

Evidence

- 2.1 Correspondence received from Members throughout the course of the inquiry and discussion at the Committee's private roundtable indicated support amongst Members for the introduction of electronic voting for divisions.
- 2.2 The potential for saving the time of the House was identified as the most compelling argument for modernising the House voting system. It was also argued that the immediacy of voting results provided by electronic voting would allow for greater transparency, particularly if the results were displayed inside the Chamber and were made immediately available to outside observers.
- 2.3 Potential benefits and disadvantages of electronic voting are discussed further in this chapter. Also discussed are the potential technological options currently available for electronic voting and counting that could be used by the House of Representatives.

Arguments for and against electronic voting

- 2.4 The possibility of implementing electronic voting in the House of Representatives has been considered over many years. This is demonstrated by the fact that provision was made for the future installation of an electronic voting system when Parliament House was being designed and built.¹ The arguments for and against electronic voting

¹ Clerk of the House, *Submission 1*, p. 4.

have been considered in a number of inquiries over the years, including in four Procedure Committee reports.² The arguments are:

Potential advantages

- A saving in the time of the House and its Members.
- The immediate availability of results for incorporation into the record of proceedings and *Hansard*. Results could also be immediately displayed on panels in the Chamber and potentially made available on the Parliament's website and on the live broadcast of proceedings.
- Elimination of the work of the tellers and Clerks in recording and checking the vote and the further work by House employees to process the tellers' sheets to publish the results.
- More statistical information on voting results being available for analysis.

Potential disadvantages

- If Members were to vote from their places instead of the traditional 'Ayes to the right, Noes to the left', it may not be readily apparent to observers how a particular Member was voting. Further, it would be more difficult for Members to know which way their party was voting on a particular question.
- If Members were to vote from their places, the loss of an opportunity for a pause or 'cooling off' period in the proceedings.
- If Members were to vote from their places, the symbolism of the House physically dividing would be lost. This would be particularly noticeable on occasions when Members 'cross the floor' or when a free vote or conscience vote is held.
- Risks to the integrity of the vote, for example the possibility of a Member voting for an absent colleague.
- The possibility that electronic voting would result in additional divisions being called.³

2.5 Some of these issues were raised again in evidence to this inquiry. It is noted that a number of the disadvantages listed above would be avoided if, in implementing an electronic voting system, the House retained the tradition of physically dividing to either side of the Chair. The Committee notes that Members favour retaining the tradition of voting by division.

2.6 In his submission, the Clerk referred to the benefits, both real and perceived, of the House continuing to modernise its procedures:

2 Standing Committee on Procedure, *Conduct of divisions*, November 1996; *Review of the conduct of divisions*, August 2003; *Learning from other parliaments: Study program 2006*, August 2006; *Electronic voting in the House of Representatives*, June 2013.

3 Standing Committee on Procedure, *Conduct of divisions*, November 1996, pp. 3-4.

The implementation of electronic voting would be a significant symbolic demonstration that the House is modernising and is prepared to adopt further technological change.⁴

Saving House time

2.7 In 2015, the average time spent on divisions, excluding the ringing of the bells, was 6 minutes 34 seconds for a four minute division, and 2 minutes 24 seconds for a one minute division. In total, this amounted to 9 hours and 28 minutes, or 1.3% of the House's time. Counting efficiency has improved significantly since the Procedure Committee considered this issue in 2002, with an average saving of 3 minutes and 32 seconds (see tables 2.1 and 2.2).

Table 2.1 Total and average time for divisions by type – 2002

Type of division	No.	Average time spent counting <i>min:sec</i>	Total proportion of sitting time
<i>Ordinary division</i>	101	10:38	
<i>Subsequent division</i>	59	4:24	
<i>Total</i>	160	8:20	excluding bells: 2.4% including bells: 3.7%

Source Chamber Research Office

Table 2.2 Total and average time for divisions by type – 2015

Type of division	No.	Average time spent counting <i>min:sec</i>	Total proportion of sitting time
<i>Ordinary division</i>	67	6:36	
<i>Subsequent division</i>	52	2:29	
<i>Total</i>	119	4:48	excluding bells: 1.3% including bells: 2.0%

