

CHAPTER 11: POLLING

This chapter summarises the arrangements for the casting of votes at Australian elections, before examining a number of issues that have emerged in relation to current polling processes and practices.

THE CURRENT ARRANGEMENTS

Commonwealth arrangements

- 11.1 The Electoral Act sets out a number of requirements for polling day for federal elections. Polling day must always be a Saturday,⁸⁰³ and must occur not less than 23 days nor more than 31 days after the date of nomination of candidates.⁸⁰⁴ On polling day, polling places are open from 8.00am to 6.00pm.⁸⁰⁵ Votes are marked on paper ballots. Voting is compulsory in Australia.⁸⁰⁶
- 11.2 Electors can vote on polling day, or before polling day (either by post or in person). On polling day, ordinary voting involves an elector voting at any polling place in the electorate for which he or she is enrolled. At polling places, voters cast a secret ballot, marking their votes in private in a voting compartment.⁸⁰⁷ Other voting options provided on polling day include:
- mobile polling at gazetted special hospital locations;⁸⁰⁸
 - absent voting at polling places in other electorates in the voter's state or territory of enrolment,⁸⁰⁹ and
 - provisional voting for persons including those whose names cannot be found, or whose names have already been marked, on the certified list of voters at the polling place.⁸¹⁰
- 11.3 Voting options available to eligible electors before polling day include:
- mobile polling in hospitals, nursing homes, prisons and remote areas;⁸¹¹
 - postal voting;⁸¹² and
 - pre-poll voting at designated early voting centres and Australian diplomatic posts overseas.⁸¹³
- 11.4 Postal voting and pre-poll voting are together known as early voting. These types of votes can be cast, for example, by an elector who will not be within his or her home state or territory on election day, is seriously ill, infirm, unable to leave work, will not be within eight kilometres of a polling place on election day, or for religious reasons is unable to attend a polling place.⁸¹⁴

⁸⁰³ Electoral Act, op. cit., section 158.

⁸⁰⁴ *ibid.*, section 157.

⁸⁰⁵ *ibid.*, section 220.

⁸⁰⁶ *ibid.*, section 245.

⁸⁰⁷ *ibid.*, section 233.

⁸⁰⁸ *ibid.*, sections 224 to 227.

⁸⁰⁹ *ibid.*, section 222.

⁸¹⁰ *ibid.*, section 235

⁸¹¹ *ibid.*, sections 224 to 227.

⁸¹² *ibid.*, Part XV – Postal Voting.

⁸¹³ *ibid.*, Part XVA – Pre-poll Voting.

⁸¹⁴ For full list of reasons why an early vote may be lodged, see Schedule 2 to the Electoral Act, op. cit.

- 11.5 Pre-poll, postal, provisional and absent voting are together referred to as declaration voting. This is because electors casting these types of votes are required to sign a declaration of his or her eligibility to vote. Unlike ordinary votes, declaration votes are not counted on election night, as each individual declaration vote is subject to a preliminary scrutiny to determine whether the relevant elector does have a valid entitlement to vote.
- 11.6 Special voting arrangements apply to Australians at bases in Antarctica,⁸¹⁵ and electronic voting arrangements have been trialled for sight impaired electors and certain defence force members serving overseas.⁸¹⁶

State and territory arrangements

- 11.7 Similar polling arrangements to the Commonwealth apply in the states and territories. For example:
- all jurisdictions require polling day to be on a Saturday, with polling places open between 8.00am and 6.00pm;
 - voting is compulsory in all state and territory elections; and
 - all states and territories offer a range of alternative voting arrangements, including mobile polling, postal voting, pre-poll voting, absent voting and voting at interstate and overseas locations (though eligibility requirements for postal and pre-poll voting differ slightly across jurisdictions⁸¹⁷).
- 11.8 One notable point of difference is that Queensland has a unique provision which allows eligible voters to register as 'electoral visitor voters',⁸¹⁸ who will be visited at their enrolled address on polling day by an official from the Election Commission of Queensland, who will take their vote.⁸¹⁹ To register as an electoral visitor voter, a voter must be prevented from attending a polling place on polling day for reason of illness, disability or advanced pregnancy, or because they are caring for a person who is ill, has a disability, or is pregnant.⁸²⁰ Another point of difference between jurisdictions is that not all jurisdictions provide for absent votes: for example, in the ACT, ordinary votes are issued to all electors, regardless of the electorate for which they are enrolled, at all polling places and pre-poll voting centres.

CHALLENGES, OPPORTUNITIES AND OPTIONS FOR CHANGE

- 11.9 The current Australian polling processes, and options for their reform, can be considered against the key principles outlined in chapter 2. For example, to achieve universality, it could be argued that all persons qualified to vote should have equitable access to polling facilities, including voters whose special needs would make ordinary voting unduly burdensome. For the purposes of integrity, it might be argued that mechanisms should be put in place to guarantee a secret ballot, guard against voting by persons not qualified to do so, and address any problems of multiple voting. To ensure flexibility, it could be contended that polling regulations should enable prompt adjustments to be made to processes and procedures to reflect changes in societal expectations, and to take advantages of opportunities arising from technological change. From the perspective of effectiveness and efficiency, it might be argued

⁸¹⁵ Electoral Act, op. cit., Part XVII.

⁸¹⁶ *ibid.*, Part XV B.

⁸¹⁷ For instance, in Victoria postal voters need only show they 'will be unable to attend an election day voting centre during the hours of voting on election day': see *Electoral Act 2002 (Vic)* section 98. In Tasmania, voters only need to 'expect' to be unable to vote at a polling place on polling day: *Electoral Act 2004 (Tas)* section 125. In other jurisdictions, similar lists to that in Schedule 2 of the Electoral Act apply setting out the specific situations in which a postal vote can be obtained.

⁸¹⁸ *Electoral Act 1992 (Qld)* paragraph 105(1)(c).

⁸¹⁹ *ibid.*, section 111.

⁸²⁰ *ibid.*, subsection 105(4).

that the efficacy and cost of options for reform should be considered, in the broader context of developing an overall package of electoral reforms which does not pose unreasonable additional demands on resources.

11.10 A number of aspects of the Australian polling process have been the subject of reform proposals. Particular issues and options discussed below are:

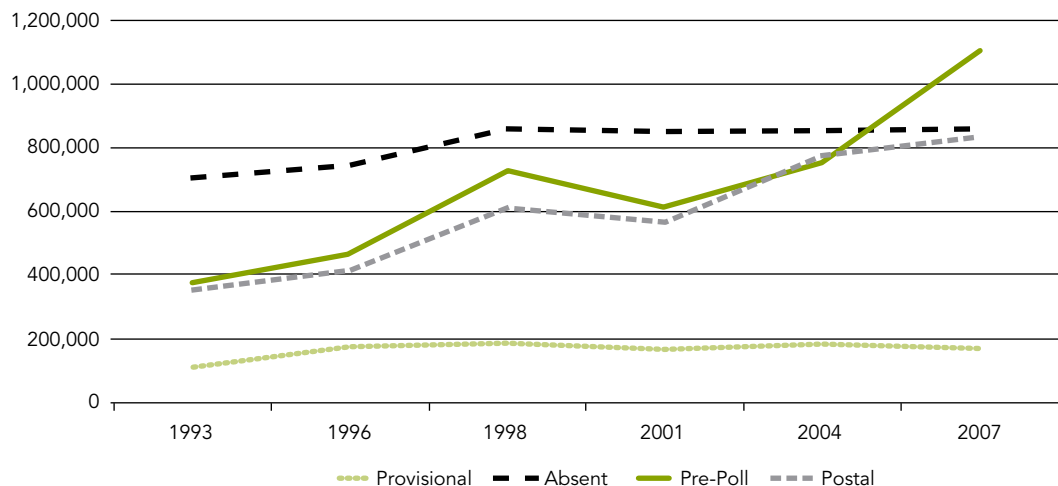
- the implications of the rise of early voting;
- aspects of the arrangements for postal voting;
- options for electronic voting;
- safeguards against multiple voting;
- voter identification on election day;
- the location of polling places;
- compulsory versus voluntary voting;
- timing of federal, state and territory elections; and
- options for harmonisation of polling arrangements between the Commonwealth, states and territories.

The rise in early voting

11.11 The underlying architecture of Australian elections assumes that most Australians will be voting in person at their local polling place on polling day, and that any other form of voting will be an exception. This is becoming a less realistic assumption with every election. As economic and social changes see more Australians work and travel on weekends (including election weekends), and as increasing numbers of Australians become frail or aged, Australian voters are increasingly taking advantage of the more convenient voting options available under current regulations. For instance, from 1993 to 2007, the number of pre-poll votes cast has almost tripled, whilst the number of postal votes cast more than doubled.⁸²¹ Approximately 14.6% of all votes in the 2007 federal election were early votes, compared to 9.5% in 2001.⁸²²

11.12 Figure 11.1 below shows the trend in types of declaration votes cast at federal elections since 1993, highlighting a disproportionate rise in the number of early (pre-poll and postal) votes cast.

Figure 11.1: Declaration voting by type of vote cast, 1993–2007



⁸²¹ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, 2008, p. 38.

⁸²² Based on data obtained from the AEC and from data contained in Table A4.11, Annex 4 – ‘Data from the 2007 election’ in AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 47.

