

PARLIAMENT OF VICTORIA

Electoral Matters Committee



Inquiry into whether Victoria should participate in a national electoral roll platform

Parliament of Victoria
Electoral Matters Committee

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About the Committee

Functions

The Electoral Matters Committee is constituted under section 9A of the *Parliamentary Committees Act 2003*.

The Committee's functions are to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with:

- a. the conduct of parliamentary elections and referendums in Victoria
- b. the conduct of elections of councillors under the *Local Government Act 2020*
- c. the administration of, or practices associated with, the *Electoral Act 2002* and any other law relating to electoral matters.

The Committee's functions are not intended to repeal, alter or vary sections 94F or 94G of the *Constitution Act 1975*.

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This report is available on the Committee's website.

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Terms of reference

Inquiry into whether Victoria should participate in a national electoral roll platform

On 4 August 2021 the Legislative Assembly agreed to the following motion:

That this House refers an inquiry into whether Victoria should participate in a national electoral roll platform to the Electoral Matters Committee for consideration and report no later than 16 March 2022 and the Committee should consider:

- (a) the possible implications, if any, of a national electoral roll platform on the independence of the Victorian Electoral Commission;
- (b) the security and integrity of Victoria's electoral system; and
- (c) mechanisms to ensure the security and integrity of electoral systems and events in other jurisdictions around Australia and internationally to determine best practice.

Chair's foreword

The Victorian Electoral Commission (VEC) plays a critical role in protecting and administering elections in Victoria. One of its important tasks is maintaining a database of Victorian electors. This database is used to create rolls for state and local council elections, as a data source for other bodies (such as police and researchers) and for general electoral administration.

In recent years, electoral commissioners from across Australia have been investigating the possibility of developing a shared software platform that would include a 'national electoral roll platform'. This platform could be used instead of the VEC's bespoke software to store the details of Victorian electors. If designed well, the platform could provide best practice information security systems to protect electors' personal data, could provide long-term cost savings and could help make the database as complete and accurate as possible.

The national electoral roll platform is still in the concept phase. After considering the evidence presented in this Inquiry, the Committee concluded that the national platform is worth further investigation. However, to protect Victoria's democracy, any change to electoral systems must be done in a carefully considered manner. Electoral systems are complex, and it is important to ensure that changes do not have unintended consequences. Until the software design and governance arrangements are finalised, the Committee cannot properly assess whether Victoria should move to the national platform when it is completed.

Before a final decision can be made, it will be essential to ensure that the platform can deliver the expected benefits and meet all of Victoria's needs. It will also be critical to ensure that moving to a national platform does not negatively affect Victoria's electoral independence by reducing the Victorian Parliament's ability to set the rules for Victorian elections.

These matters will need to be considered in detail when the platform is more developed. I hope that this report will assist with that process.

In the meantime, I believe that the collaborative approach currently adopted by the electoral commissions to develop a 'national electoral roll platform' is the best process to progress and ultimately achieve an outcome that addresses any concerns identified, while satisfying the needs and requirements of all electoral commissions.

As Chair of the Committee, I would like to thank all the people who contributed to this Inquiry through written submissions and by appearing at public hearings. I would like to make particular note of the VEC, which provided a great deal of information to assist the Committee. I would also like to thank my fellow committee members—Deputy Chair Bev McArthur, Enver Erdogan, the Hon Matthew Guy, Katie Hall, the Hon Wendy Lovell, Andy Meddick, Cesar Melhem, Tim Quilty, Dr Tim Read and Brad Rowswell.

Chair's foreword

I have greatly appreciated the cooperative approach adopted by all members. Finally, I would like to thank the Parliamentary staff who have supported this Inquiry, including the Hansard unit, the Community Engagement Unit and especially the Committee's secretariat—Christopher Gribbin, Joel Hallinan and Sarah Catherall.

A handwritten signature in black ink, reading "Lee Tarlamis". The signature is written in a cursive, flowing style.

Mr Lee Tarlamis OAM MP
Chair

Executive summary

Since 2017, Australia's state, territory and Commonwealth electoral commissions have been working towards the development of a shared software platform. This 'national electoral platform' could support a variety of electoral functions, including the electoral roll. It has the potential to improve cyber security and to provide cost savings and efficiencies for electoral commissions.

The national electoral platform is still in the concept phase. The system specifications, the funding arrangements and the governance structure have not been determined. No part of the system has yet been developed.

This Committee was asked to investigate whether or not Victoria should move to a national electoral roll platform—that is, the electoral roll component of the national electoral platform. This would involve a major change from the current arrangements, in which the Victorian Electoral Commission (VEC) maintains a bespoke piece of software which stores Victoria's database of electors, produces electoral rolls and supports other electoral functions.

Given that the national electoral roll platform is still in the concept phase, the Committee cannot definitively say whether moving to it would be in Victoria's interest. The evidence received by the Committee suggests that, if a national platform is designed appropriately, it could be beneficial for Victoria. A national electoral roll platform has the potential to facilitate best practice information security systems for electors' data, to provide cost savings over time and to enable a more complete and accurate roll.

However, to protect Victoria's democracy, any change to electoral systems must be done in a carefully considered manner. Electoral systems are complex and it is important to ensure that changes do not have unintended consequences. Before moving to a national platform, the system needs to be carefully examined to ensure that it does not negatively impact on the VEC's ability to perform its functions.

A national platform must meet all of the VEC's business needs. In addition, it must have systems to support future changes to Victoria's legislation and the VEC's processes, so that Victoria's electoral independence can be maintained. It is also important that moving to a national platform does not affect the VEC's ability to deliver local council elections. If the national platform can address these matters while providing the expected benefits, it would be in Victoria's interests to move to it.

The Committee's conclusion is that it is worthwhile for the VEC to continue working with other commissions to explore the possibility of a national electoral platform, including a national electoral roll platform.

In the meantime, both the Victorian and Australian electoral commissions are currently undertaking work to redevelop the software they use to manage their databases of

Executive summary

electors and produce electoral rolls. The Committee considers this an appropriate interim measure while work towards a national electoral roll platform takes place. However, the Committee would strongly encourage both electoral commissions to collaborate wherever possible to reduce duplication of effort and costs.

The Committee has also noted that there is a lack of transparency around what data are stored in the Victorian database of electors. The Committee has therefore recommended that legislation be updated to clearly set out what is stored on the database, as is the case in several other Australian states and territories.

Findings and recommendations

2 Current arrangements

FINDING 1: Both the Australian Electoral Commission and the Victorian Electoral Commission maintain registers of enrolled electors on bespoke pieces of software. The vast majority of Victorian electors are on both registers. Western Australia is the only other state with a similar arrangement. Australia's other states and territories rely on the Australian Electoral Commission's register, which is used to produce electoral rolls for state and local council elections in those jurisdictions.

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FINDING 2: Both the Australian Electoral Commission and the Victorian Electoral Commission have recently begun work on redeveloping the software that they use to manage their registers of electors.

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RECOMMENDATION 1: That, as part of the Victorian Electoral Commission's redevelopment of its Roll Management System, the Victorian Electoral Commission seek opportunities to collaborate with the Australian Electoral Commission and its project to redevelop its roll management system where possible. This collaboration should seek any opportunities to reduce the duplication of effort and costs involved with separately commissioning two pieces of software with similar functions.

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3 What Victoria needs from a register of electors

FINDING 3: Victoria's Electoral Act lacks clarity about what data are to be stored in the Victorian register of electors. Legislation in other Australian jurisdictions is clearer about what data must be stored, while still allowing for flexibility. Victoria's Electoral Act could be improved by adopting this approach.

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RECOMMENDATION 2: That the Government amend the *Electoral Act 2002* to specify what data can be stored in the register of electors. The legislation should specify what data *must* be stored and what data *may* be stored for each elector, as in the Australian Capital Territory's Electoral Act. The legislation should also provide for flexibility by allowing further data categories to be specified in subordinate legislation.

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4 A national electoral roll platform

FINDING 4: Australian electoral commissions have done some work to develop the concept of a national electoral platform, which would include a national electoral roll platform. However, they have not yet developed a concrete proposal for how a platform would be designed or operate. Work is ongoing. 20

FINDING 5: If it is designed appropriately, a national electoral roll platform has the potential to meet Victoria’s needs, while providing better cyber security, being more accurate and complete, and enabling cost savings over time compared to the current arrangements. 32

RECOMMENDATION 3: That the Victorian Electoral Commission continue working with other jurisdictions towards the creation of a national electoral platform, including a national electoral roll platform. As part of this, the Victorian Electoral Commission should advocate for the platform to be designed in a way that will meet Victoria’s needs. 33

RECOMMENDATION 4: That Victoria not commit to a national electoral roll platform until details of the design and governance structure are more developed. At that time, an assessment can be made as to whether or not a national electoral roll platform would meet Victoria’s needs. 33

1.1 Background

In August 2021, the Victorian Parliament asked this Committee to consider whether or not Victoria should participate in a national electoral roll platform (see the full terms of reference on page vii).

The possibility of a ‘national electoral platform’ has been under discussion for a number of years. The idea is to create a shared software platform with a variety of electoral functions which all of Australia’s state, territory and Commonwealth electoral commissions would be able to access. Electoral rolls and related functions (a ‘national electoral roll platform’) could be part of that.

Although some discussions have taken place, the national electoral platform is still in the concept phase and has not yet been built. It is therefore impossible at this stage to definitively say whether or not it would be a good option for Victoria. The key question for the Committee in undertaking this Inquiry has therefore been ‘Is it theoretically possible that a national electoral roll platform would meet Victoria’s needs?’.

The evidence received by the Committee suggests that it would be possible and that the Victorian Electoral Commission (VEC) should continue to explore the possibility of a national electoral platform with other commissions. However, it is going to be a long time before a national electoral platform capable of supporting electoral rolls and related functions would be ready for Victoria to adopt.

