including specialised focus on enrolling and voting – at the 2006 State election.

Targeted information, education and advertising material is being developed for CALD communities covering enrolment and the implications of moving home.

Consideration is being given to the best way in which to deploy the concept of Democracy Ambassadors and the VEC will seek advice from its CALD Advisory Group on this matter at its June 2010 meeting.

Targeted information, education and advertising material is being developed for CALD communities on voting correctly. In addition, the VEC has printed voting instructions in 19 languages on voting screens.

The VEC's Electronically Assisted Voting kiosks and telephones have the capability to provide voting instructions in 11 key languages. Legislative change is required to enable this facility to be implemented.

The VEC is encouraging prospective election officials who have language skills in addition to English, to apply for appointments at this year's election. Election managers will appoint bi-lingual or multilingual election staff where possible, in voting centres located in areas with high culturally and linguistically diverse (CALD) populations.

The provision of maps, building photos and address details of voting centres in up to 20 languages for each of the 1800 voting centres used on election day would be unlikely to be possible (as a high proportion of street names would not translate at all). However, electors will be able to locate their nearest voting centre via the VEC's Google maps service, which will be promoted.

The VEC will be providing netbooks to early voting centres, mobile voting teams and at up to 112 election day voting centres. The netbooks allow election officials to access a central copy of the roll and mark electors off the roll electronically. Cost and logistical restrictions limit the number of centres where this service is provided, but the VEC will evaluate this program with a view to extending it for future elections.²¹⁸

The League of Women Voters of Victoria, in its submission to the Committee, stated that the location of voting centres should be publicised through local papers, school newsletters, post offices, neighbourhood

²¹⁸ Letter to Committee dated 4 June 2010

houses and other community outlets. If the addresses of voting centres change, clear multilingual signs should be provided at entrances to previous centres giving information on new venues. Concern was also expressed over the use of buildings for voting centres that are owned by quasi-political or sectarian interests.

The League drew the Committee's attention to the possibility that some buildings on the VEC's draft list of centres were likely to be inaccessible owing to heritage conservation and Commonwealth economic stimulus package related construction works.²¹⁹

The Electoral Commissioner, in his advice to the Committee on these issues, stated that:

The VEC considers a number of factors when appointing voting centres:

- *Where voting centres have been located for previous elections and whether they have been used for Commonwealth and Local Government elections;*
- *Accessibility;*
- *Availability;*
- *Proximity to boundaries; and*
- *Expected voter numbers.*

As far as possible, the VEC uses venues that have been used at previous elections and endeavours to maintain consistency with venues used for Commonwealth elections (however, different electorate boundaries can impact in some circumstances).

The VEC will mail an EasyVote card to every elector that will have the name and address of all voting centres for their enrolled electorate included on their card. Electors will also be able to look up their nearest voting centre by entering their address or locality on the VEC website.

Where a venue has been used at a previous election, and for a particular reason is not appointed for the next election, election managers will place signage at the previous site directing electors to the nearest voting centre.

VEC election managers are currently reviewing proposed voting centres and conducting access audits at each venue. Buildings that are unsuitable for the 2010 [State election] will be replaced by alternative venues.

²¹⁹ Submission 25

*The VEC does not use venues that could be perceived to compromise its independence.*²²⁰

The Committee again notes the provisions of the *Electoral Act 2002* that enhance the participation of electors at voting centres in Victoria, and the on-going actions of the Commissioner and other parties to implement these measures.

²²⁰ Letter to Committee dated 4 June 2010

Chapter 6: Transparency of Electoral Arrangements

This chapter describes the transparency of electoral arrangements at voting centres.

Legislative Requirements

Transparency, in terms of electoral practice, is usually understood to mean the open, honest and accountable way elections are planned, conducted and reported.