- 11.13 As a result of the increase in early voting, it has been argued that it is now misleading to think of an election as taking place on a single polling day – instead, there is now a ‘polling period’.⁸²³ This development has a number of implications, including the following.
- Increasing numbers of early votes can add to the cost of elections and place increasing pressure on electoral authorities.⁸²⁴ For ordinary votes, a voter’s eligibility is checked against the roll in a coordinated fashion at each polling place on polling day. In contrast, early votes, which at the Commonwealth level are treated as a form of declaration vote, must be individually analysed to confirm the eligibility of each declaration voter to have his or her vote counted.⁸²⁵
 - Increasing numbers of early votes can lead to a greater probability that definitive election results, particularly in the case of close elections, will not be known until after polling day when the declaration vote scrutiny has been completed.⁸²⁶
 - For postal votes in particular, implications include the following.
 - In contrast to ballots cast at polling places, secrecy cannot be guaranteed for postal ballots completed in an environment uncontrolled by electoral administrators. It has been argued that there is a greater risk that postal voters ‘may be influenced or even intimidated by others’.⁸²⁷
 - It has been contended that postal voting makes it ‘much harder to be certain that the person casting the vote is actually the person the vote is registered to’.⁸²⁸
 - Postal voting relies on the postal service to transmit ballot papers and completed votes within relevant deadlines.⁸²⁹ There have been instances of disenfranchisement of voters, particularly in rural and remote areas, where infrequent postal services have slowed the postal voting process.⁸³⁰
- 11.14 A number of options might be considered to address the implications of the rise in early voting.
- Applicants for pre-poll and postal votes are not presently required to specify the grounds on which they will not be able to attend a polling place on polling day. One option could be to require applicants to specify such grounds,⁸³¹ and possibly to provide evidence to substantiate their claim that they satisfy one of the requirements for pre-poll or postal voting.⁸³²
 - Eligibility requirements for early voting could be tightened, to reduce the number of electors eligible to cast such votes.

⁸²³ *ibid.*, p. 41.

⁸²⁴ G Newman, *Analysis of Declaration Voting*, AEC, Research Paper No. 3, 2004, p. 11, accessible at www.aec.gov.au/About_AEC/Publications/Strategy_Research_Analysis/index.htm.

⁸²⁵ AEC, submission no. 169 to JSCem, *Inquiry into the 2007 Federal Election*, *op. cit.*, p. 40.

⁸²⁶ *ibid.*, p. 41.

⁸²⁷ M Wagstaff, *Interim Report: Independent Review of Local Government Elections*, Local Government Association of South Australia, 2007, p. 71, available at: www.localgovt.sa.gov.au/__data/assets/pdf_file/0018/56052/FINAL_FULL_REPORT.pdf.

⁸²⁸ Electoral Reform Society (UK), *Alternative Voting Methods*, 2007, available at www.electoral-reform.org.uk/article.php?id=44.

⁸²⁹ To be valid, postal votes must be postmarked before polling day and be received by the AEC within 14 days after polling day. At the 2007 federal election, a total of 7,454 postal votes were rejected. These postal votes comprised 4,729 which had been cast late (e.g. signed after polling day or postmarked after polling day), and 2,725 which were received late (e.g. not received within 14 days after polling day): AEC, submission no. 169.5 to JSCem, *Inquiry into the 2007 Federal Election*, *op. cit.*, p. 2.

⁸³⁰ See extensive discussion in JSCem, *The 2004 Federal Election: Report of the Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, *op. cit.*, pp. 47-87.

⁸³¹ G Newman, *Analysis of Declaration Voting*, *op. cit.*, pp. 12-13.

⁸³² AEC, submission no. 169 to JSCem, *Inquiry into the 2007 Federal Election*, *op. cit.*, p. 42.

- Enforcement activity could be undertaken to catch persons using early voting for convenience reasons only, rather than for one of the specified grounds.

11.15 On the other hand, early voting offers benefits to voters, by making voting more accessible to electors who might otherwise have difficulty casting their vote on polling day.⁸³³ Any attempt to reduce the accessibility of these options might make voting more difficult for certain eligible electors, and thereby discourage them from exercising their right to vote. It might therefore be argued that rather than trying to reduce the extent of early voting, administrators should accept that early voting will continue to rise and instead focus on ensuring that it is administered as efficiently and effectively as possible.⁸³⁴ JSCEM recently expressed the view that its preferred approach is to 'embrace the trend to increased early voting'.⁸³⁵

- One option in this regard might be for pre-poll votes cast in an elector's home division to be effectively processed as ordinary votes, rather than as declaration votes.⁸³⁶ This could reduce the resource implications of counting (this option is discussed in more detail in chapter 12).
- A further option might be to allow all electors who will be absent or expect to be absent from their home division on polling day to apply for postal or pre-poll voting, rather than having to cast an absent vote on polling day.⁸³⁷

Locating polling places in more accessible places (as discussed at paragraphs 11.65 to 11.70 below) may also reduce the number of electors who utilise early voting options. Alternate options that could be examined might include the option of counting all pre-poll votes as ordinary votes (as occurs, for example, in the ACT), or the option of allowing any elector who wishes to cast an early vote to do so. Both of these options would require measures to safeguard integrity, and the latter would have implications for a number of aspects of the current system, including campaign activities and regulations, and resourcing of polling places.

Postal voting

11.16 Various aspects of the postal vote process have attracted calls for reform. These include:

- logistical issues of postal voting;
- the postal vote application process, including the involvement of political parties; and
- the eligibility requirements for general postal voting.

Logistical issues

11.17 As discussed above, postal voting relies on the postal service to transmit ballot papers and completed votes within relevant deadlines. Postal votes must be posted before polling day and received by the relevant DRO within 13 days of polling day.⁸³⁸

11.18 The AEC relies on postal service postmarks to determine whether a postal vote was posted before polling day. Any postal voting envelope which bears a postmark that includes a date after polling day is rejected from the count.⁸³⁹ Votes will be excluded from the count even if the postal voting certificate is signed and witnessed before polling day if the envelope is postmarked after polling day. Australia Post has noted that delays between actual posting and postmarking 'may not always be confined to a single day', particularly in rural and remote areas.⁸⁴⁰

⁸³³ G Newman, *Analysis of Declaration Voting*, op. cit., pp. 1-2.

⁸³⁴ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 41.

⁸³⁵ JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 191.

⁸³⁶ G Newman, *Analysis of Declaration Voting*, op. cit., p. 12. Note that this already occurs in both Victoria and the ACT.

⁸³⁷ As recommended in *ibid.*, pp. 196-197.

⁸³⁸ Electoral Act, op. cit., subsection 228(5A).

⁸³⁹ *ibid.*, schedule 3, section 7.

⁸⁴⁰ Australia Post, submission no. 192 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 1.

11.19 Options for ensuring that postal voters are not disenfranchised by postmarking issues include:

- encouraging eligible postal voters to submit their postal votes well in advance of polling day;
- calling on the postal service to conduct special pre-election clearance processes at all postal centres on polling day eve,⁸⁴¹ and
- allowing the date of the witness signature on the postal vote certificate to be the key determinant the validity of postal votes, rather than the postmark date.⁸⁴²

Postal vote application process

11.20 The postal vote application process has also been argued to contribute to delays in the overall postal voting process, or to be 'too complex and not very user friendly'.⁸⁴³ At present, postal vote applications must be signed by the postal voting applicant in the presence of an authorised witness.⁸⁴⁴ The witness must have seen the elector sign the application and be satisfied that the statements made on the application are accurate.⁸⁴⁵

11.21 For the 2007 federal election, approximately 50,000 defective postal vote applications were received by the AEC. In all cases, the AEC had to write to each voter informing them of the defect and requiring them to fill out a fresh postal vote application.⁸⁴⁶ 70% of the defective applications were attributed to problems with witnessing.⁸⁴⁷ JSCEM has noted that the requirement to provide both the signature of the applicant and the signature of a witness leads to increased numbers of defective applications and thus further delays in the postal voting process.⁸⁴⁸

11.22 JSCEM also noted arguments that the formality of postal vote application forms 'may act as a disincentive for electors to make an application'.⁸⁴⁹ The requirement that a postal vote application be witnessed was seen as adding to the likelihood of delays without 'strengthening the integrity' of the postal voting process.⁸⁵⁰

11.23 Options for improving the accessibility of the postal vote application process that were recently recommended by JSCEM include:⁸⁵¹

- removing the requirement that an elector's signature on all postal vote applications be witnessed;
- allowing electors to lodge postal vote applications online or by electronic means; and
- making the postal vote application form simpler and more user-friendly.

⁸⁴¹ D Newman, Australia Post, as cited in JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 74.

⁸⁴² As recommended by JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 76.

⁸⁴³ As noted in *ibid.*, p. 214.

⁸⁴⁴ Electoral Act, op. cit., paragraph 184(1)(b).

⁸⁴⁵ *ibid.*, section 187.

⁸⁴⁶ AEC, submission no. 169.18 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 5.

⁸⁴⁷ P Dacey, AEC as cited in JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 77.

⁸⁴⁸ JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit. p. 79.

⁸⁴⁹ *ibid.*, p. 76.

⁸⁵⁰ *ibid.*, p. 79.

⁸⁵¹ *ibid.*, pp. 80, 217. JSCEM also called for the postal vote application form to be gazetted at least 3 months prior to the expected date of an election (where practicable).

