



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

**Reference: Conduct of the 2007 federal election and matters related thereto**

FRIDAY, 17 OCTOBER 2008

CANBERRA

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**JOINT STANDING  
COMMITTEE ON ELECTORAL MATTERS**

**Friday, 17 October 2008**

**Members:** Mr Melham (*Chair*), Mr Morrison (*Deputy Chair*), Senators Birmingham, Bob Brown, Carol Brown, Hutchins and Ronaldson and Mr Danby, Mr Bruce Scott and Mr Sullivan

**Members in attendance:** Senator Carol Brown and Mr Melham, Mr Morrison, Mr Scott and Mr Sullivan

**Terms of reference for the inquiry:**

To inquire into and report on:

The conduct of the 2007 federal election and matters related thereto, including the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008, with particular reference to:

- a. the level of donations, income and expenditure received by political parties, associated entities and third parties at recent local, state and federal elections;
- b. the extent to which political fundraising and expenditure by third parties is conducted in concert with registered political parties;
- c. the take up, by whom and by what groups, of current provisions for tax deductibility for political donations as well as other groups with tax deductibility that involve themselves in the political process without disclosing that tax deductible funds are being used;
- d. the provisions of the Act that relate to disclosure and the activities of associated entities, and third parties not covered by the disclosure provisions;
- e. the appropriateness of current levels of public funding provided for political parties and candidates contesting federal elections;
- f. the availability and efficacy of 'free time' provided to political parties in relation to federal elections in print and electronic media at local, state and national levels;
- g. the public funding of candidates whose eligibility is questionable before, during and after an election with the view to ensuring public confidence in the public funding system;
- h. the relationship between public funding and campaign expenditure; and
- i. the harmonisation of state and federal laws that relate to political donations, gifts and expenditure.

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**Committee met at 10.17 am**

**CHAIR (Mr Melham)**—I declare open this public hearing of the Joint Standing Committee on Electoral Matters inquiring into the conduct of the 2007 election. Today's hearing has a strong electronic voting theme, with the committee having the benefit of a hands-on inspection this morning of the systems used for the electronic voting trials at the 2007 election. Today's witnesses—the Australian Electoral Commission, the Department of Defence and Software Improvements—will comment on the two electronic voting trials at the 2007 election, the trial of kiosk e-voting machines for people who are blind or have low vision and the remote voting trial for selected Australian Defence Force personnel serving overseas. The committee will also take the opportunity to follow up with the Australian Electoral Commission on a range of matters and hear from the state manager for the Northern Territory about the conduct of the 2007 federal election in the Territory.

At the outset I would like to thank today's witnesses for appearing and the commission for providing a range of officers to the committee. It is very much appreciated. I do welcome representatives from the Australian Electoral Commission to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses.

We have now received a total of four submissions from the commission covering a wide range of matters, and we just had a short private meeting of the committee, which has authorised for the release of two supplementary submissions that you gave us recently. If you want to make an opening statement, Mr Dacey, feel free to do so.

[10.20 am]

**BIRKENHEAD, Ms Judy, Assistant Director, Electronic Voting, Australian Electoral Commission**

**DACEY, Mr Paul, Acting Electoral Commissioner, Australian Electoral Commission**

**DAVIS, Ms Barbara, First Assistant Commissioner, Business Support, Australian Electoral Commission**

**MITCHELL, Ms Kathy, Acting Assistant Commissioner, Roll Management, Australian Electoral Commission**

**ORR, Mr Doug, Assistant Commissioner, Elections, Australian Electoral Commission**

**PICKERING, Mr Tim, First Assistant Commissioner, Electoral Operations, Australian Electoral Commission**

**Mr Dacey**—Thank you, Chair, I have a fairly brief opening statement. I should point out that the number of staff we have here from the AEC are more here for interest than as witnesses.

**CHAIR**—That is good.

**Mr Dacey**—We do not want to appear to be outnumbering the committee. However—

**CHAIR**—They could all slip me a note if they want me to cross-examine you.

**Mr Dacey**—I am sure that if we need their assistance, they will come forward. I thank the committee for the chance to appear again today, and on behalf of my colleagues around Australia I also thank the committee for taking the time to hear the different experiences we face in delivering what we consider to be an excellent electoral service in each state and territory. As you just referred to, this morning you saw a presentation of the electronic voting systems that were trialled for the 2007 election. As we discussed a little bit earlier, I expect that you and other committee members may have some further questions on these systems, and we are quite happy to take those this morning or, as we referred to earlier this morning, we could provide you with additional submissions.

**CHAIR**—Thanks.

**Mr Dacey**—The AEC sees extending the availability of these systems as one way of providing a more equitable means of access to Australia's electoral processes by particular groups with special needs.

I would just like to outline a couple of the recommendations that the AEC has made to this inquiry that we believe would deliver a better electoral service for all stakeholders in the process, both at the next election and into the future. First, at your request, we have provided some

additional initial thinking on how a system of directly updating already enrolled electors addresses from other government data would work. We see this as a key step in enabling us to maintain an accurate and complete electoral roll across the electoral cycle. It would also be a much simpler process for electors than that which currently exists and would more than likely provide an avenue to more effectively keep the electoral roll growing at the rate we want the electoral roll to grow. Such a change could further be enhanced by further amendments that would enable already enrolled electors to update their personal details with the AEC online. As outlined in our submission, the AEC is of the view that such changes would need to be implemented in hand with the processes necessary to ensure that the accuracy and integrity of the roll is not compromised. Of course, if such a change were to occur, the committee would also need to accept the AEC's recommendation that proof of identity for enrolment would be mandatory only for those electors enrolling for the first time.

Secondly, we have outlined the pressure placed on the electoral administration caused by the need to offer a variety of voting channels to meet the changing needs of society. We have discussed at length the postal voting system, and we have also recommended that pre-poll votes cast in an elector's home division be cast as ordinary votes. This change would provide a more convenient and accessible service to electors. It would also eliminate the need for AEC staff to undertake the laborious and time-consuming enrolment checks for a rapidly increasing number of own division pre-poll voters—that was in excess of 600,000 in the 2007 election—thereby significantly speeding up the counting process by allowing the inclusion of at least another five per cent of the total votes in election night counts. This, of course, would assist in the provision of speedy results and a change that I am sure would be welcomed not just by the AEC but particularly by candidates and particularly those candidates in close seats. Electors in several states and territories are already able to vote in this manner, and some of my staff have told me that electors have cast a pre-poll vote as an ordinary vote in Saturday's ACT election and they have commented how easy, quick and efficient that process was.

Thirdly, we have suggested that to facilitate the best role possible for an election more emphasis needs to be placed on enrolment stimulation in the nine to 12 months leading up to an election. Such a concentrated effort will require additional funding for the AEC to support more field work, and we would also ask that that field work be supported by an enhanced information campaign to raise awareness of the importance of keeping information on the roll up to date.

Thank you, Chair. That is my opening statement, and we would happy to now respond to any particular issues the committee may now wish to raise with us.

**CHAIR**—I have one about a question I have asked before in relation to pre-poll votes and postal votes. It is something I am floating on a personal level, so I am not saying it has any standing with other members of the committee or anywhere else. If we are going to have those votes as ordinary votes—and I have asked questions about this before—should we not also just acknowledge that our voters are a lot more mobile than they have been in the past and loosen the qualifications for pre-poll and postal votes to anyone who is outside the electorate on the day in question being eligible to have a pre-poll or postal vote?

**Mr Dacey**—Within their own electorate?

**CHAIR**—Within that electorate. Does that create a problem? I know it is a bit more work, but if you are going to count them as ordinary votes, it is not going to delay an election result. It seems to me that there are some advantages to it instead of absentee votes on the day within the state. I am just looking at the pros and cons of that.

**Mr Dacey**—I guess there are always advantages when what is currently a declaration vote can be cast as an ordinary vote. We did do some research into the issue of absent votes, which, from memory, I think we did provide to the committee. From the figures that we have, it appears that a lot of absent votes are not planned absent votes, that a lot of absent votes occur around the boundary of existing divisions or for particular needs electors are somewhere near their division on polling day, whether it is shopping or a sporting event. But for people who do plan to be absent from their own division on polling day, such as on holidays, yes, administratively that would be workable, if they were ordinary votes.

**CHAIR**—You do not see any deficiencies in extending it? It actually avoids the current situation where there is a wink and nod-type situation. I think we said before in our discussions that in the old days officials were a lot harder on people in terms of examining them on a pre-poll vote or a postal vote.

**Mr Dacey**—That is correct. Provided the person has satisfied the criteria for a pre-poll or an absent vote, whether that is an ordinary vote or a declaration vote, we can cope. And, obviously, as we have pointed out in various submissions, the more ordinary votes we have the less the burden on us and the more streamlined the process is.

**CHAIR**—So that instead of saying you have to be, say, over eight kilometres from a polling place, the provision is that you are outside your electorate on polling day. You do not see a problem with that, do you?

**Mr Dacey**—Not a major problem at all.

**CHAIR**—Okay. Again, I want to thank the commission for the trial this morning, because there is nothing like seeing something in action to crystallise it.

**Mr Dacey**—You get an understanding of how it works.

**CHAIR**—You get an understanding of it. I am trying again to be devil's advocate here. Both the blind voting and the defence forces are very expensive exercises, especially if they are to be expanded. I am a lot more sympathetic to the blind because I do not think there are other options; you are actually dealing with people with a disability. I am sympathetic to the Defence Force on one hand, but it was a trial, so how effective is it in increasing the votes from the defence forces, or can we garnishee the same votes by other means?

**Mr Dacey**—Perhaps Mr Orr and Mr Pickering could respond, as they have done some work on looking at that in relation to postal voting as well for defence forces.

**Mr Orr**—Just a bit of history first to set the scene from 2007 going back. Whilst the AEC has had ongoing relationships with Defence, in 2001 we had special arrangements for polling in East Timor, where we had a large contingent at that time, and that involved training military staff as

pre-poll voting officers. They went around East Timor issuing votes. Apart from that, the emphasis was just on postal vote applications to defence forces.

In 2004 we put more effort into trying to coordinate with Defence to get postal vote applications in as early as possible. Of course a postal vote application cannot be completed until the election had been announced, so there was a short window to get people who were either overseas or travelling overseas shortly to complete postal vote applications. In the 2004 election we issued only 470 postal votes in response to postal vote applications from the defence forces, so it is quite a small number. At that time our understanding was there were about 2,000 people with the defence forces serving overseas so about 20 per cent applied for votes. Of those, we received 219. Some of those people were ultimately able to vote at pre-poll locations overseas, but 161 of those were not able to vote, so only about 300 were able to vote at the 2004 election.

**CHAIR**—Did that have anything to do with the nature of the deployment at that time overseas?

**Mr Orr**—It would have had something to do with that but also, to be fair, there was a big effort in 2007 to try to implement both the changes to GPV registration, and also electronic voting would have been greater between two agencies. Particularly in Defence there was a much greater effort around e-voting. After 2004, in the lead-up to 2007, the legislation changed to allow a general postal voter category for defence forces serving overseas as well as electronic voting for services overseas.

In 2007 a total of 3,390 postal votes were issued to ADF personnel who were registered as GPVs, and some of those were the same people who had been registered as remote electronic voters. Two thousand and twelve of the ADF personnel were registered as remote electronic voters, and, of those, 1,511 voted electronically. Of the remaining 1,879 postal votes, 906 were returned, so less than 50 per cent, and of those, 20 per cent were rejected because they were received too late. To recap, 75 per cent of the people who were registered voted electronically, and their votes were all in time, and a much smaller proportion of those who voted by post voted and then 20 per cent of those were received late.

**CHAIR**—What about the Federal Police who received postal vote services?

**Mr Orr**—I actually do not have statistics on that at the moment. That was a much smaller contingent though.

**CHAIR**—I am suggesting that if we were to put a big effort in, better than we had done for instance in 2004, could we achieve reasonable results without having to expand or go down the electronic voting line?

**Mr Dacey**—In relation to postal voting rather than electronic voting?

**CHAIR**—Yes.

**Mr Dacey**—I guess in consultation and cooperation with Defence we can up the effort, but the figures that Mr Orr has just read out indicate that certainly more people chose to take up the electronic voting arrangements and had a successful vote or a vote that counted than those that

relied on the postal voting system. This was because of either not picking it up or votes received too late because of the postal system. Certainly, we can work closely with Defence to try our best to improve that take-up.

**CHAIR**—I am being a devil's advocate here because we hear all the time that a lot of ordinary voters do not take up search options or whatever.

**Mr Dacey**—That is right.

**CHAIR**—Electronic voting might be sexy but it can be expensive and it can have ramifications as to what it means to organising those who have been deployed. That is obviously why I want to test it with you, as well as Defence.

**Mr Dacey**—And you will be hearing from Defence this afternoon.

**CHAIR**—Yes.

**Mr Dacey**—I am not wishing to speak for them, but I am sure that it did not proceed without its—

**CHAIR**—Hiccups.

**Mr Dacey**—hiccups and its difficulties. It was not an easy process to put in place, but once it was in place we were fairly comforted, I suppose, by the 75 per cent take-up.

**CHAIR**—As you should.

**Mr Dacey**—Yes, it is an expensive per vote operation, but of course, once you have systems in place the more people who take up that option the cheaper it becomes.

**CHAIR**—All I am asking is that if we had some systems in place for alternative options, if we had to make some special provisions in relation to postal voting, is that an option to look at as well?

**Mr Dacey**—Yes, that is always an option.

**CHAIR**—I do not know what the level of voter deployment is going to be overseas compared to what it was in 2004, which in 2007 could have led to a higher—

**Mr Orr**—From the numbers I am aware of, there was about a 50 per cent higher deployment in 2007 compared to 2004. The experience with postal voting over the last three elections has been that having them registered as GPVs is a step forward, because we can get them in the first available production run and get them overseas. But, to get them overseas to the soldier, get the soldier to vote and get the vote back in time is certainly problematic as it is subject to a whole range of operational issues that could impact on things connecting up.

**Mr MORRISON**—Can I thank the commission for the detail it has provided in its response, and particularly can I thank you for the great work which has been done on the comparison of all

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the various jurisdictions. Hopefully that will give COAG a lot of work over the next while to try to resolve some of that. I just had some observations, I suppose, more than questions so feel free to comment on those observations.

My reaction to the information on page 4 regarding the differing enrolments by state—and there is also commentary in your submission about your target enrolment practices and the role of field officers—is that it seemed to be a reasonably effective campaign. I hear what you are saying in terms of trying to get more of these people on the ground. I note that the total enrolment movement between 2004 and 2007 went from 13 million up to 13.6 million, and that is roughly in line with population movements over that period of time. Once reinstatements have been put in place—I understand these figures reflect those who have been put back on the roll, et cetera—when all is said and done, the total number of people who were enrolled to vote at the 2007 election track the movements in population and, based on those figures, I cannot see any great irregularity of people missing out.

**Mr Dacey**—No. However, earlier in the calendar year of 2007 we became very aware that the roll had started to climb in terms of the participation rate. So that 13.6 million came at the expense of a lot of field work, advertising and also awareness, of course, in the electorate that an election was coming that year.

