



**AUSTRALIAN
ELECTION
COMPANY**

Phone: 1800 224 420

Fax: 07 5428 1355

GPO Box 394, Brisbane QLD 4001

Email: rkidd@austelect.com

www.austelect.com

ABN 58 635 903 913

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Electoral Reform
Strategic Policy, Legal and Executive Services
Department of Justice and Attorney –General
GPO Box 149
Brisbane QLD 4001

Dear Sir/Madam,

Re: Electoral Reform Discussion paper January 2013

Please find our written submission below.

ELECTRONIC VOTING

The current NSW State Electoral legislation includes some fairly recently introduced provisions for the application of Internet Voting and Telephone Voting. These provisions were inserted especially for the 2011 NSW State Elections.

Internet (and Telephone) Voting was made available on an essentially "opt in" basis at the 2011 NSW State Elections. Originally the legislation was drafted to permit only those electors who were physically or visually handicapped to "opt in"; however subsequently and before the 2011 State Elections, the legislation was further amended to also permit those electors interstate on election day; or those claiming to be in excess of 20 kilometers from the nearest polling place, to register for and to vote by Internet (or Telephone).

A form of "remote" Internet Voting was used. According to a Report commissioned by the Electoral Commission New South Wales (Allen Consulting Group 2011, Evaluation of technology assisted voting provided at the New South Wales State General Election March 2011, report to the New South Wales Electoral Commission, Sydney, July), apparently some 51,000 electors applied to be "electronic" voters and ultimately just under 47,000 electors used these electronic systems. About 95% of those who did vote electronically used Internet Voting and not Telephone Voting (*this merely confirms a trend we have observed time and again where combined Internet and Telephone Voting is offered by us*); and just under 2,000 electors who were physically or visually impaired used the systems. *It was notable, but not at all surprising, that the great bulk of electronic voters were those electors travelling interstate or living in remote areas.*

The use of electronic voting in 2011 by Electoral Commission NSW seemingly largely was something of an experiment; however the "trial" was reported successful and it could be assumed that the NSW electoral legislation, including local government electoral legislation, would be further amended to say extend electronic voting to all electors qualified to vote by postal voting. *Indeed it would make sense to offer electronic voting to all those electors who would normally qualify for a Postal Vote.*

Again, according to (Allen Consulting Group, 2011) apparently the Electoral Commission NSW spent almost \$3.5 million dollars to procure, develop, test and advertise the system used for the 2011 Elections. *From our perspective, this cost appears to be on the high side.*

Australian Election Company officials have been utilizing and refining electronic voting systems now since 2000. We conduct Elections and Ballots by electronic means, where governance permits the use of the technology. We are experienced in managing electoral events using Internet and Telephone Voting technologies. We have adopted a program of continuous improvement and we know and understand electronic voting operations, irrespective of the size and geographic dispersal of the voting population.

Accordingly Australian Election Company and its officials are able to offer secure, redundant, remote Internet Voting (and Telephone Voting) should the electoral legislation be so amended to permit electronic voting. *However it is recommended any prospective amendments should be written other than in the rather egocentric language exemplified in the existing NSW provisions.*

Given now, over a decade of experience with electronic voting technology, systems and procedures, we have concluded that Telephone Voting really should not be utilized for other than Referendum/Plebiscite (Yes/No) situations, or where a single constituency election (electing just one candidate) is involved. Where there are multiple elections and/or where there are large numbers of candidates (or groups), there is a tendency for the voters to become confused and be unable to deal with and effectively process all the system prompts; however with the Internet Voting system we use, the voters are able to visualize every step in the process and they can also print a copy of each Internet Voting screen.

Interestingly, the ECNSW electronic voting system apparently provided for the printing of ballot papers (representing the data tabulations from the electronic voters), rather than direct reliance being placed upon automatic system tabulation. Really, other than to attempt to foster political confidence, no purpose is served by having the system produce "ballot papers".

POSTAL VOTING

NSW electoral legislation (for State and now for Local Government Elections) permits Applications for Postal Votes to be made without the requirement for signature of the applicant. This has the effect, that where returned postal votes are being dealt with by a Returning Officer, the Returning Officer has no signature of applicant to compare against the signature of a voter, as appearing on the Postal Declaration Envelope.

Australian Election Company believes such an approach has the propensity not only to compromise the integrity of the election process, but also to increase the potential for fraud in Postal Voting.

Accordingly Australian Election Company sees no alternative to mandating that applicants for Postal Votes sign their Applications; unless Attendance (Polling Booth) Voting was withdrawn and all electors became direct (automatic) Postal Voters.

Elections conducted totally by Postal Voting would be far less expensive to taxpayers than those conducted (predominantly) by Attendance Voting.

Yours faithfully,



Richard Kidd
Director/Principal
Australian Election Company
www.austelect.com