The transparency of parliamentary electoral processes, including the central processes of enrolling and voting, is provided for in both the *Electoral Act 2002* and the *Electoral Boundaries Commission Act 1982*. Specific provisions going to the heart of transparency, at a minimum, include those relating to:

- The independence of the Electoral Boundaries Commission to establish and maintain electoral regions and districts of approximately equal enrolment ²²¹
- The independence of the Victorian Electoral Commission (VEC) to conduct elections ²²²
- The enrolment procedures, including the regular updating of the register of electors ²²³
- The secrecy of the vote ²²⁴
- The appointment of scrutineers by a candidate to represent the candidate at the counting of ballot papers ²²⁵
- The requirement for the VEC to report to Parliament within 12 months of an election on “the administration of that election”. ²²⁶

²²¹ Section 5 *Electoral Boundaries Commission Act 1982*

²²² Sections 8 & 10 *Electoral Act 2002*

²²³ Part 3 *Electoral Act 2002*

²²⁴ Section 154 *Electoral Act 2002*

²²⁵ Section 76 *Electoral Act 2002*

In mid 2011, the VEC will be presenting its report to Parliament on the conduct of the 2010 State election, including:

- Analysis and summary of results
- Selected detailed statistics
- Planning overview
- Details of the election budget
- Election administration, staffing and infrastructure
- Election services to voters, political parties and candidates and the media
- Communication services
- Innovations and special projects
- Process summary and transparency.²²⁷

The report will also provide details of any recommendations for legislative consideration and research that are identified as a result of the review of all aspects of the election.²²⁸

The Minister, in his March 2002 second reading speech to Parliament introducing updated and revised electoral legislation, the Electoral Bill 2002, referred to the provision in section 11 where the VEC must publish an election manual, which must include directions issued by the Commission. The Minister stated that these provisions “ensure transparency and accountability in the election process”.²²⁹ The Committee notes that the VEC’s website contains access to many publications, including a “Candidate Handbook” and a series of policy documents, reports, education materials and brochures.²³⁰

This Committee also plays a crucial oversight role of examining electoral practices through its responsibility to inquire into, consider and report to Parliament on any proposal, matter or thing concerned with the conduct of parliamentary and local government elections and referendums, and the administration of or practices associated with the *Electoral Act 2002* and any other law relating to electoral matters.²³¹ Importantly, if this Committee’s report to the Parliament recommends that the Government take a particular action with respect to a matter, within six months of the report being tabled

²²⁶ Section 8 (2)(b) *Electoral Act 2002*

²²⁷ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 26

²²⁸ Victorian Electoral Commission (2009) *2010 State Election Plan*, page 27

²²⁹ Parliament of Victoria *Hansard*, Legislative Assembly 21 March 2002, page 420

²³⁰ www.vec.vic.gov.au/publications.html, accessed on 8 June 2010

²³¹ Section 9 *Parliamentary Committees Act 2003*

in Parliament the appropriate Minister must provide the Parliament with a response to the Committee's recommendations.²³²

Whilst the Government is required to respond to this Committee's recommendations, there is no similar requirement for the Government to respond to recommendations of the VEC's report to Parliament on the administration of the last election. The Committee has referred elsewhere in this report to a number of the VEC's recommendations, including recommendations for legislative consideration, in the Commission's report to Parliament on the 2006 State election.

The Submissions

Several submissions to the inquiry addressed issues relating to transparency.

Display of Group Voting Tickets

The Public Interest Advocacy Centre (PIAC) in its submission to the Committee expressed the view that group voting tickets should be displayed at voting centres with the preferencing that would flow from voting '1' above the line.²³³

The Proportional Representation Society of Australia (Victoria-Tasmania) in its submission to the Committee stated that at the 2006 State election for the Legislative Council, the requirement in section 73A of the *Electoral Act 2002*, which makes the prominent display of group voting tickets mandatory, was not adhered to by the VEC.²³⁴

The Electoral Commissioner advised the Committee that for the 2010 State election, two large A1 signs would be displayed in voting centres alerting electors to the availability of booklets showing the group voting tickets registered for each region.²³⁵

E-Voting

The Computing Research and Education Association of Australasia in its submission to the Committee stated that electronic voting should be as transparently observable by voters and scrutineers as paper-based voting.

The submission proposed that:

- If electronic voting is extended to voters who can read their own printout, then it should provide a printout for them to verify (a voter-verifiable paper trail), or some other form of direct verification

²³² Section 36 *Parliamentary Committees Act 2003*

²³³ Submission 5

²³⁴ Submission 6

²³⁵ Letter to the Committee dated 4 June 2010

- The auditor's report should be public and the source code should be available to a much wider group of experts for analysis
- There should be an Australia-wide set of standards for electronic voting systems.²³⁶

The VEC addressed scrutiny and security of electronically assisted voting (EAV) in a position paper it published in May 2010. The paper stated that:

The VEC is providing a virtual private network for the management and observation of the electronically assisted voting system and to ensure the security of the collection and storage of votes.

