

**AUSTRALIAN ELECTORAL COMMISSION**

**SUPPLEMENTARY SUBMISSION  
TO THE JOINT STANDING COMMITTEE ON ELECTORAL  
MATTERS' INQUIRY INTO THE 2001 FEDERAL ELECTION**

**SUBMISSION IN RESPONSE TO QUESTIONS ON NOTICE**

**Canberra  
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# Table of Contents

1.	Introduction.....	3
2.	Submissions relating to overseas voting .....	3
3.	Submissions relating to the operation of polling booths.....	8
4.	Mr Peter Andren MP, Member for Calare’s submission.....	15
5.	The Hon. Robert McClelland MP, Member for Barton’s Submission ..	16
6.	Ms Julie Irwin MP, Member for Fowler’s submissions .....	20
7.	Electoral Reform Society of South Australia submission .....	23
8.	Mr J Rogers’ submission .....	24
9.	The Hon Bob Katter MP, Member for Kennedy’s submission.....	25
10.	HS Chapman Society submission .....	26
11.	Liberal Party of Australia submission.....	27
12.	Australian Labor Party submission .....	32
13.	The Greens NSW submission .....	34
14.	Issues raised by the JSCEM during AEC appearances and at other times .....	35

# Submission in response to questions on notice

## 1. Introduction

1.1 This submission by the Australian Electoral Commission (AEC) is presented to the Joint Standing Committee on Electoral Matters (JSCEM) in response to its 'inquiry into the conduct of the 2001 federal election', as advertised in the national press on 25 May 2002.

1.2 The submission details AEC responses to questions on notice provided by the JSCEM on 17 December 2002. A number of questions remain outstanding while the AEC obtains external advice and conducts further investigations. These questions will be responded to in a later submission.

1.3 This submission is organised under headings that relate to other submissions to the inquiry, however, the text relates to issues that have arisen as a result of discussing these submissions. As a result, some of the issues discussed here were not discussed in the original submissions.

1.4 The AEC has on previous occasions commented on issues similar to those responded to here. Where this has occurred, the submission provides references to those previous comments.

## 2. Submissions relating to overseas voting

### Overseas voting procedures

2.1 The JSCEM asked the AEC to detail how AEC staff are trained in overseas voting procedures. The procedures for overseas voting are contained in the *Election Procedures Manual (Divisional Offices)* (EPM (DO)), which is the standard procedures manual for all parliamentary elections operations and forms the basis for all operational training of AEC staff.

2.2 In Part 14, Subpart 3 of the EPM (DO), staff are informed that Postal Vote Applications (PVAs) can be made to an overseas Assistant Returning Officer (ARO) after the public announcement of an election or issue of a writ for an election, whichever is earlier. In Part 14, Subpart 4, staff are informed that a pre poll vote can be sought from an overseas ARO.

2.3 The JSCEM also asked about the level of publicly available information on overseas voting procedures.

2.4 In addition to contacting the AEC or overseas missions directly, there are four sources of information detailing overseas voting procedures that are available to those electors voting overseas.

2.5 The first source is the AEC web site. At paragraph 27.6 of submission 174, responding to recommendations made by the Southern Cross Group relating to the formation of a database of overseas electors, the AEC stated:

The AEC maintains an up to date web site containing information about up coming electoral events, detailing enrolment and voting procedures, and providing electronic versions of most of the relevant forms (including overseas enrolment forms and postal vote application forms).

2.6 There are detailed descriptions of the overseas voting process on the AEC website under 'What you need to know and do - frequently asked questions - voting - electors overseas.'<sup>1</sup>

2.7 The second source is the Application for Registration as an Overseas Elector, which contains the following advice on overseas voting arrangements:

If a federal election or referendum is held while you are overseas you will be able to vote in person, at those Australian Diplomatic Missions that provide full consular services. You should check with the Mission for details of voting hours... If you cannot vote in person you may apply for a postal vote to an Australian Diplomatic Mission that provides full consular services, or to any AEC office in Australia. Arranging a postal vote is your responsibility. A full list of overseas voting locations is available on the AEC web site at: [www.aec.gov.au](http://www.aec.gov.au)...

It is not compulsory for people outside Australia to vote. However, if you do not vote, or apply for a postal vote, your registration and electoral enrolment may be cancelled.