**Mr MORRISON**—That an election was coming on, yes. But that is it. I agree with that; I think that the mechanisms put in place and followed through by the commission bore fruit. So, at the end of the day, when we got to the election, we had a roll that had grown, in fact, a little bit over the population growth. There were swings and roundabouts by states in terms of overall population growth. The population growth figures I am looking at are total. I have not broken that down for the population aged over 18. I would be interested in any views that the AEC had about how the roll has moved in comparison directly to the voting age population, but my take out of what you have presented to us is that the roll moved in line with population trends, and those who were entitled to vote and turn up largely increased in line with what was happening across the country. I look at those figures and I do not see any great omission in what the AEC undertook between elections in getting people on the roll. I think the AEC has done a very good job on getting people on the roll, and at the end of the day I do not think people missed out, based on those figures in comparison to previous elections and in comparison to movements in population. Is that a fair assessment?

**Mr Dacey**—I might get Ms Mitchell to talk a bit more in depth about the statistics of the roll growth as well, sir.

**Ms Davis**—One of the things we would probably also like to point out I suppose is that it is becoming increasingly difficult to get people on the roll. Whilst we might have been able to achieve the rates we have, the strategies that we have employed over the years are becoming increasingly difficult and we have to look at new and more innovative ways of continuing to maintain that growth.

**CHAIR**—When you say it is becoming increasingly difficult, they are resistant?

**Ms Davis**—Not necessarily. It is the simple things like people not wanting to answer the door, people not—

**Mr Dacey**—Not responding to mail.

**Ms Davis**—People not responding to mail, that mode of communication.

**CHAIR**—If they do that under the current rules they lose their entitlement to vote. They would have to get reinstated. That is not being offensive.

**Mr Dacey**—I know. Whilst we were happy—and Ms Mitchell can perhaps talk more about the figures—with the enrolment at the close of rolls, we are now, once again, because we are 12 months out from the election, seeing it decline again.

**Mr MORRISON**—Just to cover off that point, the figures you have presented here today I think indicate that the measures you employed were effective and ensured that, while there may have been some concerns expressed about various changes to the Electoral Act 1918, at the end of the day the roll moved in line with population and you were able to maintain those proportions between electorates.

**Mr Dacey**—In fact, we were asked at Senate estimates some months before the election to give an estimate of what we thought the enrolment might be for close of rolls, and we, in fact, exceeded that. But, a lot of work and effort went into getting those figures up.

**Mr MORRISON**—I think that highlights for the committee the need to ensure that you are able to continue to do that work and highlights the success of your communication strategies as well. But, as you say, we may well be 12 months out from another one. The chair may know more about that than I do, but it is timely that—

**CHAIR**—You can rest assured I have never been in the loop and never will be. I am an outsider.

**Mr Dacey**—One point I would reinforce—and we have made it before in submissions—is that it is not just one strategy that we need to put in place. Communication is fine, but communication is expensive. Field work is also an excellent strategy, but if that is combined with communication it is also a reminder to people as we are knocking on the door—‘Oh, I was expecting you from the AEC, so here is my form.’

**Mr MORRISON**—Yes. I understand you have to have many elements to your package of communication—

**Mr Dacey**—And, of course, if there was—

**Mr MORRISON**—and field work is an important part of that.

**Mr Dacey**—a lifting of the burden, I suppose, in having to complete a new enrolment form on paper every time an elector moves and looking at some other systems or methods, that would also assist us greatly in keeping those numbers up.

**Mr MORRISON**—So just to be more specific about that, how do you see that resolving itself?

**Mr Dacey**—Obviously we would need legislative change, and we certainly would not go into this starry-eyed and not look at the risks and do trials. What we are suggesting is that, once a person has proved their identity and they are on the roll, rather than them having to re-enrol again every time they change—which is what they currently have to do; they have to complete a totally new form—if we got information from a trusted agency that a person had changed their address with that agency and that person agreed in changing their address with that agency to pass that information on to the AEC, and we have given examples of the sorts of agencies, we could test that data and update their enrolment details. But it is not quite as simple as that.

**Mr MORRISON**—I certainly do not want to make the AEC's job any harder with this, but on this debate about enrolment and re-enrolment, I recently moved house back in July. I filled out the form. I sent it in. It did not take me very long. I also had to fill out forms to change where my electricity bill went and those sorts of things. It is a fairly standard sort of practice that you do when you move house, whether you are renting or buying or whatever, and there are now services that can actually do all of that for you. Basically, the pack turns up at your door and they change everything from your telephone bill to whatever. I just wonder whether there are ways that the AEC could also engage with that, because at the end of the day I do wonder whether, if someone has this precious franchise, which is what your campaign said, we really do want them to value it. I am just puzzled why filling out a form saying, 'I have moved address' is proving to be such an impediment for something that you would hope people would value.

**Mr Dacey**—I guess it puzzles us in some ways as well, but certainly you are right that when people move house their priority is to change their utility bills and all those sorts of things. It seems to be that enrolment with us is always their last priority.

**CHAIR**—They need more inspiration.

**Mr Dacey**—Perhaps more inspiration.

**Mr MORRISON**—The point of my question is this: does the AEC engage in trying to market to those people when they are moving house?

**Mr Dacey**—We do.

**Mr MORRISON**—You do?

**Mr Dacey**—Yes, because we get information from, for example, Australia Post of recent movers, people who have changed address, and we immediately mail out to those people and include an enrolment form.

**CHAIR**—We are dealing with real people who are currently unenrolled.

**Mr Dacey**—That is correct.

**CHAIR**—Would it not be better for all concerned if there was a simplified way of updating those people's enrolments rather than disenfranchising them? They are not first-time electors we are talking about; they are not new people; they are real people. This is affecting people moving within divisions.

**Mr Dacey**—And they are real people whose identity we have proved through the first enrolment process.

**CHAIR**—That is what I am trying to say.

**Mr MORRISON**—I suppose I am more relaxed when we are talking about those types of fast-track schemes for people who are within the same division. When you get people moving between divisions then I think that starts to be a separate issue. But, within divisions, people with proof of identity, who are part of that community, who are known within that community and have not moved outside their electoral division, may have the view, for whatever reason, that they do not have to do that because they are still living in the same electorate.

**Mr Dacey**—That is right.

**Mr MORRISON**—That is one issue, but if you are moving from Banks to Cook, which is probably a good idea. If those people who live in Banks want to move to Cook—

**CHAIR**—You have to get a visa to cross the shire.

**Mr MORRISON**—That is true.

**CHAIR**—We went there to swim once.

**Mr Pickering**—Mr Morrison, I might just have a few comments on Mr Dacey's remarks, too. The issue of enrolment forms is something that has been vexed as far as the requirement under the current legislation for a completely new enrolment. It also requires a signature. There has been a trend over recent years for interaction with government to try to simplify it, and whether or not that was via the Electronic Transactions Act 1999 or whether or not it was just by organisations and agencies wanting to simplify the process of keeping their records up to date, a number of agencies are now only requiring telephone calls to update their details, whether it is a change of name or a change of address. There is also a growing expectation for people to be able to change those details, once they have proven their identity with an agency, via the internet as well. Of course, that will not work whilst we require a signature by the elector. They can fill it out on screen, but we require them to print it out and sign it and then send that paper into the AEC. So there is a range of opportunities for modernising the process but it moves away from the requirement for an enrolment form as we currently know it.

**CHAIR**—What I am interested in is maintaining the integrity of it.

**Mr Dacey**—Absolutely, and so are we.

**CHAIR**—As long as there is something. So we are not talking of new electors—

**Mr Dacey**—Not at all.

**CHAIR**—which you mentioned earlier.

**Mr Dacey**—This person is already POI'd and on the roll. We acknowledge that such a system is not risk free. As I said, we would not just rush straight into it. There is a lot of testing on the things we have to do.

**CHAIR**—But they cannot multiple vote because they will be removed from one address and placed at another—

**Mr Dacey**—That is correct.

**CHAIR**—so it is not an issue of multiple voting.

**Mr Dacey**—If such a system were in place, we would also follow up that elector by mail and, of course, bells would start to ring if that mail came back to us 'return to sender'.

**CHAIR**—I suppose what concerns me is that we want to go out of our way in terms of overseas people, as we probably should, to try to encourage them. There is an argument for them as well and we will do it under the existing system, but here it is a recognition that the culture has changed in terms of society. What it is about is integrity of the roll, proper identification and not having multiple rolls and not being stuck in the past. You just said, Ms Davis, that you are finding trouble in getting people opening the door to you.

**Ms Davis**—Yes.

**CHAIR**—If they saw me, they would slam it in my face, which is why I have never done a home invasion through doorknocking. I will just get Mr Morrison and then Mr Sullivan—

**Mr Dacey**—If I could just add one more point to that—and we do not have empirical evidence for this. More and more anecdotally we are hearing that one of the reasons that people are not responding to our mail is that they want an easier way to do it. We can contact people or ring people up and say, 'You have not filled out your enrolment form,' and the answer we often get is, 'But you know I've moved. Why don't you just change me? Can't I tell you now that I'm living here?' It may be one of the reasons for some of the disengagement, I suppose, and decline in the roll. We certainly cannot prove that.

**CHAIR**—No, I understand that.

**Mr MORRISON**—I will move on to page 27.

**CHAIR**—Just hang on. Mr Sullivan?

**Mr SULLIVAN**—On the same topic, if you do not mind. Mr Dacey, in your evidence just a moment ago you indicated that you already get advice of change of address from Australia Post—

**Mr Dacey**—We do.

**Mr SULLIVAN**—and you write to those people.

**Mr Dacey**—We do.

**Mr SULLIVAN**—Could I put it to you that unfortunately people do not take their enrolment as seriously as some of us in this business would like them to. You already get that information; you write them a letter and a proportion does not respond.

**Mr Dacey**—Some we write to more than once.

**Mr SULLIVAN**—So there is an administrative cost for you there. A proportion do not respond and then a good proportion of those turn up on election day to go through the most time-consuming and, I guess, costly process of trying to claim a vote on the day. I imagine you do not have figures that actually track people in that fashion. Would that be a fair representation of what happens?

**Mr Dacey**—To a certain extent, yes. If people do not respond through our various means of communication, whether it be correspondence or telephone or doorknocking, but still feel they have an entitlement to vote and front up to vote on polling day, if they have been removed from the roll they will have to have a provisional vote. We can give you figures on the number of provisional voters but we cannot say that that number relates to those people who did not respond.

**Mr SULLIVAN**—So you are already receiving advice from Australia Post—

**Mr Dacey**—And other agencies.

**Mr SULLIVAN**—And other agencies, which you act upon?

**Mr Dacey**—Yes.

**Mr SULLIVAN**—And your proposal to us is that the person filling in the form with those agencies has the option to tick a box.

**Mr Dacey**—An opt-in option—

**Mr SULLIVAN**—An opt-in option.

**Mr Dacey**—to pass that information—

**Mr SULLIVAN**—To tick a box to pass that information to the AEC.

**Mr Dacey**—to allow the AEC to update their enrolment details.

**Mr SULLIVAN**—Okay, so I have got that clear. My head has just lost the one that I was going to ask you so maybe we will get back to that afterwards.

**CHAIR**—Can I just ask you about some enrolment participation rates? I think at table 2.2, which is in submission 169, page 9, you advised the number of enrolled electors as a percentage

of the estimated eligible enrolled population. Then you went through that, and it runs at 91.5 in September 2004 through to 92.3 in October 2007. I just want to take you to an inconsistency in terms of those figures compared to the ones published in the AEC annual returns for the respective years, and these are figures drawn from the AEC annual report. In 2003-04 it was 95, then 96.3, 93.6, 93.9, 92.3. I am just interested as to whether you can explain why there are differences between the enrolment participation results shown in the annual reports and those shown in the first submission. Is there a different statistical basis?

**Mr Dacey**—Yes, I can give you an overview, and more detail Ms Mitchell might be able to give.

**CHAIR**—Yes, that is okay.

**Mr Dacey**—In terms of the annual report figures, the participation rate used in the annual report figures was based on results of Newspoll surveys, which we have been conducting for many years. In relation to the figures in our submission, which ranged from the 91.5 to the 92.3, we re-based participation by using a more statistically valid method using information from ABS.

**CHAIR**—The ones that you submitted to us were a couple of per cent lower.

**Mr Dacey**—That is correct.

**CHAIR**—There were some substantial differences.

**Mr Dacey**—That is right.

**Ms Mitchell**—Originally, the only means that we had for calculating the participation rate was to use the Newspoll survey that we undertook, and it was giving us a participation rate of about 97 to 98 per cent. However as a methodology it had issues, because it was really sampling a population that had a telephone, answered their telephone and were willing to respond to surveys. So we chose to try to look at other methods for discerning the participation rate. The first methodology we used, and we started using this in our 2004-05 annual report, was to take data that we had gained when we were conducting sample audit fieldwork, and during that we were sampling a larger proportion of the population.

**CHAIR**—More representative.

**Ms Mitchell**—What we sampled in sample audit fieldwork was the population that we contact through the mail review component of our continuous roll update program. Depending on what we are mailing at any point in time, that can represent somewhere around two-thirds of the eligible population. However, whilst we were undertaking sample audit fieldwork, we were also working with ABS on developing a methodology for calculating a participation rate that was drawn from census data, which is about the entire population. We then, of course, have to undertake calculations to translate that back to the eligible-to-enrol population. So, first of all, we started using 2001 census data, and that is what is published in the 2006-07 annual report. What you have in the submission is a re-base of those figures using 2006 census data and

calculating backwards. What that then shows is that using 2001 census data and calculating forward there was about a one per cent overestimate for those few years that we did that.

**Mr MORRISON**—If we go to page 27 or 28 of your submission, previously I had asked if you could provide some information on the comparison of informal voting between federal and state elections. I think there are some interesting results in there and, again, I will just comment on them and I am interested in your views. My reading of these figures shows that the non-sequential informal voting has been declining now from election to election. The areas of greatest concern are particularly in New South Wales and Queensland—and the most recent figures bear this out—followed not too far behind by South Australia, in states where we have optional preferential voting running at a state level. We have very high levels of informality for people following those same voting practices.

The next highest other than ‘blank’ then falls to non-sequential, but also I note there ticks and crosses, which can also be a consequence of the differences in the system. In New South Wales, for example, you have almost 50 per cent of informal voting due to people following a ‘1-only’ approach. I suppose I just reflect on the question again: given that that is how a lot of people seem to be voting in those states, isn’t it time that we actually started considering optional preferential at a federal level?

I also note more generally, though, that the rate of informality was significantly below what it was at the last election, when it was down to 3.95 per cent, which was even less than what it was back in the 2001 federal election. So just generally, I think we have some discrete problems in a couple of states based on differences between voting systems and that the non-sequential issue is actually declining. We still have a major problem with the ‘just vote 1’ but overall the level of informality at the last election seems to be below at least most recent experience.

**Mr Dacey**—We were certainly very aware of the trend in New South Wales and Queensland, and we did a lot of extra work in those two states in 2007 to try to resolve the ‘1-only’ issue. The figures show that we were successful. However, there is still some way to go. We will continue to work on those processes and try to improve. Just for the interest of the committee, we do a fairly substantial informal vote survey following every election. That is in the process now of being finalised, so we will be able to provide that to the committee probably within the next four or five weeks.

**Mr MORRISON**—I think you are right about the success you had in Queensland. I think that is shown. But in New South Wales I cannot see that. If it is success, it is very modest.

**Mr Dacey**—Yes.

**Mr MORRISON**—Why do you think in Queensland you have had greater success? It is coming off a higher position in Queensland than it is in New South Wales. Any thoughts on that?

