The Parliament of the Commonwealth of Australia

Division required?

Electronic voting in the House of Representatives

House of Representatives
Standing Committee on Procedure

April 2016
Canberra

ISBN 978-1-74366-497-1 (Printed version)

ISBN 978-1-74366-496-4 (HTML version)

Contents

Foreword v
Membership of the Committee vii
Terms of reference ix
List of recommendations xi

THE REPORT

1 Introduction 1
Conduct of this inquiry and structure of the report 2

2 Evidence 3
Arguments for and against electronic voting 3
Saving House time 5
Immediacy of results 6
Available technology 7
Use of electronic voting in other parliamentary chambers 9

3 Conclusion – the ayes have it 11
Saving House time 12
Transparency of the vote and immediacy of results 13
Procedural considerations 13
Technological proposals 14
Count administration technology 14
Voting technology 15
Other proposals 17

Conclusion 18

APPENDIX

Appendix A – List of submissions 21

Foreword

Electronic voting has been considered a real possibility for the House of Representatives for many years. Despite a number of inquiries, including by the Procedure Committee in previous parliaments, the House has not come to a final decision on the matter.

Throughout this inquiry, the Committee sought the views of Members and the response was overwhelmingly positive. Members are ready to embrace the technology available to enhance the efficiency and transparency of votes in the House of Representatives. Members are not willing, however, to completely disregard the traditions of the House in the pursuit of efficiency.

There is no question that Members must continue to attend the Chamber to vote, with the exception of nursing mothers who may vote by proxy. The Committee has also determined that the practice of Members dividing to the right and left of the Chair to indicate their vote, which is valued by both Members and observers of proceedings, should be retained.

After considering a range of technology options, the Committee is confident that a secure and reliable electronic voting system, suited to the needs of the House, is achievable. As such, the Committee has proposed that the option of Members using swipe or touch cards to vote from any seat be further investigated, with the clear intention of introducing electronic voting into the House of Representatives Chamber.

Modernising voting procedures will save the time of the House, will ensure immediate availability of accurate results and will send the message that the House is willing to embrace technological change while retaining valued traditions and practices.

Dr Andrew Southcott MP
Chair

Membership of the Committee

Chair	Andrew Southcott MP	
Deputy Chair	Michael Danby MP	
Members	Russell Broadbent MP	Scott Buchholz MP
	Ian Goodenough MP	Jill Hall MP
	Joanne Ryan MP	

Committee Secretariat

Secretary	James Rees
Inquiry Secretary	Siobhán Leyne
Research Officer	Naomi Swann
Administrative Officer	Penny Branson

Terms of reference

To inquire into and report on procedures for counting and reporting the vote in a division, in particular:

- the benefits or otherwise to the work of the House and the conduct of divisions by the use of electronic voting, including:
  - ⇒ the procedures for counting and reporting votes using an electronic voting system; and
  - ⇒ the cost of establishing and providing such a service.
- any other efficiencies to be gained in counting and reporting the vote in a division.

List of recommendations

3 Conclusion – the ayes have it

Recommendation 1

The Committee recommends that electronic voting to record divisions in the House of Representatives be implemented, provided that:

- voting occurs in the Chamber;
- the House maintains the practice of dividing to the right and left of the Chair;
- Members may sit anywhere on the side of the Chamber corresponding to their vote; and
- tellers continue to be appointed to report proxy votes for nursing mothers and to be ready to undertake a manual tally in the event that the voting system malfunctions.

Recommendation 2

The Committee recommends that the option of using a swipe or touch card (or electronic token) and readers that allow Members to vote from any seat to the left or right of the Chair be investigated.

Recommendation 3

The Committee recommends that the results of divisions be displayed in the Chamber.