2.8 Thirdly, when an elector is accepted as an Eligible Overseas Elector, they receive a letter, which in part states:

Registration ensures that your name will remain on the electoral roll and that you can vote in person at the nearest Australian Diplomatic Mission that provides full consular services.

If you cannot attend the Mission on or before polling day, you should apply in writing for a postal vote instead. You can apply to any Australian Diplomatic Mission that provides full consular services, or any Australian Electoral Commission office. The postal vote application form is also available on the AEC's web site at [www.aec.gov.au](http://www.aec.gov.au).

If you do not vote or apply for a postal vote in any general House of Representatives election which is held while you are registered as an overseas elector, your registration will be cancelled and your right to remain on the roll may be forfeited until such time as you return to Australia.

2.9 Finally, when Australians are issued with a new passport they are provided with a booklet entitled *Hints for Australian Travellers*. This booklet contains advice that Australians planning to travel overseas should contact their local AEC office about voting overseas.<sup>2</sup>

2.10 These sources are in addition to those discussed by the Department of Foreign Affairs and Trade (DFAT) in its submission to the inquiry.<sup>3</sup> The AEC believes that there are sufficient sources of information available from the most obvious sources on overseas voting procedures for people wishing to access this information.

2.11 The JSCEM asked about the possibility of a more formal relationship between DFAT and the AEC such as a service agreement.

2.12 Currently, there is regular contact between the agencies to review and improve overseas voting procedures. These meetings and their outcomes have already been outlined by the AEC during the 9 December 2002 public

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<sup>1</sup> [http://www.aec.gov.au/\\_content/what/faqs/vote\\_os.htm](http://www.aec.gov.au/_content/what/faqs/vote_os.htm).

<sup>2</sup> 2002. Department of Foreign Affairs and Trade. *Hints for Australian Travellers*, p16.

<sup>3</sup> 2002. Department of Foreign Affairs and Trade. *Submission 168*, pp3-4.

hearing<sup>4</sup> and outlined by the DFAT at the 2 December 2002 public hearing and in its submission to this inquiry.<sup>5</sup>

2.13 Like DFAT, the AEC views the relationship between the two agencies as good and constructive, with appropriate improvements to procedures taking place where necessary. Given the current good relations and their effective outcome, the AEC does not believe there is a requirement for a service agreement between it and DFAT.

2.14 Finally, the JSCEM asked about the training of overseas consular staff. The AEC used to have a module in DFAT consular training sessions. After an evaluation of the content of sessions in the early 1990s, DFAT and the AEC agreed to drop the AEC module and concentrate on manuals and other remote training tools. A copy of the *Overseas Voting Procedures Manual* for the 2001 federal election is attached to the DFAT submission to the inquiry.<sup>6</sup>

2.15 For the 2001 election, the AEC introduced an Internet training system. There was low take up because of the proximity of the election when the system went live, however discussions with DFAT staff in London and Hong Kong, together with online feedback, has provided positive reaction to the system, and the AEC is keen to develop this approach.

2.16 The AEC, in consultation with staff at the London High Commission, has developed a 'London specific' manual to cover issues specific to the largest overseas voting post (currently in draft). Similar 'post specific' manuals are also proposed for Hong Kong and the larger North American missions. The AEC, at DFAT's request, also provides an officer at AEC expense to assist with the voting operations in London and Hong Kong.

2.17 During officer discussions held immediately after the 2001 election, the AEC suggested to DFAT that the AEC modules for consular training sessions be revised and revived. DFAT responded positively to this suggestion and work on this is planned for 2003/04.

### **Overseas postal voting**

2.18 In relation to overseas postal voting, the JSCEM asked the AEC to detail changes that might improve the speed with which PVAs are processed.

2.19 The process for accessing, completing and returning PVAs is as streamlined as possible given current legislative and technological limitations.

2.20 PVAs can currently be obtained from the AEC's website. Overseas electors can access and print a PVA from the website and then post it to the relevant Australian mission.

2.21 In order to expedite the completion of a PVA, legislative change would be required. One mechanism for doing this might be to include an amendment so that PVAs don't require the signatures of the elector and the witness, in which case it could be completed and submitted as an online form.