The mature and proven electronically assisted voting system encrypts and protects votes. The system also uses advanced technical means to protect voter identity and privacy. Voters will be provided with a receipt – the receipt number of which can be entered in a website page for the voter to confirm the successful transmission and processing of their individual votes. This service does not show how the voter voted, nor can the receipt be aligned with the voter's identity. It only shows that the vote has been received and decrypted by the VEC.

Other security and safety measures include:

- *the decryption of votes can only take place with several authorised VEC executive staff members participating;*
- *the engagement of a software auditor to examine the software and run diagnostic tests to ensure it is free from errors or malicious functions;*
- *a partnership with an academic organisation that has expertise in information security to voluntarily observe and comment on the EAV design and implementation; and*
- *the engagement of security specialists who are tasked to try and penetrate the electronically assisted voting systems both from outside the VEC and from within. Their analysis is very important in the VEC's and others' final assessment of the fitness for purpose of the EAV system.*

*The VEC will provide elaborate measurement and reporting systems for staff and scrutineers to gauge system security and overall system health at all times.*²³⁷

With respect to the issues raised by the Computing Research and Education Association of Australasia, the Commissioner advised the Committee that

²³⁶ Submission 12

²³⁷ Victorian Electoral Commission (2010) *Electronically Assisted Voting Position Paper*, page 3

the VEC has enhanced its EAV for the 2010 State election and plans to increase its distribution to all Victorian early voting centres (100), to interstate locations and at four venues in the United Kingdom.²³⁸

The VEC's EAV system was developed by Scytl Secure Electronic Voting in partnership with Hewlett Packard Australia. Scytl is a Barcelona based company which specialises in the development of such systems. Scytl/HP developed the system used by the VEC in 2006 and has been responsible for enhancements to the system in 2010.²³⁹

The VEC advised the Committee that it plans to increase the level of security and transparency in its EAV system for 2010. Key elements include:

- Appointment of a technical observer to look at a description of the design of how votes are handled, and to provide the VEC with a statement that the system is fit-for-purpose
- An independent audit of the source code used to confirm that the system records the elector's vote in accordance with the legislation, is free of errors and malicious code, and has security in accordance with the provider's claims
- Utilising the services of a security analyst who will be given access to a demonstration of the EAV system to confirm its resistance to insider tampering
- Auditory and/or on-screen voter verification of the vote before the vote is committed to the system
- Provision of a receipt that will allow the voter to confirm that their vote was registered in the system
- A demonstration for interested parties in August 2010 which will allow interested parties to align votes recorded in the system with printed ballots from the system.²⁴⁰

The PIAC, in its submission to the Committee, stated that the publication of counts from electronic voting centres should protect the privacy of voters.²⁴¹ The Committee notes that secrecy of the ballot was raised in its 2007-08 inquiry into the conduct of the 2006 State election, where the Committee recommended that to guarantee the integrity and secrecy of each voter's ballot the VEC should consider alternative methods of reporting the votes from E-centres for the 2010 State election.²⁴² The State Government, in its

²³⁸ Letter to the Committee dated 4 June 2010

²³⁹ Letter to the Committee dated 4 June 2010

²⁴⁰ Letter to the Committee dated 4 June 2010

²⁴¹ Submission 5

²⁴² Parliament of Victoria (2008) *Inquiry into the Conduct of the 2006 Victorian State Election*, Report of the Electoral Matters Committee, recommendation 8.1, page 186

response to that recommendation, stated that it supported the recommendation, adding:

Currently, the VEC displays first preference votes by voting centre for each district in State elections. Included in those voting centres are the E-centres where the electronic votes are cast, with each E-centre given a line of its own. If only one person casts a vote for a particular district at a particular E-centre on election day, then the first preference of that voter can be determined by a person who happens to know where the voter voted and for which district. This only applies to voters who cast votes on election day, as early votes are displayed aggregated in a separate line.

While there were only 199 electronic votes cast, there were also over 24,000 non-electronic votes cast at the E-centres. In terms of the VEC's display of results, the electronic votes are not differentiated from the non-electronic votes cast at E-centres.