Involvement of political parties

- 11.24 During election campaigns, the main political parties send postal vote application forms along with party political material by direct mail to targeted electors. Electors requiring a postal vote are invited to complete the application form and return it to an address, which is typically that of the political party rather than the AEC.⁸⁵² This practice was facilitated by a 1998 amendment to the Electoral Act allowing postal vote application forms to be 'physically attached to, or form part of, other written material issued by any person or organisation'.⁸⁵³ The Electoral Act requires that postal vote applications entrusted to political parties to be forwarded to the AEC 'as soon as practicable', with penalties for non-compliance.⁸⁵⁴
- 11.25 A number of concerns have been expressed about the involvement of political parties in the postal voting process.
- It has been argued that this practice subverts the AEC's independent administration of the election, and provides an unfair advantage to larger political parties.⁸⁵⁵
 - There is also a concern that the practice unnecessarily delays the postal vote process, which may result in some voters receiving their postal vote material too late to enable them to cast a vote.⁸⁵⁶ Current data suggests that 69% of postal vote applications originating from the AEC are received within 3 days of the date of the witness's signature, compared to only 32% cent of postal vote applications provided by political parties.⁸⁵⁷
 - Privacy concerns have also been raised about political parties capturing the personal details of voters who direct their application for a postal vote through a political party.⁸⁵⁸ It has been observed that there is often no information in the political party's postal vote application material that tells the elector that their personal information will be collected.⁸⁵⁹
 - It might be argued that some voters could be deceived about the route which their postal vote application will take (some packages list 'The Returning Officer' as the return addressee which may imply that it will be provided to the AEC rather than a political party).
- 11.26 In support of the current practice, it can be argued that the distribution of postal vote application forms by parties and candidates provides an important service to electors. JSCEM has previously concluded that 'breaking with this practice at future elections may lead to significant voter inconvenience and possibly disenfranchisement'.⁸⁶⁰ The major political parties also argue that given they initiated the postal vote application process, it is important that they know that the service has been successfully concluded.⁸⁶¹
- 11.27 As noted above, JSCEM has recommended that electors be able to lodge postal vote applications online, or by other electronic means.⁸⁶² This recommendation was aimed at reducing delays in the postal voting process. It might be argued that any move to online

⁸⁵² Prior to 1984, the Electoral Act specifically prohibited persons from persuading or inducing an elector to apply for a postal vote (Electoral Act, op. cit., section 87A (repealed by section 64 of the *Commonwealth Electoral Legislation Amendment Act 1983*)).

⁸⁵³ Electoral Act, op. cit., section 184AA.

⁸⁵⁴ *ibid.*, section 197.

⁸⁵⁵ N Kelly, M Sawyer and P Brent, 'The Democratic Audit's Electoral Reform Agenda', Democratic Audit of Australia, 2008, pp. 2-3, available at arts.anu.edu.au/democraticaudit/papers/20080218auditreformagenda.pdf.

⁸⁵⁶ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., pp. 35-36.

⁸⁵⁷ *ibid.*, based on data available at p. 36.

⁸⁵⁸ Australian Privacy Foundation, submission no. 58 to JSCEM, *Inquiry into the 2007 Federal Election*, p. 1.

⁸⁵⁹ *ibid.*, p. 2. One option to address this concern could be to require registered political parties to comply with privacy guidelines, as discussed in chapter 8.

⁸⁶⁰ JSCEM, *The 2001 Federal Election: Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, op. cit., p. 149.

⁸⁶¹ *ibid.*

⁸⁶² JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 80.

postal vote applications may decrease the number of postal vote application forms channelled through political parties.

11.28 As outlined at paragraph 10.36, a cap will apply from 1 October 2009 on the number of postal vote applications that may be produced by a member or Senator using the printing and communications allowance. Options for further reform of the process for applying for postal votes might include:

- greater activity by the AEC in providing citizens with postal vote application forms;
- a requirement that all postal vote application forms be returned directly to the AEC from citizens;⁸⁶³
- greater enforcement of penalties against parties found not to be forwarding postal vote applications to the AEC as soon as practicable or within a specified time limit; or
- preventing parties including postal vote application forms with other party-political material sent to voters.⁸⁶⁴

Eligibility for general postal voting

11.29 Postal voting can be undertaken by those who have applied to receive a postal vote for a specific election,⁸⁶⁵ or by 'general postal voters' who are registered to receive a postal vote for every election.⁸⁶⁶

11.30 There have been suggestions that electors who have 'attained the age of over 70 years' should be eligible to register as general postal voters. This criterion already applies in Victoria where persons over the age of 70 can choose to register as general postal voters and be automatically sent ballot papers before each election.⁸⁶⁷

11.31 Supporters of this measure argue that many elderly persons may find it difficult to physically access a polling place on polling day, yet may not meet the current eligibility criteria for general postal voting (for example, have a serious illness or impairment, or live more than 20 kilometres from a polling place). It has also been argued that for elderly persons not in possession of a drivers' licence, limited public transport options on polling day (Saturday) are a further barrier to attendance.

11.32 Conversely, it could be argued that as postal voting can require a higher level of literacy and comprehension than ordinary voting (as a declaration form must be validly completed),⁸⁶⁸ this form of voting may not be the best option for all voters. It might also be argued that the introduction of such a criterion may discriminate against the elderly on the basis of age, promoting negative stereotypes about seniors within the community. It has been noted that a number of Australians aged over 70 years 'cherish their opportunity' to cast their vote alongside the remainder of the community at a polling centre.⁸⁶⁹ However, it should be noted that if this proposed criterion were to be introduced, it would be open to persons aged over 70 to choose to continue to vote in person on polling day, if they did not wish to register as general postal voters.

⁸⁶³ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 37. Note that this requirement currently exists in the ACT: *Electoral Act 1992 (ACT)*, subsection 143(2).

⁸⁶⁴ P Andren MP, submission no. 80 to JSCEM, *Inquiry into the 2001 Federal Election*, pp. 3-4.

⁸⁶⁵ Electoral Act, op. cit., Schedule 2.

⁸⁶⁶ *ibid.*, section 184A.

⁸⁶⁷ *Electoral Act 2002 (Vic)* paragraph 24(1)(ca).

⁸⁶⁸ M Wagstaff, *Final Report: Independent Review of Local Government Elections*, Local Government Association of South Australia, 2008, p. 57, available at www.localgovt.sa.gov.au/__data/assets/pdf_file/0019/60535/IRLGE_-_Final_Report_-_2008-01-08.pdf

⁸⁶⁹ Victoria, *Parliamentary Debates*, Legislative Assembly, Electoral Legislation (Further Amendment) Bill, Second reading, 17 May 2005, p. 1007 (Mr McIntosh).

Electronic voting

11.33 Electronic voting is an ill-defined term: commentators have noted that it describes a broad range of practices involved in the casting or counting of a vote that involve the use of [electronic] technology.⁸⁷⁰ A recent JSCEM review noted that electronic voting often describes one or more of three different aspects of the voting process:

- 'Voting — Any system where the elector casts their vote using an online system, such as the internet, touch-tone phone voting using interactive voice recognition, mobile telephone SMS text facility, or interactive digital television. Once recorded, the elector's vote is despatched in real time to a secure electronic vote store, where it is held prior to counting;
- Recording — Any system where the elector casts their vote on a voting machine (punch card, push button, touch screen). Once recorded, the elector's vote is stored in the machine. After voting has concluded, data is transferred from each machine to a counting system; and
- Counting — Any system where votes are loaded into a computerised counting system, which then tallies the votes and performs subsequent actions required by the particular method of voting being used, such as eliminating unsuccessful candidates and distributing their preferences or striking quotas and transferring the surpluses of successful candidates, thereby determining the successful candidate(s). The loading of votes can be undertaken in a variety of forms, such as keying ballot papers, scanning ballot papers using optical mark recognition or optical character recognition readers, downloading data from voting machines, or downloading data from an electronic vote store.⁸⁷¹

11.34 Electronic voting has been utilised at parliamentary elections in a number of jurisdictions.

- The ACT was the first, and to date the only, jurisdiction in Australia to offer on an ongoing basis the option of electronic voting by general electors for a parliamentary election.⁸⁷² Electronic voting was utilised at ACT elections in 2001, 2004 and 2008.⁸⁷³ The proportion of votes cast electronically increased from 8.3% in 2001 and 13.4% in 2004 to 19.8% in 2008.⁸⁷⁴
- Forms of electronic voting have also been trialled in the 2006 Victorian state election, the 2007 Tasmanian Legislative Council election, and the 2007 federal election.⁸⁷⁵ These trials were limited to certain groups, such as those who are blind or have low vision,⁸⁷⁶

⁸⁷⁰ C Barry, P Dacey, T Pickering and D Byrne, *Electronic Voting and Electronic Counting of Votes: A Status Report*, Electoral Council of Australia, 2001, p. 2, available at www.eca.gov.au/reports/electronic_voting.pdf; B Mercurio, 'Beyond the Paper Ballot: Exploring Computerised Voting' in G Orr, B Mercurio and G Williams (eds), *op. cit.*, p. 231.