In the meantime, the VEC considers that its Roll Management System is reaching the end of its life and needs to be redeveloped. The Roll Management System is the software which maintains Victoria’s database of electors and which can be used to produce electoral rolls and other products. Some work has already taken place preparing for this redevelopment. Considering the long time frame for a national electoral platform, the Committee supports the VEC’s redevelopment of its Roll Management System to host the register of electors for now.

1.2 Structure of this report

Chapter 2 sets out Victoria’s current arrangements for managing enrolments and producing electoral rolls. At the core of this is the ‘register of electors’—a database of Victorians who are enrolled to vote. Chapter 2 also notes the VEC’s current work towards redeveloping its Roll Management System, including the opportunity to collaborate with the Australian Electoral Commission.

Chapter 3 explores what Victoria needs from a register of electors and establishes the criteria that a national electoral roll platform would need to meet to be appropriate for Victoria.

Chapter 4 considers whether a national electoral roll platform would be able to meet those criteria. As part of this, the chapter assesses a number of concerns raised by the VEC. The chapter concludes that it would be possible for a national electoral roll platform to meet Victoria's needs and that it is worthwhile for the VEC to undertake further work towards establishing a national electoral roll platform.

1.3 The Inquiry process

The Committee received the terms of reference for this Inquiry in August 2021. In September, the Committee received a private briefing from the VEC to provide background information.

The Committee also advertised the Inquiry and called for written submissions in September 2021. Eight submissions were received. The Committee conducted public hearings with representatives of five organisations in November 2021.

The Committee would like to thank all of the individuals and organisations that participated in this Inquiry. The information and insights that they provided assisted the Committee significantly and are greatly appreciated.

Further details about the process can be found in Appendix A, including lists of the people and organisations that made written submissions and appeared at public hearings.

2 Current arrangements

2.1 Introduction

Both the Victorian Electoral Commission (VEC) and the Australian Electoral Commission (AEC) maintain separate databases of electors, with most enrolled Victorians appearing on both. In Victoria, this database is referred to as the 'register of electors' or 'enrolment register'.¹ The VEC's and AEC's registers are used to produce a number of products, including the electoral rolls which are used to determine who is eligible to vote at a particular election.

Through a 'Joint Roll Arrangement' between Victoria and the Commonwealth, data are shared between the jurisdictions. As a result, when voters enrol or change their details, both databases are updated.

Victoria's arrangement is unusual, with most states and territories not maintaining their own databases. Instead, they take elector data from the AEC's register of electors when required.

Supporting Victoria's register of electors is the VEC's bespoke software, the Roll Management System. As this is reaching the end of its life, the VEC has commenced work towards replacing the software. The AEC is similarly redeveloping its electoral systems, and the Committee recommends that the VEC seek to collaborate with the AEC to reduce duplication of effort and costs.

2.2 The Victorian register of electors

The VEC's register of electors includes the names, birthdates, addresses and other details of all Victorians who are enrolled to vote (see further details in Section 3.2 of this report). It also contains details of 17-year-old Victorians who have provisionally enrolled so that they will automatically be included in rolls when they turn 18.

On 30 June 2021, the register contained 4,310,413 people, which the VEC estimates to be 95.8% of eligible Victorians.² The register is continuously updated, with people added or removed from the register and their personal details adjusted when appropriate.

1 The Australian Electoral Commission uses different terminology to the Victorian Electoral Commission, referring to its register of electors as the 'electoral roll' and the roll used at a particular election as the 'certified list' (this is referred to as the 'electoral roll' in Victoria). To avoid confusion, the Committee has used the Victorian terms throughout when referring to either Victorian or Commonwealth arrangements.

2 Victorian Electoral Commission, *Annual report 2020–21*, Melbourne, 2021, p. 59.

The register of electors is used to create a number of electoral products, such as the electoral rolls for state and local council elections and lists of electors which are provided to members of parliament and political parties. The data from the register of electors are also used by the VEC for a number of administrative functions (such as electoral boundary redivisions and fining non-voters). In some cases, data from the register are also provided to other bodies, including the police and researchers.

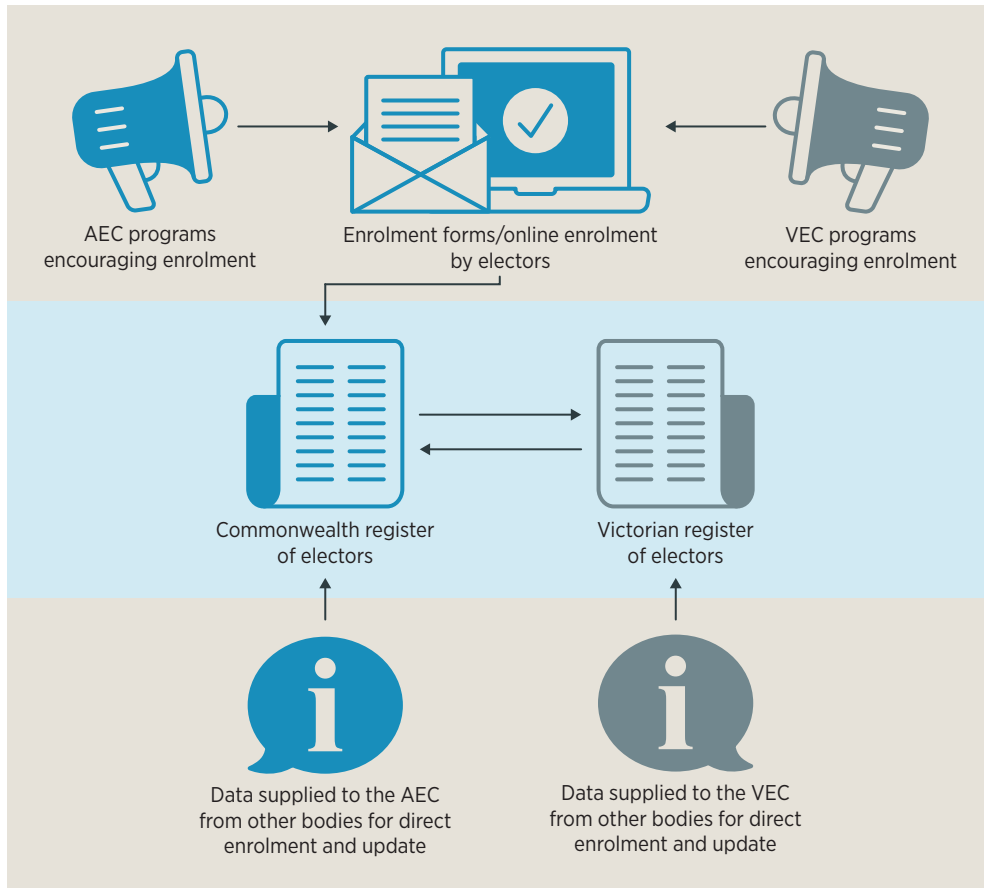
These uses are discussed further in Section 3.3 of this report.

2.3 The Commonwealth register of electors and the Joint Roll Arrangement

The AEC maintains a separate register of electors for Australia, including Victorians. This is primarily used to create electoral rolls for Commonwealth elections and by-elections. As with the Victorian register, it is also used for a variety of other functions.

The VEC and AEC have entered into a 'Joint Roll Arrangement' which enables them to share data about electors. As a result, electors only need to enrol or update their enrolment once for both registers to be updated. To facilitate this, people can only enrol or change their details with the AEC. The AEC then transfers the details to the VEC, which uses the data to update the Victorian register (see Figure 2.1). Both the VEC and AEC also receive data from other bodies which are used for 'direct enrolment' (that is, adding people to the register, removing them or updating their details automatically). The data received for direct enrolment are also passed between the electoral commissions.

Figure 2.1 Enrolment data sharing between the Commonwealth and Victorian registers of electors



Source: Electoral Matters Committee.

The VEC pays the AEC for the data it receives under the Joint Roll Arrangement, with the amount determined by multiplying the number of Victorian electors by a set rate. These payments are currently \$2.1 million per year.³ The VEC pays a 50% lower rate per elector than the AEC's full rate.⁴ This is in recognition of the fact that the VEC also provides data to the AEC and undertakes various activities to encourage people to enrol and to keep their details up-to-date. The same discounted rate has also been given to New South Wales.⁵

As a result of these arrangements, the vast majority of entries on the Victorian register are identical to the entries on the Commonwealth register. The VEC informed the Committee that there are 57,010 differences between the registers, as set out in Table 2.1.

³ Victorian Electoral Commission, *Submission 6*, p. 8.

⁴ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 28.

⁵ New South Wales Electoral Commission, *Annual report 2020–21*, Sydney, 2021, p. 76.

Table 2.1 Differences between the Victorian and Commonwealth registers of electors for Victoria

Address is different on the registers	24,309
The elector is only on the Victorian register	21,720
The elector is only on the Commonwealth register	10,981
Total	57,010

Source: Victorian Electoral Commission, response to questions on notice, received 7 December 2021, p. 3.

The number of differences between the Victorian and Commonwealth registers has reduced significantly in recent years. It had been particularly high compared to other states and territories,⁶ peaking at 355,524 in 2015.⁷ This high level of variation was driven by Victoria's enrolment program running alongside the Commonwealth's own program, with some different requirements and some different data sources, exacerbated by factors such as the AEC not accepting online enrolments made through the VEC's system and the VEC not accepting data supplied to the AEC through its direct enrolment program.⁸

The AEC and VEC have worked together to reduce the number of differences.⁹ This has included changes so that the VEC can now accept direct enrolment data from the AEC and the VEC discontinuing its online enrolment and now directing people to enrol online directly with the AEC.¹⁰

The remaining differences are due to a variety of factors. In some cases, these variations are a result of differences in legislation. For example, people serving sentences of imprisonment between three and five years are entitled to vote in Victorian elections but not Commonwealth elections.¹¹ Some variations may be a result of timing—at any point in time, there will be a number of people updated on one register but not the other due to differences between when the data are received by the VEC and AEC. Other variations are a result of:

- differences in direct enrolment programs (where electors' details are automatically added or updated)
- enrolment objection processing
- previous rules (no longer in force) that meant that certain updates in one jurisdiction could not be accepted in the other.¹²

⁶ Australian Electoral Commission, *Submission 3*, p. 3; Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, p. 21.