**Mr Dacey**—I really would not like to comment on that until we look more at the full survey we are doing.

**Mr MORRISON**—Okay.

**Mr Dacey**—It is difficult to make those assumptions without looking at the whole range of data.

**Mr SULLIVAN**—The question that I would ask is: when did New South Wales go to an optional preferential system?

**Mr Dacey**—In 1999, I think.

**Mr SULLIVAN**—Yes, Queensland has been out since 1992.

**CHAIR**—It was in the Wran era, when they had the referendum ‘choose the first option’.

**Mr Pickering**—1981, Chair.

**Mr SULLIVAN**—1981 in New South Wales!

**Mr BRUCE SCOTT**—But I think the political parties have not been as active as they have in Queensland about promoting, ‘You can just vote 1.’

**Mr Dacey**—Right.

**Mr BRUCE SCOTT**—The political parties have got a bit of a campaign.

**Mr Dacey**—Mr Morrison, one of the factors may be that the New South Wales state election was not that long before the federal elections, where people had the option to vote 1 only, whereas in 2004 the Queensland state election and the federal election were close by, but in 2007 they were not.

**CHAIR**—And when you had the Auburn state by-election preceding the federal election for Reid there was a massive increase in informal votes in Reid, which is consistent with what you are saying.

**Mr Dacey**—And, interestingly, your other comment about New South Wales, from my earlier looking at the data, I think the 10 electoral divisions with the highest informal vote are inner western Sydney divisions, which may be another factor which is not optional preferential voting, but it could be culturally and linguistically diverse or language problems in particular.

**Mr MORRISON**—Is it fair to say based on these figures, though, that the overall level of informal voting when you look at all of it at the last election was certainly not outside the band.

**Mr Dacey**—It certainly was not as disturbing to us as the trends had been in the last election.

**CHAIR**—I suppose coming to that and given these tables, we had nationally at the last election 510,951 informal votes, and I am looking at the non-sequential figures you have given us. It seems to me that if we had the system in place pre-1998, which was the savings provisions, that almost 100,000 people would have been added to the count, a number of whom would have intentionally gone 1, 2 to 2, but most of whom had made mistakes in their ballot papers.

**Mr Dacey**—We are providing you with some information on that, I think, Chair. I guess one of our concerns—not a major concern—is that it is the problem of what sanctions you might then have in place for people who advocate that way of voting.

**CHAIR**—It is called gaol, Mr Dacey.

**Mr Dacey**—It is a difficult issue, I guess, for electoral administrators to be saying, 'Well, okay, let's do that.'

**CHAIR**—If we send people to gaol for breaking and entering, we can send them to gaol for trying to subvert the democratic process, but that is just my personal view as a defender. As a former public defender, I am hard line on democracy. People are dying for the right to vote. They are entitled to have it and not be subverted by ratbags.

**Mr MORRISON**—But to pick up the point about a 3.95 per cent informal rate at this most recent election, and given that that has declined from the previous one and was less than in the 2001 election, I am struggling a bit here to find a great area of concern or mischief in terms of the current level of informal voting. If you go to the figures, obviously the biggest confusion sits around the issue of 'just vote 1'. I have argued not over non-sequential, because non-sequential has been falling over three successive elections. What has not been resolved is the issue of 'just vote 1'. If people are concerned about it, then there is a very simple remedy; it is called optional preferential. But as I look at these figures, maybe a remedy is overstated in the current context and you seem to be getting on top of it.

**Mr Dacey**—Yes, but in getting on top of it we will not be complacent about informal voting. It is still important, I think that we do everything we can.

**Mr MORRISON**—But these figures themselves would not suggest that there needs to be a massive change. I cannot see that on these figures.

**CHAIR**—The figures suggest, if there was a reversion of the old policy, just short of 100,000 votes might be included in the count, irrespective of which way they vote—when we are spending millions of dollars saying, 'Well, let's pick up 1,500 Defence Force votes,' because they do not want to fill out a postal vote application. I just put that on the record.

**Mr MORRISON**—And, equally, Chair, the optional preferential system would completely solve this set of numbers in a heartbeat.

**Mr SULLIVAN**—Oh, no, I do not believe so. I believe optional preferential voting would cause trouble in state jurisdictions that do not have optional preferential voting.

**CHAIR**—Neither of the major political parties is going there. Let us be honest about it. Senator Minchin has backed off it. I am sure Mr Morrison will not take on.

**Mr Dacey**—And the AEC certainly does not have a position on it.

**Mr BRUCE SCOTT**—Are you still on this issue? I am changing to postal votes and—

**CHAIR**—No, I am done.

**Mr MORRISON**—Are you done?

**Mr SULLIVAN**—I am going to follow you because I have got a solution.

**CHAIR**—Okay. Then I just want to know before we go about the review of informality procedures and manuals arising from the McEwen by-election. I am just wondering where that is at and whether we will get the results of that review.

**Mr Dacey**—You will. I received from Mr Henderson his report on his investigation into the McEwen case last week. Our senior group are currently considering that report and the recommendations, and we would hope by very early next week to have correspondence to you as chair—

**CHAIR**—Fantastic!

**Mr Dacey**—and also to the major parties and the minister and the opposition on the results of that and how the AEC will be going forward with the recommendations.

**CHAIR**—Thank you. You are still looking at some questions I asked about possible mechanisms in terms of—

**Mr Dacey**—Consensual arbitration is the term that was used.

**CHAIR**—Yes, and the responses.

**Mr Dacey**—Yes, we will get to you very soon on that.

**CHAIR**—That is okay. I have had some informal discussions.

**Mr Dacey**—Because we wanted that to be informed by what we had about the Henderson review as well.

**Mr BRUCE SCOTT**—Mr Dacey, I take you to your response in relation to postal votes, which is something that goes back to, I think, our hearings in Brisbane. Looking at these figures here, two of the largest 'received late' electorates by a long way were Flynn and Kennedy, very large rural constituencies, and it just says 'received late'. Now, that obviously means they are in the system somewhere. I know you cannot break it down obviously to the letter to whether they were—well, 'cast late' is quite separated out, but these are just 'received late'. All of those votes could have been in the system—

**Mr Dacey**—That is correct.

**Mr BRUCE SCOTT**—but are not able to be counted. They could have been sitting in a post office. It is a real concern to me. It raises the issue of postal voters and how we deal with this and timeliness and recognising probably in some cases the unique circumstance of where some of these votes might be coming from or where they are being delivered to—perhaps a small post

office which is run as a business. In the case of Flynn, 144 votes were received late, and yet 135 votes would have changed that outcome. So I have very real concerns about this issue. I am not blaming you—

**Mr Dacey**—No, we have concerns as well.

**Mr BRUCE SCOTT**—but I am really concerned about the system. Most of those could have been counted. I do not know; we will never know now. It is the same in Kennedy. When you get this large number, I wonder whether when we are getting back on to the issue of electronic voting. We saw those trials this morning, and we were talking about the visually impaired and whether we do it for the troops and maybe the AFP, depending on the recommendations here. But I really believe we have to look beyond that for a lot of people in these really remote parts of Australia, including Aboriginal and Torres Strait Islanders. We have seen the trials. To me they look like they are working and the integrity of the whole system looks good. I just wonder whether we should not be looking at rural and remote Australia in relation to this as well because you have got a situation here where we may have had a different outcome in a seat, and we were never able to challenge it because they were received late.

**Mr Dacey**—It is certainly one aspect of remote electronic voting that perhaps needs to be considered, but I will point out a difference between what you saw this morning and what might apply for rural and remote Australia. That is that the system that was used by the Defence Force overseas was hosted on their very secure intranet or internal system. If you extend an open system across the Internet so that people in remote areas can avail themselves of an electronic vote, it raises all sorts of not insurmountable but certainly other security and integrity issues that a lot of electoral administrations—not just in the AEC; internationally as well—are scratching their heads about at the moment. The potential for corruption, data manipulation, hacking or whatever across the Internet is much greater than using the very secure defence system that was used for the military.

**CHAIR**—But, Mr Dacey, we changed the rules some years ago when I was on the committee in relation to remote voters, allowing them to become registered postal voters.

**Mr Dacey**—That is correct.

**CHAIR**—Rather than an electronic system, surely if there are particular problems we can look at improving the quality of having remote people on the registered voting list. If we need to make some definitional changes, of course, they are the things—

**Mr BRUCE SCOTT**—So those people then in a geographic situation could be registered for electronic voting as opposed to postal voting.

**Mr Dacey**—And that is certainly an option.

**CHAIR**—No, registered for a postal vote.

**Mr Dacey**—As opposed to a general postal vote.

**CHAIR**—Yes.

**Mr Dacey**—I think, Mr Scott, if you look at the general postal voting take-up figures for Maranoa, which I did have somewhere, there are 4,219 electors who have already chosen. I think it is the largest number of electors in any division in Australia who have chosen to register as general postal voters. That means those electors get automatically sent ballot papers, as you know.

**CHAIR**—They do not have to apply.

**Mr Dacey**—They do not have to apply. If that were extended or more people took that option, perhaps fewer people would be in the 'received too late' category, because they are relying on one less step in the postal system.

**Mr BRUCE SCOTT**—What you are suggesting is that those who are automatically receiving this information were not in that 144 in Flynn. We really do not have any evidence of that.

**Mr Dacey**—We could probably do some further analysis—I am not sure if it is possible—to see how many of those 4,219 GPVs, for example, in Maranoa were received too late.

**Mr BRUCE SCOTT**—I thought Flynn was a late one, was it not?

**Mr Dacey**—Flynn had 2,700, and Kennedy has about 3,000.

**CHAIR**—And it is not accidental that of the highest ones are in Queensland. In terms of your supplementary submission Flynn was 146 and Kennedy was 132. But what I am suggesting, Mr Scott, is that it can be overcome not by electronic voting but by a concerted campaign to get some of the people on to the registered postal voter list.

**Mr BRUCE SCOTT**—But one of the problems here, though, Daryl, is the state and federal rolls for postal voting are not complementary, or have not been, and that is 'Am I or am I not?'

**CHAIR**—I was once on an inquiry in relation to that. I can remember the Liberal Party when it was a state based party wanting to give everything over to the states.

**Mr Dacey**—I remember it well.

**Ms Davis**—We should probably also point out that we already do have a form of alternative voting for people in remote areas by way of our provisions for voters in the Antarctic. We classify them by definition as remote. Perhaps, Doug, you can explain how we actually facilitate that.

**Mr Orr**—The issue with Antarctic voters is that it is not compulsory to vote because the secrecy of the vote is compromised, if you like, because the votes are read through to the Australian Electoral Office in Tasmania.

**Mr BRUCE SCOTT**—As a block.

**Mr Orr**—Yes. So that is how that is catered for. You have mentioned remote Australia. There is also the same issue, Mr Scott, for voters overseas who are not in one of our consulates, which has a huge potential.

**Mr BRUCE SCOTT**—You keep coming back to the electronic thing as maybe a part solution. If you have, say, 3,000 or 4,000 in an electorate that are automatically going to be receiving a postal vote why—let us go back a bit here: I had a discussion with a delegation from Estonia, which has electronic voting, and he suggested there is real trouble about getting integrity and avoiding any corruption in the system. Now, there is a very small country that—

**Mr Dacey**—The Estonians may not be as concerned as us but they may have a system in place that is much more secure. I am not sure.

**Mr BRUCE SCOTT**—I would be interested in whether you have looked at the Estonian electronic—

**Mr Dacey**—We have not particularly or specifically looked at that.

**CHAIR**—Is that National Party policy?

**Mr BRUCE SCOTT**—No, I am trying to be constructive here, Mr Chair, I think with electronics and the way it is—maybe Estonia is a small territory. We had this discussion, and that is what prompted me to think of it with all these postal votes that are coming into rural Australia. The other reason, of course, is that sometimes the Electoral Commission is closing down small polling booths where there are only 50 or 60 voters, so they end up on the postal voting system. That is an issue of finance rather than what might be best serving the people, if we have got to go back that way. I am trying to tease out some ideas.

**Mr Dacey**—Mr Scott, just for your interests and the interests of the committee, New Zealand, which is heading to an election very soon, at their last election and for this coming election implemented a system whereby New Zealand electors overseas, rather than relying on the postal voting system, could, if they chose for the secrecy of their ballot to be somewhat compromised by faxing it back to the returning officer, choose to fax back their ballot paper. The returning officer could see that but the people choosing to take that option were comfortable with that. It was not going to the wider public; it was faxed back to a dedicated number in the returning officer's office.

**Mr BRUCE SCOTT**—But you have got to cross off that person—

**Mr Dacey**—That is right.

**Mr BRUCE SCOTT**—on the roll.

**Mr Dacey**—So that is one option that perhaps also could be considered, which is an electronic means of getting a vote back to the Electoral Commission without relying on the whims of the postal service.

**Mr BRUCE SCOTT**—Why would they have to read that, because it is coming back and it is a valid ballot paper.

**Mr Dacey**—It is not that they have to read it; it is that they can. Because it comes out of a fax machine it is not in an envelope like a normal postal vote. I am sure the returning officer is not sitting there reading every vote that comes through.

**Mr SULLIVAN**—No—they are marking people off the roll.

**Mr Dacey**—That is right.

**Mr Pickering**—And, Mr Scott, they can do the reverse as well. In New Zealand they can also download the ballot paper from the New Zealand elections website and then post it back.

**Mr BRUCE SCOTT**—Now, there is a system.

**Mr Orr**—They also have to download a declaration like the front of our declaration envelope as well for their identity so that, as you said, it can be marked off. But that is an option that they use.

**Mr BRUCE SCOTT**—And, of course, there are not as many pre-polling booths in these electorates out here in the bush.

**Mr Dacey**—Certainly more in the last election than there were in previous elections.

**Mr BRUCE SCOTT**—But not as many as the state elections would have. They will have them in nearly all their courthouses or post offices. Whereas people may have been in town and said, ‘Oh, I can’t vote because there is not a pre-poll here,’ so they have applied for a postal vote, and it comes, and it ends up in this bucket of ‘received too late’. There are all sorts of reasons.

**Mr Dacey**—We are very aware of the problems and, of course, we do our best every election to improve those services.

**Mr BRUCE SCOTT**—What would stop you having it available at all post offices?

**Mr Dacey**—We would need to negotiate with Australia Post. Cost could be an issue. I am not sure.

**CHAIR**—Post office?

**Mr Dacey**—Having them issuing pre-poll votes. We certainly extended it last time to courthouses in rural Queensland for the first time.

**Mr BRUCE SCOTT**—But if they get shut, of course, we lose votes.

**Mr Dacey**—We are looking at all we can do to try to improve the service. One of the things that we can do, and do occasionally, is write to people living in those areas who have had a

postal vote and point out the advantages of being a general postal voter so that they do get that first mailing once the ballot papers are available.

**Mr SULLIVAN**—There are two very quick things before I go on to following that. Going back to my question earlier, is it possible to get a figure of the number of people who you have written to because you have been made aware that they have changed their address, who have not responded and have subsequently gone on to the roll, who then turned up at an election, claimed a vote and lodged an enrolment form? I do not expect you to give it to me now, but is it possible that that level of information is available?

**Mr Dacey**—I will have to take that on notice, Mr Sullivan. I am not sure if we have that level of detail and what resources it would require.

**Mr SULLIVAN**—The other one that left my head earlier followed on from what Mr Morrison was talking about, and that is completing the entire enrolment form. When they do that, people who have not been born in Australia actually have to again lodge their proof of citizenship. If they have been on the roll before, surely that is overkill.