Nonetheless, there are instances where there is only one vote for a particular district from a particular E-centre on some results pages. In order to breach an individual's privacy, though, it would be necessary for another person to know:

- *that a person voted on a particular day;*
- *where the person voted; and*
- *for which district the person is enrolled.*

In general, there is relatively little likelihood of one person knowing all of these things about another person (with the exception of political parties, to whom this information is provided). Nonetheless, the VEC will be mindful of this recommendation in redeveloping its website in 2009.²⁴³

With respect to the issue raised with the Committee at this inquiry by the Public Interest Advocacy Centre, the VEC advised that votes cast via the EAV facility at the 2010 State election will be incorporated with other votes for counting purposes, thereby maintaining the secrecy of the ballot.²⁴⁴

Electronic voting was introduced into the State's electoral processes by an amendment to the Act by the *Electoral and Parliamentary Legislation (Amendment) Act 2006*. The amendment followed a report of an inquiry into electronic democracy by the Scrutiny of Acts and Regulations Committee that recommended that the VEC, in consultation with relevant stakeholder

²⁴³ Government Response (ND) *Electoral Matters Committee – Inquiry into the Conduct of the 2006 Victorian State Election*, recommendation 8.1

²⁴⁴ Letter to the Committee dated 4 June 2010

groups, should develop and implement a system of electronic voting machines for local and general elections in Victoria.²⁴⁵

The Committee notes that whereas voting by paper-ballot is regulated by very detailed provisions, the electronic voting provisions in Part 6A of the Act are by nature of the process being regulated, of a different nature. For example, section 88 of the Act referring to paper-ballot voting at an election day voting centre, requires an election official immediately before voting commences, to “exhibit for the inspection of the candidates, scrutineers and election officials who may be present, the ballot-box open and empty”, and after exhibiting the ballot-box to “close and securely fasten and seal the ballot-box ensuring that it is still empty.”²⁴⁶

The Committee considers that after the next State election it would be timely for Parliament to review the casting, counting, scrutineering, transparency and reporting of electronic voting processes.

Electronic Counting of Votes

Anthony van der Craats in his submission to the Committee stated that consideration should be given to:

- Adopting the practice in the Australian Capital Territory where the software code is published as an “Open Source”
- Reviewing computer technology and data-entry processes
- Pre-sorting ballot papers prior to any preference data-entry process
- Ensuring that copies of the preference data-files in electronic format are readily available to the public and subject to independent analysis and review
- Ensuring that copies of electronic data files are protected against unauthorised access and/or accidental or deliberate destruction; a secured process of data backup must be established
- Undertaking a further review and consideration of the voting kiosk system security
- Ensuring that the process and administration of the VEC is subject to review and certification in accordance with recognised International Organization for Standardization (ISO) standards; the review should include all aspects of administration, security and management.²⁴⁷

²⁴⁵ Parliament of Victoria (2005) *Inquiry into Electronic Democracy, Final Report*, Report of the Scrutiny of Acts and Regulations Committee, recommendation 53, page 127

²⁴⁶ Section 88 *Electoral Act 2002*

²⁴⁷ Submission 9

In his submission Mr van der Craats stated that:

*With the increasing use of computer based technology in calculating the results of public elections, it is fundamental that process and results of the election are open and transparent and that all information is readily available for public review and scrutiny.*²⁴⁸

The Committee, at the briefing by the Electoral Commission on the inquiry, raised a number of questions relating to the entering and progressive reporting of data on the VEC's website, especially for the counting of votes for the election of members of the Legislative Council.²⁴⁹ The Electoral Commissioner, in response to these questions, advised the Committee that:

The VEC's approach for the 2010 Region counts is documented in the Upper House count plan ... published on the VEC website. This plan is consistent with the law but does much more than the Electoral Act 2002 prescribes.

This includes the following services and reports:

- *The VEC will make available to parties, candidates, electors and the media on request, a summary of postal and early votes issued and returned in the period before election day for all centres excluding overseas and interstate voting centres.*
- *Results will be posted progressively on the VEC website. This will include primary and rechecked results by electorate and preference distribution and recount results where applicable. The VEC will also provide the media with customised result services. The results for the Upper House will be maintained in voting centre, or vote parcel order enabling any changes for a voting centre/parcel to be tracked from one count to the next.*
- *The VEC has outlined in its primary submission the number of voting centres that any one election manager can expect to receive votes from their electorate. Given that all voting locations can issue votes for all electorates (96), compilation of the voting location returns for each location, would amount to over 250,000 discrete records. These details are not captured in the VEC's election management system. Most of the 2,500 voting locations do not have direct access to the system, nor does the VEC consider that that is practical as a matter of course to make available this volume of information on its website. The records for any disputed election could be retrieved if required. It needs to be remembered that Electoral law in Australia has been developed on the basis of paper audit trails. Whilst Electoral Commissions have developed systems to assist in the*

²⁴⁸ Submission 9

²⁴⁹ Transcript of Evidence, Melbourne, 7 June 2010, page 13

management of elections, their form has not been generally prescribed.