⁸⁷¹ JSCEM, *Report on the 2007 federal election electronic voting trials: Interim report of the inquiry into the conduct of the 2007 election and matters related thereto*, 2009, p. 5, available at www.aph.gov.au/House/committee/em/elect07/report1/Full_Report.pdf

⁸⁷² JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, *op. cit.*, pp. 258-9. The particular kind of electronic voting system used utilises direct recording electronic (DRE) voting machine, which involves dedicated computer terminals within polling booths on which electors cast their vote, which is then recorded and stored electronically until the polling has concluded; the electronic data is then transferred to a counting system.

⁸⁷³ Elections ACT, *Electronic Voting and Counting*, 2008, available at www.elections.act.gov.au/elections/electronicvoting.html.

⁸⁷⁴ Elections ACT, *ACT Legislative Assembly Election 2004: Electronic Voting and Counting Review*, 2005, p. 3. 2008 figure sourced from Elections ACT.

⁸⁷⁵ JSCEM, *Report on the 2007 federal election electronic voting trials: Interim report of the inquiry into the conduct of the 2007 election and matters related thereto*, *op. cit.*, p. 8.

⁸⁷⁶ *ibid.*, pp. 45-51. The Victorian, Tasmanian and federal trials used electronically assisted voting (EAV). In contrast, the ACT utilises direct recording electronic (DRE) voting. Both systems feature designated computer terminals in a limited number of polling booths which are used by qualified electors to complete a ballot paper in private. The most notable difference between EAV and DRE voting is that EAV produces printed ballot papers, which are then placed in designated ballot boxes, whilst DRE votes are directly recorded in a central computer store and counted electronically.

or defence force personnel serving overseas,⁸⁷⁷ and the electronic voting systems used for each group differed.

Electronic voting has also been utilised internationally, in one form or another, for elections in countries including the United States, Estonia, India and the United Kingdom.⁸⁷⁸

11.35 In an environment where many people use a number of electronic mediums to conduct business with government, it might be argued that voting using paper and pencils could be replaced by voting via electronic means. Arguments often advanced in favour of electronic voting are that it will:

- be more 'user-friendly' – requiring less time to be spent marking a ballot paper and enable voters with language difficulties to cast their vote more easily;⁸⁷⁹
- allow those with physical or sensory disabilities to exercise their right to vote in an independent manner, with the secrecy of their ballot assured;⁸⁸⁰
- produce accurate results more quickly;⁸⁸¹
- minimise informal votes;⁸⁸²
- potentially reduce the risk of multiple voting and voter fraud;⁸⁸³
- reduce long-term administrative costs and reduce environmental cost of paper ballot papers;⁸⁸⁴ and
- provide greater convenience for the range of electors unable to attend a polling place on election day.

11.36 On the other hand, the following arguments might be advanced against the introduction of electronic voting:

- the possibility of system malfunction;⁸⁸⁵
- lack of trust by some electors as to the security of electronic voting systems;⁸⁸⁶
- the lack of an appropriate audit trail to track votes cast, including the lack of an ability for scrutineers to oversee the voting process;⁸⁸⁷
- logistics of electronic voting, including network and server capacities;⁸⁸⁸

⁸⁷⁷ *ibid.*, p. 19-26. Remote electronic voting was used for the trial of electronic voting for eligible ADF personnel. This trial involved eligible ADF personnel being issued with personal identification numbers, and using computer terminals to directly record their voting preferences on a secure internet site. Electronically submitted votes were then printed in Australia following polling day and sent to their appropriate Divisions to be counted.

⁸⁷⁸ The experience of these countries is discussed in Western Australian Electoral Commission, *Click Here for Democracy: A comparative analysis of electronic elections conducted between 2000-2005, 2007*, available at www.waec.wa.gov.au/forms_and_publications/documents/Democracy.pdf.

⁸⁷⁹ B Mercurio, *op. cit.*, p. 232.

⁸⁸⁰ *ibid.*

⁸⁸¹ *ibid.*, pp. 232-3.

⁸⁸² *ibid.*, p. 233.

⁸⁸³ G Smith, *Electronic Voting: Benefits and Risks*, The Australian Institute of Criminology, Report No. 224, 2002, p. 5, available at www.aic.gov.au/publications/tandi/ti224.pdf

⁸⁸⁴ B Mercurio, *op. cit.*, p. 234.

⁸⁸⁵ *ibid.*

⁸⁸⁶ For discussion of the potential security concerns involved with electronic voting, see for instance JSCEM, *The 2001 Federal Election: Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, *op. cit.*, p. 263; G Smith, *op. cit.*, p. 4.

⁸⁸⁷ B Mercurio, *op. cit.*, p. 235.

⁸⁸⁸ JSCEM, *The 2001 Federal Election: Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, *op. cit.*, p. 263.

- the substantial costs involved in rolling out an electronic voting system across Australia;⁸⁸⁹ and
- the paper ballot is a familiar and comfortable way of voting for many Australians.

11.37 It is contended that a fundamental requirement of electronic voting systems is that votes, once recorded, must be secure and free from manipulation and interference.⁸⁹⁰ Concerns about the security of electronic voting systems might be manageable through the development of appropriate systems; for example, it could be argued that as we are now able to perform secure online financial transaction and other operations, similar technology should allow for the creation of secure electronic voting systems. Companies providing electronic voting software cite security features such as 'randomising algorithms', changing 'validation rules', the backup burning onto CD of voting transactions, and 'constantly changing IP numbers' as relevant electronic voting security systems.⁸⁹¹ It might therefore be argued that technological developments have greatly improved the security, and thus the feasibility, of electronic voting systems.

Internet voting

11.38 Internet voting is one electronic voting option. The most common internet voting proposal entails eligible voters being sent identity and password details which enable them to remotely log onto a designated internet voting site to cast their vote.

11.39 A number of arguments have been advanced in favour of internet voting. It has been said that voting using the internet at home would allow for 'greater deliberation than occurs currently at some public polling stations'.⁸⁹² It has also been argued that internet voting would remove the existing logistical difficulties inherent in postal voting,⁸⁹³ and would also provide a forum through which overseas voters could cast their votes in a more efficient and convenient manner.⁸⁹⁴ Both these outcomes could achieve administrative savings. It has also been contended that internet voting may improve the participation of young people in the electoral process.⁸⁹⁵ From a 'proof of identity' perspective, internet voting without 'proof of identity' requirements could be regarded as comparable to in-person voting without 'proof of identity' requirements.

11.40 However, internet voting raises a number of additional security concerns compared to other forms of electronic voting. For example, it has been argued that:

- an internet voting system may be vulnerable to outside attack;⁸⁹⁶
- there may be an increased possibility for voter fraud given that voting no longer takes place in a controlled impartial environment;⁸⁹⁷

⁸⁸⁹ B Mercurio, op. cit., p. 236; JSCEM, *Report on the 2007 federal election electronic voting trials: Interim report of the inquiry into the conduct of the 2007 election and matters related thereto*, op. cit., p. iii.

⁸⁹⁰ G Smith, op. cit., p. 1.

⁸⁹¹ C Barry, P Dacey, T Pickering and D Byrne, op. cit., pp. 8-10.

⁸⁹² G Smith, op. cit., p. 4.

⁸⁹³ *ibid.*, p. 3.

⁸⁹⁴ S Mitchell, 'On the e-hustings', *The Australian*, 1 August 2000, p. 53, as cited in G Smith, op. cit., p. 3.

⁸⁹⁵ C Parkin, President, NSW Young Labor as cited in JSCEM, *Report on the 2007 federal election electronic voting trials: Interim report of the inquiry into the conduct of the 2007 election and matters related thereto*, op. cit., p. 10.

⁸⁹⁶ JSCEM, *The 2001 Federal Election: Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, op. cit., p. 263.

⁸⁹⁷ G Smith, op. cit., p. 4. In particular, the combination of internet voting (involving the distribution of passwords to all eligible voters) and compulsory voting could encourage persons indifferent to the electoral process but keen to avoid a fine to give their passwords to others more interested in the electoral process.

- in the absence of a national identity system, proving voter identity in the case of internet voting is a major security issue;⁸⁹⁸ and
- there would be a possibility for widespread 'flooding' of the internet voting site, leading to system failures.⁸⁹⁹

11.41 In addition, it has been argued that it would be almost impossible to ensure the secrecy of the ballot, as there would be 'potential for coercion and intimidation when voting in an unsupervised setting.'⁹⁰⁰ If other options for voting (such as postal voting) were not retained, there would also be potential for discrimination against those who do not have access to the internet or are not proficient in its use.⁹⁰¹

Safeguards against multiple voting

11.42 Currently, hard copies of the electoral roll at every polling place are marked by hand as voters receive their ballot papers. One JSCEM report has noted that 'it has long been argued that this system creates a possibility for fraudulent voting, because a person could potentially vote at every polling place within a division',⁹⁰² and avoid detection until the hard copy rolls are consolidated after polling day.

11.43 There were 20,633 cases of 'apparent multiple voting' at the 2007 federal election, though 87% of these cases were resolved with no further action required.⁹⁰³ Of the 1167 admissions of multiple voting, 82% were attributed to voter confusion, poor comprehension, and elderly voters.⁹⁰⁴ Only 10 cases of multiple voting were reported to the Australian Federal Police for investigation.⁹⁰⁵

11.44 Two matters related to multiple voting have been the subject of recent discussion. These are:

- proposals that additional safeguards be introduced to guard against multiple voting; and
- amended provisional voting rules which were introduced with the rationale of reducing multiple voting.

