

# Victorian Electoral Matters Inquiry into Whether Victoria Should Participate in a National Electoral Roll Platform

**Australian Electoral Commission Submission**

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### The Inter-jurisdictional Working Group on Electoral Integrity and Security and the proposed National Electoral Platform

In July of 2017, all Australian electoral commissioners co-signed a letter addressed to all Australian first ministers raising issues of cyber and physical security of elections.

This letter generated an agenda item in the Council of Australian Governments' meeting of December 2018, resulting in the following direction:

*Safeguarding our institutions and democracy*

*Acts of foreign interference can threaten our sovereignty, values and national interests.*

*Internationally, technological developments have created new opportunities for foreign interference. Australia is not immune to this threat.*

*It is up to all Australian governments to preserve the integrity of our democracy. That is why COAG agreed that Electoral Commissions, security and government agencies will work together to ensure that Australia's electoral systems are resilient to cyber threats. This is part of a broader effort to protect our elections from foreign interference.*

On 28 February 2019, the first meeting of the Inter-jurisdictional Working Group on Electoral Integrity and Security was held. The Terms of Reference outlines the scope of the Working Group as providing a mechanism for government agencies to work together to ensure that Australia's electoral systems are resilient. Specifically including:

*developing a road map for a common electoral platform and approach to reduce costs and improve security, subject to the outcomes of a stocktake of electoral systems, data and processes.*

Subsequent to this preliminary work, from July 2020 onwards, a working party was charged with developing the National Electoral Platform (NEP) concept as set out by Commissioners. In brief, the concept of a national electoral platform is a secure Information Technology hosting environment, administered by a national management structure, which provides a shared services capability for Electoral Management Bodies. This platform would, in the long term, provide access to any number of electoral systems.

The NEP working party examined broad implementation options including short-, medium- and long-term priorities for shared systems; governance and operating models; some projected costings; and funding models for its ongoing operation. Various electoral systems were noted as suitable for priority inclusion in such a sharing arrangement due to criticality of the function to the conduct of elections, criticality of the function in maintaining confidence in Australia's electoral systems, potential cyber security vulnerability and suitability for consideration at a national level.

Deliberation regarding a possible NEP continues. This a complex, multi-agency and multi-jurisdictional endeavour which requires careful consideration and planning. Ultimately, there will also be cost considerations, and functional national governance structures which will need to be factored into decision making and future planning. The NEP is designed to ensure the security of all elections and ensure scarce taxpayer resources are not frittered away in needless duplication of effort. For those reasons, it is hoped that jurisdictions continue to work towards the common good with a long-term view of sharing systems and working collectively and cooperatively. Obviously, each jurisdiction will need to make its own decisions about future involvement in this project, including what systems they may wish to have included.

## Enrolment

One system that is highly likely to be a key (if not the key) component of a future NEP is the electoral roll. Safeguarding roll data, and ensuing the franchise is extended to all eligible Australians is absolutely essential to all levels of Australia's democratic processes. To that end, the 1904 (Commonwealth) Select Committee report on the conduct of the 1903 Federal Election made the prescient observation that:

*'...evidence reveals a great saving to the Australian people could be effected by the adoption of a uniform franchise and electoral system. By the acceptance of the uniform franchise and polling place in common, the one collection and revision of names, and the one set of rolls could be made to serve both the Commonwealth and States...'*

In pursuit of that Nirvana, Joint Roll Agreements (JRAs) – essentially agreements between the Governor-General and his or her counterpart in a State or Territory for “carrying out of a procedure relating to, the preparation, alteration or revision of the Rolls” for use at Commonwealth, State or Territory elections - have been utilised with all States and Territories, with arrangements commencing in the following years:

- > 1908 Tasmania
- > 1929 New South Wales
- > 1952 Victoria
- > 1983 Western Australia
- > 1986 Queensland
- > 1988 South Australia
- > 1989 Northern Territory
- > 1994 Australian Capital Territory

These arrangements are entered into subject to legislative authority of section 84 of the *Commonwealth Electoral Act 1918* (the Act); a provision reciprocated in state and territory legislation. Furthermore, these arrangements are buttressed by agreements with each jurisdiction that set out the level of services to be provided to the particular jurisdiction. In most jurisdictions (Queensland, NSW, ACT, Tasmania, SA and the NT) the AEC provides all services associated with electoral enrolment, including receiving and processing applications for both Commonwealth and state/territory enrolment and undertaking associated integrity processes aimed at ensuring the state and

Commonwealth rolls are as accurate as possible. For these jurisdictions the AEC is responsible for providing details of electors to support state and local government elections.

The services provided by the AEC to Victoria and WA are similar in that the AEC processes enrolment applications for both WA and Victoria and undertakes associated integrity activities. However, where Victoria and WA arrangements differ is that both Victoria and WA maintain their own state rolls from which they identify electors eligible to vote at their state and local government elections. In addition, Victoria undertakes its own direct enrolment activities using state data.

