

ELECTORAL MATTERS COMMITTEE

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

Melbourne—29 August 2007

Members

Mr A. Somyurek
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Witnesses

Mr T. Clark, Manager of Technology, Training and
Employment, Vision Australia.

The CHAIR—Welcome, Mr Clark. For the formalities, welcome to the public hearings of the Electoral Matters Committee inquiry into the 2006 Victorian state election and matters related thereto. All evidence taken at 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 hearings may not be afforded such privilege. I take it, Mr Clark, you have received a copy of a pamphlet on giving evidence at public hearings?

Mr CLARK—Yes.

The CHAIR—Yes. For the benefit of Hansard can you please state your full name and address.

Mr CLARK—Tony Clark, and my work address is 201 High Street, Prahran, 3181.

The CHAIR—Again for the benefit of Hansard 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.

Mr CLARK—I am representing an organisation, that being Vision Australia. My position within Vision Australia is manager of training, technology and employment.

The CHAIR—Your evidence will be taken down and become public evidence in due course. I now invite you to make a verbal presentation and at the end of your submission the committee will ask you questions. Thank you.

Mr CLARK—Firstly, I would like to thank you, Mr Chair, and fellow committee members. Vision Australia wishes to first of all start off by congratulating and commending the Victorian state government and the Victorian Electoral Commission for having the courage and taking the initiative to in fact implement electronic voting at the 2006 election and many of my comments of course relate specifically to the electronic voting issue at the last election and of course I am very happy to discuss other things that may arise. This was of course the first opportunity for people who experience low vision or blind to vote truly independently and also verify independently their own vote; of course is a first in Victorian history.

The development process as a whole with the Victorian Electoral Commission I believe was an excellent process. It was incredibly consultative and took into account many of the different needs as best as possible within the development time lines and the restrictions therein. We would, however, like to state that as an organisation we were disappointed in the turnout for the election, 199 people using the e-centres but, however, we do believe there are a number of mitigating circumstances around that of which I would like to explain in a little more detail. Firstly, we believe this is, of course, a new initiative, similar to many new initiatives and particularly around something such as voting and casting a vote which many people place enormous importance on. There was a certain amount of scepticism around the system and whether it would or would not work.

Secondly, we believe some of the locations—and particularly given there were only five locations around the state, there were not many, but also some of them were not—perhaps on reflection could have been better located. Thirdly, you also must remember it was not actually open on voting day. Many people, similar to mainstream communities, are of the view that they do not make up their mind until the last minute and therefore wish to cast their vote on the day. Of course the pre-polling centres were not open on election day. Finally, I think

many lessons were in fact learnt in terms of how to deal with people with special needs , including staff, given it was the first—there were a few mistakes made which we have learnt from. However, despite this response I would urge Victorian parliament and the Victorian Electoral Commission to expand on this very important initiative. Firstly, we would like to recommend that the sites be increased, the number of sites where electronic voting is provided is increased. We as an organisation fully acknowledge that providing electronic voting at between 1,500 and 1,700 polling booths across Victoria presents substantial resource implications and challenges. However, we do believe that the opportunity does exist that electronic voting could be provided at, at least, one location within all voting districts around Victoria.

Secondly, we would like to see that electronic voting be made available on election day as well. Thirdly, and very importantly, we do believe that electronic voting provides an opportunity for many more people than those who experience vision impairment. We would urge the committee and the state government and the Victorian Electoral Commission to expand that to include the print disabled community, that is, people who find completing printed material or accessing printed material problematic or impossible; for example, people with cerebral palsy, people who experience arthritis or indeed people who have literacy issues. In summary, we believe this initiative was an excellent initiative. It was good and we believe it was very well received by those who actually used it. We believe it should be extended in both location and also with the opportunity to take advantage of the lessons learnt at the last election from #(indistinct) and its usability. Of course again I would like to commend both the Victorian state parliament and of course the VEC. I think it is worthy to acknowledge in writing that we do believe this initiative has been instrumental in encouraging the Australian federal government to conduct a similar trial at the upcoming federal election. Thank you.

The CHAIR—Thank you. Questions?

Ms CAMPBELL—Were you involved in deciding the locations? You said there were five locations chosen.