⁷ Australian Electoral Commission, *Submission 3*, p. 3.

⁸ Australian Electoral Commission, *Submission 3*, p. 3; Victorian Electoral Commission, *Submission 6, Attachment 1*, pp. 1–2.

⁹ Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, p. 21; Victorian Electoral Commission, *Annual report 2019–20*, Melbourne, 2020, p. 59; Victorian Electoral Commission, *Annual report 2020–21*, Melbourne, 2021, p. 60.

¹⁰ Australian Electoral Commission, *Submission 3*, p. 3; Victorian Electoral Commission, *Submission 6, Attachment 1*, pp. 1–2.

¹¹ *Commonwealth Electoral Act 1918* (Cth) s 93(8AA); *Constitution Act 1975* (Vic) s 48(2)(b).

¹² Victorian Electoral Commission, *Submission 6, Attachment 1*, pp. 1–2; Victorian Electoral Commission, response to questions on notice, received 7 December 2021, p. 3.

The Committee has not received any evidence as to which register is overall more accurate. The AEC and VEC continue to work together to reduce variation between registers.¹³

2.4 Victoria's arrangement is unusual

Only one other jurisdiction in Australia (Western Australia) manages its own register of electors. For elections at the state/territory or local council level in the other jurisdictions, the AEC extracts the details of the relevant electors from the Commonwealth register of electors and passes them to the state/territory electoral commission, which then runs the election.¹⁴

To cater for differences between enrolment entitlements for the Commonwealth and other jurisdictions, the Commonwealth register includes the functionality to record electors who are eligible for state/territory elections but not Commonwealth elections and for 'distinguishing marks' to be placed against the names of Commonwealth electors to identify whether they are also enrolled in their state or territory.¹⁵ It can also store information about special categories of elector that apply at state level (such as general postal voters).¹⁶

States and territories pay the AEC for this service, with the price calculated based on the number of electors multiplied by a rate which varies from year to year (\$0.868 per elector in 2020–21¹⁷). As noted above, Victoria and New South Wales receive a 50% discount on the full rate.

As New South Wales pays the same rate as Victoria, its total payments are similar to Victoria's, at \$2.4 million per year¹⁸ (compared to Victoria's \$2.1 million). However, New South Wales does not need to maintain its own register under this arrangement, whereas Victoria does and therefore has significant costs on top of the payments to the AEC.

These arrangements are discussed further in Chapter 4 of this report. The experiences of jurisdictions which rely on the AEC for managing their register of electors provide some insight into what it would be like if Victoria ceased maintaining its own register and moved to a national electoral roll platform.

¹³ Victorian Electoral Commission, *Submission 6, Attachment 1*, p. 2.

¹⁴ Australian Electoral Commission, *Submission 3*, pp. 2–3.

¹⁵ *Commonwealth Electoral Act 1918* (Cth) s 84(2); *Electoral and Referendum Regulation 2016* (Cth) reg 7.

¹⁶ Electoral Commission of South Australia, *Election report: 2018 South Australian state election*, Adelaide, 2019, p. 54; Mick Sherry, Electoral Commissioner, Electoral Commission of South Australia, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 6.

¹⁷ New South Wales Electoral Commission, *Annual report 2020–21*, Sydney, 2021, p. 76.

¹⁸ New South Wales Electoral Commission, *Annual report 2020–21*, Sydney, 2021, p. 75.

FINDING 1: Both the Australian Electoral Commission and the Victorian Electoral Commission maintain registers of enrolled electors on bespoke pieces of software. The vast majority of Victorian electors are on both registers. Western Australia is the only other state with a similar arrangement. Australia's other states and territories rely on the Australian Electoral Commission's register, which is used to produce electoral rolls for state and local council elections in those jurisdictions.

2.5 The Roll Management System redevelopment: an opportunity for collaboration with the Australian Electoral Commission

The VEC's register of electors is kept on a bespoke piece of software called the Roll Management System (RMS). The current RMS was developed between 2000 and 2003,¹⁹ with enhancements made in later years. The VEC started work towards a new RMS in 2020. The VEC completed the first phase (defining the business requirements) in 2021 and expects its new RMS to be completed by the end of 2023.²⁰

In addition to storing the register of electors, RMS has a variety of other functions, such as helping the VEC identify duplicate entries when creating local council electoral rolls (which involves combining data sources) and excluding ineligible people from jury lists (which are produced from the register). RMS stores administrative data about electors as well, such as who is registered as a general postal voter and redirection addresses for ballot papers.²¹

RMS also interacts with the VEC's Election Management System, which enables processes such as allocating personnel to appropriate districts at election times.²²

The AEC similarly commenced work in 2019–20 on a business case related to modernising its election and roll management system.²³ Mr Tom Rogers, the Australian Electoral Commissioner, explained:

it is going to take us a long time ... it is a big task, because we think the electoral roll is still the most complete data source of Australians, around Australia. So getting that right is very, very important, and it is going to be a very sensitive project. We have been given funding by government—a lot of money by government—to start that process.²⁴

¹⁹ Victorian Electoral Commission, *Annual report 2001–02*, Melbourne, 2002, p. 42; Victorian Electoral Commission, *Annual report 2002–03*, Melbourne, 2003, p. 36.

²⁰ Victorian Electoral Commission, *Annual report 2020–21*, Melbourne, 2021, p. 62; Victorian Electoral Commission, *Submission 6*, pp. 7, 9, 11.

²¹ Victorian Electoral Commission, response to questions on notice, received 7 December 2021, pp. 1–2; Victorian Electoral Commission, *Submission 6*, p. 18.

²² Victorian Electoral Commission, *Submission 6*, p. 18.

²³ Australian Electoral Commission, *Annual report 2019–20*, Canberra, 2020, p. 37.

²⁴ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 13.

As the AEC's roll management system will have many of the same functions as the VEC's system, there may be scope for cost savings for both agencies if they can collaborate on these projects. This collaboration could take a number of forms, from sharing background work such as requirements specifications through to working together with a software developer who may be able to produce one product (with variations if required) for both commissions. Some of this work may form a basis for a national electoral roll platform in the future.

The Committee asked Mr Rogers about whether there was any scope for the VEC and AEC to work together on their projects. He responded that:

I hope that whatever we end up doing will be compatible. As to whether it can be the same system or a shared system, that I do not know. Having had a look at the history of systems being built between agencies, let alone governments, we can all hope, but I think that is going to be difficult.²⁵

However, both the VEC and AEC noted that they will be talking to each through their development processes and considering compatibility.²⁶

Recognising the potential for efficiencies and cost savings, the Committee's view is that the VEC should explore opportunities for collaboration with the AEC as part of its RMS redevelopment project. The Committee strongly encourages both agencies to look for opportunities to leverage from each other's work and reduce duplicated effort and costs.

FINDING 2: Both the Australian Electoral Commission and the Victorian Electoral Commission have recently begun work on redeveloping the software that they use to manage their registers of electors.

RECOMMENDATION 1: That, as part of the Victorian Electoral Commission's redevelopment of its Roll Management System, the Victorian Electoral Commission seek opportunities to collaborate with the Australian Electoral Commission and its project to redevelop its roll management system where possible. This collaboration should seek any opportunities to reduce the duplication of effort and costs involved with separately commissioning two pieces of software with similar functions.

²⁵ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 13.

²⁶ Dahna Bond, Director, Enrolment, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 30; Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 13.

3 What Victoria needs from a register of electors

3.1 Introduction

Chapter 2 described how Victoria’s register of electors is managed. This chapter describes what the register is used for—that is, how the Victorian Electoral Commission (VEC) uses the register of electors to conduct elections and perform other functions.

Through this analysis, the Committee has identified what Victoria needs from a register of electors. The Committee has identified eight key criteria which can be used to assess options for managing Victoria’s register of electors (Section 3.4). Chapter 4 uses these criteria to assess the concept of a national electoral roll platform.

3.2 What is in the Victorian register of electors?

The register of electors ‘keeps the list of the names and addresses of all enrolled Victorians at any point in time.’¹ It also contains various other data required by legislation or for administrative purposes. Exactly what is stored in the register is unclear. The Committee considers that it would be appropriate for this to be more transparent.

Victoria’s Electoral Act states that the register of electors ‘contains the names and addresses of all electors and the particulars required under the Act’.² However, the Act does not clearly outline what these ‘particulars’ are. The VEC has also indicated that it includes some data on the register for administrative purposes (such as redirection addresses for ballot papers).³ However, the VEC has not disclosed the full details of what data it stores on the register.

This means that the public does not know exactly what is recorded in Victoria’s register of electors. This lack of clarity has flow-on effects throughout the Electoral Act. For example, the VEC must include ‘particulars’ of electors when providing electoral information to members of parliament and political parties under the Act, but these particulars are also not specified.⁴

1 Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, p. 20.

2 *Electoral Act 2002* (Vic) s 3, definition of ‘register of electors’.

3 Victorian Electoral Commission, *Submission 6*, p. 18.

4 *Electoral Act 2002* (Vic) ss 33 and 34.