1

Introduction

1.1 Electronic voting for divisions has been a matter of discussion in the House of Representatives for many decades. As early as 1970 the Joint Select Committee on the New and Permanent Parliament House agreed that the new Parliament House should have the necessary conduits to provide for electronic voting at a future date.[1]

1.2 Since that time there have been numerous reviews which examined the potential for electronic voting in the House:

- In 1993 Speaker Martin inspected the electronic voting facilities in a number of international parliaments. He concluded that the speed of operation, accuracy and reliability was such that it should be implemented in the House.[2]
- A 1996 Procedure Committee report on the conduct of divisions concluded that the costs precluded electronic voting as an option. Members dissenting to this report concluded that the benefits of electronic voting would outweigh the costs and recommended that it be implemented.[3]
- A 2003 Procedure Committee report declined to recommend electronic voting be implemented recognising that there were wider issues than

---

1 *House of Representatives Practice*, p. 286. Clerk of the House, *Submission 1*, p. 4.

2 Delegation report, led by Speaker Martin. *Electronic voting: Report of inspection of equipment used in the parliaments of Belgium, Denmark, Finland, Sweden and the United States of America and in the European Parliament building in Brussels*, Misc Paper.

3 Standing Committee on Procedure, *Conduct of divisions*, November 1996, pp. 5, 16.

technological or procedural matters for the House to consider prior to any recommendation being made for its implementation.[4]

- A 2013 Procedure Committee report concluded that greater consideration needed to be given to procedural and contextual issues prior to any decision being made. It reiterated the view of the 2003 inquiry that the issues should be debated by the House and all Members be given the opportunity to express their views prior to any decision being made.[5]

Conduct of this inquiry and structure of the report

1.3 In late 2015 the Leader of the House wrote to the Committee asking it to consider whether electronic voting on divisions might assist the House in the efficient conduct of business. He requested that the Committee report as early as possible in 2016.

1.4 Accordingly the Committee has considered and issued this report at the earliest possible opportunity, giving due consideration to the views of Members.

1.5 All Members were invited to submit to the inquiry and to attend a roundtable to put their views to the Committee. The Committee thanks those Members who took the time to engage with it and this report draws on their views.

1.6 The Committee has reviewed but not repeated the discussion available in its predecessor's reports as listed above. Specifically, readers are referred to the Procedure Committee report of June 2013[6] and the Clerk's comprehensive submission to this inquiry.[7] Submissions to this inquiry are available on the Committee's website and are listed at Appendix A.[8]

1.7 Chapter 2 outlines the submissions to this inquiry and the possible technological options for electronic voting in the Chamber.

1.8 Chapter 3 puts forward the Committee's position on electronic voting in the Chamber.

4 Standing Committee on Procedure, *Review of the conduct of divisions,* August 2003, pp. 6-9.

5 Standing Committee on Procedure, *Electronic voting in the House of Representatives*, June 2013.

6 Standing Committee on Procedure, *Electronic voting in the House of Representatives*, June 2013, available at <www.aph.gov.au/e_voting>

7 Clerk of the House, *Submission 1.*

8 <http://www.aph.gov.au/Parliamentary_Business/Committees/House/Procedure>

2

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 *min:sec*	Total proportion of sitting time
Ordinary division	101	10:38	
Subsequent division	59	4:24	
Total	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 *min:sec*	Total proportion of sitting time
Ordinary division	67	6:36	
Subsequent division	52	2:29	
Total	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 costs[11]

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 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.

3

Conclusion – the ayes have it

3.1 The Committee received no feedback from Members opposed to the introduction of electronic voting for divisions in the House.

3.2 In considering its position on the adoption of electronic voting the Committee decided to establish which aspects of the current conduct of divisions it is essential to retain.

3.3 In his submission to the Committee's 2013 inquiry, the then Clerk noted:

> Divisions are an important facet of the parliamentary day – a time when the policy divide is most evident. There is a certain theatrical aspect to the ringing of the bells and the summoning of Members to the Chamber. The drama is heightened when there is the possibility of Members crossing the floor, or, when free votes are held, the way in which individual Members vote is the object of considerable scrutiny.[1]

3.4 The Committee agrees with this statement and is of the opinion that any change in voting procedures must be consistent with the traditions of the House.

3.5 The Committee considers that it is essential that, in adopting electronic voting, the House retain the following:

- Members may vote only from within the Chamber and all Members must remain in the Chamber until the result of the division is announced.
  - ⇒ The Committee notes that there is a clear constitutional requirement for votes to be taken in the Chamber. s39 of the Constitution requires the presence of a quorum of Members for the House to be properly

---

1 Procedure Committee, Inquiry into electronic voting (2013), Clerk of the House, *Submission 1*, p. 5.

constituted. Standing order 58 requires that if a quorum of Members is not present for a division, the House has not made a decision on the question.