Mr CLARK—Yes, we were. We were consultants within those locations. It was not just myself, that was actually the VEC put together a disability advisory committee. That was also heavily involved in providing input into that.

Ms CAMPBELL—Did you get a copy of the VEC's report to the Victorian parliament on the last state election?

Mr CLARK—I have not read that yet, no.

Ms CAMPBELL—Thank you.

Mr HALL—Tony, I am here to learn so you are going to help me. In terms of the electronic voting that you undertook, how long did the process take?

Mr CLARK—It depended on the user, their competence and their comfort with the system. The process took probably anywhere between 10 minutes and half an hour, depending on the individual and whether they wanted to do things. One of the issues, of course, that was experienced, because it was a new thing, a lot of people wanted to sit down and have a fiddle and have a play, and the machines were set up to conduct a test on that. Also one of the important things to bear in mind in moving forward to the new system, as it was developed there were some significant improvements that could be made in its usability which would speed that process up substantially. However, given the time constraints there was not #(indistinct) administrators at the time.

Mr HALL—Did you need to make a booking to go down there?

Mr CLARK—No, you could turn up at any stage throughout the pre-polling period.

Mr HALL—Is there any advantage in people booking a time so that VEC could be resourced to accommodate that?

Mr CLARK—I do not expect so. The vision impaired and blind community are no different to the rest of the community and would tend to vote when it suits them. That could be done but would there be an advantage in it? On my advice I doubt it.

Mr HALL—I was thinking if there was a queue of people there and there was a substantial wait.

Mr CLARK—It was not experienced with the last one but that could be an issue with it moving forward and we await with great interest the upcoming federal election that is using a different system.

Mr HALL—Just thinking, off the top of my head, Tony, like there are people who register for postal voting, do you see any advantage in people registering for visually impaired voting or electronic voting so that VEC might be better able to prepare resources to accommodate those needs?

Mr CLARK—I am not sure if there would be a lot of value—and there seems to be #(indistinct) about pre-polling because one of the concerns when electronic voting was established was, is there going to be an overwhelming response, and I would assume that you deal with it. Having done some investigation into the actual response, it was fairly clear that— particularly older people who have already registered for some time with postal voting, if they are comfortable with it, they will stick with it and they are unlikely to change. However, the younger community will be different. There may be some value in capturing whether an individual may have special needs and that would enable a few things—not only would it enable them to supply electronic voting but for things such as, what formats do you need information in. For example, do you need braille, do you need audio, and that can also be expanded to foreign languages. There may be some opportunity to help resourcing that as well.

Mr SCOTT—Two things. I noted the very low incidence of informal voting. I think there was one informal vote out of 199. But the question I was going to ask you was not directly related to that, just as a preface. Well, it is related so I will ask two questions. In terms of informal voting, do you think that was because the system was an easier system for people to formally vote or because of the highly motivated nature of the people who are likely to use a sample like this?

Mr CLARK—I think the predominant one is that it was a really good system. But, of course, prior to that what it would say—you would go to the system and say, 'You have registered an informal vote. Do you wish to proceed?' It tells you that you have cast an informal vote. Many people with vision impairment believe they have cast a formal vote but in reality have not. They have cast an informal vote, it is a conscious decision. That to me is the real benefit of the electronic system and the reason why..

Mr SCOTT—I take it where you raise the issue of people with other disabilities or problems with literacy you could see that would assist those people to cast a formal vote?

Mr CLARK—Absolutely, enormously. In fact we had many inquiries from other

disability groups who wanted to participate but unfortunately because of the legislation it precluded them at the time.

Ms CAMPBELL—Can you expand on the legislation precluding those people?

Mr CLARK—My understanding is the trial was specifically for those who experienced low vision or blind and that was certainly a requirement to be able to use the system. Therefore if you have cerebral palsy or you have another disability you would not be able to use the system.

Ms CAMPBELL—Could I ask another factual question and that relates to when a person casts a vote and it does register as formal, how do you know that your vote has gone—like for me, I am a member of the ALP and that is where I would want to vote, and if by some chance I had put it in the wrong area, does it say aloud that, 'You have voted for Christine Campbell, ALP', or 'Christine Campbell' or something else?