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<sup>4</sup> Transcript pp303-304.

<sup>5</sup> Transcript pp 279-289, and 2002. Department of Foreign Affairs and Trade. *Submission 168*, p3.

<sup>6</sup> 2002. Department of Foreign Affairs and Trade. *Submission 168*, pp6-21.

2.22 The JSCEM asked if Eligible Overseas Electors could be treated in the same manner as General Postal Voters (GPVs). If the JSCEM were to make this proposal, legislative change would be required.

2.23 Ballot material for GPVs is sent to their enrolled address, or postal address. However, although Eligible Overseas Electors have an Australian based enrolled address, their address for correspondence may bear no relationship to their actual location at the time of the election. For example, this address could be an address of a family member or friend in Australia who would have to then forward the material on, or a base location overseas to which the overseas voter returns infrequently.

2.24 Consequently, the AEC does not consider that treating Eligible Overseas Electors as General Postal Voters will result in either a more speedy distribution of ballot papers or improvements in the number of Eligible Overseas Electors completing ballot papers.

2.25 Finally, the JSCEM asked about the number of declaration envelopes received from overseas which were rejected at the preliminary scrutiny stage. Of these declaration envelopes, 428 were rejected at preliminary scrutiny because they had either been not signed, witnessed, or the signature match failed.

2.26 Of the declaration envelopes received from overseas posts, 612 were rejected because they were received after the deadline.

### **Special electorate for overseas electors**

2.27 The JSCEM asked for the AEC's opinion of the Southern Cross Group's proposals for an overseas electorate for expatriate Australians.

2.28 The *Commonwealth Electoral Act 1918* (the Act) provides for the election of Senators from States and Territories and the election of Members of the House of Representatives from divisions into which States and Territories have been distributed. This arrangement is directed by sections 7 and 24 of the Constitution, which refers to members and senators elected 'in the States.'

2.29 On the face of it, section 24 of the Constitution might imply that all members other than those representing a territory have to be chosen in one or another of the several States, which would rule out having a single overseas constituency for the whole country, and might perhaps require a separate such constituency for each State. Such constituencies would be likely in practice to be grossly malapportioned.

2.30 Legal opinion would have to be sought to determine if a special electorate representing expatriate Australians was 'in the States' and therefore constitutional. If it wasn't, the proposal would require a referendum.

2.31 Previous advice from the Attorney-General's Department, given in the context of proposals that there be a separate Aboriginal electorate, has been that the High Court would probably construe section 29 of the Constitution as requiring that divisions be geographically defined. The most recent advice from the Australian Government Solicitor, in 2001, also questioned whether the High Court would uphold the creation of 'ethnic' divisions for the Senate.

2.32 An electorate for expatriate Australians would present a number of challenges for administration, but none of these would be insurmountable. Overseas electors would presumably be given a choice between current overseas enrolment and enrolling in the expatriate division, perhaps determined by the length of proposed absence.

2.33 The AEC has not studied what other countries are doing in this regard, if anything. However, Dr Michael Armitage, Minister for the Information Economy in the Olson State government in SA, proposed a 'virtual electorate' for expatriate South Australians. The plan was for online voting by registered electors for two Legislative Councillors. The idea did not receive much enthusiasm.

### **Voting overseas**

2.34 As indicated during the 9 December 2002 hearing, the AEC has been negotiating with DFAT to electronically dispatch ballot papers to overseas posts during elections.<sup>7</sup>

2.35 The AEC has proposed, at officer meetings held immediately after the 2001 election, that Adobe Acrobat files of ballot papers be placed on DFAT's secure Intranet. This would allow ballot papers to be downloaded and printed directly in Australian missions on the Monday after close of rolls.

2.36 This would considerably reduce the time for ballot papers to become available.

2.37 Eventually, this might be the only way in which ballot papers are provided to Australian missions that issue a small number of votes. For those that issue large numbers (eg London, Hong Kong) the AEC would still send supplies as soon as possible. Alternatively, the missions could use an Adobe Acrobat file as a template to organise local printing of ballot papers.

2.38 The large Senate ballot papers might have to be broken into three or more Adobe Acrobat files in order to print from an A4 printer.

2.39 The provision of ballot papers to overseas post by this method will be discussed further with DFAT in readiness for the next election.