The Committee's view is that better practice would be for the Electoral Act to list what data can be recorded on the register of electors. Other Australian jurisdictions do this.⁵ For example, the Australian Capital Territory's Electoral Act states:

- (1) A roll shall contain the following particulars in relation to each elector:
 - (a) surname or family name;
 - (b) each given name;
 - (c) address;
 - (d) sex;
 - (e) date of birth.
- (2) A roll may contain the following particulars in relation to each elector:
 - (a) occupation;
 - (b) any former surname;
 - (c) any previous address;
 - (d) postal address, if not the same as the address of the principal place of residence;
 - (e) the further particulars (if any) prescribed under the regulations.⁶

This approach specifies certain data points that *must* be included, while also allowing flexibility through data points which *may* be included, with further additions through subordinate legislation. The Committee considers that this approach would provide more transparency to Victorian electors.

FINDING 3: Victoria's Electoral Act lacks clarity about what data are to be stored in the Victorian register of electors. Legislation in other Australian jurisdictions is clearer about what data must be stored, while still allowing for flexibility. Victoria's Electoral Act could be improved by adopting this approach.

RECOMMENDATION 2: That the Government amend the *Electoral Act 2002* to specify what data can be stored in the register of electors. The legislation should specify what data *must* be stored and what data *may* be stored for each elector, as in the Australian Capital Territory's Electoral Act. The legislation should also provide for flexibility by allowing further data categories to be specified in subordinate legislation.

⁵ *Electoral Act 1992* (ACT) s 58; *Electoral Act 1992* (Qld) s 58(3), *Electoral Act 2004* (Tas) s 36, *Electoral Act 1985* (SA) s 20 and *Electoral Act 2004* (NT) s 11.

⁶ *Electoral Act 1992* (ACT) s 58.

3.3 Current uses of the Victorian register of electors

The VEC continually updates the register of electors to ensure that it is as complete, accurate and up-to-date as possible.⁷ This allows the VEC to use the register to fulfil a variety of functions. These functions fall into two categories:

1. electoral uses—these include creating rolls for specific elections as well as election-related uses, such as supporting electoral boundary redivisions
2. elector data provision.

These categories are explained in more detail below.

Many of the uses of the register are subject to timelines based in legislation⁸ or the VEC's performance indicators.⁹

3.3.1 Electoral uses

The register of electors is used for a range of election-related purposes, including:

- creating electoral rolls for:
 - state general elections and by-elections¹⁰
 - local government elections (in conjunction with data from local councils)¹¹
 - other electoral events including referenda¹²
- informing electoral boundary redivisions and council representation reviews¹³
- other purposes including enrolment drives, outreach programs and mapping services.¹⁴

At a state election, the electoral roll created by the VEC from data held in the register is used for multiple purposes, including marking off electors as they are issued ballot papers¹⁵ and compulsory voting enforcement.¹⁶

⁷ *Electoral Act 2002 (Vic)* ss 21, 27.

⁸ For example, the VEC must provide a list of electors for public inspection every six months—*Electoral Act 2002 (Vic)* s 32(1).

⁹ For example, the Electoral Act requires rolls to be prepared 'as soon as practicable after the close of the roll'—*Electoral Act 2002 (Vic)* s 29(1)(a) and the VEC has a performance indicator around producing 100% of electoral district rolls within eight days after close of rolls—Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, p. 165.

¹⁰ *Electoral Act 2002 (Vic)* s 29; Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, p. 20.

¹¹ *Local Government Act 2020 (Vic)* s 249.

¹² *Electoral Act 2002 (Vic)* Part 9A.

¹³ Electoral Boundaries Commission, *Report on the redivision of Victorian electoral boundaries 2020–2021*, Melbourne, 2021, pp. 2–3; Victorian Electoral Commission, *Local council representation and subdivision reviews 2019–20: program report*, Melbourne, 2020, p. 7.

¹⁴ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 29.

¹⁵ Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, p. 55.

¹⁶ Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian state election*, Melbourne, 2019, pp. 69–71.

3.3.2 Elector data provision

The VEC provides elector data from the register to a variety of groups and organisations. As set out below, in some cases this is required by law. In other cases, the VEC has discretion.¹⁷ In each case the release of data is subject to rules about the use and further disclosure of the data, with penalties for inappropriate use.¹⁸

The VEC also shares elector data with the AEC in line with the Joint Roll Arrangement between the two commissions (see Section 2.3) and with the City of Melbourne, which produces its own electoral rolls.¹⁹

The volume of data provided can be substantial. The VEC's submission noted that:

The VEC distributes thousands of different roll products and enrolment data to external agencies and third parties. In 2019–2020, VEC distributed 1,303 individual roll products and enrolment data pursuant to sections 33 and 34 of the Electoral Act, the Juries Act and other legislative instruments. In addition, in 2019–20 the VEC provided 10,957 single sets of enrolment data to several agencies pursuant to section 34 of the Electoral Act.²⁰

Mandatory disclosure of elector data

The VEC is required to provide data from the register of electors for the following purposes:

- **Jury rolls**—The VEC creates jury rolls by providing details of randomly selected eligible²¹ electors from the register of electors to the Juries Commissioner. Details include the name, address and date of birth of each person.²²
- **Members of parliament and registered political parties**—The VEC provides data from the register of electors to members and parties according to timelines and limitations under the Electoral Act. For example, members of parliament are regularly provided with a list specifying electors and their particulars for the member's electorate.²³
- **Public inspection**—The VEC provides a list of electors and their addresses for public inspection. This list is generated using the register of electors every six months.²⁴ The Electoral Act prohibits the register of electors itself being made available for public inspection.²⁵

17 *Electoral Act 2002 (Vic)* ss 32–37. The VEC must also provide data from or copies of the electoral roll (as opposed to the register of electors) in certain situations—*Electoral Act 2002 (Vic)* s 33(6). Further, local council chief executive officers can request a copy of the municipal voters' roll for certain purposes—*Local Government Act 2020 (Vic)* s 254(4). This report focusses on provisions regarding the register of electors, rather than electoral rolls.

18 *Electoral Act 2002 (Vic)* ss 36–37.

19 *City of Melbourne Act 2001 (Vic)* ss 11, 11A and 11D.

20 Victorian Electoral Commission, *Submission 6*, p. 17.

21 Some electors are excluded due to recent previous jury service or other disqualifications—Warwick Gately AM, Victorian Electoral Commissioner, Victorian Electoral Commission, correspondence, 6 December 2021, p. 1.

22 *Juries Act 2000 (Vic)* s 19.

23 *Electoral Act 2002 (Vic)* s 33(2). Candidates for election are provided with a copy of the electoral roll (but not data from the register of electors)—*Electoral Act 2002 (Vic)* s 33(6).

24 *Electoral Act 2002 (Vic)* s 32. Copies of the latest electoral rolls are also available for inspection—*Electoral Act 2002 (Vic)* s 32(3).

25 *Electoral Act 2002 (Vic)* s 28.

Discretionary disclosure of elector data

The Electoral Act gives the VEC discretion to provide a ‘list of electors and their particulars’ to any person or organisation on request.²⁶ The VEC must only do so if ‘the public interest in providing the requested information outweighs the public interest in protecting the privacy of personal information in the particular circumstances.’²⁷

In each case the VEC enters into a deed with the relevant organisation regarding the provision of data.²⁸ In 2020–21, the VEC provided data to the following organisations:

- Adoption Information Service
- Victorian Assisted Reproductive Treatment Authority
- State Revenue Office
- BreastScreen
- Department of Health and Human Services
- Victoria Police.²⁹

In previous years, data have been provided to the Cancer Council, the University of Melbourne and Anglicare, and in relation to the Black Saturday bushfires.³⁰

3.4 Key criteria for Victoria’s roll management

3.4.1 Delivering against legislative requirements

Based on the information set out in Section 3.3, the Committee has identified the basic requirements that a register of electors needs to fulfil. These are the things needed to support elections and other functions under Victorian legislation which are currently served by the VEC-administered register of electors. These requirements can be used to assess options for managing the register of electors (see Chapter 4).

In summary, these basic requirements are the ability to:

- store Victorian elector information as required by the Electoral Act and the VEC’s processes
- produce the electoral roll products and data required by Victorian legislation

²⁶ *Electoral Act 2002* (Vic) s 34(1).

²⁷ *Electoral Act 2002* (Vic) s 34(2). The VEC must consult with the Information Commissioner about the ‘public interest in protecting the privacy of personal information’ when assessing these requests—*Electoral Act 2002* (Vic) s 34(1)(b).

²⁸ Victorian Electoral Commission, *Annual report 2020–21*, Melbourne, 2021, p. 65; *Electoral Act 2002* (Vic) s 34(3).

²⁹ Victorian Electoral Commission, *Annual report 2020–21*, Melbourne, 2021, p. 65.

³⁰ Victorian Electoral Commission, *Annual report 2018–19*, Melbourne, 2019, p. 60; Victorian Electoral Commission, *Annual report 2017–18*, Melbourne, 2018, p. 51; Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 29.

- provide the access to elector data necessary for the VEC to perform other functions (for example, supporting electoral boundary redivisions by the Electoral Boundaries Commission, compulsory voting enforcement, elector communication and enrolment drives). This includes access to data in a form that can be used by VEC systems.

All such products and data need to be provided within relevant legislative and administrative timelines.

3.4.2 Maintaining Victoria's electoral independence

The VEC's submission emphasised that a national electoral platform must recognise the independence of each electoral commission, including its particular legislative responsibilities and its accountability for delivering election services within its jurisdiction.³¹ As part of this, the platform must be able to respond to any legislative changes that the Victorian Parliament might make in the future and must be able to accommodate any processes that the VEC might require to deliver services to the appropriate standards.

This is a particularly important point to consider when assessing a national electoral platform, which may include moving away from the VEC administering Victoria's register. Under such a situation, Victoria would have reduced control over the management of its register. Appropriate mechanisms to allow for legislative and process changes would therefore need to be established to ensure Victoria's election services can adequately respond to the responsibilities prescribed by the Victorian Parliament.

