



Submission: Inquiry into all aspects of the conduct of the 2013 Federal Election and matters related thereto

Author: Jeff Waddell

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1. Introduction

This document lists proposals to change the way Elections are conducted.

Whilst it does not specifically focus on the conduct and outcome of the 2013 Federal Election it does pave the way to over time eliminate many of the issues that arose out of the results of the 2013 Federal Election.

My overall vision incorporates more changes to Government data gathering and retention than are detailed here, and I am more than happy to provide those details if required.

Members of the coalition may contact the Member for Latrobe should they wish to view my original suggestions.

1.1 Purpose and Objectives of this document.

The purpose of this document is to identify shortcomings in key areas and suggest solutions to address these shortcomings.

The key areas identified are:

- General changes to the electoral process including the introduction of online voting.
- Validating the identity of a voter prior to issuing ballot papers

The first objective is to alter voting process for both the House of Representatives and the Senate to elect members that give a truer reflection of the wishes of the electorate, and to modernise the way elections are conducted, taking advantage of 21st century technology.

The second objective is to introduce a validation of identity process – reducing the risk of potential electoral fraud.

2. Changes to the electoral process

Currently, a person needs to show more proof of identity to hire a DVD for one night than they do to change the Government.

The current system of going to a polling booth, getting your name checked off and voting may have worked well in the 20th century when most of the population was honest, but these days there's a well-known saying of "vote early, vote often". There is more than a grain of truth to the rumour that some people make an extra effort to ensure their side of politics retains as much power as possible.

Electoral fraud has the potential to determine the government in the case of a close result or hung parliament. It also has the potential to make or break political careers.

2.1 The first step – Positive Voter Identification.

It is important to any democracy that everyone that is entitled to vote can vote only once, and that foreign interests do not influence the vote of the people.

Therefore, I suggest the following checks and balances are put in place as early as possible - by the 2016 election if this can be arranged.

- Non-citizens are excluded from voting in any future Federal Election.
- People holding dual or multiple citizenships (one of which must be an Australian Citizenship) are excluded from voting unless they have lived in Australia for at least 50% of the time between the previous and upcoming election.
- Positive Voter Identification: That is, a voter must prove their identity before being issued with ballot papers.
- The Electoral Rolls published for Polling Day will include each elector's Medicare * Card Number, and each elector must present their Medicare Card to an electoral official to support their identity claim.
- Failure to do so will mean their name will still be checked off, but they will not be provided ballot papers on which to vote.
- As a backup, alternative identification can be accepted. These would be limited to either
 - A current valid driver's license with photo ID supporting the elector's identity claim.
 - A Debit **and/or** Credit Cards (at least 2) displaying the name of the elector.
 - Any Federal Government issued card containing the elector's name and address details such as a Health Care Card.
- An Online version of the roll is available at all Polling Booths which can be used to verify potential voter's details for those who are voting absentee on the day.

* To further reduce potential electoral fraud, future Medicare Cards will need to include photo ID of the card holder.

For those who don't turn up at a Polling Booth on Election Day, the following conditions need to be in place.

- Pre-poll: Verification of identity with Medicare Card or other alternatives described above. If no card voter can choose whether or not to have name checked off but no ballot papers will be issued.
- Absentee: Verification of identification with Medicare Card or other alternatives described above. Name checked off on Online Electoral Roll.
- Provisional and Postal Votes: Medicare Card ONLY can be used as verification. These votes will be counted last and discarded if a vote has already been listed as cast by the identity listed on the Declaration Envelope.

2.2 Step 2 - Notifying people that have attempted to vote twice.

Whilst there are financial penalties in place for those who don't vote; there needs to be a higher disincentive for those who vote twice and deliberately try to influence the result of elections unfairly.

However there may be an unforeseen advantage to notifying people who have voted twice, in that they may have been the victim of identity fraud.

Therefore, a 'first offence' for voting twice can be nothing more than a warning letter.

Second offence needs to be a severe financial penalty - i.e. a fine of \$1000 or more.

Third offence is a \$2000 fine and 10 year disqualification from voting in any Federal or State election.

Fourth offence includes jail time and permanent removal from the electoral roll.