- *The VEC will make available preference detail files for computer counts on request.*
- *The number of informal votes for each Upper House region is recorded in the computer count system and the system checks each ballot paper entered for formality. However, details of the data included on each informal ballot paper are not captured in the system as these details are not required for determining the result.*
- *The overwriting of data files is common practice and indeed the Australian National Audit Office (ANAO) made mention of the AEC's practices in relation to the conduct of the 2007 Federal election. A recount is a fresh count and overrides a previous count. A recount scrutiny is carried out in a slow and deliberate manner with formality interpretation being referred to one person. The count sheets from previous counts can be compared and should reveal that the outcome has not been affected by more than 0.1%.*
- *When data entry of preferences for upper house ballot papers completed below-the-line is verified, the computer checks that the data entered the second time is the same as the original data entry for a particular ballot paper. If it is different, a manual check is done on the ballot paper and where the second entry is correct, the corrected preference data overwrites the original entry for that ballot paper. i.e. there is only one data file after the verification step is completed.*
- *If a recount is required, a fresh count is conducted and the final preference detail files for the recount will be made available to interested parties on request.²⁵⁰*

Electronic counting of votes is authorised by section 115 of the Act, which provides that the "election manager may use electronic counting equipment approved by the Commission to assist in the counting of votes at an election." The Act further provides that the VEC may issue directions modifying the procedure specified in the Act to facilitate the use of electronic counting equipment.²⁵¹

The Committee notes that electoral laws have been developed on the basis of paper audit trails and that whilst electoral commissions in Australia have developed systems to assist in the management of elections, their form has not been generally prescribed. Accordingly, the Committee considers that after the next State election it would be timely for Parliament to review the

²⁵⁰ Letter to Committee dated 21 June 2010

²⁵¹ Section 115(2) *Electoral Act 2002*, referring to modifying sections 113 & 114 of the Act

counting, scrutineering, transparency and reporting of the process to electronically count votes at elections.

Scrutineers

Stephen Luntz in his submission to the Committee suggested improvements to the election manual with respect to the role of scrutineers:

- Emphasising that scrutineers have a right to see each ballot paper
- Indicating that officials have a responsibility to assist scrutineers and campaigners where this does not significantly impede the count.²⁵²

The Commissioner advised the Committee that the VEC's election official manuals and all training products will emphasise the important role scrutineers play in the electoral process and encourage a cooperative relationship between officials and scrutineers.

The submission from Mr Luntz also recommended an amendment to legislation that would simplify the appointment of scrutineers at joint voting centres and at centres where votes are counted from several districts. Rather than requiring authorisation from a candidate from each of the districts, the submission stated that a single authorisation should be sufficient.²⁵³

In response to this issue, the Commissioner advised the Committee that the *Electoral Act 2002* requires that scrutineers are appointed by a candidate for the specific district or region for which the candidate is seeking election. The Act also places restrictions on the number of scrutineers that can be appointed for each candidate. This is to ensure that the number of scrutineers across all candidates for an election is manageable and that scrutineers do have reasonable access to view the ballot papers. If scrutineers appointed for one electorate were allowed to move to the counting area for a different electorate, there would be no control on the number of scrutineers able to observe a particular count. Under current legislation, if a scrutineer wishes to scrutineer for multiple electorates, they are required to present an appointment form signed by a candidate for each electorate to the official in charge of the count.²⁵⁴

Mr Luntz also pointed out that electoral officials should be more helpful than they are on occasions, in particular by allowing scrutineers to access toilets.