Additional safeguards against multiple voting

11.45 Given the difficulties in prosecuting individuals suspected of multiple voting,⁹⁰⁶ various reform proposals have been advanced to introduce additional safeguards to prevent multiple voting. These proposals include:

⁸⁹⁸ Evidence to JSCEM, *Inquiry into the conduct of the 2004 Federal Election and matters related thereto*, Canberra, 8 August 2005, p. 8 (P Green, ACT Electoral Commissioner).

⁸⁹⁹ JSCEM, *The 2001 Federal Election: Report of the Inquiry into the conduct of the 2001 Federal Election, and matters related thereto*, op. cit., p. 265.

⁹⁰⁰ C Barry, P Dacey, T Pickering and D Byrne, op. cit., p. 5.

⁹⁰¹ *ibid.*

⁹⁰² JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., p. 252.

⁹⁰³ AEC, submission no. 169.15 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 4. The AEC will take 'no further action' in cases where electors mistakenly cast both an early vote and an ordinary vote, where electors have been crossed off the roll twice due to administrative error, or where there is evidence of voter confusion: see pp. 5-6.

⁹⁰⁴ To 'mitigate against possible accidental multiple voting', JSCEM has recommended that mobile polling officials should provide patients or residents of hospitals or special hospitals who voted prior to polling day with a mobile polling team with written confirmation that they have, on that date, cast a vote: JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., pp. 205-206.

⁹⁰⁵ JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 18.

⁹⁰⁶ M Pelly, 'Hunt for multiple voters begins', *The Australian*, 27 December 2007.

- networked checking of the electoral roll;
- unique bar coding for all electors;
- the use of indelible ink; and
- voter identification on polling day (as discussed at paragraphs 11.61 – 11.64 below).

- 11.46 Networked checking of the electoral roll would see every polling place given computers which would be connected to the AEC's central electoral roll server. As voters were marked off the electoral roll at a specific polling place and given a ballot paper, their name would also be marked off the central electoral roll, thereby ensuring they are not able to vote again at a different polling place.⁹⁰⁷ JSCEM has considered such an option and found it has the potential to diminish the likelihood of fraudulent and multiple voting. However, the Committee ultimately recommended against the adoption of such a system, citing reservations about the cost, infrastructure and security of the system.⁹⁰⁸
- 11.47 Under a unique bar code system, every elector on the electoral roll when the roll closes for an election would be sent a unique bar code, via direct mail or electronic means such as email. The elector would be required to present their bar code at a polling place, where it would be scanned. The scanner would be linked to a central electoral roll database where the elector would be marked off the roll as having voted. A bar code system has the potential to eliminate fraudulent and multiple voting, whilst also reducing the costs and human error associated with paper based electoral rolls.⁹⁰⁹ JSCEM has considered such an option, though recommended against its adoption, noting the potential for bar codes to be 'misused, lost or ignored', and that some identification requirement would still be required to issue electors with their unique bar codes. Concerns about the safety and security of such a system were also expressed.⁹¹⁰
- 11.48 A further option for preventing multiple voting could be to mark a finger of each voter with indelible ink after they have cast their ballot.⁹¹¹ Electoral officials would check the finger of each voter for the ink before issuing them with a ballot paper. The ink, which cannot be washed off on polling day, can either be clearly visible or only visible under fluorescent light. Many countries – for example, India, South Africa, Indonesia and East Timor – use indelible ink to prevent multiple voting. However, given the rise in early voting noted above, there may be limits on the extent to which this option could be effective in Australia.
- 11.49 Against the need for reform, it has been argued that the extent of multiple voting is overstated, and that further costly measures are not warranted given the actual extent of the problem.⁹¹² It has also been argued that multiple voting statistics, as set out in paragraph 11.43 above, demonstrate that multiple voting is not perpetrated by 'corrupt party activists' but instead reflects clerical errors and confusion amongst some voters including those not fluent in English.⁹¹³

⁹⁰⁷ JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., p. 252.

⁹⁰⁸ *ibid.*, p. 254.

⁹⁰⁹ H.S. Chapman Society, submission no. 41 to JSCEM, *Inquiry into the 2004 federal election*, 2005; H.S. Chapman Society, submission no. 187 to JSCEM, *Inquiry into the 2004 federal election*, 2005, p. 3.

⁹¹⁰ JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., p. 256.

⁹¹¹ ACE Electoral Knowledge Network, *ACE Encyclopaedia*, 'Discrimination, Intimidation and Fraud', available at aceproject.org/ace-en/topics/ei/eif/eif09/eif09d.

⁹¹² C Hughes, 'The Illusive Phenomenon of Fraudulent Voting Practices: A Review Article', *Australian Journal of Politics and History*, vol. 44, no. 3, 1998, p. 491; G Orr, B Mercurio, and G Williams, 'Australian Electoral Law: A Stocktake', *Election Law Journal*, vol. 2, no. 3, 2003, pp. 398-399.

⁹¹³ B Costar, 'St Patrick's day massacre', *Inside Story*, 3 April 2009, available at inside.org.au/st-patricks-day-massacre.

2006 amendments to provisional voting arrangements

- 11.50 A provisional vote 'is cast in circumstances where the elector's name cannot be found on the roll' or their name has been marked off as already having voted.⁹¹⁴ Provisional ballots cast are placed in an envelope with the personal details and signature of the alleged voter on the outside. Provisional votes are not officially counted until the alleged voter's entitlement to vote is verified. Before any provisional vote is counted, the AEC will conduct investigations to ensure that the provisional voter has an existing entitlement to vote.
- 11.51 Two recent amendments to provisional voting regulations have attracted some criticism. These amendments related to:
- 'proof of identity' (POI) requirements for provisional voters; and
 - the ability of certain electors removed from the electoral roll on the grounds of non-residence to cast provisional votes.

POI for provisional voters

- 11.52 In 2006, the Electoral Act was amended to require those casting provisional votes to provide evidence of their identity to election officials on polling day.⁹¹⁵ Voters who could not provide the required evidence of their identity on polling day were still entitled to lodge a provisional ballot, but their vote would not be counted unless they attended an AEC office to show evidence of their identity by the Friday following polling day.⁹¹⁶ Supporters of these amendments argue that it provides a deterrent against electoral fraud.⁹¹⁷
- 11.53 It has been argued that this amendment 'effectively disenfranchised' voters who could not provide evidence of their identity on polling day.⁹¹⁸ For the 2007 federal election, over 80% of voters who cast provisional votes without having evidence of their identity failed to subsequently attend an AEC office to show evidence of their identity; around 27,000 votes were thereby not counted.⁹¹⁹
- 11.54 It has been pointed out that once an election result is known, there is little incentive for provisional voters to attend an AEC office to show evidence of their identity, as their vote will not change the overall result.⁹²⁰ It has also been argued that because some voters may have to cast a provisional ballot simply because of administrative error on the part of enrolment officials, they should not be subject to such onerous requirements.⁹²¹ The current requirements have also been argued to be more burdensome for individuals who do not have a driver's licence,⁹²² as discussed in chapter 7 regarding proof of identity requirements.
- 11.55 Alternatively, proponents of the POI requirements might argue that the majority of provisional voters were not disenfranchised by the current provisions: statistics from the 2007 federal election show that approximately 75% of provisional voters were able to show evidence of identity when voting and thus were able to cast a valid ballot.⁹²³

⁹¹⁴ AEC, *Ways to Vote, 2007*, available at www.aec.gov.au/Voting/ways_to_vote/.

⁹¹⁵ *Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Act 2006*, Schedule 1, Items 71-72, introducing new section 235 (1B) into the Electoral Act.

⁹¹⁶ See AEC, 'Provisional voters need to provide identification to the AEC by this Friday' (Press Release, 27 November 2007), available at www.aec.gov.au/About_AEC/Media_releases/2007/11_27.htm.

⁹¹⁷ As described in N Kelly, M Sawyer and P Brent, *op. cit.*, p. 2.

⁹¹⁸ B Costar, *op. cit.*

⁹¹⁹ AEC, submission no. 169 to JSCem, *Inquiry into the 2007 Federal Election*, *op. cit.*, p. 47.

⁹²⁰ B Costar, *op. cit.*

⁹²¹ AEC, submission no. 169 to JSCem, *Inquiry into the 2007 Federal Election*, *op. cit.*, p. 49.

⁹²² N Kelly, M Sawyer and P Brent, *op. cit.*, p. 2.

⁹²³ AEC, submission no. 169 to JSCem, *Inquiry into the 2007 Federal Election*, *op. cit.*, p. 47.

11.56 Options for reform in this area could include:

- removal of the requirement that provisional voters provide evidence of their identity on polling day;⁹²⁴
- changing the forms of evidence of identity that voters would be required to produce on election day; or
- replacing the current arrangements with a requirement that the AEC check provisional voters' identities by matching signatures on provisional vote envelopes with initial enrolment forms.