3.4.3 Best practice information security

As the register of electors contains a large volume of personal information and is a critical part of delivering elections, it is essential that it be appropriately protected from unauthorised access.

The submission from the Office of the Victorian Information Commissioner (OVIC) noted that Victoria is the only Australian jurisdiction with a legislated information security framework.³² The framework provides direction to government agencies, including the VEC, on their information security obligations. This includes building 'security risk management capability and maturity using existing international best practice risk management principles and guidelines.'³³ The framework is complemented by legislated standards, which consist of:

³¹ Victorian Electoral Commission, *Submission 6*, p. 6.

³² Office of the Victorian Information Commissioner, *Submission 2*, p. 1. See also Sven Bluemmel, Information Commissioner, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 22.

³³ Office of the Victorian Information Commissioner, *Submission 2*, p. 6.

12 high-level mandatory requirements to protect public sector information across all security areas including governance, information, personnel, information communications technology, and physical security.³⁴

In addition to the legislated framework and standards, OVIC provides independent monitoring of information security controls used by Victorian public sector entities.³⁵

In contrast, Commonwealth agencies operate under a non-legislated framework and self-report compliance rather than being subject to independent monitoring. OVIC noted that this may ‘undermine the application of information security controls.’³⁶

The Committee considers that any decision around how Victoria’s electoral register is managed must consider the information security systems. Victorian electoral data should be protected by best practice information security controls.

3.4.4 Measurements of accuracy, completeness and efficiency

In addition to measuring against Victorian legislative requirements and security considerations, the Committee notes several general measures of electoral register quality. In their submission, Professor Toby James and Dr Holly Ann Garnett, Co-Directors of the Electoral Integrity Project, identified three key metrics for measuring the quality of electoral registers:

1. Accuracy—‘the extent to which there are no false entries’.
2. Completeness—‘the extent to which every person who is entitled to be registered, is registered’.
3. Efficiency—‘the volume of resources that are needed to maintain electoral registers’.³⁷

The Committee views these as sensible measures that should be included when comparing options for Victoria’s needs.

3.4.5 Eight key criteria

Based on the above, the Committee has developed eight key criteria which it will use to guide its assessment of the idea of a national electoral roll platform for managing Victoria’s register of electors (see Table 3.1).

³⁴ Office of the Victorian Information Commissioner, *Submission 2*, p. 6.

³⁵ Office of the Victorian Information Commissioner, *Submission 2*, p. 6.

³⁶ Office of the Victorian Information Commissioner, *Submission 2*, p. 6.

³⁷ Electoral Integrity Project, *Submission 8*, p. 1.

Table 3.1 Eight key criteria for assessing options for managing Victoria’s register of electors

Legislative requirements— things a register of electors must do	Store Victorian elector information as required by the Electoral Act and the VEC’s processes.
	Produce roll products as required by Victorian legislation, including: <ul style="list-style-type: none"> • electoral rolls and jury rolls • lists of electors and other information for public inspection, political parties, members of parliament and others under sections 32, 33 and 34 of the Electoral Act.
	Provide adequate access to elector data for the VEC to perform duties such as supporting electoral boundary divisions, compulsory voting enforcement, elector communication and enrolment drives. This includes providing access to data in a form that can be used by VEC systems.
	Provide roll products and elector data (see above) in accordance with legislative and administrative timelines.
	Maintain Victoria’s electoral independence by allowing for future changes to Victorian legislation and processes.
Information security	Provide best practice information security.
Data quality and resource management	Provide a high level of accuracy and completeness.
	Enable an efficient use of resources.

Source: Electoral Matters Committee.

4 A national electoral roll platform

4.1 Introduction

The possibility of a ‘national electoral platform’ is currently being investigated by Australian electoral commissions. A national electoral platform would be a jointly developed and maintained system which electoral commissions could use to fulfil a number of electoral functions.¹ Part of this would be a ‘national electoral roll platform’, that is, software for managing enrolment and producing electoral rolls. Exactly how it would function is yet to be determined, as the national electoral platform is still only a concept and no concrete plan has been developed at this stage. Section 4.2 of this chapter explores the progress that has been made so far.

In the absence of a concrete proposal, the key question for the Committee is whether or not it is theoretically possible for a national electoral roll platform to meet Victoria’s needs. This question is considered in Section 4.3 of this chapter, based on the criteria set out in Section 3.4 of Chapter 3. In evidence to the Committee, the Victorian Electoral Commission (VEC) raised a large number of concerns about the possibility of a national electoral roll platform. The key concerns are considered in Sections 4.3 and 4.4.

Ultimately, the Committee’s view is that the concerns raised by the VEC could be addressed. A national electoral roll platform could be designed which would meet Victoria’s needs. Section 4.5 therefore proposes that the VEC continue its work towards a national electoral platform. However, a final decision about whether or not Victoria should move to a national platform cannot be made until the details have been determined.

4.2 Work already undertaken towards a national platform

The current work towards a national electoral platform emerged from concerns raised in 2017 by electoral commissioners with the Council of Australian Governments (COAG). The electoral commissioners called for ‘a coordinated national focus on the issue of electoral cyber security’,² which was endorsed by COAG.³ The idea of a national electoral platform emerged from the subsequent work and was understood as:

a secure Information Technology hosting environment, administered by a national management structure, which provides a shared services capability for Election Management Bodies (EMBs). This platform would, in the long term, provide access

1 For a list of possible components, see Electoral Council of Australia and New Zealand, *Submission 1*, p. 2.

2 Electoral Council of Australia and New Zealand, *Submission 1*, p. 1.

3 Council of Australian Governments, *Communiqué*, 12 December 2018, p. 4.

to any number of electoral systems, simultaneously running multiple electoral events across the country.⁴

The VEC explained that:

Control or governance arrangements around the NEP [national electoral platform] would need to recognize the independence of each EMB [election management body], their associated legislative responsibilities and their accountability for their election processes. There would be shared, non-partisan, interjurisdictional ownership, and operation of the platform and similar consideration on its funding and resourcing, including any up-front capital investment.⁵

The platform would consist of a number of modules providing different functions, with electoral commissions beginning to use modules progressively.⁶ The Australian Electoral Commission (AEC) considers that the electoral register is ‘likely to be a key (if not the key) component’⁷ and the Electoral Council of Australia and New Zealand has agreed that consideration of including roll systems is of the highest priority.⁸

A working party was established in 2020 to develop the national platform concept.⁹ The working party determined that transitioning electoral roll functions to a national electoral platform would be a longer-term project and that a number of other functions would be more easily harmonised for use by most jurisdictions.¹⁰

The Electoral Council of Australia and New Zealand told the Committee that ‘examination of this proposal is ongoing’ and that ‘no proposal relating to the platform’s creation has yet been submitted to Australian governments for their consideration.’¹¹ The Council agreed to put work on hold in November 2021 until some time in 2022 to allow for several upcoming electoral events.¹²

FINDING 4: Australian electoral commissions have done some work to develop the concept of a national electoral platform, which would include a national electoral roll platform. However, they have not yet developed a concrete proposal for how a platform would be designed or operate. Work is ongoing.

4 Victorian Electoral Commission, *Submission 6*, p. 6; Australian Electoral Commission, *Submission 3*, p. 1.

5 Victorian Electoral Commission, *Submission 6*, p. 6.

6 Electoral Council of Australia and New Zealand, *Submission 1*, pp. 2–3; Victorian Electoral Commission, *Submission 6*, pp. 6–8; John Schmidt, Chair, Electoral Council of Australia and New Zealand, and Electoral Commissioner, NSW Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, pp. 19–20.

7 Australian Electoral Commission, *Submission 3*, p. 2.

8 Victorian Electoral Commission, *Submission 6*, p. 7.

9 Electoral Council of Australia and New Zealand, *Submission 1*, p. 3; Australian Electoral Commission, *Submission 3*, p. 1.

10 Victorian Electoral Commission, *Submission 6*, p. 7.

11 Electoral Council of Australia and New Zealand, *Submission 1*, p. 3.

12 Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 14.

4.3 Would a national platform meet Victoria's needs?

The criteria set out in Section 3.4 provide a framework for considering the benefits and risks associated with moving to a national roll platform. This section considers each of those points in turn and whether or not a national roll platform would be able to meet these criteria.

As a national roll platform has not actually been built, the discussion is entirely theoretical. A variety of approaches might be adopted in designing the platform. For example, it could be designed around a single database of electors for the whole of Australia, which each commission could access through its own interface to develop the required products (such as electoral rolls). This database might be hosted by the AEC or by a third party. Alternatively, roll management software could be developed and maintained jointly, with electoral commissions then using the software separately to house their own separate registers. These registers could be designed to interact or could be kept separate.

Depending on what design choices are made, the platform would serve Victoria's needs differently. It is therefore impossible to say definitively at this stage whether or not a national roll platform would be the best option for Victoria. However, the evidence received during this Inquiry suggests that a national roll platform could be designed in a way that meets the criteria set out in Section 3.4.

In reaching this conclusion, the Committee investigated the arrangements in states where the AEC manages the roll rather than the state electoral commissions (see Section 2.4). As these arrangements constitute a 'quasi-national roll',¹³ they provide an insight into what would be possible with a national roll platform. In particular, the experience in other states has been helpful in assessing whether it is possible for the concerns raised by the VEC to be addressed.

4.3.1 Storing Victorian elector information

The Committee was not presented with any evidence to suggest that a national electoral roll platform would be unable to store the information required by the VEC. The Committee recognises that different jurisdictions have different rules relating to who is entitled to vote and different categories of elector (such as 'general postal voters'). A national roll platform would need to be able to store the data needed by both state/territory commissions and the AEC. From a technical perspective, this is certainly possible.

