

Submission regarding

Commonwealth Electoral Amendment (Integrity of Elections) Bill 2021

A Bill for an Act to amend the Commonwealth 1 Electoral Act 1918, and for related purposes 2

This Act is the Commonwealth Electoral Amendment (Integrity of 5 Elections) Act 2021.

I am in support of the Australian Federal Governments Senate Bill " Integrity in Elections" amendments. I especially mention the amendments below.

Section 286AA,286AB,286AC, 286AD, Interpretation, 286AB Auditing of authorised technology at federal elections, 286AC Auditing of authorised technology at commencement of this section, 286AD Ensuring cyber integrity of federal elections.

These amendments are important to the integrity of the Elections. A case in question is the use of the Dominion Voting System in the last US Presidential Election. The amount of litigation that occurred after the election went into millions of dollars and tying up the courts, which could have been counteracted if better scrutiny and auditing had been done by the US electoral commission . The outcome, wether correct or incorrect is not the issue, the question lies in the role the electoral commission played in scrutinising the system to ensure it was fit for purpose and met unquestioning independent auditing by independent third parties. The sections below do need to have independent third parties not just the Auditor-General. Election outcomes change the direction of Australia and require independent external scrutiny.

Section 286AC items 3and 4

(3) Without limiting the content of the audit, the Auditor-General must 24 determine whether any authorised technology that is to be used: 25

(a) produces the same result as would be obtained without the 26 use of authorised technology; or 27

(b) if it is to be used to store information—replicates the 28 information that would be stored without the use of 29 authorised technology. 30

(4) The Auditor-General must advise the Electoral Commissioner in 31 relation to whether any authorised technology that is to be used at 32 the next federal election is fit for purpose.

I also submit the article by Dr Ferran Martinez i Coma and Rodney Smith as support for the need of these amendments.

"Beneath these political uncertainties lie other less discussed uncertainties about the integrity of Australian elections. At the last federal election the Australian Electoral Commission lost 1370 votes from the Western Australian Senate vote count, causing a re-run of Senate elections in that state at a cost of around \$20 million. The political and public outcry led to the resignation of AEC commissioner Ed Killesteyn and AEC state manager Peter Kramer.

This may have been an isolated incident but it could also indicate deeper issues with the conduct of Australian elections.

Australia has a longstanding reputation for conducting free and fair elections. However, this reputation has rarely been tested systematically in a comparative context. Scholars from the Electoral Integrity Project at the University of Sydney have gathered the views of more than 2000 election experts on national parliamentary and presidential contests held in 139 countries since mid-2012. Our latest report, *The Year in Elections 2015*, compares how well countries around the world meet standards drawn from internationally agreed treaties and guidelines.

Australia does not perform not as well as we might hope. On an overall scale of 0-100, the 2013 Australian election scored 70 points, ranking it 34th out of 180 contests since 2012. This score was similar to recent elections in Spain, Japan and Greece. Australian elections were judged better than those in the US and UK but behind those in New Zealand and Canada and well behind a number of European countries, including Germany, Estonia and The Netherlands. The top five elections were held in Denmark, Finland, Norway, Lithuania and Costa Rica, while the worst five elections were in Syria, Ethiopia, Equatorial Guinea, Djibouti and Burundi.

The report focuses on 11 specific stages of the electoral cycle, from election laws through to voter registration, voting processes and counting the ballots. Countries tend to do better at some of these stages than others.

For the experts, the most troubling stage of the Australian 2013 election concerned media coverage of the campaign. Asked about balance in news coverage and fair access to media for all candidates, the experts scored Australia 47 out of 100. Governments in Australia are able to exercise less influence over media coverage of elections than they are over electoral laws and administration.

Campaign finance has been consistently ranked as the worst stage of the electoral cycle since the project started. Scandals over the role of money in politics make headlines every day and regulating political finance is a challenge facing many countries. Australia is no different, as recent events in NSW suggest.

Notwithstanding the Western Australian Senate vote problems in 2013, electoral experts considered the administration of electoral processes, the performance of the Australian Electoral Commission and the vote count the three strongest elements of electoral integrity in Australia. If the experts are right, that is good news, since the Australian Electoral Commission faces the difficult task of implementing the new Senate ballot laws at a federal election that is just months away. Its success or failure will undoubtedly have a strong influence on the way Australian elections are judged.

The results show that countries cannot assume that electoral integrity comes with economic development, broader democratic freedoms, or belonging to a particular region of the world. There is a relationship between economic development and electoral integrity, for example, but it is not as clear as we might think. Some wealthy countries performed poorly in running elections, while some poorer countries such as Lesotho and Benin performed well. Countries have to work at electoral integrity, rather than assuming it will occur naturally.

[*Dr Ferran Martinez i Coma*](#) is a research fellow on the Electoral Integrity Project and [*Rodney Smith*](#) is a professor of Australian politics in the Department of Government and International Relations at the University of Sydney. This article was first published on the [*Sydney Morning Herald*](#). Read the [*original article*](#)."

Schedule 2—Voter identification 7

Commonwealth Electoral Act 1918

I also do not that I agree with some of the comments in other submissions that the voter identification terms may need some more examination as to reduce extra complexity for the voting officer. I have worked at a number of elections in the capacity of voting officer at a number of Federal and State elections. There is a certain diligence on behalf of all voting officers in carrying out their duties and they all carefully identify voters. The majority of voters will be carrying the correct identification to satisfy a voting officer. I have also been the Booth co-ordinator on a number of occasions. The Booth co-ordinator is there to adjudicate on any uncertainties in respect to voter identification and should be able to solve the rare occurrences like a forgotten wallet that may require their input. I also suggest that voting officers should be scrutinised to ensure that no biased use of a members of a particular political party or trade union make up the bulk of voting officers in a particular polling booth if this is the case they should be spread randomly across the electoral booths.