⇒ No changes should be made to the current provisions for a proxy vote granted to nursing mothers.[2]

- The House must maintain the tradition of physically dividing to the left and right of the Chair. It is important for Members to display their vote to other Members in the Chamber and to the public observing proceedings and maintaining this traditional practice is the most immediate and transparent method of doing so.
- The Chair must retain the ability to declare the decision of the House immediately without completing the count if there are four or fewer Members on one side of a division.[3]

3.6 With these caveats in place, the Committee gives in-principle support to electronic voting being used for divisions in the House.

Saving House time

3.7 The primary argument put to the Committee from Members for adopting electronic voting is that it would save the time of the House and Members.

3.8 As outlined in chapter 2, just two per cent of the House's time was spent on divisions in 2015. However, the largest proportion of this time was spent counting (1.3 per cent of the House's time). Assuming the House continues to require Members to be present in the House until the announcement of the result, counting the vote is where the most time could be saved.

3.9 The House would need to make a decision on the period of time for which voting would be open, and this would depend on the voting method used. If, for example, voting was open for a period of 1 minute following the ringing of the bells, with the result announced almost immediately at the end of the voting period, this would make a significant saving in the time taken to take and count the vote (on average, just over 5 minutes per vote).

3.10 It may also provide more certainty for Members regarding how long divisions would take so if they are called away from other business, they are able to estimate when they will return.

---

2 Resolution of the House, *Votes and Proceedings No. 1,* 12-13 February 2008, pp. 27-8.

3 Standing order 127.

Transparency of the vote and immediacy of results

3.11 Electronic voting has the potential to enhance the transparency of divisions, particularly if it is implemented with some form of display panel within the Chamber, visible from the galleries, that instantly displays how Members have voted.

3.12 The Committee does not agree with the proposition put by the OpenAustralia Foundation that all or most votes should be taken by division rather than 'on the voices'.[4]

3.13 A vote taken 'on the voices' is a decision taken with no significant dissent. Every Member has the right to call for a division or to have their dissent from the majority decision recorded.[5] All decisions of the House, whether a division is called or not, are recorded in the *Votes and Proceedings*. Therefore the Committee considers that there is sufficient transparency for votes that are taken on the voices. The Committee notes concerns of previous reviews that electronic voting may lead to more divisions being called but considers that it is unlikely that Members will call significantly more divisions simply because of a change in voting method.

3.14 Votes taken by division are votes where there is significant dissent from the majority view of the House and it is of the upmost importance that there is transparency around these decisions. Electronic voting has the potential to further enhance the transparency of division results and their speed of publication.

Procedural considerations

3.15 In his submission, the Clerk did not identify any particular procedural impediments to the introduction of electronic voting.[6] However, his submission raised the question as to whether Members would be able to enter their vote while the bells were ringing.[7]

3.16 The Committee's unequivocal view is that votes should only be taken after the bells have stopped ringing, the doors to the Chamber locked and the question before the House has been restated by the Chair.

---

4 OpenAustralia Foundation, *Submission 4,* p. 2.

5 Standing orders 126 and 127.

6 Clerk of the House, *Submission 1.*

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

3.17 The Committee agrees with the Clerk that the integrity of the votes must be paramount. He noted:

> Any electronic voting system would need to be completely reliable in terms of the functioning, authentication of the vote, and immunity from external interference. While reliability in terms of functioning and authentication of the Member voting has likely improved over the years, it may be that the prospect of external interference with voting systems is now a greater challenge than previously.[8]

3.18 As stated, the tellers should be retained. If the House decides to implement a solution that requires Members to bring a device or voting card into the Chamber, provision must be made that allows Members to register a vote with the tellers in the event that they do not have the device or card with them. Tellers also will be required sometimes to register proxy votes for nursing mothers.

3.19 Maintaining the tradition of physically dividing would also make it easier to revert to the traditional method of voting in the event that the technology fails.