2.3 Changes to the voting system #1 - Optional Preferential Voting (OPV) in the House of Representatives.

OPV has the potential to reduce the number of informal votes recorded and provide a more accurate reflection of the will of each electorate. A valid vote can now be as simple as just a 1 in one square.

Alternatively, with OPV just a tick or cross in just one square can also be accepted to further reduce the number of informal votes.

Counting and Distribution of preferences in the House of Representatives.

First preference votes will continue to be counted as normal.

The elimination from the count of the candidate with the least number of first preference votes is the second step, and the distribution of their second preference votes to other candidates is performed.

The change at this point will be that a number of votes may be exhausted where second and subsequent preferences have not been nominated.

The potential impact is that candidates that require preferences from multiple other candidates may not receive as much of a preference flow as they once did; increasing the possibility that the candidate with the highest number of first preference votes is more likely to win the seat.

This is a positive outcome as it more realistically reflects the will of the greater portion of voters.

2.4 Changes to the voting system #2 – the introduction of Optional Preferential Voting “Above the Line” (ATL) in the Senate.

Of all the suggestions provided here, I’m sure that this suggestion is already being worked on by the major parties after the various senate results from the 2013 election.

It’s in everyone’s interest to try and ensure parties with just 0.5% of the primary vote don’t end up doing their own preference deals with the other minor parties and end up with a quota for a senate seat.

If it can be arranged, from 2016 voters will need to do their own preferences “Above the Line” when filling in the Senate ballot paper.

However, this will be a balancing act, as voters will not want to number every square above the line on the senate ballot paper.

My initial suggestion is that ATL preferences should ideally be allocated equal to double the number of Senate vacancies per State or Territory. That is; electors should number boxes 1 through 12 for the States and 1 through 4 for the Territories.

There would be no compulsion on voters to do this, only a recommendation. But their vote may be exhausted if it only backs a few minor parties and these are eliminated early in the Senate count.

Below the Line (BTL) votes can still be filled in by those who choose to vote this way. However, only 80% of the boxes need to be allocated a number. Ticks or crosses would not be permitted on BTL ballots.

Once the minor parties understand they will be elected on people's preferences and not back room deals, the number of parties nominating for the Senate should fall dramatically.

Impact when Senate Votes are counted:

The counting system for the Senate will need to change.

This is due to the increase in potential for exhausted votes and the real possibility that the last Senate seat in a State may not have sufficient votes to achieve a quota in the way that a quota is currently calculated.

Counting and Distribution of preferences in the Senate.

First preference votes will continue to be counted as normal.

Whilst a "Provisional Quota" is determined after all the votes are counted, there is now no election of candidates and distribution of surplus performed at this point.

Where a group has more than 0.85 of a quota, the number of candidates they take into the second round will be allocated. The party may choose all but one of the candidates it takes into the second round; the last one will be determined by the counting process.

As is performed for the House of Representatives voting, the candidate with the least number of first preference votes is eliminated from the count and their preferences distributed. Given that this is likely to be a subsequent candidate in a group rather than the lead candidate in the group first up, these votes are all likely to be BTL votes.

This process continues until the group with the least number of votes is eliminated from the count. At this point there is a probability that a number of votes will be exhausted because of the introduction of ATL preferential voting for the Senate.

The count continues until the required number groups remain in the count - usually 12 for the States; 4 for the Territories.

At this point, the remaining number of live votes are counted and the final quota determined by this figure. The remaining live votes are known as the Live Vote Pool.

Groups with sufficient votes to fill a quota at this point elect their first candidate (and second and subsequent candidates if they have sufficient votes for 2 or more quotas).

The first votes they remove from the live vote pool first are the ATL votes with just one box checked off - nominating the relevant party, obviously.

The second group of votes removed from the live pool will be ATL votes with a first preference for the relevant party, but the group of the second preference has been already eliminated from the count.