**Mr Dacey**—It may be overkill, but it is not overkill in terms of the current way the legislation is structured.

**Mr SULLIVAN**—I understand. Okay. So now if I can just go from there to what Mr Scott was talking about, in the documents that we have here is a proposal worked up by the commission and some consultants in relation to electronic enrolment, remote election voting and electronic voting. It is a proposal for the AEC from Edentiti and eVACS.

**Mr BRUCE SCOTT**—What is it?

**Mr SULLIVAN**—You do not know about it?

**Mr BRUCE SCOTT**—No.

**CHAIR**—Jon, could you hang on for one second. I understand that we have a confidential submission as an attachment.

**Mr SULLIVAN**—All right. Sorry. I did not understand that, sorry.

**CHAIR**—So we will do that.

**Mr SULLIVAN**—I want to talk about remote area voting in relation to what Mr Scott has talked about but also about late lodgement. McEwen had 98 votes lodged late, from the information you gave us, which could mean that they arrived but without a date stamp, so they are gone, which could have changed that—

**Mr BRUCE SCOTT**—It is on the declaration, not on the postal vote?

**Mr SULLIVAN**—On the declaration. Okay. Yes, all right. Could the two electronic—

**Mr BRUCE SCOTT**—Is that right? It was the declaration?

**Mr SULLIVAN**—Well, I do not know. I do not care much. It is just a number. Could the two electronic systems that were trialled actually be married? The point was made when we were there this morning that people are comfortable with the telephone keypad; lots of people are not comfortable with the computer keyboard. Could people use their telephone to ring into your secure server and lodge a vote using the audio system that is available for the blind? That seems to me to be a reasonably easy solution to remote area voting.

**Mr Dacey**—Certainly telephone voting trials have occurred internationally. Quite a few local areas in the UK undertook trials of telephone voting, and I understand they were reasonably successful. I guess the thing to bear in mind with telephone voting in the UK is that it is first past the post and you only have to vote ‘1’ for one person. When you have a House of Reps electorate with, say, 10 candidates without any visual aids in front of you whilst you are telephone voting, it could be a little confusing and complex for people. I am not suggesting it is not possible. Technologically, anything is possible. But I think in voting for the House of Representatives and, particularly if people chose to vote below the line for the Senate—I think to have a telephone vote below the line for the Senate in New South Wales would be just about impossible for anyone to manage.

**Mr SULLIVAN**—I understand it is difficult, but it is also difficult for people who cannot see the screen—that is, the people who the telephone system was devised for.

**Mr Dacey**—But they are getting audio aids.

**Mr SULLIVAN**—So would this person. They would be getting it. You would just have that system playing through the telephone to the voter at the other end.

**Mr Orr**—I think one issue would be security of that process over phone lines. I am certainly not qualified to comment, but security would be an issue.

**Mr SULLIVAN**—No greater an issue than the internet.

**Mr Dacey**—Probably no greater an issue.

**Mr SULLIVAN**—Probably less.

**Mr Orr**—Except for the party line, if they still have them.

**Mr Dacey**—These sorts of things are possible. It is whether there would be confidence in those systems, whether people would pick up and use those systems and how hackable they are or how much integrity the systems have.

**Mr SULLIVAN**—My feeling is that a lot of the postal votes that come in and are rejected because of the postal issue would be actually shown to be valid votes if people had a phone number to ring and lodge their vote. Is that of any assistance?

**Mr Dacey**—Or if they took up the New Zealand model of being able to fax their vote back, for example.

**Mr SULLIVAN**—I am conscious that a lot of people, even of my age, and I am no great technological whiz, are not comfortable with computers. That may or may not be reflected in rural areas, but I suspect that it is.

**CHAIR**—The position is that whenever you have a deadline, people are going to go past the deadline.

**Mr Dacey**—People are always going to miss out.

**CHAIR**—That is the nature of it.

**Mr Dacey**—Our job is to try to minimise that—

**CHAIR**—Yes.

**Mr Dacey**—in conjunction with Australia Post.

**CHAIR**—And that is where I see our role. If people facilitate a process that is as user friendly as possible, I do not mind picking some of these things up. But I just made the comment privately to Mr Morrison that we cannot cater for 100 per cent of people in 100 per cent of scenarios. But if we were prepared to give the Electoral Commission more money, they could do a better job.

**Mr SULLIVAN**—We have compulsory voting; that has an obligation.

**Mr BRUCE SCOTT**—Chair, the largest numbers where people were denied their democratic right because of the system were in rural Australia.

**CHAIR**—I do not accept that.

**Mr BRUCE SCOTT**—They were in Flynn, Leichhardt and Kennedy.

**CHAIR**—I do not accept that.

**Mr BRUCE SCOTT**—Well, they are the numbers here. Are you rejecting the numbers?

**CHAIR**—People did not return. No, it is for a different reason.

**Mr BRUCE SCOTT**—No.

**CHAIR**—Something about it alarmed me, and it is what I actually want to get some answers on, Mr Scott, which I think are legitimate. I am not saying this is not legitimate, but I do not believe you will ever get 100 per cent return on postal votes. I was alarmed that people were lodging their ballot paper before the election and it was not being stamped until after the

election—that is the evidence that we received on one occasion—and those people who had complied were excluded from the vote. The other thing that alarmed me was that if there was no stamp and the date of witnessing was pre the election, they were included. If the date of witnessing was pre the election and there was a stamp post the election, they were excluded. Things like that—

**Mr SULLIVAN**—These are the numbers that Mr Scott is talking about, though.

**CHAIR**—I would like to—

**Mr SULLIVAN**—That is where those people are—

**CHAIR**—I would like to pursue.

**Mr BRUCE SCOTT**—Chair, can I ask, though, just back on this postal vote thing: would it be possible—and we might have to wait until after the New Zealand election—to have some idea of the past experience of how many people have taken up the postal vote option?

**Mr Dacey**—The faxing option?

**Mr BRUCE SCOTT**—Yes.

**Mr Dacey**—I am sure we could get that information from our colleagues.

**Mr BRUCE SCOTT**—It would be interesting to see what happens there.

**Mr Dacey**—Given, of course, that they have a much smaller population, but it will be an indication of how many people have taken that option up.

**Mr BRUCE SCOTT**—And they do not have the computer model; they have the fax spot. And they can apply on fax? No?

**Ms Birkenhead**—No, they just download the form.

**Mr BRUCE SCOTT**—Oh, they download the form?

**Mr Dacey**—They can download the ballot paper and fax it back.

**Ms Birkenhead**—With their ID.

**Mr BRUCE SCOTT**—And they can download it because it is on the internet?

**Ms Birkenhead**—Yes.

**Mr Dacey**—Yes.

**Mr BRUCE SCOTT**—Everyone is on the internet?

**Mr Pickering**—If they want to keep it secret and private they can download it, fill it out and post it back. They have the option. With the fax facility they lose the total secrecy, but it is going to a trusted agent, or you can post it back.

**Mr BRUCE SCOTT**—Then when they get back to the returning officer they are checked off, because otherwise someone could have voted half a dozen times on the ballot paper.

**Mr Dacey**—Oh no, there is an integrity system behind it.

**Mr BRUCE SCOTT**—In where?

**Mr Dacey**—An integrity system behind it. It has integrity.

**Mr BRUCE SCOTT**—The ballot paper or the return of the ballot paper?

**Mr Dacey**—Both would have integrity in them, but we can get copies of the procedures from our colleagues in New Zealand as well.

**Mr BRUCE SCOTT**—That would be very useful.

**Mr SULLIVAN**—In essence, that sounds to me like a postal vote system without the requirement in certain circumstances at least of actually applying for a postal vote. So we have to actually apply, get a ballot paper sent, send the ballot paper back. This one is that you get your own ballot paper and declaration and send them back without the application.

**Mr Dacey**—We will follow it up and get whatever we can for the committee.

**Mr BRUCE SCOTT**—They do fax back their application for a postal vote.

**Mr Dacey**—You can now fax your application.

**Mr BRUCE SCOTT**—Yes, you can fax back the application but we do not take it the next step.

**Mr SULLIVAN**—You cannot fax the ballot paper to them.

**Mr BRUCE SCOTT**—No. If you are interested in New Zealand—

**CHAIR**—I am interested in existing models overseas. I am interested in the full procedures as to how they operate—

**Mr Dacey**—We will gather those.

**CHAIR**—I am not a paranoid person, but I do know that people value the secrecy in the vote.

**Mr Pickering**—Chair, are you interested in our providing the committee with a summary of the UK valuations in relation to that?

**CHAIR**—Absolutely; all that stuff.

**Mr BRUCE SCOTT**—In relation to? I have got no—

**Mr Pickering**—Electronic voting, telephone voting. They did a number of trials.

**CHAIR**—I am interested in anything that is out there, that is in existence, that has been trialled or whatever. Certainly, I think everyone on the committee wants to improve the franchise and the ability for people to register their preference but in a way that has got integrity, that retains the secrecy of the vote, I would have thought.

**Mr Pickering**—And we believe there is also a report in existence in relation to the Estonian electronic voting election, so we will find that and forward it to the committee.

**CHAIR**—I think the thing that needs to be put on the record is that the British way of voting is a little bit different in terms of their eligibility to vote certain ways. To run around and pull out a particular system does not recognise the fact that the old Brits do not have pre-poll voting. We have a number of options. I just want to put that on the record in case—

**Mr Dacey**—That does not recognise the fact that we have preferential as well and first past the post.

**CHAIR**—And all that sort of stuff. The more we get, the better informed we will be. I just want to ask a few questions before we move on, and then I have to talk to some of my colleagues who have to leave. I am interested, going back to the electronic voting, if you could establish counting centres overseas to count postal votes and transmit results to Australia. Would that make a difference?

**Mr Orr**—If we did do that—

**Mr Dacey**—Allegedly. You would probably need to look at the law and change the law to be able to do that.

**CHAIR**—Yes.

**Mr Dacey**—Yes, you could count, particularly at the larger posts, like the Londons and Hong Kongs and whatever. It would certainly speed up some of the processing.

**CHAIR**—I am not necessarily talking about them, even. I am talking about defence—for example, if we changed things over there and had allocated officers performing certain duties. I am just trying to think outside the box.

**Mr Dacey**—Yes. There would certainly be a logistics and training issue internally. Because they would not in the main be ordinary votes—they would be declaration votes—there would have to be training through scrutineers and those sorts of people. I am not trying to throw up barriers, but anything is possible, I guess, within bounds.

**CHAIR**—But what about that position? In a large place like London or Hong Kong, would it be of benefit to make those areas centres where you are able to count and then transmit the votes?

**Mr Pickering**—Would there be an issue in relation to scrutineers being able to be present?

**CHAIR**—Well, I assume the parties would be advised and would be given opportunities. In London—

**Mr Dacey**—But the parties are there in London anyway.

**CHAIR**—They are there in London. I am just looking at options to overcome—

**Mr Dacey**—The difficulty is, because in the main they would be declaration votes, having the systems in place to be able to check back their entitlement against the roll before those votes were opened.

**CHAIR**—That is okay. They are the things I would like us to know. I am just floating a view.

**Mr Dacey**—I am not saying it is impossible, but it would be probably more difficult than—

**CHAIR**—And do not assume it is necessary. I am just testing some propositions. In your submissions you do note the success of electronic voting trials for the visually impaired and defence personnel overseas. I am just wondering, if we do recommend and support electronic voting for these groups over the longer term, what the resource implications are for the commission. It can only go up, can it not, in terms of cost?

**Mr Orr**—I guess there are a range of costs. If it becomes implemented on an ongoing basis, we would be looking at getting licence arrangements. After the software was established for the next elections, we would enter into licence arrangements, which would lower the costs, I would expect, for subsequent elections in that area. In terms of the blind and vision impaired voting, of course, there are a range of fixed costs which will always apply, and that will be the physical equipment, the transport of that equipment, the training of staff and things such as that. So there will be costs that will go up—inflation, et cetera—and it also depends on the expansion. At the last election there were only 29 locations. There is a cost for each additional site that may be used, and if we expanded it to include, for example, languages as opposed to English for instructional purposes there would be some costs initially. However, once again, that would be part of the development. That would not be passed on at subsequent elections.

**CHAIR**—Have there been any discussions or indications as to how many extra places in terms of blind voting we might need to look at? Paul, can I just get you—

**Mr Orr**—It is probably small—not that many more probably, but—

**CHAIR**—Perhaps you can come back to us on that. I am just interested in whether you have already formed a view that, if we want to recommend this, we can also recommend a modest expansion, and it is on the record as to where we are looking at. Obviously, if you have been in contact with various organisations and they say, 'Look, this is no good,' we do not need to

continue with this. But, if we continued with this one, who is to say the current 29 should be continued?

**Mr Dacey**—We will get back to you.

**CHAIR**—If you cannot, you cannot. I just want to be in a position—

**Mr Dacey**—No, we will have a look at it.

**CHAIR**—to indicate to the government that we have a view that, yes, people want this to be maintained.

**Mr Orr**—Just one comment, Chair, if I could, and that is that at the demonstration before we talked one of the options for the future was expanding it to people who are on a trip or who speak other languages. Mr Dacey mentioned earlier that south-west Sydney had the top 10 highest level of informality.

**CHAIR**—I have a way to get rid of at least 20 per cent of that informality.

**Mr Orr**—The combination of electronic voting in terms of expanding the application with possible languages has the impact of at least the voter knowing that they may be about to cast an informal vote.

**CHAIR**—That was going to be my next question—whether there is a natural limit to extending it across the community.

**Mr Dacey**—I guess the natural limit is the limit of funds.

**CHAIR**—Yes, that is exactly it.

**Mr Dacey**—It just gets to the stage where it would not be effective.

**CHAIR**—I know that in the previous government there were recommendations in terms of the informality where there was an attempt to educate and advertise, and there were some positive results.

**Mr BRUCE SCOTT**—I have a question about that. We may have in our offices registered postal voters on an electorate-by-electorate basis. I notice you have a list there. I do not think it is in there. I am not sure of the day, but would it be possible just to provide it?

**Mr Dacey**—The numbers of registered postal voters by electorate?

**Mr BRUCE SCOTT**—Yes.

**Mr Dacey**—We could do that, yes.

**Mr BRUCE SCOTT**—Not now but after, if you wouldn't mind.

**Mr Orr**—It is by state only at the moment in the submissions, I think.

**Mr Dacey**—In the submission you have it.

**Mr BRUCE SCOTT**—We have it by state there.

**Mr Dacey**—I have it by state.

**Mr BRUCE SCOTT**—No, you had it by division.

**Mr Dacey**—Sorry, by division. Yes, I have it by division.

**Mr BRUCE SCOTT**—We may have it in our offices, and I have lost the material, but I would be interested to follow this through.

**CHAIR**—What about the greater use of magnifiers? Are you happy for that in Electoral Commission offices?

**Mr Orr**—There is a practical issue, and that is that at election times, whilst there are pre-poll voting centres often off-site from the divisional office, people still come to those offices. When we site the pre-poll voting centre it is looked at for accessibility et cetera. Many of our offices now have relatively small voting areas with a potential in their foyer areas, and to establish a closed circuit or a magnifying machine does take a little bit of space because of the positioning of that.

**CHAIR**—I am not suggesting it go in every office. What I am suggesting is that if you survey your offices and at least give us an indication—

**Mr Dacey**—If the office is capable of—

**CHAIR**—Not just capable.

**Mr Dacey**—deploying that equipment size-wise, I imagine?

**CHAIR**—Size-wise, but if it is an area of need. Not every office is going to need it. You are developing your contacts. All I am saying is that, if we can get an indication, we can work it out.