2.40 Another possibility previously canvassed by the AEC with the JSCEM is an electronic voting trial involving overseas electors. This is discussed extensively in submission 147 to this inquiry, which includes a recommendation for amendments to the Act to enable such a trial to occur.<sup>8</sup>

2.41 The JSCEM asked about the differences between the number of votes issued and the number of votes dispatched from particular overseas missions.

2.42 It is not unusual for the number of votes dispatched to be considerably less than the number of votes issued. The difference is a result of the number of postal votes issued by the mission that are returned directly to Australia by the voter.

2.43 Diplomatic missions can either advise electors to return issued postal votes to the mission they were issued from, or advise electors to return the

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<sup>7</sup> Transcript p303.

<sup>8</sup> 2002. AEC. *Submission 147*, section 5.6.

postal votes directly to Australia. The advice given to electors applying for postal votes is at the discretion of the mission. Some missions advise all electors applying for postal votes to return their postal votes back to Australia, while others will begin by advising electors to return the postal votes to the mission, and then change their advice to speed the return of the postal votes as election day approaches.

2.44 It is likely that Atlanta, Washington, and Ottawa, which all recorded considerable discrepancies between votes issued and dispatched, advised postal vote applicants to return their postal votes directly to Australia early in the election period.

2.45 At the 9 December 2002 hearing, the JSCEM asked the AEC to contact Mr Williams (submission 18) to ascertain if he could supply copies of the correspondence he wrote to the AEC.

2.46 As requested by the JSCEM, the AEC has been in contact with Mr Williams. As discussed in Submission 174, the AEC does not have any record of the correspondence Mr Williams sent.<sup>9</sup>

2.47 Mr Williams has indicated to the AEC that he does not have copies of the correspondence he sent, but that the content of the correspondence was similar to that of his submission the JSCEM.

### **3. Submissions relating to the operation of polling booths**

#### **Polling booth staffing and management**

3.1 The JSCEM asked whether the AEC has a formal feedback system that enables polling day staff to provide suggestions for improvements.

3.2 The AEC sends surveys forms to all Officers In Charge (OICs) and a sample of other polling officials who receive training under the training of polling staff (TOPS) package, inviting feedback on training, procedures and materials. A number of polling officials also make written comments directly to the Electoral Commissioner. Survey results and unsolicited feedback is analysed in Elections Systems and Policy Section and is considered as procedures and materials are reviewed. For example, a number of polling official suggestions have, over the years, been incorporated in refinements to the OIC's Procedures Manual.

3.3 With regard to the supply of polling materials, which was raised by the JSCEM, the AEC has an effective means for calculating the required inventory. Two automated systems – Polling Place Staffing Estimates and Materials Management – use current enrolment, historic voting patterns, and variable parameters maintained by the Divisional Returning Officer (DRO) as data in formulae to calculate requirements for polling place staff, ballot papers, voting screens, ballot boxes and other cardboard polling place equipment, and election forms, stationery and other election materials.

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<sup>9</sup> 2002. AEC. *Submission 174*, paragraph 2.2.



3.4 The forecast amounts can be further amended by the DRO to take into account information of which they become aware as the election period progresses – such as numbers in caravan parks or sporting or cultural events.

3.5 There will always be some events that coincide with elections that make it difficult for the correct inventory of materials to be forecast. For example, the 1998 election was held on a long weekend in the school holidays in NSW, SA and ACT. It is not always possible to identify exactly where shortfalls of materials were going to occur and in 1998 it often occurred in historically small polling places. If such a polling place usually issued 20 declaration votes, a 50% increase in the expected declaration vote still only meant providing material for 30 declaration voters. This could be (and often was) used up by two coach loads of tourists choosing to stop at a small polling place without queues.

3.6 The AEC always provides for reserve stocks of critical materials most likely to be depleted by a change in popularity of a polling place – ballot papers, declaration envelopes, enrolment forms – to be available in critical locations so that shortfalls can be quickly replenished. Polling Place Liaison Officers carry stocks with them as they travel around the Division on polling day and divisional staff also transport reserve stocks directly to affected polling places.