Source Chamber Research Office

2.8 Reflecting on the statistics, the Clerk of the House submitted that:

In the circumstances, the benefits expected to flow from the introduction of electronic voting appear relatively modest and would need to be considered in light of the cost of installation and maintenance in particular.⁵

4 Clerk of the House, *Submission 1*, p. 7.

5 Clerk of the House, *Submission 1*, p. 6.

- 2.9 If voting were to open at the conclusion of the ringing of the bells for a specified period and if the House required Members to be present in the Chamber until the announcement of the result, the time saved by electronic voting could be described as modest. Some time would be saved by the immediate tallying of the results. The period allowed for voting would be a decision for the House, for example the Lok Sabha (India) allows a 10 second period for voting with the results immediately displayed in the Chamber.⁶ Other Chambers allow one minute or 90 seconds, either of which would appear to be a reasonable period for the House to consider.
- 2.10 Alternatively, the Manager of Opposition Business proposed that electronic voting could allow Members to vote while the bells were ringing and to leave the Chamber once they had voted. He suggested that this proposal would result in a significant time saving for individual Members. He submitted:
- The time that Members are required to spend in the Chamber during a division should be limited to the time it takes to accurately record their vote, recognising that Members have many parliamentary and executive duties outside of the Chamber while Parliament is sitting. The time that Members spend in the Chamber during a division should be minimised where possible to enable Members to more effectively undertake these other duties. Members must vote, but once they have voted should be able to leave the Chamber to return to their other duties.⁷
- 2.11 The Committee's view is that the vote should be taken after the bells have stopped ringing, the doors locked and the question has been restated by the Chair. This last point is important as it is the means by which all Members are made aware of the question they are voting on. All Members should remain in the House until the result is declared.

Immediacy of results

- 2.12 The immediate publication of division results is one of the significant benefits of electronic voting. At present, votes are recorded manually by tellers and checked against a head count undertaken by the Clerks before the Speaker announces the result to the Chamber. The teller sheets are then sent to the Table Office where the results are checked and entered

6 Lok Sabha, *Voting and Divisions*, accessed 18 March 2016, <http://164.100.47.132/LssNew/abstract/voting_and_division.htm>.

7 Manager of Opposition Business, *Submission 3*, p. [2].

into an electronic database for publication in the *Live Minutes*, the *Votes and Proceedings* and *Hansard*.

- 2.13 While the result is immediately known within the Chamber and to those watching proceedings, there is some delay before the details of how each Member has voted are published. However this delay is minimal – the Clerk reports that results are usually published in the *Live Minutes* within five to ten minutes.⁸
- 2.14 Electronic voting would allow for detailed results to be immediately available to the public, both displayed within the Chamber and published online. Arguably, this would lead to greater accountability as details of how each Member has voted would be available in real time.
- 2.15 The Manager of Opposition Business noted that the ‘additional transparency and immediacy of voting results being available outside the Chamber for wider publication’ would be a benefit.⁹
- 2.16 An electronic voting system, with the necessary security features, would ensure accurate records, by helping to reduce the possibility of human error.

Available technology

- 2.17 The Department of Parliamentary Services submitted a range of possible technology options to this inquiry to facilitate electronic voting. Table 2.3 lists these options and indicative costs. The cost for each option includes reporting the votes via ‘tally’ screens in the Chamber and automating current publishing processes.
- 2.18 The Department of Parliamentary Services summarises the options below:
- Options including mobile devices, in-place voting panels, the voting app and facial biometrics would reduce the time taken for Members to conduct the vote, simplify the counting and make information immediately available for the reporting of votes.
- Options including mobile devices, in-place voting panels, the voting app and kiosks would require Members to authenticate their identities on the devices prior to voting to maintain the integrity and security of the voting process.