As discussed in Section 2.4, the current Commonwealth register of electors includes electors who are eligible for state/territory elections but not Commonwealth elections and stores information about state/territory-based special categories of electors. The Committee sees no reason why similar arrangements would not be possible with a national electoral roll platform.

¹³ Australian Electoral Commission, *Submission 3*, p. 3.

4.3.2 Producing the required roll products

As discussed in Section 3.3, the VEC uses the register of electors to produce a number of products, including electoral rolls for state and local council elections, jury lists and lists of electors for a variety of stakeholders. The VEC expressed concern that a national electoral roll platform ‘may not be sufficient to fully support the volume and flexibility [of roll products] required’.¹⁴

The Committee sees no reason why a national roll platform would be any less able in this regard than the VEC’s Roll Management System. The Committee would expect the VEC’s requirements (in terms of both volume and type of product) to be a basic requirement built into the design specifications.

4.3.3 Providing adequate access to elector data

In addition to producing roll products, the VEC uses elector data for multiple other functions (see Section 3.3). This is currently done through the VEC’s Roll Management System (RMS) or through software that interfaces with the RMS. The VEC explained:

The EMS [Election Management System] is the VEC’s suite of computerised election systems used to deliver election events. The VEC notes that the functional capability for the EMS is dependent upon certain data being held within the RMS, as well as the VEC having control of the RMS. Even if the VEC is able to use a national RMS from which roll products could be created, the VEC may still need to invest in an RMS system to support election events, as the current integration with EMS goes beyond the roll itself. There are significant linkages between the current RMS and the existing EMS.

The EMS sources the current structures of Victorian electorates from the RMS, so that it can establish elections with the current electorates. The EMS also uses electorate information in various ways through the RMS, including to code locations to the residing electorate. The VEC has an integration point between its personnel management system and RMS to code those who have registered to work in elections to their residing district and municipality.¹⁵

The RMS is also accessed for administrative functions at election time, such as provisional vote checking, confirming that candidates are entitled to be nominated and reminding people about electoral events through the VoterAlert system.¹⁶ The data are also used for non-electoral purposes, such as assisting police, research and COVID-19 management.¹⁷

A national roll platform would need to enable all of these functions. As noted by the VEC, if the national platform did not have these functions, the VEC would be required to

¹⁴ Victorian Electoral Commission, *Submission 6*, p. 17.

¹⁵ Victorian Electoral Commission, *Submission 6*, pp. 17–18.

¹⁶ Victorian Electoral Commission, *Submission 6*, pp. 18–19.

¹⁷ Victorian Electoral Commission, *Submission 6*, pp. 16–17; Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 29.

also maintain its own systems.¹⁸ However, the Committee sees no reason why it should not be possible to accommodate these needs and notes that other jurisdictions have similar needs.

The VEC also noted that it would have to modify EMS to interact with a national roll platform.¹⁹ This would need to be taken into account in assessing the costs and benefits of moving to a national platform.

4.3.4 Providing roll products and elector data in a timely manner

Many functions in elections are governed by tight timelines set in legislation. A national roll platform would need to be able to meet these timeframes.²⁰

One key area of concern is processing enrolments before an election. For state elections, early voting opens six days after the rolls close, meaning that all enrolment applications received by the close of rolls need to be processed and electoral rolls need to be finalised within that timeline. A significant number of updates to the roll can occur immediately before the close of rolls—in 2018, there were 109,555 transactions in the week before the close.²¹

The Committee notes that this is an area where the VEC is already dependent on another organisation. Under the current arrangements, the VEC relies on the AEC for processing the majority of enrolments and enrolment changes.

In the current arrangements, the AEC processes enrolment applications that it has received within 24 hours following the close of rolls for Victorian state or local council elections and by-elections, and within 48 hours for other electoral events (such as plebiscites).²² Mr Tom Rogers, the Australian Electoral Commissioner, noted that the AEC is used to dealing with a variety of different arrangements required by other jurisdictions in terms of closing rolls and the timeframes between the close of rolls and the start of voting.²³

The Committee recognises that having control over the register of electors means that the VEC has more capacity to control the timelines for extracting roll products and other data.²⁴ The VEC can allocate additional resources or modify processes whenever needed. However, this does not preclude appropriate service levels being established as part of a national roll platform, as has been achieved already with the AEC.

¹⁸ Victorian Electoral Commission, *Submission 6*, p. 11.

¹⁹ Victorian Electoral Commission, *Submission 6*, p. 18.

²⁰ Victorian Electoral Commission, *Submission 6*, p. 10.

²¹ Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian State election*, Melbourne, 2019, p. 21.

²² Australian Electoral Commission, *Submission 3*, p. 7; Victorian Electoral Commission, *Report to Parliament on the 2018 Victorian State election*, Melbourne, 2019, p. 21.

²³ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 10.

²⁴ Victorian Electoral Commission, *Submission 6*, p. 11.

4.3.5 Maintaining Victoria's electoral independence by allowing for future changes to Victorian legislation and processes

One of the key advantages of the VEC maintaining its own register of electors is that it may make it easier to respond quickly to changes in legislation or business requirements compared to a national platform.²⁵

The VEC expressed a number of concerns about a system where Victoria does not maintain its own register of electors. The Australian Labor Party argued that maintaining a state-based platform ensured that the Victorian Parliament could 'legislate to enhance the accuracy, security and ease of enrolment of the electoral roll'.²⁶ At the Committee's public hearings, Ms Dahna Bond from the VEC noted that having its own roll management system had helped the VEC to adjust to the *Local Government Act 2020*, which was assented to only five months before the close of rolls for the 2020 local government elections.²⁷

In contrast, the body managing a national roll platform may be less able to make changes in short timeframes.²⁸

The Committee was told of one recent case where the South Australian Parliament was considering legislative changes to allow voters to enrol on election day. The AEC indicated that it would not be able to support such changes at South Australia's next election, in part because of the AEC's other commitments. However, the AEC indicated that it would be happy to work to introduce the changes with a longer lead time.²⁹ The South Australian Electoral Commissioner told the Committee that, if South Australia were managing its own roll, it also would have faced challenges implementing the change in the timeframe available.³⁰

The Committee recognises that it may be more difficult to make changes to a national platform within short timeframes. This disadvantage would need to be considered when weighing up the costs and benefits of moving to a national platform.

4.3.6 Providing best practice information security

As noted in Section 4.2, electoral commissioners' concerns about cyber security were a key driver of the push towards a national electoral platform. The Office of the Victorian Information Commissioner similarly noted that:

²⁵ Victorian Electoral Commission, response to questions on notice, received 7 December 2021, p. 2.

²⁶ Australian Labor Party—Victorian Branch, *Submission 7*, p. 1.

²⁷ Dahna Bond, Director, Enrolment, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 31.

²⁸ Victorian Electoral Commission, *Submission 6*, p. 10.

²⁹ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, quoted in South Australia, House of Assembly, 7 September 2021, *Parliamentary debates*, p. 6841. See also Mick Sherry, Electoral Commissioner, Electoral Commission of South Australia, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, pp. 2–4; and Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 11.

³⁰ Mick Sherry, Electoral Commissioner, Electoral Commission of South Australia, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 2.

The Victorian Electoral Commission (VEC) and the Australian Electoral Commission (AEC) both operate in an increasingly insecure global security environment. This insecurity represents an inherent risk to critical infrastructure that facilitates essential government service delivery.³¹

If a malicious actor were to gain access to electoral administration systems (including the register of electors), they could disrupt elections, reduce the public's confidence in election results and make people less willing to enrol or participate in electoral processes. Access to the register of electors would also provide access to a significant amount of personal details about Victorians, which could be used for further nefarious purposes.

From the perspective of public confidence, it is not only the VEC's systems that are of concern. If the security of any Australian jurisdiction were compromised, that may result in a loss of public confidence in elections across Australia.³² Currently, as the Electoral Council of Australia and New Zealand points out, electoral administration systems vary from jurisdiction to jurisdiction:

Each of Australia's nine Electoral Commissions runs its own election systems. The age and cyber security robustness of those systems varies from jurisdiction to jurisdiction, as does the capacity (financial and technical expertise) to maintain, upgrade and replace them. It is expected that cyber security threats to Australia's electoral systems will continue to increase. Individual Australian jurisdictions (and their EMBs [election management bodies]) have limited capability and capacity to address these threats.³³

A single, national platform would potentially have several security advantages compared to the current arrangements:

- it would be more likely to be a more modern system, which would be easier to update and maintain³⁴
- it may be easier to defend a single platform rather than multiple platforms³⁵
- it would be possible for resources and protections to be accessed for a national platform that would not be practical for some jurisdictions to implement by themselves³⁶
- it would be more efficient to manage, test, audit, maintain and upgrade one system rather than multiple systems.³⁷

³¹ Office of the Victorian Information Commissioner, *Submission 2*, p. 2.

³² Electoral Council of Australia and New Zealand, *Submission 1*, p. 1; Mick Sherry, Electoral Commissioner, Electoral Commission of South Australia, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 7; John Schmidt, Chair, Electoral Council of Australia and New Zealand, and Electoral Commissioner, NSW Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 19. See also Sven Bluemmel, Information Commissioner, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 25.

³³ Electoral Council of Australia and New Zealand, *Submission 1*, p. 2.

³⁴ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 30.

³⁵ Office of the Victorian Information Commissioner, *Submission 2*, p. 5.

³⁶ Mick Sherry, Electoral Commissioner, Electoral Commission of South Australia, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, pp. 7–8.

³⁷ Victorian Electoral Commission, *Submission 6*, p. 9.

Although a national platform has the potential to provide these benefits, the VEC expressed concern that whoever is running the national electoral platform may have a different risk appetite to the VEC and thus not meet the VEC's standards.³⁸ In this context, it is worth noting that Victoria is the only Australian jurisdiction with a legislated information security framework and standards (see Section 3.4.3).³⁹

The Committee would have concerns about moving to a national platform if it meant that there were lower information security standards. However, the Committee notes Mr Gately's view that he 'would have every confidence that in a national electoral roll those matters of cybersecurity would likely be met.'⁴⁰ The Committee would expect the VEC to advocate during the development period for a national platform to meet the same standards as Victoria's register.