3.20 Procedures must be retained that allow the Speaker to declare the decision of the House immediately without completing the count if there are four or fewer Members on one side of a division.[9]

Technological proposals

3.21 The Committee considers that where technology can be applied to the voting process in order to improve its efficiency and transparency it should be adopted.

3.22 A first step to this end would be to immediately display the results of divisions on the screens in the Chamber. While the Speaker announces the result of a division to the Chamber, it would be beneficial for observers if the results of divisions were also displayed on the screens in the Chamber.

Count administration technology

3.23 It has been proposed that the use of tablets by tellers may make the counting process more efficient. The use of tablets by Division Clerks in the House of Commons, which is much larger than the House of Representatives, has led to efficiencies in that Chamber. The use of tablets

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

9 Standing order 127.

may not make the count in the House much more efficient, but may result in quicker publication of the results.[10]

3.24 The Department of Parliamentary Services (DPS) has advised that the indicative costs for the development of a voting administration application would be in the range $0.9m to $1.4m with annual support costs of $0.10m. DPS further noted that it 'can form the foundation of an electronic voting solution…[and] could be deployed independently of voting devices.'[11]

3.25 The House would be likely to retain tellers to record proxy votes for nursing mothers and to record divisions in the traditional way in the event of a technology failure. Therefore, the development of a voting administration app may be a worthwhile investment.

Voting technology

3.26 As the Committee considers it essential that the Chamber retain traditional physical divisions, it has not seriously considered those technological options that would require Members to vote in their assigned seat or at a kiosk. There is also the practical matter of the frontbenches not having a desk or armrest in which to install individual voting hardware (such as voting buttons). Therefore a portable voting method, or systems where several Members could activate the same card reader to record a vote appear to be the only viable options.

3.27 Therefore the options provided by the Department of Parliamentary Services (DPS) for consideration are:

- portable mobile devices;
- a voting application; and
- facial biometrics.[12]

3.28 DPS submitted that proposed solutions included vote 'tally' screens in the Chamber and the Committee is of the opinion that the inclusion of screens or some other means to display the results is essential to realising the benefits of electronic voting for observers of proceedings. One Member suggested to the Committee that division results could be projected onto the glass that encloses the gallery above the press gallery. This would have minimal impact on the fabric of the Chamber or the Chamber's appearance and the feasibility of this suggestion ought to be investigated.

---

10 Clerk of the House of Representatives, *Submission 1*, p. 6.

11 Department of Parliamentary Services, *Submission 3*, p. [10].

12 Department of Parliamentary Services, *Submission 3*.

3.29 The Committee notes that these solutions would have minimal impact on the design and heritage of the Chamber.

Portable mobile device

3.30 A portable mobile device provided to Members on entry to the Chamber would require additional identity verification (a security card). This option would have no impact on the fabric of the Chamber, but would require Members to carry a voting card with them while in the building.

3.31 This option may have some additional impact on Members who would have to retrieve and return devices on their entry/exit to the Chamber. Because of the potential for bottlenecks and confusion, this is the Committee's least preferred option.

Voting application

3.32 A voting application loaded on Members' mobile phones or tablets would allow Members to vote from their personal devices which are already password protected and would require no additional identity verification. As Members tend to have their mobile phones with them at all times, this would not require a change in behaviour by requiring them to remember to carry an additional voting card.

3.33 However, DPS has advised that 'it would be very difficult to ensure a voting app provided to Members via their smartphones and tablets could only be used from the floor of the Chamber.'[13]

3.34 Even with a WiFi network isolated to the Chamber, it would be unlikely to be precisely confined within the Chamber. A Member may be able to vote on their mobile device from outside the Chamber after they are locked out.

3.35 This proposal would rely on the integrity of Members to respect that they could only vote from the floor of the Chamber. While the Committee anticipates that Members would act appropriately if this technology were deployed, the House already has sanctions which it could apply against any Member found to have voted from outside the Chamber.

3.36 This solution would also be dependent on the reliability of the WiFi network and app and the Committee considers that there are some risks associated with assuring consistent reliability of the technology, especially when deployed to 150 or more individual mobile devices.