8 Clerk of the House, *Submission 1*, p. 2.

9 Manager of Opposition Business, *Submission 3*, p. [3].

In regard to kiosks, the requirement to walk to a kiosk, wait in line, register their identity and conduct the individual vote would negatively impact on the timeframe taken to conduct a vote.¹⁰

Table 2.3 Options for electronic voting in the Chamber and indicative costs¹¹

Option	Implementation cost	Yearly support costs
Standalone portable devices that can be used from any location within the Chamber	\$2.3m to \$2.8m	\$0.25m
In-place voting panels attached to Members' desks	\$3.3m to \$3.8m	\$0.25m
A voting application on Members' mobile devices (phone or tablet)	\$2.6m to \$3.8m	\$0.35m
Facial biometrics, using cameras to identify the vote of a Member based on their location within the Chamber	\$3.3m to \$4.6m	\$0.40m
Portable kiosks within the Chamber – either with both an 'aye' or 'noe' option or distinct kiosks for the ayes and for the noes	\$3.0m to \$3.5m	\$0.36m

Source Department of Parliamentary Services, Submission 4.

2.19 The Manager of Opposition Business proposed another option:

Members would vote 'Aye' by physically passing to the right of the Speaker's Chair i.e. from the Chamber to the outside of the Chamber through the door on the immediate right side of the Speaker's Chair. Members would vote 'No' by physically passing to the left of the Speaker's Chair i.e. from the Chamber to the outside of the Chamber through the door on the immediate left side of the Speaker's Chair. A Member's vote would be electronically recorded by a Member touching their individual voting card against either the 'Aye' or 'No' receiver placed next to the relevant door. Members would only be able to vote while the division bells were ringing and not after they had stopped ringing. It is proposed that the division bells be rung for 5 minutes for each division, including subsequent divisions called within 3 minutes of a previous division. Members would not be permitted to pass from the outside of the Chamber to the Chamber through the doors on the immediate left or right of the Speaker's Chair while a division was in progress.¹²

2.20 The Clerk submitted that another possible option would be the introduction of tablets for use by the tellers to record the count. This

¹⁰ Department of Parliamentary Services, Submission 4, pp. 1-2.

¹¹ Department of Parliamentary Services, Submission 4, pp. 1-2.

¹² Manager of Opposition Business, Submission 3, p. [3].

change could be made with or without an electronic voting system and is discussed further in Chapter 3.

2.21 It is clear that the range of technology now available to the House is such that an electronic voting system can be tailored to the needs of the House. The House would not need to significantly change its practices and procedures in order to implement electronic voting, if it did not wish to do so.

2.22 The form of technology used does have the potential to change the culture of divisions in the Chamber. Chapter 3 addresses this issue and considers those technology options which sit best with the current practices and traditions of the House.

Use of electronic voting in other parliamentary chambers

2.23 Internationally, electronic voting is widespread in parliamentary chambers. A 2012 World e-Parliament report found that 57 per cent of parliaments have some form of electronic voting. The methods of voting include:

- voting button at assigned seats (67 per cent);
- identification through card or token (56 per cent);
- biometric identification (fingerprint recognition) (20 per cent);
- voting by touch screen (18 per cent);
- identification through password (6 per cent); and
- other (voting button, non-assigned seat) (2 per cent).¹³

2.24 Some of these systems have been in place for many decades – the United States of America House of Representatives has used an electronic voting system since 1973. Members use a personalised vote card at voting stations around the Chamber. This system has been adapted many times since it was introduced to suit the needs of the House.¹⁴

2.25 More recently introduced systems such as that in the Korean National Assembly have incorporated electronic voting as part of a digital chamber using a mixture of touchscreen technology and voting button panels.¹⁵

2.26 There have been a small number of occasions of Members casting a vote on behalf of a colleague, therefore it is recognised that security of the

13 Inter-Parliamentary Union, Global Centre for ICT in Parliaments, *World eParliament Report 2012*, p. 80.

14 Congressional Research Service, *Electronic voting in the House of Representatives: History and Evolution*, February 2008.

15 The National Assembly of the Republic of Korea, *National Assembly's Digital Plenary Chamber*, accessed 18 March 2016 <http://korea.assembly.go.kr/digital_plenary/index.jsp>.

system and a form of identification is paramount. The technologies are now widely tested through their use in other jurisdictions and the experience is such that there are enough appropriate technologies available for the House to consider.