Concerns were also expressed that having all electoral functions on one platform would create a larger target or 'honeypot' for malicious actors, encouraging them to attack.⁴¹ It was argued that the dispersal of components across different systems in different jurisdictions makes the 'honeypot' smaller and would mitigate the damage if a malicious actor gets access to a component.⁴²

While the current arrangements with registers of electors may mitigate potential damage to some extent, they do not necessarily reduce the size of the 'honeypot' attracting malicious actors. In the current arrangements, enrolment data are duplicated rather than split across multiple systems. That is, the same data are stored on both the AEC's and VEC's registers. The large target with all Australian voters' details in one place already exists. The duplication of the data at the state level does not reduce the desirability of the AEC's register as a target, but provides a second target.

Providing for best practice information security should be an essential part of the development of a national electoral platform. While there are theoretical risks that such a platform might not be built with adequate security, there is nothing stopping it being built securely and the Committee would expect that the electoral commissioners would ensure that security is managed appropriately. If this requires legislative change at the Commonwealth level to ensure best practice is met, then commissioners should advocate for such change.

³⁸ Victorian Electoral Commission, *Submission 6*, p. 10.

³⁹ Office of the Victorian Information Commissioner, *Submission 2*, p. 1. See also Sven Bluemmel, Information Commissioner, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 22.

⁴⁰ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 28.

⁴¹ Victorian Electoral Commission, *Submission 6*, p. 10; Electoral Integrity Project, *Submission 8*, p. 3; Sven Bluemmel, Information Commissioner, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 26.

⁴² Sven Bluemmel, Information Commissioner, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 25; Victorian Electoral Commission, *Submission 6*, p. 10.

4.3.7 Providing an accurate and complete register

An essential requirement for any national roll platform is that it should be as accurate and complete as a state-based register. There are two challenges that might prevent that goal from being achieved.

Firstly, as discussed in Section 4.3.1, a national roll platform would need to be able to cater for the different rules about eligibility to enrol in different jurisdictions. If the platform were unable to cater for these differences, it would risk disenfranchising some electors.⁴³

Secondly, the VEC is currently able to improve the accuracy and completeness of the register of electors through direct (automatic) enrolment based on data received from state-based bodies (see Section 2.3). Both the Australian Labor Party and the VEC were concerned that these bodies might not be able to supply the data to a national body administering a national roll platform.⁴⁴

The Australian Electoral Commissioner noted that the AEC currently takes direct enrolment data from some state sources, including the state registers of births, deaths and marriages.⁴⁵ The Electoral Commissioner of New South Wales noted that data from state bodies in that state are fed to the AEC.⁴⁶ It may therefore be possible for the state-based bodies that currently only supply data to the VEC to pass their data to a national roll platform instead. Alternatively, it may be possible for the data to be supplied to the VEC, which can then pass it to the national roll platform. These arrangements would need to be explored as part of a transition to a national roll platform.

In addition, Ms Dahna Bond (Director, Enrolment, at the VEC) noted that the VEC gets data from state bodies sooner than the AEC in some cases, allowing the register to be more up-to-date.⁴⁷ Issues around the timing of data provision would also have to be explored as part of any move to a national platform, at least around election time.

Considering the issue from another perspective, Mr Tom Rogers, the Australian Electoral Commissioner, suggested that, in some cases, having registers of electors at both state and Commonwealth levels may lead to less accurate registers:

a citizen might get a letter from the AEC on one day saying ‘You’re not enrolled. You need to enrol for federal purposes’, and the next day they get a letter from the VEC—and, Chair, I know you will understand this as well, but up until they got that letter they did not even know there were two electoral commissions—telling them that

⁴³ Victorian Electoral Commission, *Submission 6*, p. 11; Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 29.

⁴⁴ Victorian Electoral Commission, *Submission 6*, pp. 10, 15; Australian Labor Party—Victorian Branch, *Submission 7*, p. 1.

⁴⁵ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 13.

⁴⁶ John Schmidt, Chair, Electoral Council of Australia and New Zealand, and Electoral Commissioner, NSW Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 21.

⁴⁷ Dahna Bond, Director, Enrolment, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 30.

they are enrolled and they will say, 'Oh well, I don't have to enrol', or it might happen in reverse order. So what that means is they might turn up for a particular election thinking they are on the roll and not be able to vote, which is absolutely poor and a way of ruining the franchise.⁴⁸

Mr John Schmidt, the NSW Electoral Commissioner, similarly expressed concern about 'potential confusion with the public if they see two different types of electoral bodies seeking information.'⁴⁹ In contrast, with only one register, there would be no risk of confusion and no variations between registers (see Section 2.3).

As part of setting up a national roll platform, it would be essential for electoral commissions to ensure that the new system is able to cater for differences in eligibility between jurisdictions. It would also be important to establish processes so that state/territory bodies could provide data for direct enrolment. If those goals can be achieved, then a national roll platform has potential to reduce confusion and achieve a more accurate register.

4.3.8 Enabling an efficient use of resources

An important potential benefit of a national roll platform is cost savings.⁵⁰ Maintaining registers of electors at both the state and Commonwealth levels means that there is duplication in the costs associated with developing and maintaining the software for the registers, updating the data in the registers and transferring data between the VEC and AEC.

A national platform would have the potential to save costs by reducing duplication. A national platform would also facilitate the use of more modern systems, which are easier and therefore cheaper to update and maintain.⁵¹

As a national platform has yet to be developed and funding details are yet to be determined, it is impossible to say whether or not these potential savings would be realised. Any savings would also have to be offset against the start-up costs associated with developing a national platform⁵² and the cost of modifying the VEC's systems that rely on data from the current Roll Management System.⁵³ Nonetheless, the Committee notes that the Electoral Commissioners of both South Australia and New South Wales suggested that their current arrangements (in which the AEC manages the register on behalf of those states) provide savings compared to the costs of developing and maintaining their own registers.⁵⁴

⁴⁸ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 15.

⁴⁹ John Schmidt, Chair, Electoral Council of Australia and New Zealand, and Electoral Commissioner, NSW Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 17.

⁵⁰ Australian Electoral Commission, *Submission 3*, p. 2; Electoral Integrity Project, *Submission 8*, p. 2.

⁵¹ Victorian Electoral Commission, *Submission 6*, p. 9.

⁵² Electoral Council of Australia and New Zealand, *Submission 1*, p. 3.

⁵³ Victorian Electoral Commission, *Submission 6*, p. 11.

⁵⁴ Mick Sherry, Electoral Commissioner, Electoral Commission of South Australia, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 2; John Schmidt, Chair, Electoral Council of Australia and New Zealand, and Electoral Commissioner, NSW Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 21.

While a cost:benefit analysis would need to be conducted when the details of a national roll platform are known, it seems probable that it would provide savings for Victorian taxpayers over time.

4.4 Other concerns

In addition to the criteria established in Section 3.4 and discussed in Section 4.3, the Committee notes two other major concerns raised through this Inquiry:

- that project management and governance for developing and administering the national platform may not be satisfactory
- that a move to a national roll platform might reduce the VEC's ability to deliver local council elections.

4.4.1 Project management and governance

Many of the concerns raised by the VEC relate to what might happen if a national roll platform is not designed to meet Victoria's needs. As with any software development project, this is a serious risk which would need to be managed as part of the development process. The VEC also raised concerns that there may be inadequate resources allocated to maintaining the national roll platform's integrity, completeness, confidentiality, accessibility and security.⁵⁵

Mr Tom Rogers, the Australian Electoral Commissioner, identified three important practical considerations that would have to be resolved to create a workable national roll platform:

One is the technical bit of complexity ... because you have got multiple agencies, multiple governments. But I think that is okay. There will be complications with governance, and we think there are ways forward with that; I think that is very solvable using the electoral council model. The third one, which I have a feeling is going to be a little more complex, is the issue of cash—how much, how do we pay, who is going to contribute? Whatever it is, how do we get it up and running? And I know everyone has got a different view on that.⁵⁶

Ultimately, though, Mr Rogers believed that these problems could be solved:

All of those things are solvable, but as we know, with the history of dealing with money and organisations and different governments, it is not necessarily just going to be smooth sailing.⁵⁷

⁵⁵ Victorian Electoral Commission, *Submission 6*, p. 10.

⁵⁶ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 14. See also Electoral Council of Australia and New Zealand, *Submission 1*, p. 3.

⁵⁷ Tom Rogers, Electoral Commissioner, Australian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 14.

The Committee recognises that these are genuine issues that would need to be worked through. If satisfactory solutions cannot be found, it would be appropriate for Victoria to maintain its own register. However, the Committee agrees with Mr Rogers that it should ultimately be possible for these issues to be resolved to the satisfaction of the various state, territory and Commonwealth governments. The Committee believes that the collaborative approach currently being adopted by the electoral commissions with respect to this project is the best way to achieve this outcome.

4.4.2 Impact on local council elections

The Municipal Association of Victoria (MAV) and the VEC also raised concerns about how moving to a national roll platform would affect the VEC's ability to provide support for local council elections.⁵⁸ The electoral rolls for local councils are created by merging data from the Victorian register of electors with information held by the council and removing duplicates. This process is currently undertaken as a joint task between the VEC and councils.