**Mr Orr**—Can I just comment that the number of GPVs by division is actually in submission No. 2 from the AEC, annex 3.

**CHAIR**—Annex 3?

**Mr Orr**—GPVs by division is in submission 2 of the AEC. So you will have that in your documentation.

**CHAIR**—Which one?

**Mr BRUCE SCOTT**—If you would not mind just resending it?

**Mr Orr**—The secretariat has it here. That is okay.

**CHAIR**—I just want to get a few things on the record. If electronic voting is supported into the future, is it your view that the AEC is well positioned to manage your service delivery?

**Mr Dacey**—Subject to funding, yes.

**CHAIR**—Subject to funding. So, in effect—

**Mr Dacey**—Yes.

**CHAIR**—the funding is the problem for you?

**Mr Dacey**—And subject to the timeliness. I think Ms Birkenhead was saying this morning that, if we have to go to an open tender process, we need quite a bit of lead time before an event before we can get something out.

**CHAIR**—That is why we are, if we are going to make recommendations, trying to quantify what we are looking at. In terms of the government and funding, it is all interlinked. That is why I am asking those questions.

**Mr SULLIVAN**—There were 29 vision impaired sites at the most recent election. If there were to be 33 at the next, would that require you to go to open tender for the process?

**Mr Orr**—The need for tender is not tied up with the number of locations; it is tied up with the actual software. Because it was a once-off, no licences were bought for the software. It was a once-off thing and it was for a trial. If it was to become an ongoing process, in accordance with the procurement guidelines, we would probably have to go to an open tender.

**Mr Dacey**—So whether we had 15 or 35, it does not matter—

**Mr Orr**—That is an administrative overhead to manage that.

**Mr Dacey**—we would still need to go to an open tender.

**Mr Orr**—It is the system itself where the tenders are involved.

**Mr SULLIVAN**—So if we went to another trial that increased the last trial by four, till we have trialled 150. Okay, I understand. Thank you.

**CHAIR**—I am just interested if you can foresee any changes that would be made to the electronic voting systems if they were continued in terms of—

**Mr Dacey**—I think Mr Orr and Ms Birkenhead flagged the possibility of languages, translations, for example.

**CHAIR**—Yes.

**Mr Orr**—Yes, there is the issue I guess Mr Scott raised today where. We had the referendum wording. In terms of our reviews of the voting process at the last election it raised a number of issues. Some of those related to the legislation that was in place, and we have some comments in our submissions or in the review process about that. In terms of the actual systems themselves—

**Ms Birkenhead**—If sighted voters were allowed to use the system we would have it so that they could choose not to print out in a barcode but print out their actual ballot paper so they can see it, but otherwise we probably would not change the blind system that much. With the Defence system we really only want to go to electronic distribution of PINs and registration to save that three-week paper trail backwards and forwards to Europe.

**CHAIR**—Back to the general postal voters, at the moment there is a restriction as to how far they live from a polling place. Do you see any advantages with tinkering with that?

**Mr Dacey**—We have looked at Queensland, where it is 15 kilometres rather than 20 kilometres. Interestingly, there are 38,000 GPVs in Queensland and only 70 of those are outside 15 kilometres, between 15 and 20.

**CHAIR**—In other words, they have already done the deed?

**Mr Dacey**—They have done it, yes. So between 15 and 20 does not seem to make a great difference when it is 70 over 38,000.

**CHAIR**—No. But I am interested in that figure so that we can put it in a report.

**Mr Dacey**—For example—Mr Scott has gone—there are 4,219 GPVs in Maranoa and only 33 of those meet the 15-kilometre rule; the rest meet the 20-kilometre rule. So it is 33 out of 4,200. It is very small.

**CHAIR**—So there is nothing else that needs to be looked at?

**Mr SULLIVAN**—Mr Chairman, in postal voters generally, not just the registered ones, health reasons are a reason why somebody can apply for a postal vote, but that is not broken down in any way, is it?

**Mr Orr**—We do not know.

**Mr SULLIVAN**—In the context of—

**Mr Dacey**—For approaching maternity or caring for someone.

**Mr SULLIVAN**—In the context of what is an expensive system of proceeding voting opportunities for vision impaired people or blind people, what would be required to actually have a tick box on the postal vote application form that mentions vision impairment? That would require a change of legislation, would it not?

**Mr Orr**—Yes. In the postal sense what would that achieve, Mr Sullivan? I am not quite sure.

**Mr SULLIVAN**—It would start to tell you the number of blind people who were actually voting. I know I have two on Bribie Island who live within a couple of kilometres of a polling booth who get a postal vote because they are blind. Somebody can come and help them. They do not necessarily have to go and do that. But I also know in the hospitals and the nursing homes elderly people actually like to be involved in the process of going to the polling booth and casting their vote. They feel that they have participated in the election, whereas a postal vote does not feel like they are participating, and I am just wondering how many vision impaired people might use a system were it there and more general and get to feel like they are participating.

**Mr BRUCE SCOTT**—Can I speak quickly, Mr Chair?

**Mr Dacey**—That raises issues of privacy, but it is something we can have a look at.

**CHAIR**—Yes.

**Mr BRUCE SCOTT**—It could be the numbers here. I notice the general postal voters in Maranoa. They would be the registered postal voters?

**CHAIR**—What page?

**Mr BRUCE SCOTT**—This is at page 33 in the—

**Mr SULLIVAN**—We just said the number while you were out of the room.

**Mr BRUCE SCOTT**—Yes. But I think that in the last election or, if not, the one before there were something like 10,000 to 12,000 people in Maranoa who voted postal. You get an enormous influx of people going away for holidays and all that sort of thing. The question really is, whether it is that or any other seat: of the number of postal votes registered and issued, do you have any figures as to how many were returned? Do we get a good return of them or not?

**CHAIR**—It is usually around the 90 per cent mark.

**Mr Orr**—You have got it.

**Mr BRUCE SCOTT**—Yes, we do somewhere.

**CHAIR**—I would have to check it. There are some figures here we have got in one of these supplementaries.

**Mr BRUCE SCOTT**—It is just a general question.

**CHAIR**—It is usually around the 90 per cent mark, but 36 was the late—

**Mr BRUCE SCOTT**—Yes, but that is the ones that were received late. This is those that have—

**Mr Dacey**—Having a returned—

**Mr BRUCE SCOTT**—In other words, it becomes an informal vote. They really end up as an informal vote.

**Ms Birkenhead**—Not returned.

**Mr Dacey**—No, not returned.

**Mr BRUCE SCOTT**—How do they show on the returns of every particular division?

**Mr Orr**—They could not return their postal vote. If they vote by post they are a non-voter. Often people who might return a postal vote might vote by other means. So the fact—

**Ms Davis**—They might actually turn up to the polling booth. They change their mind.

**Mr Orr**—So the fact that there is a gap does not mean they did not actually vote. There is always a group of those people who do not return it who vote.

**Mr Dacey**—Or they could have gone into town.

**Mr BRUCE SCOTT**—It would be a very hard figure to really find.

**Mr Dacey**—They could have into town the week before and had a pre-poll vote, for example.

**Mr BRUCE SCOTT**—Okay. Yes, it looks like we have got a fair number. I think we have 10,000 or 12,000—

**Mr Orr**—Yes, that number rings a bell.

**Mr BRUCE SCOTT**—with 14,000 one year.

**CHAIR**—The supplementary submission on 16 October, where you have got rejected postal votes cast or received late, cast late, received late, there are a lot of zeros there. I just assume that the other number, just incorporating those, is by the divisional returning officer?

**Mr Orr**—How those numbers have come about is that in our system where rejected declaration votes are processed they are required to record the reason why they were rejected—

**CHAIR**—Yes.

**Mr Orr**—because there is a letter which then matches that type of rejection code that is then sent to that person. There are about 30 different types of rejection codes. So the operator is

required to select the reason for rejection. So where there are some zeros there and others, it may be they have not been clearly defined in how they have interpreted that.

**CHAIR**—There are an awful lot of zeros—

**Mr Orr**—That is right.

**CHAIR**—in a lot of divisions. I am not being critical. It just seems to me that the only explanation I can offer is that in some of the divisional offices they just put them into either ‘cast late’ or ‘received late’.

**Mr Orr**—To me it looks like that could have happened, yes.

**Mr Dacey**—It could; it is possible.

**CHAIR**—I am not critical. I just want to try to get an explanation.

**Mr Orr**—It is unusual to have that breakdown.

**CHAIR**—Very few have broken them up into ‘cast late’ or ‘received’. I think it is six of one and half a dozen of the other.

If there are no further questions, I thank you all for your attendance and the evidence that you have given. As usual, it is of the highest standard. I will now adjourn very briefly and we will get the Australian Electoral Officer for the Northern Territory.

**Proceedings suspended from 11.47 am to 11.57 am**

**DACEY, Mr Paul, Acting Electoral Commissioner, Australian Electoral Commission****DAVIS, Ms Barbara, First Assistant Commissioner Business Support, Australian Electoral Commission****LOGANATHAN, Mr Iain, Australian Electoral Officer/State Manager for the Northern Territory, Australian Electoral Commission**

**CHAIR**—I welcome the Australian Electoral Officer for the Northern Territory to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. While we have received a submission from the Australian Electoral Commission, it does not directly deal with the conduct of elections in the Northern Territory. If you want to present anything additional by way of a submission, you can, or if you wish to make an opening statement, please feel free to do so.

**Mr Loganathan**—I would like to make an opening statement. In doing so, I provide an overview of the election from the Northern Territory perspective. Also, I will just discuss some of the enrolment and election initiatives, as well as the AEC's internal remote area strategy NACARAS, which stands for Northern and Central Australia Remote Area Strategy, and provide some general thoughts about serving Indigenous electors in the Territory.

In relation to enrolment, as at 1 January 2007, there were 109,907 electors on the NT roll. As at the close of rolls, there were 118,045, an increase of 8,138 or 7.4 per cent of the electoral roll. Throughout 2007, the NT office processed close to 39,000 enrolment forms in a jurisdiction of only 118,000 electors. This represents 33 per cent of the electoral roll, demonstrating the transient nature of the NT. Just in relation to some of the enrolment stimulation activities that we did in the Territory, we attended all the defence, police, teachers and nurses' expos, traditionally transient professions in the Territory; we faxed out enrolment forms to all pastoral stations; we sent out enrolment forms to transient addresses in the Territory, like units, townhouses, PO boxes, as well as to any property that had sold within the last 12 months.

Under the TES program that was outlined in submission 1, the NT doorknocked 5,579 addresses, as well as visiting 83 Indigenous communities collecting 912 enrolment forms, of which 325 were new, and confirming the elector status of a further 11,154 electors. Commencing in July for some three months, under the Community Education and Information Officer, CEIO, program, field officers travelled to 140 remote communities conducting 302 electoral information sessions, collecting 859 enrolment forms, of which 325 were new, and confirming the status of a further 13,254 electors.

With the recent Territory and local government election, the roll continues to grow in the Territory, with currently close to 121,000 electors. The roll has grown about 2,000 since the federal election. The turnout rate in the Territory was 86.53 per cent compared to the national average of 94.8 per cent. In the division of Solomon, it was 92 per cent and in Lingiari it was 81 per cent. In relation to remote mobile polling, the Northern Territory had 20 teams, each of about three or four staff, that over 12 days polled 255 remote locations, 211 of which were Indigenous

communities. They travelled to these areas by four-wheel drive, planes or helicopters. Remote mobile polling teams collected 16,334 votes, comprising 14,448 ordinary votes, 346 provisional votes, 736 interstate votes and 403 absent votes. Voter turnout for communities that were mobile polled was 59 per cent. This does not include remote electors that voted by post, pre-poll or at a static polling place. Even taking this into account, voter turnout in remote areas is significantly below the national average of 95 per cent. For the entire division of Lingiari, voter participation was 81.2 per cent, a 3.5 per cent increase from the 2004 election. The informality rate for votes collected at remote mobile polling was 8.76 per cent for the House of Representatives. This compares to the national average of 3.9 per cent, and the total NT average of 3.8 per cent. At communities that were mobile polled, 172 local Aboriginal interpreters were employed to assist Indigenous electors. Some 2,553 electors that were mobile polled sought assistance from AEC officers to cast their vote, and a further 996 sought assistance from a third party to help them cast their vote.

An initiative that we trialled this year was the production of a DVD that was translated into 12 Indigenous languages, plus a simple English version that explained to electors how to cast a formal vote. This DVD was played at all remote Indigenous communities using a portable DVD player at the entrance to polling places. Despite these initiatives to try to decrease informal voting rates in remote areas, the informal rate actually increased by 1.8 per cent in comparison to the 2004 election. It is disappointing that while the overall informal rate in the NT decreased by 0.6 per cent to 3.85 per cent, which was below the national average, in remote areas informal voting rates actually increased.

Elector participation in remote parts of the Territory can be summarised generally by this statement: if you live in a remote part of Northern Territory, you are almost half as likely to vote as an elector living in an urban area, and if you do vote, you are twice as likely to vote informally. The following are other comments in relation to the 2007 election. Declaration voting in the NT continued the national trend, with 30,114 declaration votes representing a 23 per cent increase from 2004. For the first time we offered pre-poll voting services at airports in Darwin and Alice Springs, and we collected 408 votes through this service. With respect to the ADF trial, the base in the division of Solomon collected 304 overseas soldiers' votes. Some 17 visually impaired electors utilised the electronic voting machines and voted in Darwin and Alice Springs.

The committee has asked that I provide a bit of a brief about NACARAS which is an internal strategy looking at remote areas. The strategy is made up of Northern Territory, Western Australia, Queensland, South Australia and New South Wales and aims to improve the delivery of electoral services to remote electors. The strategy in 2007 focused on a broad range of issues, including enrolment, remote polling and public awareness. I will talk briefly about some of the outcomes from that strategy, and I will refer to national figures. In terms of remote polling, nationally we collected 20,362 votes, an increase of 2,110 in comparison to 2004. Remote polling was expanded to include the divisions of Kennedy, Calare and Farrer.

Cross-border polling was expanded at this election as well, with NT teams polling 13 communities in the AP lands in South Australia, Western Australia polling two communities close to the Western Australia-NT border, and Queensland polling one community close to the Queensland-NT border. For the first time all remote mobile polling teams offered interstate voting facilities. This was trialled with four teams in the NT for the 2007 election and expanded

to all remote polling teams in 2007. A total of 817 votes were collected through the provision of this service. Incorporated in remote mobile polling schedules was the capacity to service sick or infirm electors who resided in remote communities who were physically unable to present themselves at a polling place. Some 60 votes were collected through the provision of this service. The CEIO program employed 18 officers for approximately three months. These staff travelled to 287 communities, collected 1,170 enrolment forms and confirmed the status of a further 14,270 electors. A total of \$0.5 million was allocated towards this program, which was double the 2004 allocation.

In terms of public awareness, a number of electoral ads were translated into seven main Indigenous languages for press and radio. For the first time, TV ads were run in remote areas to inform remote electors that remote mobile polling had begun. The total expenditure for media placement of Indigenous pre-enrolment and election advertising in 2007 was \$404,000. As previously discussed, a DVD was translated into 12 Indigenous languages plus a simple English version. This resource was utilised by undertaking electoral awareness sessions with Indigenous organisations and communities. It was used to emphasise the formality message.

