

TRANSCRIPT

ELECTORAL MATTERS COMMITTEE

Inquiry into electronic voting

Melbourne — 24 August 2016

Members

Ms Louise Asher — Chair

Ms Ros Spence — Deputy Chair

Ms Lizzie Blandthorn

Mr Martin Dixon

Mr Russell Northe

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Witness

Mr Noah Carroll, Victorian branch secretary, Victorian Labor.

Necessary corrections to be notified to executive officer of committee

The CHAIR — Mr Carroll, thank you very much for coming along. Could I, as a representative of the Liberal Party, thank the Labor Party for being engaged in this particular process. As you would have seen on our website, you are a party that has chosen to be engaged, and I thank you for that, for making a submission and for your willingness to come along today.

You know Hansard is recording. You have done it before. You know the deal. I am sure you have read your guide to giving evidence and you know the consequences of parliamentary privilege, so could you please state your name and your business address and whether you are officially appearing on behalf of that organisation and perhaps make a couple of preliminary comments in relation to your submission?

Mr CARROLL — Sure. Firstly, thank you for the invitation to come along. Noah Michael Carroll. My business address is 438 Docklands Drive, Docklands. I am here on behalf of the Victorian ALP or the Victorian branch of the Australian Labor Party.

I will just launch right into it. Everyone has read the letter, so rather than going through the formality of just readdressing the main things, I presume there might have been some discussion that has arisen subsequent to when I wrote that letter in relation to some of the issues surrounding the census and the implications for what is potentially being entertained here. I guess there are a couple of key points that are jumping out at us as an organisation. The first one is that the inherent challenges of this are very diabolical in the sense that you are looking clearly for a compartmentalisation solution whereby it solves that dilemma — that is almost an automatic feature of a physical ballot process — but equally you are trying to avoid dysfunction. The balance therein is pretty difficult.

I think, though, if the current coalition government in Canberra happened to go through with the plebiscite they plan for next year, in addition to the local government elections we have this year, I see a fantastic opportunity for some serious pilot programs to be rolled out in relation to this. It is very unusual that you would have two very discrete exercises that would allow different models to be approached. I am just very conscious that at the Australian Signals Directorate, amongst other defence bodies within Australia, the simple reality is that these competencies are being developed. They have been worked on. You could never argue they are ever perfected, but there is already significant expertise within the federal government that could clearly be harnessed to assist with the system dilemmas that this sort of an approach requires. But the reality of it is that it is a competency, I think, as a country and just an industry within this country that we need to develop, because it is the future, not just in terms of its application for voting but on a whole range of systems fronts, most markedly related to government departmental outcomes as well. So I know I am sort of branching a bit outside just the electronic voting space, but there is clearly an area of development here where I think if Australia does not really start getting into this space with great gusto, we are going to find that we are going to have to outsource all of it overseas because it has been developed elsewhere and we never really got our skates on.

So therein lies, I think, an opportunity. The simple reality, as I have written, is that we certainly have a view that this should be part of the existing suite of options. We do not see it as some sort of Trojan Horse that should be used to the exclusion of other opportunities. The Labor Party has a long history of obviously encouraging the largest franchise possible, and we see this as actually doing exactly that. We have also obviously talked about the remote versus the present model, for want of a better term. We do that because obviously we have complete confidence in the VEC staff going around to retirement homes and so forth for those who are not as mobile as they would like to be, to allow them to actually cast a ballot, as well as obviously the physical presence in the booth opportunity for those who might be visually impaired or have some other impairment. We just see that as a really important point of progress. It is eminently doable.

Like any balloting process, as we saw in Western Australia with the Senate by-election, for want of a better term, even the physical ballot process that we have done many times before has its own hairs on it, but our view is that this is something that really needs to be pushed, really developed. If ultimately the decision is that it does not actually tick all the boxes, so be it, but I see it as an enormous risk long term to take to actually not even trial this. So I would certainly encourage the committee to look very seriously at the very least at serious pilot programs.

I would also make the point, not to get down in the weeds too much, that I think there is a great utility in allocating revenue in a discrete way to this in the sense that the VEC, if they are asked to roll out the pilot program, are not given a lump sum of money that they can then put into the broader bottom line. I think this has to be a standalone project that is funded and that is very transparent. I think that gives the public confidence, but equally I think the committee can also then judge the efficacy of the approach. You are doing a trial test which on some funds might fail. The money component of it is always a very considerable aspect of that, and having a clear line of sight as to how the cash was allocated, where certain systems might have fallen down that were not invested in, that is a really important part of this process, I think.

The CHAIR — As someone in charge of a political party, are you concerned about a diminished role for party scrutineers, as a consequence of electronic voting?

Mr CARROLL — Considering how much of my time during an election day is taken up by complaints about various volunteers, I have to say that there is a degree of inexperience that I think frustrates the VEC and the AEC generally because my experience and the party's broader experience has been one that could only really extol the virtues of those two bodies and their professionalism and the people they bring in to actually oversee the ballots. I think, though, that it is a necessary mechanism to reassure the various participants that everything is above board. I completely understand why there might be some frustration at some levels about that process, because at times it can be somewhat hard to manage, but it is almost a necessary cost, I think, of managing what are always very excitable individuals and/or family relatives, in some instances, of candidates. I do recall one situation where we had an identical twin of an existing candidate, and everyone kept thinking it was the candidate in the Senate room and everyone had to keep being reminded not to tell him to leave.

I think it is a necessary cost of democracy, in some respects. That said, if there is a discussion around procedure and behaviour in that arena, I think that is always an interesting area to review, and we would be in favour obviously of participating in that process.