Provisional voting for certain persons removed from the electoral roll

11.57 A further legislative change introduced in 2006 provided that if a person had been removed from the roll by objection action on the ground of non-residence at a particular address, a provisional vote cast by that person would be rejected from the count.⁹²⁵ When these amendments were introduced, it was argued that their rationale was to further protect the integrity of the roll.⁹²⁶

11.58 Prior to this change, a provisional voter who had been removed from the roll on the ground of non-residence could have their vote counted if they still lived at an address within the same electorate, because their entitlement to vote in the election for that electorate had not changed. Similarly, if the voter could show he or she had been removed from the electoral roll by a mistaken belief that he or she was no longer resident at his or her address, their provisional vote would be counted.⁹²⁷ The rate of admission of declaration votes fell from 62.23% in 2004 to just 25.14% in 2007; it has been argued that these amendments were the primary reason for this decline.⁹²⁸ If the 2004 admission rate had been replicated in 2007, an additional 62,186 votes would have been counted.⁹²⁹

11.59 Two primary criticisms have been made of the current provisions.

- Commentators have noted the inherent tension between the integrity of the roll and people's right to vote.⁹³⁰ In relation to this change, it is argued that it is more important that individuals have their votes counted than be excluded on the technical ground of failing to register their new address.⁹³¹
- It has also been argued that given the 'inherent difficulties' in knowing the address of all voters with complete accuracy (especially given that the enrolment process does not require proof of residence at any stage), provisional voting should act as 'an effective safety net' to protect the right to vote of electors removed from the roll through due process but on the basis of a mistake of fact.⁹³²

⁹²⁴ As recommended by JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 63. The Committee proposed that where a DRO has doubts as to the identity of an elector casting a provisional vote, the DRO can compare the signature of the elector on the declaration voting envelope with a previously lodged enrolment record before deciding whether or not to admit the vote.

⁹²⁵ Revised Explanatory Memoranda, Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2006 (Cth).

⁹²⁶ Commonwealth, *Parliamentary Debates*, House of Representatives, Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2006, 10 May 2006, p. 136 (Mr G Nairn MP, Special Minister of State).

⁹²⁷ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 50.

⁹²⁸ *ibid.*, p. 49.

⁹²⁹ *ibid.*

⁹³⁰ P Brent, '2007 Election: Provisional Voting Rejections', *Democratic Audit of Australia*, 2007, p. 3.

⁹³¹ *ibid.*, p. 4.

⁹³² AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 51.

11.60 Options for reform in this area might include:

- reversal of the legislative amendment introduced in 2006;
- introduction of a new provision allowing provisional votes to be counted if the voter has moved addresses within an electoral division and thus remains eligible to vote in the same division;⁹³³ or
- amendments to enrolment processes, as canvassed in chapter 7, which could ensure a more effective way of capturing intra-electorate movements on the electoral roll.

Voter identification on election day

11.61 It has been argued that all voters should be required to produce documentary evidence of their identity at the polling place on election day before they are issued a ballot paper,⁹³⁴ as currently occurs in Canada.⁹³⁵ For example, voters could be required to produce a photographic identity card such as a driver's licence (which would align with current 'proof of identity' requirements for enrolment, as discussed in chapter 7), or some other documentary evidence of identity.

11.62 In support of a requirement that voters provide identification on polling day, it might be argued that:

- it could provide greater protection against voter impersonation,⁹³⁶ as voters could be visually checked against their photographic identification and against the electoral roll;
- it could ensure greater confidence in the electoral process and the integrity of the results; and
- photographic identification cards are more difficult to forge than other forms of identity documentation.

11.63 Against the introduction of a requirement that voters provide identification, it might be argued that:

- it is at the enrolment stage that issues surrounding a person's entitlement to vote should be resolved, which enables the polling process to proceed smoothly as the certified lists can be taken as 'conclusive of a person's right to vote',⁹³⁷
- a requirement to produce a photographic identity card or passport might operate in a discriminatory way against persons who do not have any photographic identity documents (as discussed in chapter 7 relating to proof of identity documents);⁹³⁸
- an extensive public education campaign would be required to educate voters on the specific documents that would be accepted as proof of identity on election day;⁹³⁹

⁹³³ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 51. This would apply for both Senate and House of Representatives divisions. Note that this suggestion has also been recommended by JSCEM in its *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., pp. 63-66

⁹³⁴ P Karvelas, 'Electoral roll error rate earns Lib's ire', *The Australian*, 28 April 2009.

⁹³⁵ Elections Canada, *Voter Identification at the Polls*, 2008, available at www.elections.ca/content.asp?section=ele&dir=ids&document=index&lang=e&textonly=false.

⁹³⁶ AEC, 'The Practical Implications of Various Measures relating to the Integrity of the Electoral Process', supplementary submission to JSCEM, *Inquiry into the conduct of the 1993 federal election and matters related thereto*, 10 November 1993, p. 27.

⁹³⁷ AEC, submission no. 98 to JSCEM, *Inquiry into all aspects of the conduct of the 1996 federal election and matters related thereto*, 1996, p. 53, available at www.aec.gov.au/pdf/committee/jscem/1996_election/sub98.pdf.

⁹³⁸ AEC, 'The Practical Implications of Various Measures relating to the Integrity of the Electoral Process', op. cit., p. 27.

⁹³⁹ AEC, submission no. 98 to JSCEM, *Inquiry into all aspects of the conduct of the 1996 federal election and matters related thereto*, op. cit., p. 65.

- even with a substantial publicity campaign, it would be possible that a number of voters would be unable to, or would forget to, bring the appropriate documents with them, which would be likely to lead to a further increase in declaration voting; and
- additional polling staff would be required to check voter identities in order to reduce delays at polling places.

11.64 Voter identification cards are another option for voter identification on polling day. Upon enrolment, each eligible voter would be issued with an identification card by the AEC, which could contain a signature and/or a photograph, which they would have to present to polling officials on election day in order to receive a ballot paper. This would improve ease of identification when voting, though has been opposed on the grounds of 'cost and logistics', privacy and security concerns, as well as concerns it would turn into a national identity card.⁹⁴⁰

Location of polling places

11.65 The current range of polling locations is designed to provide choice, convenience and secrecy for many Australians. Mobile polling facilities, pre-poll facilities and ordinary polling places on polling day are all allocated with the aim of ensuring all eligible electors have access to an impartial and secret environment in which to cast their vote.

11.66 One option to address the rise of early voting might be to increasingly position polling places in locations convenient to what is often a very busy and transitory population on polling day. For instance, to improve convenience, future polling place locations could see the use of:

- more transport and community facilities, such as train stations, sporting facilities and shopping areas, to bring voting opportunities closer to electors; or
- other governmental facilities, such as post offices, Medicare or Centrelink offices or state government service points, which are generally located within shopping complexes or precincts.

Electoral administrators would need to ensure that any new locations could ensure a safe, secure and transparent voting process and provide appropriate space for electoral participants to campaign and distribute literature. There may be challenges in securing agreement to some of these requirements from the proprietors of some possible venues, particularly shopping centres.⁹⁴¹

11.67 A second option might be to expand the use of mobile polling facilities in order to extend accessible polling services to a greater proportion of the community. JSCEM has recommended that mobile polling be extended to cater for mine workers and persons residing in aged care facilities.⁹⁴² The Committee also recommended that the period within which special hospital mobile polling is conducted be extended to a period commencing 12 days before polling day.⁹⁴³

11.68 There have also been calls to designate special polling places in areas that are easily accessible and highly visible to people who are homeless.⁹⁴⁴ Accessible areas for the homeless might

⁹⁴⁰ G Smith, *op. cit.*, p. 5.

⁹⁴¹ JSCEM has noted concerns about the ability of electoral participants to campaign and distribute literature with regards to pre-poll voting centres located within shopping centres. JSCEM called on the AEC to work with shopping centre management to arrange appropriate access for campaign workers, particularly in relation to distributing how-to-vote materials, for all times where voting is possible: JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, *op. cit.*, p. 209.

⁹⁴² JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, *op. cit.*, pp. 204-205. Note that JSCEM recommended that the definitions of 'hospital' and 'special hospital' in the Electoral Act be amended to reflect the definitions of aged care under the *Aged Care Act 1997*. JSCEM also recommended that persons working in aged care facilities be able to vote at the mobile polling facility.

⁹⁴³ *ibid.*

⁹⁴⁴ Homelessness Australia, submission no. 34 to JSCEM, *Inquiry into the 2007 Federal Election*, 2008, pp. 3-4.

include places like crisis accommodation centres, homelessness agencies,⁹⁴⁵ and Centrelink offices.⁹⁴⁶ It has also been suggested that the AEC should employ persons sensitive to the issue of homelessness to assist at such polling places on polling day.⁹⁴⁷ Additional options for action in this area might include:

- the extension of mobile polling services to areas accessible to the homeless, as occurred at the recent Victorian state election,⁹⁴⁸
- close liaison with homelessness service providers to maximise homeless voter turnout at existing polling places; or
- extensive advertising in places highly visible to the homeless community of existing proximate polling places.

Another option recently advocated by groups representing homeless electors is that the Electoral Act be amended to allow fear for personal safety (such as homeless persons escaping from domestic violence) to be a ground for applying for pre-poll or postal voting. JSCEM has recommended that this option be implemented, noting that it would 'allow electors who fear for their personal safety to be given a wider range of opportunities to cast their vote'.⁹⁴⁹

11.69 A number of issues have also arisen with regard to the location of polling places within Indigenous communities. It has been suggested that certain polling places have been positioned in locations in which Indigenous persons do not feel comfortable, or which are not seen as neutral in the eyes of the local community.⁹⁵⁰ There have also been concerns raised about the accessibility of polling places for Indigenous persons living within town camps, and suggestions that mobile polling facilities could be established within the camp precincts.⁹⁵¹ Additional options to ensure polling services accessible to Indigenous persons might include:

- closer liaison with Indigenous elders and community representatives to determine the most appropriate location of polling places; or
- a greater emphasis on voter information within Indigenous communities, particularly with regards to the location of proximate polling places.