Peter Crisp MP, Member for Mildura, in his submission to the Committee also raised issues relating to the accessibility of toilets for candidate and party workers. Mr Crisp stated that a lesser issue has been access to toilets located within polling centres that require workers to remove all advertising

²⁵² Submission 13

²⁵³ Submission 13

²⁵⁴ Letter to the Committee dated 4 June 2010

materials before usage.²⁵⁵ Ken Jasper MP, Member for Murray Valley, in his submission, also drew the Committee's attention to the need for shade and shelter at voting centres for candidate volunteers.²⁵⁶

The Commissioner advised the Committee that as the VEC does not own the buildings used as voting centres the building administration in some cases may place restrictions on the people allowed to access facilities that may be some distance away from the room being used for voting. In other cases, building administrators insist that persons other than election officials may only use the facilities if they are accompanied by VEC personnel. This is not always possible during peak voting periods. In both cases, restrictions are put in place for security purposes. Apart from these circumstances, electoral officials are encouraged by the VEC to develop a cooperative relationship with candidate and party workers during voting periods.²⁵⁷

With respect to the issue raised by Mr Crisp regarding the need for workers to remove all advertising materials before using toilets within a voting centre, the Deputy Electoral Commissioner stated that this was a requirement of section 158 of the *Electoral Act 2002*.²⁵⁸

The Committee is sympathetic to the issues raised in the submissions and considers that wherever practical, the Victorian Electoral Commission should facilitate scrutineers and candidate workers with access to shade, shelter and toilet facilities at voting centres.

VEC Website and Publications

Vision Australia in its submission to the Committee recommended that the following matters need to be addressed:

- Conduct an accessibility audit of the VEC's website and actions to bring the site up to Web Content Accessibility Guidelines (WCAG) 2.0 standard
- Ensure that online VEC forms are provided in accessible electronic format and for forms and documents to not be in PDF as the sole format
- Ensure that information on the VEC website is up to date.

Vision Australia advised the Committee that it is interested in working closely with the VEC, the State Government and the Committee to provide an accurate analysis of the election as it proceeded, from the perspective of its stakeholder group.²⁵⁹

²⁵⁵ Submission 30

²⁵⁶ Submission 29

²⁵⁷ Letter to the Committee dated 4 June 2010

²⁵⁸ Email to the Committee dated 17 June 2010

²⁵⁹ Submission 18

The Committee notes that the VEC's website was updated in June 2010 and the advice from the VEC that the new website before going live has been tested for accessibility by Vision Australia and an independent website company. The new website will meet WCAG 2.0 standards. All VEC forms will be available in both Word or PDF format. A web change plan is implemented during the election period to ensure that all election related information is updated as each phase of the campaign changes.

The Commissioner stated that the VEC conducts major independent research at the conclusion of each State election and that usage of EAV, information for culturally and linguistically diverse audiences and the Braille user experience will be included in the research.²⁶⁰

Anthony van der Craats in his submission to the Committee stated that the VEC should publish the following statistical data:

1. *Pre-polling: The total number of ballot papers issued and recorded at pre-polling stations per electorate on a daily basis.*
2. *Postal votes: The number of Postal ballot papers issued and returned per electorate on a daily basis.*
3. *Absentee votes: The number of Absentee ballot papers issued per electorate at each voting centre/polling place within 24 hours of the close of the poll.*
4. *Section votes: The number of Section ballot papers issued per electorate at each voting centre/polling place as part of the polling place return.*
5. *Ordinary votes: The number of Ordinary votes issued and returned recording the first preference for each candidate at each polling place including the number of informal or spoilt ballot papers.*²⁶¹

Mr van der Craats suggested that the VEC should reconcile the number of votes recorded with the number of ballots issued.²⁶² Mr van der Craats, in his submission, stated that:

*The publication of polling place return statistics is important as it allows for the comparison of data between the Legislative Assembly and the Legislative Council and is used to verify the number of ballot papers that have been issued and accounted for at each polling place and is used in the planning and effective scrutiny of the ballot.*²⁶³

²⁶⁰ Letter to the Committee dated 4 June 2010

²⁶¹ Submission 9

²⁶² Submission 9

²⁶³ Submission 9

Issues Identified in the 2006 State Election

The Liberal Party of Australia – Victorian Division in its submission requested that the difficulties identified at the time of the 2006 election were properly dealt with, notwithstanding some additional costs, if addressing these was required to ensure fair and equitable access for electors. The submission requested the Committee to consider ensuring that all arrangements for voting centres make adequate provision for electors, party workers, scrutineers and officials.²⁶⁴