3.7 The JSCEM asked for the AEC's opinion on Mr Ballard's suggestion that polling places have signs posted indicating the location of the nearest two alternate polling places.<sup>10</sup> The AEC assumes this information would be provided in the event of either long queues at a polling place or polling place closures due to some serious local threat to the polling place, such as flooding. However, in this instance, polling officials would advise electors of the alternate locations. There would therefore not be a requirement for such signage.

3.8 The JSCEM also asked for the AEC's opinion on Mr Ballard's suggestion that tables in larger polling booths be numbered to facilitate direction by queue controllers.<sup>11</sup> This is a useful suggestion and DROs will be asked to consider this as an option when preparing arrangements for large polling booths.

3.9 The JSCEM asked about the voter time cards discussed by the AEC in submission 174.<sup>12</sup> Starting from the next federal election the AEC will no longer be using voter cards as a matter of course to monitor voter flows in polling places. The information gathered in the past has been used to improve staffing schedules and polling place processes but there has been little room for improvement in these areas at recent elections. Any delays have been the result of local incidents, not structural faults to staffing schedules and polling place processes.

3.10 States may decide to use voter cards on a local basis, for example to obtain data from a new polling place to assist with future staffing estimates.

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<sup>10</sup> 2002. Mr Perry Ballard. *Submission 151*, p2.

<sup>11</sup> 2002. Mr Perry Ballard. *Submission 151*, p3.

<sup>12</sup> 2003. AEC. *submission 174*, paragraph 30.6.

3.11 The JSCEM asked whether queue delays may lead to frustration and an increase in informal voting. The AEC has not found any evidence to substantiate this supposition.

3.12 It is AEC policy that queuing for polling should not exceed 10 minutes. It is recognised that some polling places will have queues longer than this, generally because of specific local circumstances. However, delays are minimised by the use of queue controllers to direct family members with the same name to the same issuing point (after the first elector has been found the certified list will be open at the correct page for subsequent electors in the family) and to identify absent voters and direct them to the declaration issuing points. Also, all medium and large polling places have the necessary material for extra issuing points (usually staffed by the second in command (2IC) or even the OIC) to be opened at periods of peak demand.

3.13 The JSCEM asked how often polling booths run out of change of detail forms. The AEC can report that this does not occur often, and when this does occur, the forms are replenished quickly. As discussed in relation to other polling place shortages above, the AEC always provides for reserve stocks of critical materials most likely to be depleted by a change in popularity of a polling place.

#### **Rejected rates for absent votes**

3.14 At the 9 December 2002 hearing, remedies for the number of absent vote envelopes rejected at the preliminary scrutiny were discussed.<sup>13</sup>

3.15 Declaration votes (including absent votes) are rejected either because of elector error (such as not being correctly enrolled at the time of close of rolls) over which the AEC does not have any control, and polling official error, where the AEC can implement strategies to improve performance.

3.16 There are four main polling official managed actions that can lead to declaration votes being rejected:

- The elector doesn't sign the declaration;
- The elector's Division is incorrectly identified;
- The enrolled address is incorrectly identified; and
- The ballot paper for the wrong Division is issued.

3.17 Training of staff who issue declaration votes focuses on these four issues. Training materials and documentation were revised for the 2001 federal election, and their effectiveness is currently being reviewed.

3.18 The AEC can identify a number of issues with regard to the JSCEM's suggestion that the AEC identify the 100 polling places that issue the largest number of declaration votes and provide them with computers containing copies of the certified lists in order to check the details of declaration voters. These are:

- the cost of the required information technology;

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<sup>13</sup> Transcript p309.

- the number of certified lists required in each polling place;
- the need for more polling officials to reduce delays resulting from the additional steps in the process; and
- security issues – the technology and the CDs containing the certified list for a state would be attractive to thieves.

3.19 Having said this, the AEC believes the JSCEM’s suggestion is potentially beneficial and will further investigate the suggestion. The AEC will review the Victorian Electoral Commission’s (VEC’s) practice at their last election of issuing of absent votes by laptop following completion of their evaluation.

3.20 An alternative might be to turn these polling places into the sort of polling places common in capital city town halls, which are called ‘super booths,’ so that the expense and effort can result in ordinary votes, thereby expediting the count, rather than absent votes that will still involve a declaration exchange and preliminary scrutiny.