11.70 Following its review of the 2007 federal election, JSCEM recommended a broader discretion be given to the AEC 'to allow mobile polling and/or pre-poll facilities to be provided at such locations and at such times' as deemed necessary for the purposes of facilitating voting.⁹⁵² This recommended discretion was aimed at addressing the accessibility of voting for both homeless and Indigenous voters and to cater for other circumstances that might warrant mobile polling.

⁹⁴⁵ P Lynch, 'Begging For Change: Homelessness And The Law', *Melbourne University Law Review*, vol. 26, no. 3, 2002, p. 695.

⁹⁴⁶ Homelessness Australia, submission no. 34 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., pp. 3-4.

⁹⁴⁷ PILCH Homeless Persons' Legal Clinic, submission no. 135 to JSCEM, *Inquiry into the 2007 Federal Election*, 2008, p. 6. See also JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 172.

⁹⁴⁸ *ibid.*, p. 19. In 2009, JSCEM recommended in favour of providing remote mobile polling at town camps, such as in Darwin and Alice Springs: JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 157.

⁹⁴⁹ JSCEM, *Report on the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., pp. 195-197.

⁹⁵⁰ For instance, see the discussion of the Railway Side polling booth in JSCEM, *1998 Federal Election: Report of the inquiry into the 1998 Federal Election and Matters Related Thereto*, op. cit., pp. 72-77.

⁹⁵¹ AEC, submission no. 169 to JSCEM, *Inquiry into the 2007 Federal Election*, op. cit., p. 54.

⁹⁵² JSCEM, *Report of the Conduct of the 2007 Federal Election and Matters Related Thereto*, op. cit., p. 157.

Compulsory voting

11.71 Compulsory voting has been a feature of Australian elections since its introduction in Queensland in 1915; it was introduced at the federal level in 1924. Internationally, there are 32 countries that have compulsory voting, and of these 17 actively enforce the policy.⁹⁵³ In Australia, the introduction of compulsory voting was a response to declining voter turnout; turnout for federal elections has not fallen below 90% since its introduction.

Arguments in favour of compulsory voting

11.72 Various arguments have been advanced in support of compulsory voting. One argument in favour contends that compulsory voting ensures the elected government most accurately represents the will of the electorate.⁹⁵⁴ As an overwhelming majority of eligible voters take part in the election, it is argued that compulsory voting assists in legitimising the subsequently elected government, giving it a stronger mandate to pursue its campaign policies.⁹⁵⁵ In other countries which practice voluntary voting, governments elected at elections featuring very low turnouts may face questions as to their legitimacy.⁹⁵⁶

11.73 It is also argued that compulsory voting fosters participation in democracy and forces all citizens to take an occasional interest in the political process.⁹⁵⁷ Through encouraging the 'otherwise apathetic' to engage at some level with the political process, it is contended to therefore contribute to 'the health of the democracy'.⁹⁵⁸ Correspondingly, voluntary voting is said to affect participation in certain groups disproportionately.⁹⁵⁹ Compulsory voting reduces the prospects of disadvantaged groups becoming alienated from the political process, thus promoting social cohesion through the universality of the vote.⁹⁶⁰ It is argued that the involvement of all citizens in the electoral process diminishes the likelihood of 'domination' of the election process by certain segments of society.⁹⁶¹

11.74 Compulsory voting is also believed to allow parties and candidates to devote their time and resources to explaining their positions rather than 'getting out the vote'.⁹⁶² The distinction between campaigning in compulsory and voluntary systems from the point of view of a proponent of compulsory voting is explained below:

⁹⁵³ Two more countries enforce compulsory voting in particular regions: Austria and Switzerland. See T Evans, 'Compulsory Voting in Australia', AEC, 2006, p. 6, available at www.aec.gov.au/pdf/voting/compulsory_voting.pdf.

⁹⁵⁴ *ibid.*, p. 11.

⁹⁵⁵ JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., pp. 190-191, quoting submission no. 157: Mr D Willis; and submission no. 22: Ms I Renwick.

⁹⁵⁶ Minority Report (S Conroy, L Ferguson, R McClelland) in JSCEM, *The 1996 Federal Election: Report of the Inquiry into all aspects of the Conduct of the 1996 Federal Election and Matters Related Thereto*, op. cit., p. 126.

⁹⁵⁷ G Barnes, 'Compulsory voting: Democracy at work', *OnLine Opinion*, 8 December 2004, available at www.onlineopinion.com.au/view.asp?article=2807.

⁹⁵⁸ B Costar and D Woodward, 'The party and electoral systems', in J Summers, D Woodward and A Parkin (eds.), *Government, Politics, Power and Policy in Australia*, 7th edition, Frenchs Forest, Pearson Education Australia, 2002, p. 156.

⁹⁵⁹ Minority Report (S Conroy, L Ferguson, R McClelland) in JSCEM, *The 1996 Federal Election: Report of the Inquiry into all aspects of the Conduct of the 1996 Federal Election and Matters Related Thereto*, op. cit., p. 129.

⁹⁶⁰ Minority Report (A Murray) in *ibid.*, p. 141.

⁹⁶¹ *ibid.*, p. 143.

⁹⁶² S Bennett, 'Compulsory voting in Australian national elections', *Research Brief No 6 2005-06* (revised 2008), Parliament of Australia Parliamentary Library, p. 1.

'The primary task of candidates under a compulsory system is to persuade voters to support them, their policies, and the party they represent. Under voluntary voting the primary task is to get the party's supporters to turn out and vote for them.'⁹⁶³

Because of this attribute, it is argued that compulsory voting reduces the costs of campaigning.⁹⁶⁴ The 'expensive and time-consuming task of [parties] shepherding their supporters to the polls' is said to be removed by compulsory voting.⁹⁶⁵

- 11.75 Advocates of compulsory voting also argue that it forces parties and candidates to appeal to a wide spectrum of society, 'because all voters have to be wooed'.⁹⁶⁶ Forcing parties to consider the total electorate in campaigning and policy formulation may also guard against the exclusion of groups who may not otherwise participate in the electoral process.⁹⁶⁷ Voluntary voting is said to create 'notoriously more partisan and passionate' politics, as it becomes more important for politicians to convince their core supporters to turn out to vote rather than convince the majority of voters to vote in their favour.⁹⁶⁸ Compulsory voting has therefore been argued to be a 'safeguard against extremism',⁹⁶⁹ forcing political parties and candidates to appeal to a majority of voters, thus anchoring Australian politics 'in the centre'.⁹⁷⁰
- 11.76 Compulsory voting also enjoys wide support in Australia – the 2007 Australian Electoral Study showed 77% of respondents were in favour.⁹⁷¹ Supporters of the status quo argue that the explicit approval of the Australian people should be required for any change to compulsory voting.⁹⁷²

Arguments against compulsory voting

- 11.77 Opponents of compulsory voting argue that it is a deprivation of political liberty not consistent with the freedom associated with democracy.⁹⁷³ Compulsory voting is said to remove the *right* to vote – citizens can be forced to vote for a candidate or party even though they do not want to be represented by them in Parliament.⁹⁷⁴ It is contended that 'all citizens should have a democratic choice to vote or not vote'.⁹⁷⁵
- 11.78 Others argue that compulsory voting forces citizens who have no interest in or knowledge of political issues to cast a ballot.⁹⁷⁶ By forcing citizens to the polls, it is argued that ill-informed or apathetic voting has 'consequent dangers' for the quality of the elector's decision.⁹⁷⁷ A system where citizens vote because they want to and have considered their voting choice is argued

⁹⁶³ Minority Report (A Murray) in JSCEM, *The 1996 Federal Election: Report of the Inquiry into all aspects of the Conduct of the 1996 Federal Election and Matters Related Thereto*, op. cit., p. 143.

⁹⁶⁴ Minority Report (S Conroy, L Ferguson, R McClelland) in *ibid.*, p. 126.

⁹⁶⁵ B Costar and D Woodward, op. cit., p. 156.

⁹⁶⁶ JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., p. 189.

⁹⁶⁷ *ibid.*

⁹⁶⁸ M Duffy, 'America shows politics of a sort is a real threat to democracy', *Sydney Morning Herald*, 11 October 2008, available at www.smh.com.au/opinion/america-shows-politics-of-a-sort-is-a-real-threat-to-democracy-20081010-4ybw.html.

⁹⁶⁹ S Bennett, 'Compulsory voting in Australian national elections', op. cit., p. 10.

⁹⁷⁰ *ibid.*, citing W Swan, Secretary – Queensland branch of the ALP, as quoted in S Mills, 'A compelling argument for voting laws', *Australian Financial Review*, 16 December 1991.

⁹⁷¹ I McAllister and J Clark, *Australian Elections Study*, 'Trends in Australian Political Opinion: Results from the Australian Election Study 1987-2007', Australian Elections Study, 2008, p. 21.

⁹⁷² JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., pp. 186-187, quoting submission no. 144: Public Interest Advocacy Centre.

