

## **Submission to the Electoral Matters Committee Inquiry into the Function and Administration of Voting Centres**

The Greens have occasionally experienced problems with the administration of polling booths, but I am optimistic actions the VEC has taken will address many of these concerns, so I do not feel the need to raise these here. Other concerns are hard to resolve – sometimes the officials in charge of individual booths have acted in ways the Greens consider unprofessional or incompetent, but I am not sure what a parliamentary committee can do about such micro-level problems.

However, one issue that might be amendable to action through parliament is scrutineering. I'd like to stress that the majority of polling officials are helpful and either recognise the importance of scrutineers, or are at least willing to follow instructions that scrutineers have an opportunity to witness and check the count. However, some seem to regard scrutineers as an unnecessary hindrance. I've received reports of scrutineers being ordered to stand so far back from the counting table that only people with exceptional eyesight can see the votes clearly. In other cases staff count votes hunched over so that it is impossible for anyone to see the ballots at all.

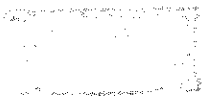
It is true that these problems are most common on election night, and mistakes will usually be rectified thereafter, but the danger remains of significant errors in the initial reporting – something which can skew the media commentary on an election outcome at the very least.

It is probably not appropriate to address most aspects of this through changes to the electoral act. However, I suggest the EMC consider writing to the VEC recommending they amend the manual for polling officials to emphasise that scrutineers are not simply allowed to be present, but have the right to see each ballot paper.

It would also be worth considering a wider amendment indicating that polling officials have a responsibility to assist scrutineers and campaigners where this does not significantly impede the count. Most already do this, but we have had occasional reports, for example, of officials who decided that the polling station's toilets were off limits to scrutineers or (during polling) to campaigners taking a break from handing out How-To-Vote cards while they were available to polling staff and ordinary voters.

One issue that should be addressed through amending the act arose during the 2006 Legislative Council count. All eight regions were counted at the one location. Nevertheless, for the bulk of the counting period staff insisted that for anyone to scrutineer they must have a form signed by a candidate from that particular region – if someone wanted to look at all eight regions they needed eight separate forms.

This clearly creates a substantial level of work both for the scrutineer and the staff. It's also unnecessary. The point of having scrutineers signed in is not to make things difficult but to ensure that if they misbehave they, and the candidate who signed their form, can be held accountable. If someone can be trusted to witness the count in Northern Metropolitan, they can presumably be trusted to witness it in Western Victoria.



I suggest the electoral act be amended to indicate that where more than one ballot is to be counted at a particular location, appointment by one candidate entitles the scrutineer to witness all counts, provided they do not interfere in the conduct of the count.

This might seem a minor point, particularly as the VEC has expressed an intention to count the Above the Line votes at separate locations in 2010. Nevertheless, a pedantic interpretation of the rules could see officials in charge of shared polling booths insist that scrutineers have forms from both districts. At the 2007 federal election one Returning Officer insisted that within his seat anyone wishing to scrutineer the Senate votes on election night have signed forms from both a House of Representatives candidate in that electorate and from a Senate candidate. While technically within the electoral act this ruling is obviously designed to decrease the transparency of our democracy. It should not be allowed to spread to state elections.

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