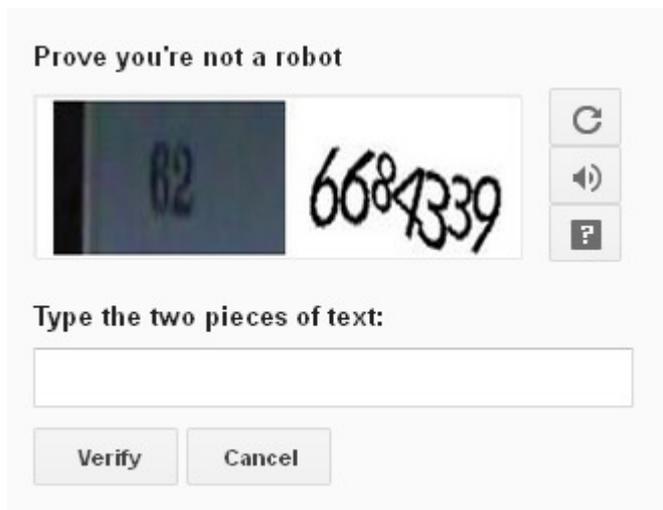
The intention here is to lose the least number of votes either through exhaustion or through loss by fraction.

3 My Vision 2025 – How the electoral process could look by 2025

3.1 The electoral process

By 2025 an online voting application will have been developed by the AEC in conjunction with the author, it will have been trialled in a small state or territory election and be ready for national use.

It will give people the opportunity to vote online. It will verify a voters ID by requiring their name, address, Medicare Card number as well as an auto-generated access code before allowing the voter to cast their vote (see screenshot below), so it will be extremely secure. It will also have the smarts to know if a person is attempting to vote a second time using the same card number, it will inform the person trying to do this and stop the second attempt.



Prove you're not a robot

02 6684339

Type the two pieces of text:

Verify Cancel

Example of access code required to be completed by people voting online to assist in avoiding online electoral fraud.

Taken from Google URL Shortener website - <http://goo.gl/>

The program will also have the smarts to ensure that any online vote submitted is a formal vote; EG a voter will not be able to enter the same number in multiple boxes. However the option to vote informally must be provided in the Online Voting option, with a free text or drop-down selectable

field asking each voter that chooses to vote informally to explain why they refuse to cast a valid vote.

Online Voting and pre-poll voting will be available from 8:00 AM ACT time the Saturday before the date of the election and close at 6:00 PM WA time on the day of the election.

That gives people in the Eastern States 2 or even 3 extra hours to vote if they've been unable to get online or attend a polling booth on the day. On the other side of the country WA Voters can now commence voting at 6 AM or even 5 AM if elections are held during the time the ACT observes Daylight Savings.

Data entered into Online Voting can – of course – be instantaneously made public after online polling has closed. Whilst data would have been entered online for over a week, it should not be made public until polls in that particular State or Territory have closed.

As more and more people vote online, the cost of conducting elections should fall dramatically with fewer people needing to attend polling booths. The flow-on effects will include fewer people required to check off names and hand out ballot papers, less copies of the rolls to print, less voting papers to print, lower transport costs for the reduction in printed voting material and less time conduct scrutineering on manually completed votes. And – dare I add – less chance of “losing” paper-based votes.

Ultimately, even Polling Booths will have online voting functionality, so people will no longer need to have their name checked off on a printed electoral roll. This will be able to be done successfully electronically, and it will also immediately reject any person's attempt to vote more than once using the same Medicare Card ID. Recounts will take less time as the data is entered electronically and cannot be manually altered or misread by a scrutineer.

However, printed data will still need to be available in the event of a power blackout, extreme weather event or other disaster – natural or otherwise - which causes loss of power or network access at a polling booth.

3.2 Other changes to be made.

People must still be given the ability to update their address details online, though perhaps with more security than the current arrangement. All government websites that currently maintain this function separately will need to change their links to point to a single URL dedicated to updating people's address details.

Other types of changes like name changes (marriage, divorce or deed poll) may need to be done at the same location the future Medicare Card photos are taken (Australia Post offices?) and any changes to names backed up with supporting documentation.

Addendum to

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4. Addressing the ever increasing number of electors per Federal Electoral Division.

How many electors are too many electors for a Member of Parliament to represent?

At the 2013 Federal Election, the electoral rolls contained 14,705,419 electors within the 150 Divisions. That works out to an average of 98,036 electors per Division. 63 Divisions exceeded 100,000 electors on the electoral roll.

Just over 40 years ago at the 1972 Federal Election there were 6,920,790 electors voting in 125 Divisions at an average of 55,366 electors per Division.

That's a 77% increase in the number of electors each MP represents in just over 40 years.