⁹⁷³ International IDEA, 'Compulsory Voting', 2001, available at www.idea.int/vt/compulsory_voting.cfm.

⁹⁷⁴ D Jaensch, *Getting Our Houses in Order*, Ringwood, Penguin Books, 1986, p. 62.

⁹⁷⁵ JSCEM, *1998 Federal Election, Report of the Inquiry into the conduct of the 1998 Federal Election and matters related thereto*, op. cit., p. 107.

⁹⁷⁶ T Evans, op. cit., p. 12.

⁹⁷⁷ B Costar and D Woodward, op. cit., p. 156.

to be better for democracy.⁹⁷⁸ On the other hand, it has been noted that voters are not forced to vote for a particular candidate, as it is not an offence to cast an informal vote secure 'in the privacy of the voting compartment'.⁹⁷⁹

- 11.79 A consequence of forcing uninformed or uninterested citizens to vote is argued to be an increase in the number of informal votes.⁹⁸⁰ Higher numbers of informal votes resulting from protest votes (either against compulsory voting or against the candidates on offer) are said to diminish the quality of the electoral process.⁹⁸¹ However, any link between informal ballot papers and compulsory voting is difficult to prove, as it is not possible to test if blank or incorrect ballot papers are actual protest votes or simply constitute an error.⁹⁸²
- 11.80 A further argument against compulsory voting is that it increases the number of safe electorates and clearly identifies the marginal electorates on which the main political parties should focus their campaign energies.⁹⁸³ As voters in marginal seats only represent a small proportion of eligible voters, it is argued that the majority of Australians actually have little contact with the democratic process before polling day.⁹⁸⁴ Under voluntary voting, it is argued this situation 'could only improve'⁹⁸⁵ as parties would have to persuade electors in all electorates to come out and vote.
- 11.81 Other arguments advanced in favour of voluntary voting include:
- compulsory voting has not improved voters' knowledge of the political system;⁹⁸⁶
 - most democratic governments in the world manage to achieve legitimacy without resorting to compulsion,⁹⁸⁷ and
 - surveys indicate that a large number of Australians would still vote even if voting was made voluntary.⁹⁸⁸
- 11.82 As seen above, there are strong views about the relative merits of compulsory voting. It is generally accepted that wide community debate on this issue would be required before any formal change might be considered.⁹⁸⁹

⁹⁷⁸ JSCEM, *The 2004 Federal Election, Report of the Inquiry into the conduct of the 2004 Federal Election, and matters related thereto*, op. cit., p. 190, quoting submission no. 172: Mr M Doyle.

⁹⁷⁹ JSCEM, *1998 Federal Election, Report of the Inquiry into the conduct of the 1998 Federal Election and Matters Related Thereto*, op. cit., p. 107.

⁹⁸⁰ S Bennett, 'Compulsory voting in Australian national elections', op. cit., p. 1.

⁹⁸¹ T Evans, op. cit., p. 9.

⁹⁸² R Medew, *Informal Vote Survey, House of Representatives 2001 Election*, AEC, Research Report No. 1, 2003, pp. 8-9. A distinction could also be drawn between informal votes cast accidentally by voters wishing to vote formally (arguably a concern for electoral administrators), and informal votes cast by persons who have no preference to express (arguably less of a concern).

⁹⁸³ T Evans, op. cit., p. 10.

⁹⁸⁴ JSCEM, *The 1996 Federal Election: Report of the Inquiry into all aspects of the Conduct of the 1996 Federal Election and Matters Related Thereto*, op. cit., p. 26.

⁹⁸⁵ *ibid.*

⁹⁸⁶ *ibid.*, p. 24.

⁹⁸⁷ *ibid.*, p. 25.

⁹⁸⁸ The 2007 Australian Electoral Study also notes that 88% of respondents indicated that they still would have voted if voting were voluntary: I McAllister and J Clark, op. cit., p. 21. It has been argued that these estimates should be interpreted with caution, as survey response bias produces an overestimate of voluntary voter turnout, since hypothetical non-voters are less likely to respond to a survey on politics in the first place: S Jackman, 'Non-Compulsory Voting in Australia?: what surveys can (and can't) tell us', *Electoral Studies*, Volume 18, 1999, pp. 29-48.

⁹⁸⁹ JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., p. 204.

Timing of federal, state and territory elections

- 11.83 Section 394 of the Electoral Act provides that no state or territory elections or referendums can be held on the same day as a federal election without the permission of the Governor-General. This provision has been the subject of some debate, with calls for the provision to be repealed,⁹⁹⁰ which would allow two or more elections in the Commonwealth, states and territories to be held on the same polling day.
- 11.84 In the United States, for example, elections for representatives across local, state and federal jurisdictions are all held on the same day. It has been argued that this system could also be introduced in Australia.⁹⁹¹ Such a system would require harmonisation of the arrangements governing length of parliamentary terms in the Commonwealth, states and territories.
- 11.85 In support of the repeal of section 394, it is argued that there would be great administrative advantages in arranging state, territory and federal elections on the same polling day.⁹⁹² It is also contended that this change would reduce ‘buck-passing’ – the ability of different levels of government to blame the other level of government for particular problems.⁹⁹³ In addition, proponents argue that forcing parties to campaign for federal and state or territory elections at the same time would require candidates to develop and propose coordinated federal, state and territory policies,⁹⁹⁴ which would give different levels of government greater incentives to cooperate on policy outcomes.⁹⁹⁵
- 11.86 On the other hand, it might be argued in support of maintaining section 394 that holding federal, state and territory elections on the same day could lead to high levels of voter confusion. In the absence of the harmonisation of state, territory and federal electoral processes, this would be likely to lead to a higher number of informal votes, particularly in the states or territories which have different voting processes to the Commonwealth. Some might contend that holding elections for different levels of government on the same day could confuse distinctly separate state and federal issues. It has been argued that there should be opportunities for state and federal issues to be aired separately so that voters can cast a considered vote for representatives at both levels.⁹⁹⁶

Harmonisation of polling practices

11.87 There may be opportunities for harmonisation of a number of polling arrangements across jurisdictions, which could have benefits for voters, parties and candidates who would enjoy consistent arrangements regardless of which level of election was taking place. Examples of particular opportunities for harmonisation, some of which are already been progressed to various extents, might include:

- harmonising eligibility requirements for postal and pre-poll voting;
- a single national register of general postal voters;

⁹⁹⁰ See, for example, *Final Report of the Constitutional Commission*, Volume One, 1988, pp. 215-218; Senate Standing Committee on Finance and Public Administration, Commonwealth Parliament, *Inquiry into the Commonwealth Electoral Amendment (Democratic Plebiscites) Bill 2007*, Supplementary Remarks: Senator A Murray, 2007, pp. 57-58.

⁹⁹¹ Senator A Murray, ‘Plebiscite in QLD on Local Govt Matters’, Media Release, 19 August 2007, available at: www.andrewmurray.org.au/Media/Media_Release_Display.htm?press_id=6087&display=1; JSCEM, *Inquiry into the Conduct of the 2004 Federal Election and Matters Related Thereto*, op. cit., Supplementary Remarks: Senator A Murray, pp. 400-401.

⁹⁹² *Final Report of the Constitutional Commission*, op. cit., p. 218.

⁹⁹³ G Whitlam, ‘Fixed terms – and do the lot’, Letter to the Editor, *Sydney Morning Herald*, 25 September 2007.

⁹⁹⁴ *Final Report of the Constitutional Commission*, op. cit., p. 218.

⁹⁹⁵ *ibid.*

⁹⁹⁶ JSCEM, *Inquiry into the 2007 Federal Election*, Committee Hansard, 21 August 2008, (Mr J Sullivan), p. 25.

- identifying common premises to be used as polling places at federal, state and territory, and local government elections;
- consistent protocols for the way in which polling places are laid out;
- sharing best practice to develop consistent arrangements for selecting and training polling staff, and managing work flows on polling day;
- a common approach to the use of polling equipment and signage;
- a common package of information and education material for party workers and scrutineers; and
- developing common approaches to deploying technology in support of voting and roll marking processes (including possible development of a common software and hardware package for electronic processes to mark electors off the roll).

DISCUSSION POINTS

11.88 Submissions are invited on what aspects (if any) of the polling process in Australia should be reformed, having regard to the overarching objective of developing an effective and efficient overall package of electoral reforms. In particular, comments are invited on the following questions:

- Should any actions be taken in response to the rise in early voting?
- What changes, if any, are needed to the current postal vote processes for federal elections?
- Should electronic voting be utilised to a greater extent in Australia?
 - If so, what form of electronic voting should be used?
- Are additional mechanisms required to reduce the possibility for multiple voting?
 - If so, what mechanism/s should be introduced?
 - Do you think the current rules surrounding the casting of provisional votes should be changed? If so, how?
- Should a requirement for voters to provide identification on election day be introduced?
 - If so, what form/s of identification should be required?
- Do you have any suggestions for the future location of polling places within Australia?
 - In particular, do you have any suggestions about the location of polling places for homeless persons or those in Indigenous communities?
- Do you think compulsory voting should continue in Australia?
- What areas of the current polling arrangements do you think would particularly benefit from harmonisation between the Commonwealth, states and territories?
 - Do you think it is appropriate for federal and state or territory elections to be held on the same day?