13 Department of Parliamentary Services, *Submission 3*, p. 3.

Facial recognition technology

3.37 Biometric facial recognition technology is an interesting proposal that may offer a way for votes to be taken in the traditional manner without any independent security verification by Members.

3.38 DPS notes that although the use of biometric facial recognition technology has become more widespread, this technology has not yet been utilised in this context and therefore is a higher risk option.[14]

3.39 This option may be worth further exploring and, if successfully implemented, would 'leapfrog' the technologies used in other parliaments while retaining the traditional elements of divisions which are valued by Members. It would need to be established whether the advisors boxes could be excluded from the count (as they are outside the area of Members' seats and Members may currently sit in these seats and not be counted), and how long it would take to undertake a count so if this option offers significant benefits.

Other proposals

3.40 The Manager of Opposition Business and Members attending the roundtable proposed a form of voting that required the use of a card that could be swiped or tapped on a reader to record a Member's vote. The card would identify the Member voting.

3.41 If it is possible to have voting buttons installed at Members' desks,[15] the Committee speculates that it should be equally possible to have card readers installed at Members' desks and at the Table (or at intervals under or behind the frontbenches) for frontbench Members in a manner that does not visually impact on the appearance of the Chamber. The readers installed to the right of the Chair could be programmed to register 'aye' votes and the readers installed to the left of the Chair, 'no' votes. Members would vote by swiping their card at any reader in the Chamber on the appropriate side.

3.42 Another suggestion replaced cards with individual transponders for each Member similar to those employed by keyless entry and start systems for motor vehicles. Presumably such a system could 'read' a Member's whereabouts in the Chamber and record their vote without them having to tap or swipe the device on a reader.

3.43 These proposals would preserve the characteristics of the traditional physical division and, in particular, they afford Members the freedom to

14 Department of Parliamentary Services, *Submission 3*, p. 3.

15 Department of Parliamentary Services, *Submission 3*, p. 1.

take a seat anywhere on the side of the Chamber corresponding to their vote as they do now. They also avoid the risks associated with a mobile app which might allow Members to vote just outside the Chamber if they were locked out.

Conclusion

3.44 The Committee supports the adoption of electronic voting for divisions in the House of Representatives provided the characteristics of traditional divisions stipulated in paragraph 3.5 of this report are retained.

3.45 The House should embrace technology that enhances its work and electronic voting has the potential to do this by reducing the time spent on recording divisions and expediting the publication of the results.

3.46 Previous Procedure Committee reports have recommended that the House debate the proposition of electronic voting so that all Members have an opportunity to express their views.[16] Although this has not occurred, it is apparent that most Members are generally supportive of electronic voting, or at least are not sufficiently opposed to be motivated to register their objections. Members' support for electronic voting seems to be conditional on the House continuing to divide in the traditional way before the vote is tallied.

3.47 The Committee recommends that electronic voting for divisions be proceeded with, and the option of using a swipe or touch card (or electronic token) and readers that allow Members to vote from any seat to the left or right of the Chair as outlined in paragraphs 3.40 to 3.43 above be investigated. A system of this type appears to have the least risk associated with its implementation and it best preserves the traditional practices for the conduct of divisions which Members value.

16 *Electronic voting in the House of Representatives,* p. 26, citing the report *Review of the conduct of divisions*, p. 8.

Recommendation 1

The Committee recommends that electronic voting to record divisions in the House of Representatives be implemented, provided that:

- **voting occurs in the Chamber;**
- **the House maintains the practice of dividing to the right and left of the Chair;**
- **Members may sit anywhere on the side of the Chamber corresponding to their vote; and**
- **tellers continue to be appointed to report proxy votes for nursing mothers and to be ready to undertake a manual tally in the event that the voting system malfunctions.**

Recommendation 2

The Committee recommends that the option of using a swipe or touch card (or electronic token) and readers that allow Members to vote from any seat to the left or right of the Chair be investigated.

Recommendation 3

The Committee recommends that the results of divisions be displayed in the Chamber.

Dr Andrew Southcott MP
Chair
30 March 2016

A

Appendix A – List of submissions

1 Clerk of the House of Representatives

2 OpenAustralia Foundation

3 Manager of Opposition Business

4 Department of Parliamentary Services