3.21 Ultimately, the problem the JSCEM is attempting to address is the number of absent votes rejected. The AEC believes that more quantitative analysis is required before a solution can be implemented. Such analysis would involve determining which, if any, of the four polling official managed actions above is more likely to result in a rejected vote, and also identifying which polling places produce greater numbers of rejected votes. This will enable the AEC to target appropriate remedial action. The AEC may be able to complete this analysis prior to the next federal election.

### **Payment of Temporary Polling Staff**

3.22 At the 9 December 2002 hearing,<sup>14</sup> the JSCEM asked about polling place official remuneration. The tables below list the remuneration for polling staff at the 2001 federal election. They were last increased with effect 16 August 2001.

**Table 1: Pay Rates for 2001 Federal Election: Polling officials prior to polling day - hours at the discretion of the DRO (in \$)**

Description	Day rate	Hourly rate	Training	
Remote Mobile Leader	250	19.2424	96	
Remote Mobile Member	214	16.4983	33	
Description	Normal hourly rate	Overtime rate	Sunday/Public Holiday rate	Training
Pre Poll OIC	18.7345	24.4363	32.5817	37
Pre Poll Officer	16.4983	21.5195	28.6927	33
Electoral Visitor OIC	18.7345	24.4363	32.5817	56
Electoral Visitor	16.4983	21.5195	28.6927	49
Assistant (Driver)	14.9275	N/A	N/A	N/A

<sup>14</sup> Transcript pp310-311.

**Table 2: Pay Rates for 2001 Federal Election: Polling officials working polling day only (in \$)**

<b>Description</b>	<b>PO Package Rate</b>	<b>Training</b>	<b>Total</b>
OIC 1-3 issuing pts	395	96	491
OIC 4-7 issuing pts	425	96	521
OIC 8-15 issuing pts	464	96	560
OIC 16+ issuing pts	522	96	618
Polling Place Liaison Officer	425	96	521
Second in Charge	314	94	408
Pre Poll OIC on Polling day (at count)	327	37	364
Pre Poll OIC on polling day (not at count)	251	37	288
Pre Poll Officer on polling day (at count)	265	33	298
Pre Poll Officer on polling day (not at count)	199	33	232
Ordinary Issuing Officer/Ballot Box Guard (at count)	265		265
Ordinary Issuing Officer/Ballot Box Guard (not at count)	199		199
Scrutiny Assistant	60		60
Declaration Vote Issuing/Inquiry Officer/Queue Controller (at count)	265	16.50	281.50
Declaration Vote Is/Inquiry Officer/Queue Controller (not at count)	199	16.50	215.50
Half Day Polling Staff	99		99

**Table 3: Pay Rates for 2001 Federal Election: Classes of temporary assistants employed before and after polling day – hours at the discretion of the office supervisor (in \$)**

Description	Normal hourly rate	Overtime rate	Sunday/Public Holiday rate
General Temporary Assistant	14.9275	19.4707	25.9609
Senate Scrutiny Supervisor	16.4983	21.5195	28.6927
Scanning Supervisor	19.2424	25.0988	33.4650
Remote Area Mobile Polling	14.9275	19.4707	25.9609
Training Dec Issuing Officers	19.2424	25.0988	33.4650
Call Centre Supervisor	19.2424	25.0988	33.4650

3.23 A review of rates for temporary election staff was conducted after the 1999 Referendum. The review found that the rates the AEC paid for temporary polling staff were comparable with other electoral bodies and aligned to AEC work level standards, and recommended that a slight increase was justified.

3.24 In the list of questions supplied to the AEC, the JSCEM asked approximately what proportion of polling places worked past 10:00pm on polling day for the 2001 federal election. Given that rates of pay are fixed, these records are not collected, and it is therefore not possible to determine precisely how many polling booths worked past 10:00pm.

### **Client workshops**

3.25 The JSCEM asked about the client workshops discussed in the AEC's response to Mr Perry Ballard's submission to the inquiry.<sup>15</sup> Between March 2001 and October 2002, a client workshop was conducted in every State. A consultant has provided assistance in the development of the workshop format and technology to support it. This process is an identified strategy under the AEC's *Strategic Plan 2001-2004*.