I have some general thoughts in relation to Indigenous electors. In relation to POI and Indigenous electors, in the NT 25,000 enrolled electors updated their enrolment between POI and close of rolls. Some 86 per cent of these electors provided a drivers licence, 8.4 per cent under tier 2 and 5.6 per cent under the witnessing provisions of tier 3. The national average for tier 3 was 1.4 per cent and in the Territory it was 5.6 per cent. The vast majority of electors meeting their POI requirement using tier 3 were in remote and rural areas, and they were mainly Indigenous electors. A common practice when undertaking any business in remote areas is to recruit the services of a local community liaison officer. Following the introduction of POI, field practices were amended to recruit two community liaison officers when undertaking enrolment stimulation activities in remote communities. It ensured that, if eligible Indigenous electors did not have the documentation to meet their POI requirement under tier 1 or tier 2, it could be met under tier 3.

The following are some general thoughts in relation to communicating with Indigenous electors. Mainstream CRU in terms of mail is largely ineffective dealing with Indigenous communities. Face-to-face communication is required to build up trust and that relationship to get them on board in relation to dealing with these issues of low participation and high informality. There is a requirement to involve communities in these decisions and liaise with and talk to them. They really have to be part of the solution and take ownership of part of this problem if we are really going to see some significant increases in turnout and formality.

I would like to talk briefly about the case of Wadeye. Wadeye is the sixth largest town in the Territory. It has a population of 2,500, of whom 1,044 are on the electoral roll. Wadeye is made up of 20 tribal groups living on the traditional lands of one clan group. In the 2001 election, we collected 424 enrolment forms out of a roll of 800. After the election we met with the council to discuss why the turnout was low. Part of the response we got back was that we polled in one location, at the school, which is on the traditional land of that one clan. Other clan members were reluctant to go into that land as they were uncomfortable in doing it. In speaking to the community and to the elders, we came up with a regime, rather than just polling at the school, of polling at seven locations around that one community. We did that in 2004 and we had a marginal increase of 507 electors.

**CHAIR**—Out of 800 still?

**Mr Loganathan**—I do not have the figure with me, but it was slightly higher than 800. In 2007, there were 1,044 electors on the roll, and we changed our program after meeting with the council to polling at these seven community areas, and what they were telling us was that a lot of the electors were around or moving and they missed out on voting. So what we needed to do was travel around the communities and still provide another service at the council office once that was done. This was trialled in 2007 and we collected 770 votes—

**CHAIR**—Out of 1,044?

**Mr Loganathan**—Out of 1,044. I raise this scenario for a couple of reasons. The first is we have done a lot of work at Wadeye. We have invested a lot of time and money, and still we are at a voter participation rate of around 75 per cent, which is still 20 per cent below the national average. The other thing is we try to use the Wadeye example and incorporate it in other large Indigenous communities, thinking that, if we can have a 20 to 30 per cent increase here, why can't we do it elsewhere? We tried that at Borroloola and a couple of other communities, and it was largely ineffectual. It really makes it quite clear that these problems that arise in communities about voter turnout participation are all different. There is no one solution that is the panacea to all these problems. We had to work with each community on an individual basis to try to understand the issues, to gain their trust and, like I said before, just to get them involved in implementing solutions that will hopefully improve turnout rates in the future. That is all I have for my opening statement.

**CHAIR**—Just picking up on what you have said, I suppose the thing I discovered when I was shadow minister for Aboriginal affairs was the actual diversity in the communities and the diversity within the states and territories, which your evidence shows. One size does not fit all.

**Mr Loganathan**—Absolutely, and dealing with communities in Central Australia is very different from dealing with communities in the Top End.

**CHAIR**—In terms of what you need to do, it will vary from community to community, to not just get them on the rolls but to ensure that you get a large vote, depending on the time of the year that it is and depending on whether there has been a death in the community. Is that fair to say?

**Mr Loganathan**—It is. What we are trying to do, in terms of sorry business and dealing with deaths, is to build links with senior community members. We have found that, just because there is death, it does not mean that mobile polling does not occur—it just means that you have to be sensitive. There are certain areas that you cannot go to, but our mobile polling is designed in such a way that the reason we try to drive wherever we possibly can is to give us that flexibility in the schedule to try to incorporate these things that will arise from time to time so that people are not disfranchised.

**CHAIR**—We received a supplementary submission which has been published today from the commission, dated 13 October, and I do not know whether you have seen that.

**Mr Loganathan**—Yes, I have.

**CHAIR**—It is primarily in relation to the Indigenous issue. I just wonder if there is anything that is Northern Territory specific that you might suggest could also be done to improve both enrolment and turnout, apart from obviously the necessary resources for you to do your job. When we look at the table we have been given, Lingiari has the largest Indigenous population in terms of electorates, with 43.53 per cent, and Solomon is the sixth largest in the country.

**Mr Dacey**—When we were developing the paper that you released this morning, and particularly under the heading ‘Structure and resourcing for a similar future program’, we certainly tapped well into Mr Loganathan’s expertise and knowledge.

**CHAIR**—Yes. It is a very impressive submission.

**Mr Dacey**—While we were not Northern Territory specific, I think the issues we have talked about in what a future program could look like would be all there, unless Iain had something extra, but he was certainly heavily involved in the development of the paper.

**CHAIR**—Okay. That is obvious. As you know, I have had an interest in this going back to the early nineties, when the program was removed.

**Mr Dacey**—One comment I would make on it is that we found it difficult to come up with any absolute costing because, as the paper points out, there is no point in having a program or implementing a new program unless you have had extensive consultation with the community, and we would need to do that as a first step which would guide us towards what sorts of things we would need to implement and also guide the costing.

**CHAIR**—The strategy for Kalgoorlie, Leichhardt, Kennedy and Parkes, which are in the top bracket at 2 to 5, would be different, I would imagine, to that of the Northern Territory.

**Mr Dacey**—That’s right, and the strategies in urban Sydney and urban Brisbane could very well be different.

**CHAIR**—There is a recognition of that. I am just interested as to where the commission is at in terms of Indigenous people who work within the commission. It is all right to work with members of the community.

**Mr Dacey**—I guess our best example is sitting beside me at the moment, with the Northern Territory, in terms of Iain’s office and the people that Iain employs. Perhaps Iain could answer that from the Darwin office point of view.

**Mr Loganathan**—We have an office of 10 people, of whom two are Indigenous. We also have an Indigenous cadet who is doing a university degree that is sponsored through our office. In terms of remote mobile polling, we employed 52 staff to go on remote mobile polling, of whom 15 per cent were Indigenous. As I said, in terms of when we did remote mobile polling, we hired 172 local Indigenous people to provide us liaison services and interpreter skills when we were there.

**Mr SULLIVAN**—Thank you for coming to see us today. The Lingiari voter turnout in the context of how I would view an election in a local area—some local area—is very low, given

that there was really a serious policy debate going on about what was happening predominately in Lingiari. There was an actual encouragement, if you like, from what the government was doing versus what the opposition at the time might have been inclined to do. That sort of tends to suggest to me that voter turnout would be strong. It was not. What do you believe underlies that low propensity, I guess, for Indigenous Australians living in remote areas to actually involve themselves in the process, given that, through your good works probably, they got themselves enrolled?

**Mr Loganathan**—I cannot comment on anything specifically to do in relation to the intervention. What I can say is that, historically, if you look at Lingiari, the highest turnout that we have had was in the 1998 election when we had the Territory referendum. In that election we had a significant number of other parties such as land councils and other entities who were out there and really encouraging participation in the election.

**Mr SULLIVAN**—That was not the case in terms of the particular policy issue that existed this time?

**Mr Loganathan**—I was not in the Territory in 1998, so it is probably difficult for me to do a comparison, but there did not seem to be a great deal of third-party—

**CHAIR**—I think both sides purportedly supported the intervention, so there was no advantage in Indigenous people coming out and supporting one over the other.

**Mr SULLIVAN**—There was intervention and intervention-lite, wasn't there?

**Mr Dacey**—I guess if there was more ongoing education and awareness in those sorts of communities rather than the more ad hoc education and awareness that we have at the moment, which of course requires additional funds, there is the possibility of more engagement and more ongoing engagement.

**CHAIR**—But your submission basically says that at page 5, that it must continue to involve regular contact—

**Mr Dacey**—That is right.

**CHAIR**—and visits to Indigenous communities.

**Mr Dacey**—Having contact once every three years is not as great as having regular contact.

**Mr SULLIVAN**—I take the point that you made earlier on in your presentation about face to face being really the only way to have that contact. It just seems to me that there is a lot of work going on. People got on the roll, but they are not turning up to vote.

**Ms Davis**—I might also draw the parallel to what we are facing with youths generally in terms of disengagement or non-engagement in the electoral process. Probably what we are finding is the Indigenous issue generally might be being compounded by younger people, so it is not simply a matter of Indigenous but it is generally with the youth, as they become an eligible

age, that different things appeal to them than might have appealed to their parents or generations before them. So it is a double barrel that we probably need to tackle.

**Mr SULLIVAN**—Do a video ad for enrolling and voting using the Chooky Dancers.

**CHAIR**—I think the position is that, in terms of the Indigenous population, it is a much younger population than the general community. The truth is that in recent years there has not been a lot of attraction for them to vote for either party. They are a bit more politically active than we give them credit for in some instances. You gave us some statistics in relation to proof of identity, the breakdown of 86 per cent. I am interested as to how many people were unable to get on the roll because they could not satisfy any criteria.

**Mr Loganathan**—I am not aware of any situation where Indigenous electors in remote areas were unable to meet the POI requirement. Like I said, we amended our field practices to meet the requirements of the legislation.

**CHAIR**—We had a discussion with the Electoral Commission on a previous occasion looking at whether we would make some recommendations in relation to what might be required, and I take it from an Indigenous people's point of view that that can only assist in terms of the difficulty in getting them on the roll.

**Mr Dacey**—It would be if you did not meet tier 1, presuming tier 1 stays, and the AEC is supportive of tier 1 staying at the moment. Certainly the process of what we recommended, by having someone else on the roll witness, would be somewhat simpler than the current processes of tiers 2 and 3.

**CHAIR**—Yes, so you have the tier system, and that would make it a bit easier for you. Okay, I do not have anything further. We are under some time constraints, which is not your fault, but to do with members catching planes. Thank you for your attendance today. You will be sent a copy of the transcript and if you want to make any corrections, please feel free to do so. I do appreciate your coming and commend you on the work that you are doing up there. It does require, unlike most other places, a degree of sensitivity, but it shows in what you have achieved in recent times.

**Mr Loganathan**—Thanks for the opportunity to address the committee.

[12.25 pm]

**PICKERING, Mr Tim, First Assistant Secretary, Electoral Operations, Australian Electoral Commission**

**McALLISTER, Mr Ross William, Program Director, Common Services, SOE, Department of Defence**

**MELDRUM, Mr William James, Defence Project Director, Electronic Voting Trial 2007, Department of Defence**

**NEEDHAM, Air Commodore Anthony Vincent, Director-General, Workforce Planning, Department of Defence**

**ROBINSON, Group Captain Geoffrey Dean, Acting Director-General, Headquarters Joint Operations Command, Department of Defence**

**CHAIR**—I welcome representatives from the Department of Defence to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. We have received a written submission in relation to the trial. Do you wish to present any other material or make an opening statement to the committee?

**Air Cdre Needham**—I would like to make an opening statement. From mid-June 2007 I was the co-chair of the joint AEC-Defence project board for the electronic voting trial. From 5 to 24 November 2007 the Australian Electoral Commission and Defence successfully trialled the first ever, remote electronic voting trial for ADF personnel deployed overseas in Iraq, Afghanistan, the Solomon Islands and Timor-Leste. Of approximately 2,012 personnel who were registered for the trial, 1,511 successfully voted electronically. The scope of the trial was restricted to those ADF personnel who had access to the Defence restricted network and who would be serving in Afghanistan, Iraq, Timor-Leste and the Solomon Islands at the time of the election. The trial specifically excluded Navy ships due to bandwidth and connectivity of constraints.

The Electoral and Referendum Legislation Amendment Act 2007, which became law in March 2007, enabled the conduct of the trial for the 2007 elections only and provided general voter status for ADF personnel serving overseas. Voting contingency arrangements were also implemented. Personnel were sent a postal vote in the event that they were unable to access the electronic voting system and provision was made for voting at Australian embassies in the event that it was required. Cooperation between Defence and the Australian Electoral Commission was excellent, with both project teams and ICT personnel working untiringly to make this trial a success. The value of this close collaboration cannot be overstated.

Defence views an integrated project team approach as integral to the success of any future electronic voting initiatives. Defence considers the trial to be a significant achievement given the tight implementation schedule and the complexity of conducting the trial in a military operational environment with long and sometimes difficult lines of communication. The trial

demonstrated that remote electronic voting for personnel deployed overseas can provide a convenient, reliable and secure method of voting in a federal election. Individual voter feedback also indicated a high level of satisfaction with the level of service provided by remote electronic voting.

Technical challenges in hosting electronic voting on the defence restricted network were experienced initially, which placed the trial at risk. Some very innovative work by members of Defence Information Group produced an excellent technical solution that worked well and enabled the trial to be conducted successfully. Defence was recognised for this innovative use of ICT as a finalist in the 2008 Excellence in eGovernment awards administered by the Australian Government Information Management Office, Department of Finance and Deregulation.

Considerable management and technical resources, especially from joint task forces, within areas of operation, were required to implement the trial, especially with respect to the set-up and testing of the ICT infrastructure within the operational environment. Further requirements arose due to a paper based registration and authentication process for ADF members participating in the trial. ADF members needed to fill in a paper based registration form. The distribution of paper based personal identification numbers via the postal system was necessary to access the electronic voting system.

This reliance upon paper based mechanisms to support electronic voting had unintended impacts and caused a significant workload for people in operational headquarters in Australia and in the areas of operation. The main tasks involved were to confirm registration of deployed ADF members for the trial and to ensure the distribution of envelopes containing PINs in the areas of operation. The need for redundant processes via GPV ballots in the event of technical failure further increased the administrative workload on task force personnel. The paper based registration systems for electronic voting and for the GPV had similar administrative requirements for voter registration and the distribution of enabling information to the voter by mail. That said, it is recognised that the distribution of postal votes in areas of operation would have been a normal federal election requirement.

Defence welcomed the revised arrangements at the last federal election to extend general postal voter status to deployed ADF members as a significant positive step. In the event that electronic voting is unavailable in the future, Defence believes that the further streamlining of the GPV registration process for deployed ADF members, including refining the methodology for the distribution and return of ballot papers, has the potential to further reduce the impact of logistic delays. Defence views the joint electronic voting trial with the AEC as a success. The trial proved that an electronic voting capability can be provided. A key lesson was that the reliance on paper based mechanisms can create an unintentional additional administrative workload in the operational environment.

Finally, Defence requests that the JSCEM note that the trial did not establish a permanent capability for the electronic voting for future elections. The electronic voting information system was decommissioned after the trial. Prior to participating in any future electronic voting capability, Defence would need sufficient time to undertake a full assessment of the costs and benefits in acquiring and sustaining such a capability. Nevertheless, some very valuable lessons were gained from this trial, and these will inform Defence's participation in any future electronic voting initiative.