Pursuant to subsection 90B(1), table item 16 of the Act, the AEC regularly provides all jurisdictions with extensive roll information. In addition, the AEC enables staff from each jurisdiction to access the AEC's Roll Management System (RMANS) and image repository system (IRIS) to view relevant enrolment information.

Under current arrangements the Commonwealth roll operates to some extent as a quasi-national roll, with the exception being the difference in enrolment activities relevant to WA and Victoria.

One outcome of a fragmented approach to the Roll is reflected in the extent to which state and Commonwealth rolls diverge over time. Roll divergence occurs where an elector has a different enrolment status or address for state and Commonwealth purposes and occurs because of differences in legislation or practice between the Commonwealth and states/territories.

Historically, the concurrent operation of direct enrolment programs by various states resulted in significant divergence between the state and Commonwealth electoral rolls.

In September 2015, divergence between the NSW and Commonwealth rolls peaked at 272,200. In December 2015, divergence between the Victorian and Commonwealth rolls peaked at 355,524 and at 165,449 between the WA and Commonwealth rolls.

Over recent years significant work has been undertaken between the Commonwealth and state commissions to better align the state and Commonwealth programs, including:

- > In 2016 WA amended the *Electoral Act 1907 (WA)* to support Commonwealth direct enrolments
- > In 2016 NSW ceased their direct enrolment program.
- > In 2020 Victoria agreed to accept Commonwealth direct enrolments without further state-based enrolment action.

As a result, as at 30 June 2021, divergence between the Victorian and Commonwealth rolls had fallen to 59,381, between the NSW and Commonwealth rolls to 15,044, and between the WA and Commonwealth rolls at 1,077.

There have been generally solid levels of cooperation between the AEC and VEC, and the success in reducing 'divergence' is testament to goodwill on all sides. However, the long-standing principle of a uniform roll that is made to serve both the Commonwealth and States, is elector-centric, effective, minimises confusion, and reduces duplication of effort, and waste of resources, across jurisdictions has not yet been fully realised.

The primary value to electors of common arrangements is that they need only complete one joint Commonwealth and State enrolment form to enrol for Federal, State or Territory, and Local Government electoral purposes. Benefits accrue to all Governments involved in the process through

the efficiencies inherent in avoiding duplication and for all parties to act in concert rather than competition. Deviation from the principle of 'one roll, many elections' complicates national roll management and can lead to roll divergence and unnecessary expenditure.

The AEC stands ready to continue its support in ensuring the franchise is extended to all eligible Victorian citizens for state and federal electoral events.

# Activities undertaken by the AEC to support enrolment in Victoria 2020-21

When provided	Information or service provided	Extent of work where relevant in 2020-21
<b>Daily</b>		
1	Process enrolment applications	<ul style="list-style-type: none"> <li>391,992 electronic transactions processed in GENESIS</li> <li>71,210 paper transactions processed</li> </ul>
2	Receive enrolment applications from the Victorian Electoral Commission (VEC) and process within five (5) business days of receipt	<ul style="list-style-type: none"> <li>98 per cent of applications processed in 5 Days (KPI 95 per cent)</li> <li>99.6 per cent processed in 30 days (KPI 99 per cent)</li> </ul>
3	Provide access to the Roll Management System (RMANS)	
4	Provide access to enrolment application Images in the Image Repository Information System (IRIS)	
5	Provide the VEC with Remote Access Service (RAS), the RAS SecurID token and the associated technical support	
6	Provide an online enrolment facility and online enrolment verification facility for Victorian electors	<ul style="list-style-type: none"> <li>394,013 OES transactions</li> </ul>
7	Manage the removal of electors from the Commonwealth Electoral Register through private objections	<ul style="list-style-type: none"> <li>7,023 objections</li> </ul>
8	Manage elector notations, including their review, addition and removal	<ul style="list-style-type: none"> <li>1,620 silent registrations</li> <li>1,568 Eligible Overseas Elector registrations</li> <li>500 General Postal Voter registrations</li> </ul>
9	Attend citizenship ceremonies for all events with 10 or more new citizens (COVID-19 policy permitting and noting that face to face ceremonies have been suspended by Home Affairs during lock down periods)	<ul style="list-style-type: none"> <li>21 ceremonies in 2020-21, 240 in 2019-20</li> </ul>
<b>Weekly</b>		
10	Provide EX08 – Joint Roll Extract – Update extract	<ul style="list-style-type: none"> <li>52 updates provided</li> </ul>