Currently there is no trigger to automatically increase the number of Representatives in the Lower House to keep up with the increasing population. As a result, each member is representing more electors than ever. This reduces their ability to effectively work within their communities of interest and makes each member more distant from the people that vote for them. Long term, this is not good for a Democracy.

There are 2 possible alternatives to expand the number of members in the House of Representatives. One is to do what has been done in the past; that is, increase the number of Senators from the States forcing an electoral redistribution for almost every state as per the Redistribution Process.

The risk in doing this is that it increases the possibility of radical, fringe or single-interest parties being represented in the Senate.

However, I will also show an alternative including reducing the number of Senators from the states and increasing the factor for the quota calculation from double to triple.

Using the last available population data (29/9/2011) as listed on the AEC website; <http://www.aec.gov.au/Electorates/Redistributions/Overview.htm> - the 2 calculations would be as follows:

4.1 Increasing the number of Senators from the States from 12 to 14.

Population of the 6 states as of 29/9/2011: 21,883,246.

Divided by twice the number of Senators (14) for the States:

$21,883,246 / (84 \times 2) = 130,257.4167 = \text{Quota}.$

Applying the Quota to the states:

NSW Population: 7,272,230. Divided by Quota = 55.8297. Rounded = 56 Divisions.

Vic. Population: 5,585,573. Divided by Quota = 42.8810. Rounded = 43 Divisions.

Qld. Population: 4,548,700. Divided by Quota = 34.9209. Rounded = 35 Divisions.

WA Population: 2,317,068. Divided by Quota = 17.7784. Rounded = 18 Divisions.

SA Population: 1,650,383. Divided by Quota = 12.6702. Rounded = 13 Divisions.

Tas. Population: 509,252. Divided by Quota = 3.9096. Rounded = 5 Divisions. *

ACT Population: 362,424. Divided by Quota = 2.7824. Rounded = 3 Divisions.

NT Population: 231,953. Divided by Quota = 1.7807. Rounded = 2 Divisions.

* The Constitution (s.24) grants Tasmania a minimum of five members in the House of Representatives.

Revised number of members of the House of Representatives: 175

Divided by the 2013 electoral roll = 84,031 electors per Division.

Still around 29,000 electors per Division more than applied in 1972.

4.2 Decreasing the number of Senators from the States from 12 to 10 and changing the factor from double to triple.

Population of the 6 states as of 29/9/2011: 21,883,246.

Divided by **triple** the number of Senators (10) for the States:

$21,883,246 / (60 \times 3) = 121,573.5889 = \text{Quota.}$

Applying the Quota to the states:

NSW Population: 7,272,230. Divided by Quota = 59.8175. Rounded = 60 Divisions.

Vic. Population: 5,585,573. Divided by Quota = 45.9440. Rounded = 46 Divisions.

Qld. Population: 4,548,700. Divided by Quota = 37.4152. Rounded = 37 Divisions.

WA Population: 2,317,068. Divided by Quota = 19.0590. Rounded = 19 Divisions.

SA Population: 1,650,383. Divided by Quota = 13.5751. Rounded = 14 Divisions.

Tas. Population: 509,252. Divided by Quota = 4.1889. Rounded = 5 Divisions. *

ACT Population: 362,424. Divided by Quota = 2.9811. Rounded = 3 Divisions.

NT Population: 231,953. Divided by Quota = 1.9079. Rounded = 2 Divisions.

* The Constitution (s.24) grants Tasmania a minimum of five members in the House of Representatives.

Revised number of members of the House of Representatives: 196

Divided by the 2013 electoral roll = 75,028 electors per Division.

Still 20,000 more electors per Division than applied in 1972.

4.3 Triggers for future changes.

The trigger for future calculation changes should be either:

- A. More than 50% of Divisions have an electoral roll of 83,333 or more at the last Election for the House of Representatives or;
- B. The average number of electors per Division exceeds 83,333 at the last Election for the House of Representatives.

At that time - depending on which of the two options above are adopted - the number of Senators from the States is increased by 2 (applies to both options) - **or**; the factor is increased by 1 and the number of Senators from the states decreased by 2 (applies to second option).

Senate Capping:

The number of Senators from each State should not equal more than 16.