**CHAIR**—Thanks very much for that opening statement. I want to take you to the issue of general postal votes and what streamlining might occur. I want to look at this from a devil's advocate point of view and work out what is the best system, the most cost effective system that does not disqualify people from participating in what is a very important process. It is a trial and we are going to have to make the recommendation in terms of whether it should continue. Obviously it will be based on the evidence we get from you in particular, more so, quite frankly, than the Electoral Commission, whom we love dearly. You are in the field and, quite frankly, I am more interested in Defence's view on some of this stuff as it affects your operational matters and things like that rather than something that is nice and sexy but is causing you some problems. As to the general postal voter stuff, how might that be refined to make it more attractive and effective as an alternative to electronic postal voting?

**Air Cdre Needham**—The main theme for us in all of this was the reliance on mail systems. Mail systems into various areas of operation sometimes have long delays involved with getting mail to various places because of their dispersed and remote natures, so reliance on mail for sending things into AOs and coming out again should be avoided where possible. Also, because of the peak activity the election causes, that can cause an extra load on the staff filling the headquarter roles in those various areas and in Australia, because there is a lot of coordination that has to go on from headquarters in Australia to coordinate efforts in the field. So any streamlining should be such that it avoids the use of mail systems. If we can use methods such as, say, scanning and emailing out information, such as registration information or—

**CHAIR**—The registration stuff I think can be overcome by provisions which, if you are serving overseas or are overseas, basically automatically give you the right to a postal vote like a registered postal vote, so that you do not have to apply. You can do away with that through some arrangements that give you that as of right, which would require some cooperation with Defence in terms of supplying names to the Electoral Commission or whatever. I think we could do away with having to apply for stuff if people who fall in a certain category can be deemed to be not having to make an application. Is that fair, Mr Pickering?

**Mr Pickering**—Yes, Chair.

**CHAIR**—Would it require much refinement in the arrangements for existing registered postal voters? It is a different list, because it is a floating list.

**Mr Pickering**—It would require a different way of processing the registration. If we were to obtain a list of defence personnel who are overseas at a particular time and then deeming them to be registered for general postal voters, that would be an alternative. It is a different procedure from the way of individually applying now.

**CHAIR**—It is also one that could apply to Federal Police who are serving in the Solomon Islands, and overseas personnel—

**Mr Pickering**—Yes.

**CHAIR**—putting them in a special category to which, in my view, they are entitled.

**Mr Pickering**—That is right.

**Air Cdre Needham**—Would that avoid sending out information to them in the mail?

**CHAIR**—That is the next phase we will come to.

**Air Cdre Needham**—Because they register, and information is then sent to them.

**CHAIR**—They are going to have to get their ballot papers in some way, and that is the next part. Then they are going to have to be transmitted or whatever, so one step at a time. We could form a special category. I am just going as an alternative to the electronic voting, and you have to know who those people are anyway if they are to get an electronic vote. You have to fill out stuff for a PIN and all that sort of stuff. What is the next phase, Mr Pickering, that needs to be looked at? Getting them ballot papers?

**Mr Pickering**—The next phase is the despatch of the postal voting certificate, the ballot papers and the voting information.

**CHAIR**—That is the envelope.

**Mr Pickering**—The postal voting pack: the envelope, instructions on how to complete the ballot paper and the ballot papers.

**CHAIR**—Can that be done electronically?

**Mr Pickering**—Everything can be done electronically these days.

**CHAIR**—I am talking about safety. How do you disperse ballot papers to your outlying divisional officers?

**Mr Pickering**—We have explained to the committee before our process for sending ballot papers across to our overseas posts. We actually put that on the DFAT intranet and they are able to download images of ballot papers, print them off onsite and hand them to electors abroad. That process could be duplicated in a model that you are proposing.

**Air Cdre Needham**—Could I just ask Group Captain Geoff Robinson, from our headquarters, to join us?

**CHAIR**—He can come and sit at the table. We'll promote him!

**Air Cdre Needham**—I guess the issue of how we distribute stuff would fall a lot into Geoff's bailiwick as he comes from the headquarters joint operation command which all of the joint task force work for out in the areas of operation.

**CHAIR**—I am just thinking in my head: if there is a registered list, if they have addresses so the commission would know who was where or whatever, and people would be able to access what division they are in, which is what you do anyway, what do we need at the other end from the commission's point of view if there were the transmission of ballot papers in that form?

**Mr Pickering**—It depends on where you are coming from in terms of legislative change. At the moment, change would be required for that part of it, but once they had downloaded the image of the ballot paper and the certificate so that they could sign across that, they would then complete the ballot papers, put them in an envelope supplied by themselves and put that certificate on the front of that envelope or some arrangement close to that. Then we come to the third stage of transmission, that of moving that particular physical envelope containing the ballot papers back to Australia. We then move into another situation involving some of the issues that Air Commodore Needham spoke about before of movement of mail.

**Air Cdre Needham**—It looks like where the most streamlining can happen is at the registration and distribution of information up to actually casting a vote, and in that, I guess, you mentioned that with DFAT you send it out through the restricted net. We have a restricted net, the one used by this trial, that we could possibly duplicate. I will ask Geoff to comment on if we, say, batched those out and sent them out to a headquarters, would that be a way of doing this, and if the headquarters, say, in Iraq or Afghanistan could print off ballot papers and distribute them to members from there, would that be okay?

**Mr Pickering**—An important phase in this is the soldiers knowing what division they are enrolled in. That is not always fully understood. Normally, when they apply to be registered postal voters and the rest of it, they have that confirmation done, so there would need to be a stage along the way of confirming to the personnel in the areas of operation what division they are enrolled in, and then to be able to download the correct ballot paper. We are moving a lot of the reliance of the accuracy of that across from the Electoral Commission to the personnel in the field. Whether that is a good thing or a bad thing, it just adds other risks to that model.

**CHAIR**—We will come back to that. I am not just looking at the positives; I want to look at the negatives as well, both positives and negatives. If we recommend this, we will have to get a consensus amongst us all, if this is a viable alternative. If it is not then do we continue with what we trialled last time? That is all it is about.

**Group Capt. Robinson**—The negative from the operational area as far as printing goes is that if things were sent in electronically, there could be a bit of an impediment to the amount of printing that would be required for a large force. That would be my comment on that one.

**Air Cdre Needham**—Yes, it is a good point. The issue with the last trial was that, because the electronic voting system was paper based registration and we had the backup system of the general postal vote which was paper based, we had two paper based systems.

**CHAIR**—If we could eliminate one?

**Air Cdre Needham**—That would help.

**CHAIR**—Would it help?

**Mr Pickering**—It would reduce the amount of paperwork that is moving to areas of operation. The committee needs to consider if electronic voting continues into the future whether or not a paper based backup is required, or, in the reverse of that, if there is no future electronic

voting for ADF personnel then how can a reversion back to the paper based postal voting system be simplified down to the minimum number of movements of paper around the globe?

**Air Cdre Needham**—That comes back to our main theme in what we were looking to do through this, and that is to minimise the amount of paper, because the movement of paper to areas of operations and it having to be distributed was the main thing that caused workload for those people in the areas of operations that had other distractions. Would you back that up, Geoff?

**Group Capt. Robinson**—Absolutely.

**Mr MORRISON**—What is the alternative to that?

**Air Cdre Needham**—You use whatever electronic means you can, be that email or fax.

**CHAIR**—What we are looking at is that we need a level of paper in terms of the actual ballot paper and we need an envelope, quite frankly, for the integrity or the security of the secret vote. I do not want to do anything other than maintain that integrity, but it is a question of which system.

**Air Cdre Needham**—I am telling you what we aspire to. If there are good reasons why it cannot get there—

**CHAIR**—No, that is fine. I think we can eliminate names by having some legislative change in terms of deeming them the equivalent of registered postal voters, which would then enable a quick list with a quick electorate-type thing.

**Mr MORRISON**—Once a person is a registered postal voter, when you talk about the movement of paper, are you talking about the movement of paper from here to the field or the movement of paper around the area of field operations?

**Air Cdre Needham**—Both.

**Mr MORRISON**—If there were a process of enabling transfer of what would otherwise be paper—

**Air Cdre Needham**—Digital help for them; that is a start.

**Mr MORRISON**—You have raised the issue, though, about the ability to actually print that in the field?

**Air Cdre Needham**—Yes, but that could also be a problem here.

**Mr MORRISON**—Which is the bigger problem?

**Air Cdre Needham**—I could not really say; that is a judgement call. Geoff may have a comment, but if we did electronic voting again, maybe you could take the opportunity to look at electronic registration and PIN distribution because then you would have at least one paper

system we did not have to deal with this time, but you would still have a GPV paper backup. So at least you would cut down the paper by almost half.

**CHAIR**—Would that work, Mr Pickering?

**Mr Pickering**—That would work, but Air Commodore Needham is talking about an electronic voting model, not a paper based postal voting model.

**CHAIR**—Yes. That is where we are getting—if we can agree on phase 1!

**Mr MORRISON**—What was the response of the servicemen and women to this? If I have missed it, I apologise.

**CHAIR**—No, you have not missed it. I think they enjoyed it.

**Mr MORRISON**—Has that been evaluated in any formal sense?

**Air Cdre Needham**—Yes, there was a post election survey run, and I read that bit about the satisfaction. Generally there was a reasonable degree of satisfaction expressed.

**Mr SULLIVAN**—Seeing that Mr Morrison has raised it, what was the dissatisfaction? What specifically were the points of dissatisfaction from the servicemen and women who used the system to vote?

**Air Cdre Needham**—Molly, do you have the records there?

**Mr Meldrum**—I can check those.

**Mr MORRISON**—While you are looking for those, I have a threshold question. Did they appreciate the opportunity of having electronic voting over the previous method? I mean, they might have thought the electronic voting was fine, but the threshold question is: do they really care whether it is electronic or using the other means? You have raised some fairly legitimate issues, such as the cost issues and so on. I think we should give them whatever they want, but if they are not expressing a massive preference to do it that way and are happy with the registered postal voter option, that would be helpful. We do not need to give them gold-plated taps if they are not looking for them.

**CHAIR**—And providing that is an option—

**Air Cdre Needham**—I understand that the original request that generated the electronic voting trial came from a defence member who was positioned overseas during the election before last, and their concern was the delay in making their vote and getting it back in time to count, or that perception. The speed of the electronic method, getting the vote into registers, was seen as a plus. What was not anticipated was that the paper would come along as well.

**CHAIR**—If they were registered voters then shortly after nominations closed there should be an ability to provide the documentation if they do not have to apply for it. You then have the rest of the election period, which is how many days until the election?

**Mr Pickering**—It is 21 days.

**CHAIR**—Then, if you added the 13 days that it takes for a postal vote to get back, you can have a situation where you do not necessarily have to have a post mark in this instance which gives plenty of time for it to come back.

**Mr MORRISON**—Yes. Therefore, does the electronic system provide a general value-add administratively, in cost terms and, most significantly, from the point of view of service men and women, over and above a reformed, streamlined general postal voter registration?

**Air Cdre Needham**—In a cost benefit sense, I can only speak of my own opinion.

**CHAIR**—That is okay.

**Air Cdre Needham**—Electronic voting, no, it does not. There is a cost, and there is a lot of effort.

**Mr MORRISON**—Did it value add from the point of view of the service men and women, do you think?

**Mr Pickering**—It got the level of participation up. Based on the stats that we provided this morning, the level of participation nearly doubled from 2004.

**Mr MORRISON**—But that is in comparison to the system where they were not registered postal voters.

**Mr Pickering**—That is right.

**Mr MORRISON**—The question I am asking is: does this model, which is clearly more expensive, which does have logistical issues attached to it, represent a value-add over a registered postal voter? I suppose that is really a threshold question.

**CHAIR**—That is why I am interested in your views.

**Mr Pickering**—I can make an observation on the model that you have been talking about this morning. I see the proposals, the two issues relating to where the level of effort is involved, and the e-voting level of effort has much more effort located back here in Australia within the resources of the headquarters and the main central areas of Defence and the AEC, and the peripheral area has less level of responsibility in the e-voting model.

The reverse of that is tending to emerge in my mind in terms of the paper based version. By streamlining the registered general postal voter that will make it easier for us to stimulate a postal action in terms of as soon as the nominations close and the ballot papers are available, out they will go through the post. The concern that I have is that if we send that electronically, which we were just talking about before, we have issues of a higher degree of knowledge being required out in the field for a coordinator or for the soldiers to be able to print off the material that we have spoken about, which are the ballot papers and the covering sheet for the declaration to be applied to the envelope, for that envelope to have the declaration cut down to the envelope

size and ballot papers inserted in there, and for the Senate ballot paper, which will print out more likely on A4 sheets of paper, to be combined in the right order so that there is no fear of bias or whatever. They are just issues that are coming to my mind in terms of the paper based one.

**CHAIR**—Okay, but let us say if you do not do it electronically but you do it manually, it will obviously get there quicker than with previous systems. As I said, you have the 13 days post election for it to come back. I can see that there will need to be some sort of mark on it, which I am sure Defence can do, as long as it is shown to have been before 6 pm on election day. I am not trying to impose a system; I want to produce the best system logistically, the whole lot, with security. If it is not electronic, how long would it take you to get the ballot papers to the relevant place?

**Mr Pickering**—That is a matter for HQ JOC.

**Group Capt. Robinson**—It would depend on the area that they are actually going through, because there is a number of iterations of the mail, which is what we use to deliver the product. On average at the moment it is variable. It varies with—

**CHAIR**—What are the variations?

**Group Capt. Robinson**—Weather could make it two or three days; it could be a week. There is aircraft availability. The aircraft may be unserviceable, or they are unable to get into the area because of weather—sandstorms in the middle of summer in the Middle East.

**Mr MORRISON**—Would it be as much as 15 days?

**Group Capt. Robinson**—It could be, but that would be a very small risk.

**Mr MORRISON**—Given that you have a 21-day window, I take the point you made before about the servicemen who are concerned that it did not get back in time to be counted, but I am sure that is not the case.

**Group Capt. Robinson**—That is exceptional.

**Mr MORRISON**—So long as they can get to vote before polling day, which is the real requirement. We can get those to them automatically—I do not mean automatically digitally necessarily—because that is what their entitlement would be. So long as they get them 15 or even 17 days before and fill them out, if it takes two weeks to come back, well frankly it takes two weeks to come back. But, they will be counted, and they will get their vote.

**Mr MORRISON**—Not if it takes 15 days to get back, they will not.

**Mr Pickering**—If they have been postmarked—

**Mr MORRISON**—They still have to be back in 13 days.

**CHAIR**—I am prepared to consider special legislation in relation to service personnel and Federal Police officers that is different from whatever, providing votes are cast prior to polling

date—let us be very clear about that. We have had situations in the past in Queensland where things happened and an election was not completed on a particular day but was continued because of weather. So, if there are extraneous events, no-one can argue that we are doing anything other than acting in accordance with precedent. I do not think there would be anyone out in the community who would argue that. What I want is for you to be satisfied. As I said earlier, as much as I love the Electoral Commission, on this one I am interested in what is better for Defence on the ground—where your troops are deployed—and giving them the best opportunity. If it does not have to be as expensive for the commission and you, including the logistic issues, that is all the better. If you think that electronic voting is the best option and it has all those extra advantages over the other system, we will go with it. That is why I am interested in your thinking about it—as to whether some of the things can be overcome. I think the registered stuff overcomes a long paper trail.

**Mr MORRISON**—I will ask that question specifically. If we had registered postal voting, and let us assume the forms are going manually and not digitally, does that put a burden on people in the field administratively that is greater than what you experienced with the electronic trial?