The MAV argued that there are particular advantages to having the VEC involved with roll production:

- the VEC is familiar with council systems
- the VEC has expertise in Victorian legislation and uses that to assist councils
- as the VEC is responsible for the entire election process, it has 'a line of sight to all the activities which are required to be undertaken to ensure a successful election process that withstands scrutiny and meets the legislative requirements.'⁵⁹

The MAV was concerned that decoupling roll production from other responsibilities presented a risk to election processes. In addition to losing the advantages set out above, having to work with a third party that manages the register of electors may make election processes less efficient, may make it harder to respond to changing demands (such as legislative changes) and may result in less accurate electoral rolls if the third party does not have the same standards as the VEC.⁶⁰

The VEC similarly told the Committee that its relationships with councils and related bodies 'are beneficial to the VEC, councils and, ultimately, Victorian electors, by ensuring high-quality voters' rolls that are compliant with legislation.'⁶¹

The Committee notes that a move to a national electoral platform does not necessarily mean that the VEC would no longer be involved with producing local council election rolls. The New South Wales Electoral Commission is still involved with finalising local

⁵⁸ Victorian Electoral Commission, *Submission 6*, p. 8; Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 31; Municipal Association of Victoria, *Submission 5*, p. 3.

⁵⁹ Municipal Association of Victoria, *Submission 5*, pp. 3–4.

⁶⁰ Municipal Association of Victoria, *Submission 5*, pp. 3–4.

⁶¹ Victorian Electoral Commission, response to questions on notice, received 7 December 2021, p. 2.

council rolls, even though it uses the Commonwealth register of electors.⁶² Nonetheless, the Committee recognises that the impact of any changes on local councils will be an important point to consider before moving to a national roll platform.

4.5 Moving to a national electoral roll platform

The analysis in Sections 4.3 and 4.4 of this chapter identifies a number of challenges with a move towards a national roll platform. These challenges would have to be successfully met before it would be appropriate for Victoria to move to a national platform. However, the analysis suggests that it would certainly be possible for these challenges to be met if the system is designed and developed appropriately.

Ultimately, a key issue is independence. As the Victorian Electoral Commissioner told the Committee:

The issue for me, and one that this committee needs to reflect on, is what does Victoria want in the way of independence in relation to its roll system, encouraging electors in Victoria to enrol, encouraging electors therefore to vote and the independence that comes with that ...

what are we seeking in relation to our roll products, to our roll management, to engaging electors, and how responsive? And I will not just comment on the AEC, but a national roll authority: how responsive would they be to our needs? That I cannot answer.⁶³

By maintaining a separate register of electors, the VEC is able to control the register and the software it is stored on. This enables the VEC to respond quickly and appropriately to Victorian circumstances. Moving towards a national platform would mean that the VEC would be dependent on another body for some or all of these functions. Before any final decision is made about whether or not Victoria should move towards a national roll platform, careful consideration would need to be given to the design of the platform and the management structures put in place to ensure that Victoria's needs could be met.

It is worth noting in this context that different jurisdictions have different funding arrangements. The VEC is funded by special appropriation from the Consolidated Fund by virtue of the Electoral Act.⁶⁴ Special appropriation funding gives the VEC a degree of financial independence from the Government by distancing VEC funding from the Government's annual Appropriation Acts and budgeting priorities.⁶⁵ This is a

⁶² John Schmidt, Chair, Electoral Council of Australia and New Zealand, and Electoral Commissioner, NSW Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 18.

⁶³ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 28.

⁶⁴ Victorian Electoral Commission, *Annual report 2020–21*, Melbourne, 2021, p. 103. See also Department of Treasury and Finance, *Budget Paper No. 5: 2021–22 statement of finances*, Melbourne, 2021, p. 222; *Electoral Act 2002* (Vic) s 181(2).

⁶⁵ Department of Treasury and Finance, *The resource management framework part 1 of 2 – main document: for Victorian Government departments and certain agencies*, Melbourne, 2021, p. 15; Victorian Auditor-General, *Parliamentary control and management of appropriation*, Melbourne, 2003, pp. 11, 20 and 41.

standing arrangement that can only be repealed by Parliament.⁶⁶ This is a strength of the Victorian system and means that the VEC can maintain software and systems to the standards that it considers to be appropriate.

Not all Australian jurisdictions fund their electoral commissions in this way, meaning that some may have less freedom to fund software development and maintenance. Before moving to any national platform, it will be important for the VEC to ensure that the platform is not limited by funding arrangements in other jurisdictions.

The criteria developed by the Committee (see Section 3.4) may provide a helpful guide as to whether or not a final product should be adopted. Particular points to note would include how quickly the platform could adapt to legislative changes (see Section 4.3.5), whether or not it could access the same state-based sources for direct enrolment (see Section 4.3.7) and the costs of adapting the VEC's systems to work with a national platform (see Section 4.3.8). As discussed in Section 4.4, it will also be important to consider the practical governance arrangements put in place and the impact on local councils.

If a national electoral roll platform can be designed which meets these criteria, it may be worth transitioning to that system. A national electoral roll platform could provide several benefits to Victoria, including improved cyber security (see Section 4.3.6), a more accurate and complete roll (see Section 4.3.7) and cost savings (see Section 4.3.8).

The Committee therefore considers that the VEC should continue working with other jurisdictions towards the development of a national electoral platform, including a national roll platform. As part of this, the VEC should advocate for the platform to be designed in a way that will meet its needs and address the concerns raised by the VEC in evidence to this Inquiry.

As one way of creating a national roll platform, Mr Gately noted the possibility of adopting the Roll Management System currently being redeveloped by the VEC as the national roll platform.⁶⁷ This may be an option for the Electoral Council of Australia and New Zealand to explore and would ensure that the final product met Victoria's needs.

FINDING 5: If it is designed appropriately, a national electoral roll platform has the potential to meet Victoria's needs, while providing better cyber security, being more accurate and complete, and enabling cost savings over time compared to the current arrangements.

⁶⁶ Victorian Auditor-General, *Parliamentary control and management of appropriation*, Melbourne, 2003, p. 20.

⁶⁷ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 32.

RECOMMENDATION 3: That the Victorian Electoral Commission continue working with other jurisdictions towards the creation of a national electoral platform, including a national electoral roll platform. As part of this, the Victorian Electoral Commission should advocate for the platform to be designed in a way that will meet Victoria's needs.

Ultimately, a final decision about Victoria actually adopting the national electoral roll platform cannot be made until a platform exists and its design and functionality can be assessed.

The VEC recommended that Victoria 'continue to contribute to the development of the concept of an NEP [national electoral platform].'⁶⁸ However, the Victorian Electoral Commissioner proposed that, before moving to a national electoral roll platform, the VEC could see how other components of a national electoral platform work. He proposed exploring a second-order application, such as a human resources management system or a financial system. That would 'let us see how it operates, let us look at the governance arrangements and let us look at the costings of that before we leap straight to a roll system.'⁶⁹ The Committee agrees that this is a prudent approach.

RECOMMENDATION 4: That Victoria not commit to a national electoral roll platform until details of the design and governance structure are more developed. At that time, an assessment can be made as to whether or not a national electoral roll platform would meet Victoria's needs.

In moving to a national roll platform, it may be necessary for some changes to be made to Victorian legislation. The VEC in its submission suggested that a significant amount of harmonisation would be necessary.⁷⁰ Based on the legislation and arrangements in other jurisdictions, the Committee does not believe that as much harmonisation would be needed as suggested by the VEC. However, some harmonisation may be necessary or desirable. This can be determined once more details about a national platform have been established.

**Adopted by the Electoral Matters Committee
Parliament of Victoria, East Melbourne
14 February 2022**

⁶⁸ Victorian Electoral Commission, *Submission 6*, p. 13.

⁶⁹ Warwick Gately AM, Electoral Commissioner, Victorian Electoral Commission, public hearing, Melbourne, 26 November 2021, *Transcript of evidence*, p. 30. See also Victorian Electoral Commission, *Submission 6*, p. 12.

⁷⁰ Victorian Electoral Commission, *Submission 6*, pp. 14–15.

Appendix A

About the Inquiry

A.1 Inquiry process

On 4 August 2021 the Legislative Assembly referred an inquiry into whether Victoria should participate in a national electoral roll platform to the Committee. The Committee was required to table its report by 16 March 2022.

The Committee called for written submissions through its website, Twitter and *The Age* in August and September 2021. The Committee also wrote to a range of key stakeholders inviting submissions, including political parties, independent members of parliament, electoral commissions, public sector bodies, academics, policy institutes and others with an interest in electoral matters.

A.2 Submissions

1	Electoral Council of Australia and New Zealand
2	Office of the Victorian Information Commissioner
3	Australian Electoral Commission
4	Sustainable Australia Party
5	Municipal Association of Victoria
6	Victorian Electoral Commission
7	Australian Labor Party–Victorian Branch
8	Electoral Integrity Project

A.3 Public hearings

The Committee conducted public hearings with the following witnesses on 26 November 2021.

Name	Position	Organisation
Mr Mick Sherry	Electoral Commissioner	Electoral Commission of South Australia
Mr Tom Rogers	Electoral Commissioner	Australian Electoral Commission
Mr Jeff Pope APM	Deputy Electoral Commissioner	Australian Electoral Commission
Dr Kath Gleeson	First Assistant Commissioner, Service Delivery Division	Australian Electoral Commission

Name	Position	Organisation
Mr John Schmidt	Chair	Electoral Council of Australia and New Zealand
	Electoral Commissioner	New South Wales Electoral Commission
Mr Sven Bluemmel	Information Commissioner	Office of the Victorian Information Commissioner
Ms Rachel Dixon	Privacy and Data Protection Deputy Commissioner	Office of the Victorian Information Commissioner
Mr Warwick Gately AM	Electoral Commissioner	Victorian Electoral Commission
Ms Dana Fleming	Deputy Electoral Commissioner	Victorian Electoral Commission
Ms Dahna Bond	Director, Enrolment	Victorian Electoral Commission
Ms Glenda Frazer	Director, Elections	Victorian Electoral Commission
Mr Steve Trone	Chief Information Officer	Victorian Electoral Commission