Mr CLARK—Yes, that is exactly what it does and just to expand my term 'verifiable' vote because you can actually make a check, once you submit all your selections the system will then go back and say, 'Your vote is as follows,' and it lists everything that you have done.

Ms CAMPBELL—Okay. Thank you.

The CHAIR—What about the privacy implications?

Ms CAMPBELL—Is it a headphone—

Mr CLARK—Yes. The system itself had a couple of opportunities to do it and you can magnify it on screen and it will set up in such a way that they were booths where the screen was pointed back to the wall. No-one could inadvertently walk behind and watch what you were doing; or you could put on headphones.

The CHAIR—It is only available in English?

Mr CLARK—At this stage, but certainly my understanding is the technology has the capacity to provide it in multiple languages.

Ms CAMPBELL—The beauty of this is if, no matter what your language is, people would know the difference between John Howard and Kevin Rudd or John Brumby and Ted Baillieu or Peter Ryan. They would know that.

Mr CLARK—Certainly you can do things in a number of ways. Assuming you can at least understand English then you could listen to it, regardless of whether you can read it, whether that is just a cultural issue or whether that is low literacy level; secondly, the system theoretically has the potential to display all ballot papers in whatever language you want on the screen. It is a technical possibility.

The CHAIR—So it is very user-friendly.

Mr CLARK—Absolutely. It even has the potential to go to the point—there are devices for people who are deaf-blind. A person who is deaf-blind can only read by fingerspell or through a device called—through braille. A portable device is called refreshable braille displays. It is a piece of technology that has pins that lift and fall and they take the text characters from a document and they lift and display it. You could have set up in one centre a braille display hooked up, so not only could you access in audio, large print, whatever

language, you also have refreshable braille display on one as well. That is the whole issue when it comes to accessibility being able to participate. It is about providing options. Why you only provide a pink ballot paper is one option. If you cannot access that then you are excluded from participating in the process.

Ms CAMPBELL—Did we in Victoria model what we were doing on any great international initiative or are we leading in some of what we have done?

Mr CLARK—In the Australian context the ACT have been conducting #(indistinct) since 2001, however, their jurisdiction is quite different to the United States, of course. You would have to verify this with the Victorian Electoral Commission but there was an enormous amount of research done. There are systems over in the States, in the UK, Brazil, India doing this. Certainly a lot of work and investigation was done prior to that in those jurisdictions, is my understanding.

Ms CAMPBELL—That's okay because what was running through my head was if we come up with great initiatives there are some intellectual property opportunities if we can come up with world's best practice.

Mr SCOTT—In terms of the verification process—and I saw there was an audit of the process and it was verified to be secure—is that an electronic audit process or is there an actual paper audit as well?

Mr CLARK—I believe there is both, and again you would have to confirm it with VEC.

Mr SCOTT—Okay. I will do that.

Mr CLARK—But certainly there were multiple encryption keys that had to be used but you would have to ask.

Mr SCOTT—That is fine.

Mr THOMPSON—Tony, one question that arises where one vision impaired person votes at a particular booth and where that vote is recorded as coming through that booth on that basis or within that particular seat, it means that the person's voting preferences are then apparent, so the notion of a secret ballot is no longer a secret ballot. Do you have any thoughts on how that might be at risk?

Mr CLARK—I think there are a number of ways. Again while you specifically constrain voting for a particular segment—a segment such as blind vision impaired—you will know that everybody who cast an electronic vote was blind or vision impaired. Now, if that is expanded to include a broader population—you will have more people using it—the issue of identification becomes substantially increased. You would mitigate it in that way. The reality is though to provide another option such as a large print ballot paper or a braille ballot paper that I would not recommend anyway, you are going to automatically identify it. I think electronic, if it could be expanded to include—would communicate that very well

The CHAIR—No more questions? Okay. Thank you very much for that, it was very helpful. I might just point out to you that you will get the transcripts in a couple of weeks and you can correct typing errors but not—

Mr CLARK—Could I request that that be sent to me in a Word document?

The CHAIR—In a Word document, that is fine.

Mr CLARK—Thank you.

Witness withdrew.

Hearing suspended.