

ELECTORAL MATTERS COMMITTEE

Inquiry into the conduct of the 2006 Victorian state election and matters related thereto

Melbourne — 28 August 2007

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Dr A. McGrath, life member and former president, H. S. Chapman Society.

The CHAIR — Thank you, Dr McGrath, for joining us for this hearing via telephone hook-up. I have to read this passage out to you. Welcome to the public hearings of the Electoral Matters Committee on its inquiry into the 2006 Victorian state election and matters related thereto. All evidence taken in this hearing is protected by parliamentary privilege as provided by the Constitution Act 1975 and further subject to the provisions of the Parliamentary Committees Act 2003, the Defamation Act 2005 and, where applicable, the provisions of reciprocal legislation in other Australian states and territories. I also wish to advise witnesses that any comments you make outside the hearing may not be afforded such privilege. Dr McGrath, have you received a pamphlet, which is a guide essentially to giving evidence at public hearings?

Dr McGRATH — Yes, I did.

The CHAIR — Can you please state your full name and address?

Dr McGRATH — I am Dr Amy Gladys McGrath. I live at 1/49a Mutch Avenue, Brighton-Le-Sands, New South Wales 2216.

The CHAIR — Can you please state if you are attending in a private capacity or representing an organisation, and, if representing an organisation, what your position in the organisation is?

Dr McGRATH — I represent the H. S. Chapman Society. I am now merely a life member. I retired as president in June.

The CHAIR — Your evidence will be taken down and become public evidence in due course. I now invite you to make a verbal submission. The committee will ask questions following your address, Dr McGrath.

Dr McGRATH — Thank you. Firstly, congratulations for starting the committee, which I believe is new. Secondly, thank you for inviting me to give evidence. I also express the gratitude of the society for the fact we were allowed to celebrate 150 years since H. S. Chapman invented the secret vote and the ballot box for the first time in the world in your Parliament. I think last September you celebrated the 150th anniversary of the Legislative Council, because the election was held in two parts. We celebrated the other part in Sydney.

I particularly want to concentrate on a policy that was put to the Commonwealth Parliament I think two years ago, because their committee on electoral matters reported early. You conducted in Victoria another world first in democracy experiment in 1994, and that was conducted by your former electoral commissioner, Colin Barry, who is now New South Wales's Electoral Commissioner. It was conducted in 1994 in Coburg, and it was an experiment in using bar code readers.

It was the same year as the first South African election was carried out in the same manner. Inspired by the fact that a divisional returning officer who was in the area told the Queensland divisional returning officers, they spent some time in ensuing years in working out the savings in cost and time of following the Victorian experiment. I pursued this for them informally. The Australian Electoral Commission head office leans towards electronics, despite the fact that experiments in Britain in local council elections and in America have been disastrous and expensive and wildly open to fraud.

Your experiment in Victoria was enormously important, but it was too early. It was significant because both parties liked it, which is a rare event with new experiments. It found that it halved the time and the speed and the accuracy of the election, and also gave them important statistics, but they were too early because the most significant saving in cost has been contributed by the advance of mobile telephone technology, which means that a successful bar reader experiment could not even really have been looked at until 2007, because in 2006 Telstra finished covering over 90 per cent of the country with this mobile phone technology. It now covers 98.3 per cent of

voters, and the remaining less than 2 per cent will be by wireless technology, so that solves the rural problem. Perhaps you might like to ask me questions as I proceed. I will just give some more facts before I end my statement.

The CHAIR — Dr McGrath, could you present your case to us and then we will ask you questions at the end?

Dr McGRATH — To save time I think I will run through what are considered the advantages and the disadvantages very quickly and you will have them on record.

It was when I put this to the Commonwealth that this all emerged. The two divisional returning officers in Queensland had costed it down to half the speed and half the cost, the same as you did in your experiment, but there is an extra change now that will occur. I will list all these things now.

It requires no legislative change and few to the Divisional Operations Manual. I argued it in the Commonwealth arena because I am not terribly familiar with the details of your election process. The Commonwealth division-wide voting, which they have and probably you do now, will actually facilitate the solution of the problems, which it did create. For example, the problems that occurred were giant rolls of 86 000 voters on all tables and all booths in fine print and fine fonts. These will not be necessary any more; you will not have to print the certified list at all.

Multiple voting in the same name will be made difficult, and multiple voting in different names, ditto; transport costs, including to and from scanning centres — that is, centres where they are sent to be scanned away from the electoral management centres; the detail and the factor time will be reduced; less queues; finding names in bulky rolls, especially foreign names in tiny fonts — this is because you will swipe your voter's card, which is central to it, through a bar code reader, and it is essentially a bar code reading change to elections, like Coles and groceries.

With absent voting, they will be able to identify the correct division. Postal voting scrutiny will be far quicker, because again the readers will scan them. Less divisional votes to check. Accuracy. Absent voters' votes will no longer have official error. Voting cards from the booths can be scanned for non-voter and polling statistics, so you will not have scanning centres. There will not be any fiddling of results or of issue of ballot papers by electoral officials themselves — that is, casuals. I do not really believe that 60 000 or 70 000 casuals are 100 per cent honest.