When provided	Information or service provided	Extent of work where relevant in 2020-21
<b>11</b>	Send acknowledgements following the enrolment of a new elector or any change to the enrolment of an existing elector	<ul style="list-style-type: none"> <li>719,137 acknowledgements sent</li> </ul>
<b>Monthly</b>		
<b>12</b>	Operational working group meetings (Operational staff from AEC and VEC)	<ul style="list-style-type: none"> <li>5 meetings</li> </ul>
<b>13</b>	Provide Detailed Divergence report	<ul style="list-style-type: none"> <li>12 reports provided</li> </ul>
<b>14</b>	Provide EX08 – Joint Roll Extract	<ul style="list-style-type: none"> <li>12 extracts provided</li> </ul>
<b>15</b>	Process 'fact of death' data received from the national Fact of Death (FOD) data	<ul style="list-style-type: none"> <li>33,265 death deletions</li> </ul>
<b>16</b>	Process prisoner data received from Victoria's Correction Services	<ul style="list-style-type: none"> <li>Process on receipt</li> </ul>
<b>17</b>	Undertake duplicate elector reviews based on internal algorithms	<ul style="list-style-type: none"> <li>1,769 duplicated deleted (including biannual duplicates from Centrelink data, see item 22)</li> </ul>
<b>18</b>	Provide an extract of all citizenship data to the VEC	<ul style="list-style-type: none"> <li>12 extracts provided</li> </ul>
<b>19</b>	Standard Mailing Program – incorporating both the Federal Direct Enrolment Update Program (FDEU) and the integrity Mail Review and Pre FDEU email and SMS prompts	<ul style="list-style-type: none"> <li>1,387,744 third party Victorian elector records matched</li> <li>246,528 FDEU notifications sent</li> <li>18,058 mail review letters sent</li> <li>304,794 SMS messages sent</li> <li>232,537 emails sent</li> </ul>
<b>Quarter</b>		
<b>20</b>	Provide State of the roll report covering all State and Territory Electoral Commissions including for the VEC	<ul style="list-style-type: none"> <li>4 reports provided</li> </ul>
<b>21</b>	Manage the removal of electors from the Commonwealth Electoral Roll through official objections	<ul style="list-style-type: none"> <li>See 7 above</li> </ul>
<b>Biannual</b>		
<b>22</b>	Joint Roll Management Committee meetings (AEC and VEC)	<ul style="list-style-type: none"> <li>2 meetings</li> </ul>
<b>23</b>	Undertake duplicate elector reviews based on Services Australia data	<ul style="list-style-type: none"> <li>See 17 above</li> </ul>
<b>Annual</b>		
<b>24</b>	Joint Roll Management Board (AEC and VEC Commissioners) meeting	<ul style="list-style-type: none"> <li>1 meeting</li> </ul>

When provided	Information or service provided	Extent of work where relevant in 2020-21
<b>Close of Rolls (Whole State, By-election, Liquor Licencing)</b>		
25	Provide EX08 – Update Extract or Full Roll Download, provided depending on the timing of the Close of Rolls	<ul style="list-style-type: none"> <li>Extract provided for 2020 Local Government Area (LGA) elections</li> </ul>
26	Processing of enrolment applications by the AEC on-hand at the close of roll for a Victorian State and/or local government by-election completed within 24 hours following the close of rolls	
27	Processing of enrolment applications by the AEC on-hand at the close of roll for a miscellaneous electoral event (that is liquor licencing poll or plebiscite) completed within 48 hours following the close of roll	
<b>Electoral cycle</b>		
30	Review Silent Electors once per cycle	<ul style="list-style-type: none"> <li>39,090 letters sent in 2021</li> </ul>
<b>Ad hoc</b>		
31	Provide RMANS reports on request	
32	Provide relevant Enrolment Information to the VEC when there is a specified need for that information (for example a state-specific enrolment enquiry)	
33	Ensure AEC forms are compliant with Victorian legislation	
34	Process state electoral boundary changes following a state or local government redistribution and update AEC systems	<ul style="list-style-type: none"> <li>Redistributions are not annual events. The last time the AEC updated Victorian state boundaries was October 2014 and Victorian LGA boundaries was in 2003</li> </ul>
35	Provide the VEC with pre-1991 enrolment forms upon request.	
36	Work with the VEC on promoting opportunities for electors to update their enrolment in polling places at federal, Victorian state elections and local government elections, including the use of QR codes	
37	Manage the receipt, review and processing of enrolment data from declaration and provisional vote envelopes issued at state and local elections	
38	Implement processes to approve declaration vote envelopes as approved forms for both state and federal enrolment purposes	

When provided	Information or service provided	Extent of work where relevant in 2020-21
<b>39</b>	Manage the AEC registers in relation to the maintenance of addresses and related information on streets and localities and electoral entitlement associated with these addresses	<ul style="list-style-type: none"> <li>67,345 Victorian addresses added to the Address Register</li> </ul>
<b>Other</b>		
<b>40</b>	Implementation by the AEC of agreed enrolment-related activities including: <ul style="list-style-type: none"> <li>→ General enrolment activities</li> <li>→ Youth programs</li> <li>→ Indigenous populations programs</li> </ul>	