**Group Capt. Robinson**—I would say no.

**Mr MORRISON**—It does not provide a higher burden?

**Group Capt. Robinson**—No.

**Mr SULLIVAN**—Sorry, you said ‘greater burden’, not a ‘higher burden’. We have had evidence from Commodore Needham that, given his ‘druthers’, he would ‘druther’ have electronic registration and transfer of PIN to take away that burden from those.

**Air Cdre Needham**—I was talking about electronic voting.

**CHAIR**—Oh, that is electronic voting?

**Mr SULLIVAN**—No, but what Mr Morrison has asked is: would getting the ballot papers by mail be more difficult than what happened this time.

**Mr MORRISON**—Yes, that is my question.

**Mr SULLIVAN**—And the answer to that is no, but Air Commodore Needham—

**Mr MORRISON**—Hang on, I would rather the Commodore answer my questions.

**Air Cdre Needham**—When we were talking about GPV before, I understood the initial question was how we could refine GPV and make it more efficient, and that was that we could possibly use electronic means to do that. With this current question about the efficiency of GPV compared to electronic voting, I would support Group Captain Robinson’s advice. With the current experience from the electronic voting trial that we had, both were paper based in the way that they distributed the information, so they had similar administrative requirements. But the electronic voting system also had a requirement of setting up technical systems in the field. We

had technical people who had to make sure they had Defence restricted systems which were going to be used for postal voting—tested, that sort of stuff. So, on what was done in the trial for the last federal election, those requirements were greater than those for GPV.

**Mr MORRISON**—But that would be repeated if we did it again?

**Air Cdre Needham**—Yes.

**CHAIR**—Which is why, if you are indicating a preference, if we could fix up the registration, get the ballot papers to you early, even though paper based, that is your preference? I do not want to verbal you.

**Air Cdre Needham**—My preference, or Defence's preference, would be, I expect, for the greatest efficiency in the areas of operation, because we do not want to burden our people in the areas of operation with extra administrative tasks that distract them from the tasks at hand that they are there for. That is why I would state that preference.

**CHAIR**—Group Captain Robinson?

**Group Capt. Robinson**—I agree with the Air Commodore.

**CHAIR**—In other words, if we can refine the postal voting provisions, that would be your preference in view of what you have just said?

**Air Cdre Needham**—Yes.

**CHAIR**—If we can get some stuff that we run past the Electoral Commission and come back to you and look at a model—I am not trying to do this other than as a three-way process involving the commission, Defence and us—refining and testing something. And, if it does not work, it is a question of extending the trial. I do not want to press-gang people into positions, but I get the distinct impression from you that, with some refinement, you do not need a perpetuation of electronic voting?

**Mr SULLIVAN**—That is not what I was hearing, until that last sentence.

**Air Cdre Needham**—I think refining GPV would make it more efficient than last time. The aspirational goal that you could probably reach is having electronic voting that needed no paper based administration. I guess that was the aspirational goal you could aim at. The problem is whether that is actually achievable.

**Mr SULLIVAN**—Can I ask the question this way: if that did happen so that there was no paper administrative work for administrative staff in the field or in headquarters here, but there was the technical requirement for technical staff in the field, is that a burden that would be considered greater than the burden for the administrative staff in handling the paper?

**Group Capt. Robinson**—It depends on the longevity of those technical staff support. We have technical staff for all our computer systems and our communication systems in the field as

a matter of course. It is just a matter of making sure that they are aware and familiar with what we are asking them to do.

**Air Cdre Needham**—Could I just add one thing? Also there is the viability of going to complete electronic voting throughout all areas of operation that would negate the need for any GPV backup, because in the last trial we did not have ships because of connectivity issues involved. It is a matter of whether you could reach everybody electronically, because we had to bring some people in from remote areas to vote at a headquarters when they were coming through at a particular time. So it is a matter of whether you could do that.

**CHAIR**—As I said, if they are issues that you want to let us know about and if they tip the balance one way or the other, just let us know. We are really not here to do a preference other than what is your best preference. I thank you for your attendance. We have some time constraints. We really appreciate your coming along. You will be sent a transcript and you can make any corrections. If you want to make a supplementary submission and put stuff on the record, feel free to do so. I anticipate that, through the commission and the secretariat, we will have some interaction to see if we can refine something with which everyone is happy, and determine the pros and cons, so that we can make a recommendation with which we are all happy.

**Air Cdre Needham**—Okay.

**CHAIR**—Thanks very much.

**Air Cdre Needham**—Thank you.

[1.03 pm]

**BOUGHTON, Ms Carol Joyce, Managing Director, Software Improvements**

**COX, Dr Kevin Ross, Chief Technical Officer, Edentiti, in association with Software Improvements**

**CHAIR**—I now welcome representatives from Software Improvements to today's hearing. Although the committee does not require you to give evidence on oath, I should advise you that these hearings are legal proceedings of the parliament and therefore have the same standing as proceedings of the respective houses. Can I just apologise for the fact that we only really have until 20 past one because of time constraints. Other members have had to leave and another member of the committee has changed his flight booking to keep the quorum. I want to try to keep it tight, if we can. I appreciate your coming along. We have your written submission. As I understand it, there is an attachment to this submission which is confidential, but you are happy to discuss that?

**Ms Boughton**—Absolutely. The reason that I had submitted it as confidential was that, at the time, we had provided it as a proposal to the Electoral Commission as a confidential document, and they had not responded, so I thought it was appropriate at that point in time.

**CHAIR**—Are you happy for it now to be made public?

**Ms Boughton**—Absolutely.

**CHAIR**—I will have a resolution that the document can be made public; that way we are free to talk about it.

**Mr MORRISON**—So moved.

**CHAIR**—I declare it carried. Please feel free to make an opening statement. As I said, we just have that constraint. I am sorry about that, but we can deal with you on another day as well if we need to.

**Ms Boughton**—Okay, I would be pleased to come back if that were the case. There are a couple of points that I would like to make that are not necessarily in the document. Regarding the AEC presentation this morning, Dr Cox and I actually listened, so we were listening to some of your questioning. First I would like to say that Senator Faulkner gave a speech to the law reform people a little time ago in which he commented about the fact that, in any technical system that you build, you have to build in privacy and values associated with it. That is exactly what we have done in terms of eVACS, the electronic voting system, and what is being built into the Edentiti identification system. Dr Cox will probably expand on that a little bit later if we have the time.

There are a couple of things that I thought might be worthwhile commenting on in relation to the comments from the Electoral Commission this morning. One is that eVACS was originally

built for the ACT Electoral Commission, and it does already contain multiple languages. The version that we actually provided to the AEC does in fact have the capability to provide audio in multiple languages as well, so those features are already in the system. There was also a discussion about licensing and the potential as to whether or not eVACS, which was used in the last trial, could be reused. In fact, the AEC does have some permanent licences, and they also have the capacity to upgrade their temporary licences to permanent licences if they wanted to do another trial with the system. That was just a background comment for you in terms of where you might be heading.

The other comment I would like to pass is in relation to mobile polling, which is something that most of the commissions do. It is entirely feasible with electronic voting to do mobile polling. You do not necessarily need the complicated set up that was provided for the blind or vision impaired, but you can in fact take systems around on laptops and go to areas where you might not be able to get to with other systems. So, electronic voting, particularly in nursing homes or hospitals, might be an advantage where people can still vote in secret and the result is recorded and kept under privacy arrangements. Kevin, did you want to make any comment?

**Dr Cox**—The electronic identification side of things is an absolutely crucial part of electronic voting. In fact, to have secret electronic remote voting really requires the individual to have full and sole control over what we might call their electronic identity. This is a different way of looking at the problem of identification. In other words, it means that the individual has to be able to not only take control of it; the individual actually has to be able to construct their own electronic identity. In order for it to be theirs, they actually have to be involved in the construction of the electronic identity. Conceptually, they really have to own it. They have to own their own electronic identity. We give them the tools to do this.

The way in which this happens is that an electronic identity is established in much the way an ordinary identity is established. You build up relationships and you store those relationships, and that is what we enable people to do. We enable you to be able to prove that you have relationships with different organisations, like the electoral office or the tax office or a bank and so forth. All you have to do is be able to store the relationships. You do not have to actually store any data about the person, only the fact that they have a relationship and it is a trusted relationship between those two entities. That is what we do. We achieve this by building into the electronic identity the privacy principles as in the Privacy Act, and in particular we use principle 6 of the privacy principles.

**Mr MORRISON**—As a committee, we have heard a lot of evidence about the difficulties that the AEC face in basically getting someone to fill out a change of address form, let alone building up these various points of relationship between entities. What type of engagement is required from the voter to build up that level of trust?

**Dr Cox**—I am glad you asked that question. This is really one of the strengths. Remember what we are doing here is establishing relationships. If a person has a relationship with another entity, such as with the immigration department when getting a passport, at the same time as they are doing that they can also give permission to see if they have enrolled and see if their address is correct. So it can be built, essentially automatically, into any of the existing systems out there.

**Mr MORRISON**—Are you suggesting that a system that is permission based which effectively enables the AEC to go and mine other departments' databases?

**Dr Cox**—No, there is a really crucial difference. Remember what I said: the person owns their own electronic identity.

**Mr MORRISON**—Sure.

**Dr Cox**—So when they are doing something with the immigration department, they can instruct their electronic identity: you go out and check with the ASC to see if your records are okay. So the person is doing it; it is not the AEC requesting them.

**Mr MORRISON**—That is what I mean: it is permission based.

**Dr Cox**—Absolutely.

**Mr MORRISON**—They are saying it. In your work, have you done any consumer research that indicates to what extent people would feel comfortable providing such permission?

**Dr Cox**—Not specifically of that nature, but the systems are in operation now with commercial companies in which we identify people.

**Mr MORRISON**—I think that is true for the commercial world, but giving government departments your permission to go and ferret around in other government departments I think is different from the banks, Virgin airlines and things like that.

**Dr Cox**—Essentially the person is pushing it.

**Mr MORRISON**—I understand that: the person is pushing it, but, regarding their aptitude to push it in relation to information that is held by different government agencies, I would put forward the theory that that would be a different set of concerns than Virgin airlines and the Commonwealth Bank.

**Dr Cox**—I would agree, but I suspect—but I have no proof of this—that people will not have a problem with it and in fact will welcome it. When you go to change your address, for example, many people say, 'Why can't I change it in one place?' and essentially that is what you are doing.

**Mr MORRISON**—Sure, but for the type of thing you are talking about here, I think there would have to be a fairly high level of comfort about people's willingness to actually engage with that. If they do not, as I understand it from what you have said, the system will not work.

**Dr Cox**—Oh yes, the system works.

**Mr MORRISON**—Unless people give their permission to be able to go and get these other points of verification through their relationship with other agencies—I may be misunderstanding your system—you do not get the build-up and the points of integrity?

**Dr Cox**—That would be correct.

**Mr MORRISON**—So, for it to work, they have to get on board and engage it and give permission?

**Dr Cox**—We would use exactly the same rules of registration as are used in the current system. In order to register, you do not have to go out to these other places. In order to register, you have to get a couple of signatures from people who know you, and we would do exactly the same sort of thing.

**Mr MORRISON**—Maybe I am not being clear. For the system to work operationally, some permissions will have to be provided through the system to enable other points of reference that they have out there in the public sector to be pinged.

**Dr Cox**—Yes.

**Ms Boughton**—To give you an example, I might say that I hold an ACT licence. All I have to do is say that and give my name and address. The system would go off to the ACT and check, ‘Do you have a person of this name at this address?’

**Mr MORRISON**—But it only asks that question if the person who applied said it can ask that question.

**Ms Boughton**—Exactly, otherwise it cannot do it.

**Mr MORRISON**—That is right, and that is my point.

**Ms Boughton**—It is solely related to the individual.

**Mr MORRISON**—Unless there is a level of consumer willingness to provide those permissions, then this system will not get off the ground.

**Dr Cox**—That is correct.

**Ms Boughton**—Maybe Kevin should give you an indication that the number of people that are going through this system at the moment is 3,000 a week or so.

**Dr Cox**—Yes, we are getting 3,000 at the moment.

**Mr MORRISON**—How many of those involve pinging government agency databases?

**Dr Cox**—They all involve government agencies.

**Mr MORRISON**—They all involve pinging government agency databases?

**Dr Cox**—For example, we see whether you have a valid Medicare card, we see whether you have a valid relationship with a tax file and we see whether you have a passport. They are options. People can choose which ones they want.

**Mr MORRISON**—And you have had a good take-up of people?

**Dr Cox**—I have brought along some of the comments that are unsolicited from people who are using the thing: ‘What an excellent system’.

**Ms Boughton**—You could table this.

**Dr Cox**—Yes, I could table this, just to give you an idea of the things. People love it.

**Ms Boughton**—The people who are joining up love it.

**Dr Cox**—Yes.

**Mr MORRISON**—Yes, that is probably why they have joined up.

**Ms Boughton**—It was a concept. Listening to the Defence people before, they are so concerned about the paperwork side of things happening out in the field. A system like this can potentially address that issue.

**Mr MORRISON**—That is really my threshold issue with things like this. You can demonstrate the technical capacity for these things to work, and it is a management matter for the AEC, but, for agencies of that nature to have confidence to make that investment or look at these proposals, they would need to have a high level of comfort that there is a consumer willingness to engage, because frankly right now they are having trouble enough getting someone to sign a piece of paper to change their address. With things like the vote, there is just a much higher level of sensitivity on the part of the voter as opposed to many other details. You have talked about a passport and a Medicare card, and they are fairly standard things, but if you are talking about immigration—I just know as a local member of parliament—people are very sensitive about matters they are raising with the immigration department or Centrelink.

**Dr Cox**—Of course.

**Mr MORRISON**—Sometimes they want these places to talk to them, when it helps them, and other times they would prefer that they did not.

**Dr Cox**—Of course, and that is exactly right. Because the user has control, they can control which ones they interact with.

**CHAIR**—I need to declare myself as a Neanderthal in this area, in terms of electronic voting. I do not have a problem with it, but obviously it is the exception rather than the rule in areas such as those where it has been experimented, and maybe in some other little areas because of particular difficulties, not because of someone’s aversion to using technology. I wanted to put that on the record. I appreciate your submission. I appreciate the quality of the submission and the appendix that goes with it. I will get a resolution that this document is taken as evidence and

included in the committee's records as an exhibit. It is in plain English, and the first item is 'What an excellent system.' I declare it carried. We have time constraints due to aeroplanes. I am sorry that we have to cut it short. Please feel free to comment on any of the other material that becomes public in which you are interested, in terms of a supplementary submission. I thank you for your attendance today.

**Ms Boughton**—Mr Chairman, do you have any particular questions at all that you would like to put in writing to us to which we can respond?

**CHAIR**—If we have, we will. We can flesh out some stuff. I reread your submission just then, and the confidential one, which we made public, had a lot of stuff in it. If we have some questions, we will get them to you.

**Mr MORRISON**—Do you see it for general application or discrete application?

**Dr Cox**—General.

**Mr MORRISON**—So you would see it for the whole system—

**Dr Cox**—This is an option.

**CHAIR**—That is why I declared my—

**Mr MORRISON**—I tend to share the chair's view about where this stuff—

**Ms Boughton**—I guess my initial contact with electronic voting was with the ACT system where it is choice. As an individual you have the right.

**CHAIR**—I understand that.

**Ms Boughton**—From a commission point of view, the more votes we can get electronically the better. But people do have the right to do things.

**CHAIR**—Yes, I understand that.

Resolved (on motion by **Mr Morrison**):

That this committee authorises publication of the transcript of the evidence given before it at public hearing this day.

**Committee adjourned at 1.19 pm**