We will have to get a voter's card, which is the point where some objections occurred in the Joint Standing Committee in Canberra. The voter's card will have an alphanumeric bar code which is encrypted. This will be a paper card, all of them issued from the one certified roll at the close of the issue of the writs, and the card — I would recommend — should have the birth date, because of the of the objection that people can get them out of postal boxes. If it said that you were only 21 years old and a 50-year-old man came to present it, you would know at once. There is the savings of printing in Commonwealth elections 25 000 certified lists of somewhere over 400 pages, one to two less staff in booths, and reduction of two to three days in the scrutiny of direct declaration votes. Perhaps I could leave it there for you to ask me questions.

The CHAIR — Thank you.

Mr SCOTT — What you are referring to here is that each voter would receive in the post from the electoral commission a voter's card which would be scanned as they came to vote?

Dr McGRATH — Yes, like your credit card.

Mr SCOTT — Thus simplifying the process of marking voters off the roll, and providing means of verifying who has voted across the entire division; that is in essence what you are referring to?

Dr McGRATH — Yes. If you asked the Victorian Electoral Commission, they could give you an account of the Coburg election.

Mr SCOTT — In 1994?

Dr McGRATH — Yes, details of it.

Mr SCOTT — I am presuming that there would have to be some sort of provision for people who would have lost their card or otherwise misplaced it in the intervening time, between it being posted out and the actual election day itself?

Dr McGRATH — Yes, that is right, the same as they did in Ireland — they made provision for that. Yes, you would be issued with another one, or you could do that within the booth and could have a provisional vote with ID — which is coming in now in the Commonwealth, anyway, as you probably know. You have to produce ID now for provisional voting. So that would substitute. You would get your vote and it would be counted. The fact that someone had voted before you would signify that there had been one vote that was incorrect.

Mr THOMPSON — Just by way of brief background, is your doctorate in the area of political science?

Dr McGRATH — You mean my PhD?

Mr THOMPSON — Yes.

Dr McGRATH — In this field, do you mean?

Mr THOMPSON — Yes, that is my brief question.

Dr McGRATH — My doctorate, if that is what you are asking, was in history, and I have spent 13 years on the questions of how elections are run, I have written five and a half books on the subject, I have been trained by people within the system and I think now I am fairly proficient. Also, I started the UK Chapman Society in Britain with the national agents of the Labour Party and conservative parties. It is still going and I go there every year and compare it with the British system.

Mr THOMPSON — With the voting system that you have referred to, in the Coburg municipal election, I just wanted to check what the audit trail might be?

Dr McGRATH — Yes, that is very important. The DROs tell me that you will have virtually a complete audit trail. It will restore the system to how it was before 1983–84, when you had an audit at the table — and still do in Britain — with two people at the table, one checking on the other, one doing the audit and the other marking people off. The box was on the table. Symbolically you will have that. It is an important point that you have got me to answer because that surrender of the voting card gives you a double audit back, as you used to have.

The mobile phone technology will send the message back as the bar code is scanned in, as it does in Coles or Woolworths, to the Divisional Returning Officer's office, where it is marked off there. The booths will all be marked off at the centre but you will have the surrendered cards as a further audit. The final audit is that they must sign their names on the bar code reader. If you have had a parcel delivered lately, you will find that the delivery men have bar code readers with which they can signal back to the central office that they have delivered the parcel at my house. It works like that. So you have a triple audit, really.

Mr THOMPSON — Again just to clarify the process in Coburg, they were checked off as voters through the use of the card?

Dr McGRATH — Not ticked off. It is just marked off on a machine.

Mr THOMPSON — Electronically so, and was that also used to cast a vote as well?

Dr McGRATH — You get a ballot paper in return for your card — you do not get it without it — and you have to sign your signature. This is a big deterrent, of course.

Mr THOMPSON — So a ballot paper was still filled in manually?

Dr McGRATH — Yes, that is true. The manual factor was retained — and the manual count. So you have an extra audit there: the manual count would match against what is going back to headquarters. The other important saving which I have not mentioned is that you no longer have to put in telephone lines. They are quite expensive in setting up elections — setting up telephone lines and everything else. Electronics would demand lines too.

The CHAIR — Dr McGrath, since you are an expert on voting systems and electoral matters, what is your view on having an upper house member being elected on 1.25 per cent of the vote? Do you think some threshold should be considered?

Dr McGRATH — We do not, and I have not gone much into the field of systems of balance in voting like that. I have been concerned only with the mechanics, which allow for potential of fraud. These are very technical matters you are asking me. I think my answer would be that, given 13 years of looking at this business in detail from people of both parties — because I am not in a party and the only party I ever belonged to was the Labor Party — first past the post is the only really honest system. The system is built on scrutineers from the beginning — the ability of scrutineers to see what is going on from first to last. My beef is that the complications of House of Reps and Senate counting make it impossible for scrutineers to follow what the count is. Even with our council elections now, above the line goes out to Villawood to be counted. Scrutineers cannot always tear out to Villawood to see what is going on. It has got more and more so that nobody really knows what is going on, when counting comes.

The CHAIR — Dr McGrath, thank you very much for that. Before you go, I must inform you that in about a fortnight you will receive a copy of a transcript and typing errors may be corrected, but not matters of substance. Thank you very much for your contribution today.

Dr McGRATH — Thank you for the opportunity because being Victorian by birth and brought up in Canberra where they were always having fights about which was best, Melbourne or Sydney, all through my youth — —

The CHAIR — You are flying the flag for Victoria, no doubt.

Dr McGRATH — I fly the flag from— all three of them. Thank you very much.

Witness withdrew.