The Commissioner advised the Committee that the VEC had considered all the matters raised in the Electoral Matters Committee inquiry into the conduct of the 2006 Victorian State election and where appropriate had addressed these in its planning for the 2010 election. These had been documented in the VEC's *2010 State Election Plan* and its submission to this inquiry.²⁶⁵

Voting Offences

The Women's Electoral Lobby suggested in its submission to the Committee that:

- Electoral rolls should be online in every centre to prevent people voting more than once
- Everyone should be required to provide identification before they are able to vote.²⁶⁶

The Commissioner advised the Committee that for the 2010 State election, the VEC will be providing netbooks to early voting centres, mobile voting teams and at up to 112 election day voting centres. The netbooks will allow election officials to access a central copy of the roll and mark electors off the roll electronically. Cost and logistical restrictions limit the number of centres where this service is provided, but the VEC will evaluate this program with a view to extending it for future elections.

The Committee understands that the 112 voting centres that are planned to be issued with netbooks are those that issued more than 250 absent votes across a range of electorates during the 2006 State election. These include venues in the Melbourne CBD and holiday areas where there may be many absent electors from a range of electorates. Electronic roll marking for these venues would reduce the processing time for absent electors who would normally have to complete a written declaration and have that declaration processed against the roll when it is returned to the relevant election manager. It would also allow election officials to identify exactly where the

²⁶⁴ Submission 19

²⁶⁵ Letter to the Committee dated 4 June 2010

²⁶⁶ Submission 23

elector is enrolled and to identify any electors who may have already applied for an early or postal vote.

With respect to requiring electors to provide identification, the Commissioner advised that at present the Act does not require electors to provide identification prior to being able to vote.²⁶⁷

Views of the Electoral Commissioner on Transparency

The Commissioner, in his submission to the inquiry, stated that transparency and disclosure in electoral systems rely on the following:

- Sound legislative basis
- Well documented and publicly available procedures
- Well trained electoral officials
- Candidate representatives scrutinizing events
- An impartial Electoral Commissioner
- Ability for court review
- Parliamentary oversight
- Credible mainstream press
- Full disclosure in electoral reports.²⁶⁸

The Commissioner stated in his submission:

There will always be those who are critical of: electoral counting systems; compulsory voting; or representative structures; and at times, this impacts on critiques of systems.

Following the 2006 State election, the VEC conducted a full evaluation of its processes. A full account and analysis of the election were documented in the VEC's Report to Parliament on the 2006 Victorian State Election. The Electoral Matters Committee also conducted an inquiry into the election and made a number of recommendations in its report.

In Victoria, for the upcoming election, training has been increased, documentation reviewed and the paper audit trail further strengthened. All votes will be rechecked and scrutineers will continue to compare the rechecked results to the original returns from voting locations and query

²⁶⁷ Letter to the Committee dated 4 June 2010

²⁶⁸ Submission 4(a), page 6

any discrepancies. Rechecking procedures will include all below-the-line upper house votes being verified by a different operator. ...

There will be differences between primary and rechecked results due to formality interpretation and minor adjustments resulting from the recheck process, but the enhanced procedures will increase the accuracy of results to 99.98%.

Since the last State election, the VEC has successfully conducted all local government elections in Victoria. This involved twelve matters being referred to a Court process where the VEC's conduct, its processes and audit trails were considered to be beyond reproach.

This further builds on the recounts conducted during the last State election (which were initiated by the Electoral Commissioner) where no-one present raised any issues or concern. Indeed, senior Party officials at the recounts accurately predicted the recount results before the results were calculated.

As Commissioner, I will continue to commit to full disclosure of any matters requiring attention.²⁶⁹

The Committee again notes the provisions of the *Electoral Act 2002* that enhance the transparency of elections in Victoria and the on-going actions of the Commissioner and other parties to implement these measures.

Recommendations

Recommendation 10: Parliament, after the 2010 Victorian State election, reviews the casting, counting, scrutineering, transparency and reporting of electronic voting processes.

Recommendation 11: Parliament, after the 2010 Victorian State election, reviews the counting, scrutineering, transparency and reporting of the process to electronically count votes at elections.

Recommendation 12: The Victorian Electoral Commission should, wherever practical, facilitate scrutineers and candidate workers with access to shade, shelter and toilet facilities at voting centres.