3.26 The workshop runs for a day and involves a group of approximately 25 electors (or clients) in the morning session. The electors are asked various questions about their experience of voting and their views on an ideal electoral system. AEC staff observe the morning session and are asked to put themselves in the clients' position but do not participate in discussion. The afternoon session involves AEC staff reflecting on the outcomes of the client workshop and developing planning documents to address key client concerns.

<sup>15</sup> 2002. AEC. *submission 174*, paragraph 30.2.

3.27 The objectives of the workshops are to:

- establish client impressions of the AEC;
- establish client understandings of the electoral system;
- establish the level of client understandings about enrolment;
- identify concerns about the current electoral system; and
- explore the concept of the ideal experience of being a voter.

3.28 A wide range of feedback from electors has already been obtained even though the workshop program is not complete. In summary, the majority of participants were very satisfied with the Australian electoral system and claimed to have a thorough knowledge of voting, though a significant number felt that it would be important to have a better understanding of the system. Feedback about the convenience and accessibility of polling places was overwhelmingly positive and the majority of clients knew that the AEC organised staffing for polling places. Participants were also supportive of the introduction of electronic voting and very few had any contact with the AEC prior to the workshop.

3.29 The client workshops program is not complete at this stage although the AEC is considering the implications of the feedback received to date. The AEC has also redefined responsibility for the customer workshops as part of a wider brief of customer innovations under the responsibility of two senior AEC managers. It is expected that the lessons from the workshops will be drawn on to improve client service in procedures and policy.

### **Close of rolls transactions**

3.30 In the public hearing on 9 December 2002 Senator Ray requested details on the number of people who changed their addresses and the number of new enrollees in the five day close of roll period in the recent Victorian election.<sup>16</sup> The VEC has provided the AEC with the following statistics:

- Number of electors who changed their address: 43,204.
- Number of electors who were new enrolments: 24,303.

3.31 The close of rolls figures for the Commonwealth Electoral Roll on a State and Territory basis have been published in the electoral pocketbook<sup>17</sup> and the AEC's submission 147 to this inquiry.<sup>18</sup>

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<sup>16</sup> Transcript pp323-324.

<sup>17</sup> 2002. AEC. *Electoral Pocketbook*, p37.

<sup>18</sup> 2002. AEC. *Submission 147*, paragraph 4.1.3.

## **4. Mr Peter Andren MP, Member for Calare's submission**

### **Postal Vote Applications**

4.1 There was some discussion during the 9 December 2002 hearing about the return of PVAs by political parties. During the hearing, Senator Ray asked whether there was any evidence that delays in the return of PVAs by political parties had resulted in voters being disenfranchised.<sup>19</sup> As part of a larger study, the AEC is undertaking an investigation to ascertain the number of electors disenfranchised by the practice, if any.

4.2 A similar investigation was conducted following the 1998 federal election. As a result of that study, the AEC found that 130 electors were disenfranchised because their PVAs were received too late by the AEC to allow the issue of voting materials. Further, at least 44 electors advised the AEC, through non-voter notices and direct complaints, that they filled out political party PVAs, but did not receive voting materials from the AEC, suggesting that the political parties may not have forwarded those applications on to the AEC.<sup>20</sup>

4.3 The VEC has instituted a new procedure for dealing with PVAs distributed by political parties. This involves the PVAs being returned directly to the VEC, and the VEC then providing the details of these PVAs to the political party which distributed the PVAs. At the 9 December 2002 hearing, Senator Ray requested the AEC report on the effectiveness of the VEC's new strategy for managing PVAs. The AEC has been in contact with the VEC and requested feedback on the effectiveness of the system once the VEC's evaluation processes have been finalised.

### **Misleading Advertising**

4.4 With regard to the issues raised by Mr Andren concerning informal voting, the AEC was asked by the JSCEM whether it was possible to determine how many ballot papers had been marked 1-4 only.<sup>21</sup>

4.5 The AEC cannot assess how many ballot papers were marked 1-4 from existing data as this category was not included in the informal ballot paper survey. To identify how many ballot papers were so marked would involve retrieving the relevant papers from storage and undertaking a separate time consuming survey.