Ms PATTEN — I think that is about the most compelling case I have heard for the plebiscite — that it would make a great pilot for electronic voting.

Mr CARROLL — Just for the record, I am not necessarily in favour of it at all!

The CHAIR — It was a suggestion.

Mr CARROLL — I did qualify it by saying if the coalition were successful in Canberra.

The CHAIR — We get the submission. It is: do not touch state or federal government; do the pilots elsewhere. We have got the concept.

Ms PATTEN — Have you had any conversations with your colleagues about New South Wales, which obviously has rolled out a system that has now been used in two state elections? I have not heard any massive complaints from candidates or parties themselves about the system. Would you say that your party has been fairly comfortable with the program in New South Wales?

Mr CARROLL — I cannot comment directly on New South Wales, because I certainly cannot attest to direct conversations in relation to my colleagues in New South Wales.

Ms PATTEN — But they have not been screaming.

Mr CARROLL — No, they have not. But that said, I am just very conscious that even the technical requirements of the person who is overseeing this project being rolled out, much less the future VEC and AEC commissioners, I think the skill set is going to change quite dramatically in the light of these sorts of changes. It is just going to be a very fascinating trial to see, but the technical competency required to really know what you are looking at and know what you should try, because it is almost like a blind spot — if

you do not try something you will never know, and it may not occur in the first instance, which is why repeated testing is just an absolute requirement with this.

I think we have got obviously live examples interstate in the same vein. We might very well have a view in Victoria that is, 'Let's try in a different way completely' versus New South Wales. They have obviously got OPV in the state arena, whereas we obviously do not, so there is a difference there for a start. So there are a couple of things I think you could certainly learn from it, but I am also conscious that there are some discrete differences as well.

Ms PATTEN — Yes, certainly the count and how the upper house in particular falls. There has been talk with the VEC and other electoral commissions about collaborating and possibly looking at working together to produce a standard system, I suppose, around verifying the elector and the elector being able to verify their vote. Obviously the voting might be different in each state. Does that sit comfortably with your organisation?

Mr CARROLL — When you say 'verify the elector', are you able just to elaborate a bit more?

Ms PATTEN — If we are looking at an electronic voting system, you would have to have a system where you can verify that the voter is who they say they are but without compromising the anonymity of their vote. But then also you want the voter to be able to verify that the vote that they typed into their phone or whatever is the vote that went into the ballot box. Those two systems largely are not going to be different regardless of the different electoral processes in each state.

Mr CARROLL — Without necessarily commenting on the utility of it, I would say at the very least that if that was being entertained, the rigour around the compartmentalisation of it would just have to be very, very immense to the degree that basically it would be not unlike the president and the vice-president of Coca-Cola never being on the same plane. It would be something along those lines, where any vetting process to identify somebody's gate entry to vote should have absolutely no relationship on any level with the actual casting of the ballot.

The anonymity of the ballot, I think, is absolutely crucial for a whole variety of reasons. I think a lot of people around this table would have an experience where they are pretty confident that a ballot had with the show of hands is going to invariably yield a very different result from an anonymous, secret one. So I would certainly say that at the very least without commenting on the broader thing, because I certainly have not canvassed that broad approach with my colleagues.

Ms BLANDTHORN — Noah, do you have a view about if you were to pilot some type of either remote or electronic voting whether there is an aspect of the vote that should be piloted first rather than the whole vote? If so, what part would that be?

Mr CARROLL — That is a very good question. If there was, I think the scale would be the first thing. Certainly in terms of the timing you would do it at the front end of the early voting period so that obviously if there were any issues systemically and/or questions raised, said voters always have the opportunity to potentially seek to vote in another way, provided the VEC or the AEC could actually verify that they have indeed cast a ballot before and they need to remedy it again — within reason, of course. So I would certainly say in response: the early part of the process to allow a remedy if required, but secondly, certainly small in scale.

I think the reality of it would be that it would have to be again a very, very rigorous discussion around what section of it was being tested first in terms of either geographical location and/or demographic characteristics, because there would be a random requirement about the utility of this technology that you would always second-guess if you just focused on one particular aspect of our community, about whether that is peculiar just to that particular segment in terms of their predilections and in terms of their habits. So there is almost a really decent requirement on a data basis to make sure you have got something of a cross-section so again you can test, retest, improve and keep building it. So that is a dilemma, I guess, rather than a solution. That is the ideal, as well, rather than what you can potentially roll out immediately.

But once you have that cross-section result you would have very, very reliable information to actually make sure you are optimising it.

The CHAIR — Were you comfortable with vVote at the last election — the VEC's electronic — —

Mr CARROLL — I was very comfortable with the result, if that is what you are asking!

The CHAIR — No, the process.

Mr CARROLL — I think with every election process there are setbacks. I did note in my previous submission to this committee that I was highly concerned about the large pre-poll or early voting result and the lack of reassurance that we were going to be able to get any throw of any description to give some idea of what the result was likely to be. That was primarily on the basis that obviously if you had a tight result in a handful of seats that could be the difference between forming government or not, the community has voted and you are still sitting here some three to four weeks later and you do not know what has happened.

The CHAIR — And the committee acted on your recommendation. It is now in the hands of the government.

Mr CARROLL — Indeed. We will see what happens.

The CHAIR — Thank you very much for your willingness to participate. You will receive your Hansard transcript in around two weeks, and you can make amendments based on fact and nothing else.

Mr CARROLL — Thank you.

The CHAIR — Thank you very much.

Witness withdrew.