Committee Room
Parliament House
21 June 2010

²⁶⁹ Submission 4(a), pages 6 & 7

Appendix 1: List of Submissions

No.	Name/Organisation	Date Received
1	Louise Asher MP, Member for Brighton	12 May 2010
2	David G Cullen	12 May 2010
3	Richard T Marsh	21 May 2010
4	Steve Tully, Electoral Commissioner (preliminary), VEC	21 May 2010
4a	Steve Tully, Electoral Commissioner, VEC	27 May 2010
5	Brenda Bailey, Senior Policy Officer, Public Interest Advocacy Centre Ltd	26 May 2010
6	Stephen Morey, Secretary, Proportional Representation Society of Australia (Victoria-Tasmania) Inc	26 May 2010
7	Neville Daynes, Secretary, State Policy Group Victoria, National Seniors Australia	27 May 2010
8	J. Maree Edwards, President, Bendigo Federal Electorate Assembly of the Australian Labor Party	28 May 2010
9	Anthony van der Craats (not published)	28 May 2010
9a	Anthony van der Craats	1 June 2010
10	Terrie Seymour, Chair, Kororoit State Electoral Campaign Committee, Australian Labor Party	28 May 2010
11	Marlene Kairouz MP, Member for Kororoit	28 May 2010
12	Dr Vanessa Teague, Computing Research & Education Association of Australasia (CORE)	28 May 2010
13	Stephen Luntz (personal submission), Member Victorian Communications and Election Campaign Committee, Australian Greens Victoria	28 May 2010
14	Name and address withheld at the request of submitter	28 May 2010
15	Fiona McLeay, Executive Director, Public Interest Law Clearing House (Vic) Inc (PILCH) and Lucy Adams, Lawyer, PILCH Homeless Persons' Legal Clinic	28 May 2010
16	Jessica Zammit, Victoria Advocacy and Information Officer, Blind Citizens Australia	28 May 2010
17	Danielle Green MP, Member for Yan Yean	28 May 2010
18	Brandon Ah Tong-Pereira, Policy Officer, Advocacy Department, Vision Australia	28 May 2010
19	Tony Nutt, State Director, The Liberal Party of	28 May 2010

	Australia, Victorian Division	
20	George Seitz MP, Member for Keilor	31 May 2010
21	Nicholas Reece, State Secretary, Campaign Director, Victorian ALP	31 May 2010
22	Judith Graley MP, Member for Narre Warren South	31 May 2010
23	Kerry Lovering OAM, Victorian Convenor, Women's Electoral Lobby, Victoria Inc	2 June 2010
24	Shaun Robson, Senior Policy Officer, Ethnic Communities' Council of Victoria	2 June 2010
25	Dr Deborah Towns, President, League of Women Voters of Victoria	3 June 2010
26	Christine Campbell MP, Member for Pascoe Vale	3 June 2010
27	Ed Killesteyn, Electoral Commissioner, Australian Electoral Commission	3 June 2010
28	Bronwyn Pike MP, Member for Melbourne	4 June 2010
29	Ken S. Jasper MP, Member for Murray Valley	12 June 2010
30	Peter Crisp MP, Member for Mildura	16 June 2010

Appendix 2: List of Witnesses

No.	Date of Hearing	Witness	Position	Organisation
1	7 June 2010	Steve Tully	Victorian Electoral Commissioner	Victorian Electoral Commission
2	7 June 2010	Liz Williams	Deputy Victorian Electoral Commissioner	Victorian Electoral Commission
3	7 June 2010	Glenda Frazer	Manager Election Services	Victorian Electoral Commission
4	7 June 2010	Craig Burton	Election Manager, Electronically Assisted Voting	Victorian Electoral Commission

Appendix 3: Electoral Matters Committee Reports Presented to Parliament

No.	Title	Date Tabled
1	Inquiry into the Conduct of the 2006 Victorian State Election and Matters related thereto	June 2008
2	Report on International Investigations into Political Donations and Disclosure and Voter Participation and Informal Voting	December 2008
3	Inquiry into Political Donations and Disclosure	April 2009
4	Inquiry into Voter Participation and Informal Voting	July 2009
5	Inquiry into the Provisions of the <i>Electoral Act 2002</i> (Vic) relating to Misleading or Deceptive Political Advertising	February 2010
6	Inquiry into the Functions and Administration of Voting Centres	June 2010