4.6 As the AEC explained in evidence to the JSCEM on 9 December 2002, a generic ballot paper is used for advertising for a number of reasons. In particular, there are issues about media such as television stations not aligning with divisional boundaries and the fact that the advertising campaign has to be prepared well before the election is announced. It would be impractical to use the average number of candidates across all Divisions for the House of Representatives as such a figure could not be calculated until after nominations were declared. More importantly, such a figure would still

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<sup>19</sup> Transcript pp324-327.

<sup>20</sup> 1999. AEC. *Submission 88* to the 1998 federal election inquiry, paragraph 8.6.29.

<sup>21</sup> Transcript p320.

be a notional one that would not equate with the actual number of candidates in many Divisions.<sup>22</sup>

4.7 As a consequence, the AEC does not intend to change its advertising for the next election in light of Mr Andren's suggestions.

4.8 It should be noted that the level of informal voting in the Division of Calare was 3.28%, well below the national average of 4.8% and the NSW average of 5.4%.

4.9 At this stage, details of the AEC's improvements to its publicity campaign resulting from the review of the 2001 federal election publicity campaign are not finalised, but the AEC is currently developing an election communication plan for the next federal election and is conferring with both the creative and placement advertising agencies to develop these strategies.

## **5. The Hon. Robert McClelland MP, Member for Barton's Submission**

### **Misleading and Illegal How to Vote Cards**

5.1 The JSCEM asked whether the How To Vote (HTV) card issued by the Unity Party candidate for Barton, and discussed by Mr McClelland in his submission to the inquiry,<sup>23</sup> was correctly authorised.

5.2 The AEC can report that the HTV card in question was authorised by Mr John Lau, the Unity Party candidate for Barton. The original Unity Party HTV card was authorised by Mr Chris Wong. In addition there were a number of differences between the HTV cards apart from the different authorisation and distribution of preferences.

5.3 Under the Act, there are two checks for the legality of HTV cards. The first is whether the HTV card contains an authorisation that complies with the requirements of section 328(1) of the Act. The second is whether the HTV card may mislead the public about how to mark a ballot paper under the strict interpretation of section 329 of the Act quoted at paragraph 11.5 of submission 174. As indicated at paragraphs 11.6 of submission 174:

..on the day, the AEC had to determine two matters: did the HTV card in question contain an authorisation; and did the HTV card attempt to mislead the public about how to obtain and mark a ballot paper. The HTV card in question did in fact have an authorisation and did not attempt to mislead the public about how to obtain and mark a ballot paper. The HTV card in question was therefore legal.

5.4 In relation to Mr McClelland's complaints, the AEC would like to restate the philosophical principle behind the current authorisation regime:

The primary function of section 328 of the Act is to ensure that anonymity does not become a protective shield for irresponsible or defamatory statements, where there is no legal recourse for those whose interests may have been damaged by such

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<sup>22</sup> Transcript p328.

<sup>23</sup> 2002. The Hon. Robert McClelland MP, Member for Barton. *Submission*, p1.



statements. It is not intended to regulate who produces HTV cards, simply to ensure that the source of the card is transparent.<sup>24</sup>

5.5 Consequently, for the AEC to do more than it did, such as contact the Unity Party to ascertain whether they had been notified about the alternative HTV card, would have been beyond both the intent and the letter of the law.

### **AEC Communication with Candidates**

5.6 In relation to the AEC's response to Mr McClelland's letters of 10 November 2001 and 14 February 2002, the JSCEM asked whether it might not be better for the AEC to acknowledge all written communications from candidates.

5.7 The AEC currently has a policy of providing written responses to all written complaints and queries. However, the AEC believes that some discretion is required in responding to all written communication from candidates, especially during election periods. The AEC believes that DROs should be permitted to make a judgement about whether a written communication that is not a complaint or query requires a written response.

5.8 At future elections, DROs will be reminded of the importance of making sound judgements about how written correspondence from candidates are dealt with.

5.9 The content of the letter from the AEC to Mr McClelland in response to his letter of 14 February 2002 was very similar to that contained at paragraphs 11.5-11.9 of submission 174. In broad terms the letter contained: an apology and explanation for the delay in response; an explanation of the AEC's actions based on the legislative requirements of section 329 of the Act; and an agreement with Mr McClelland that for the AEC to have taken any action other than that it did take in Barton would require an amendment to the Act.

### **Registration of How to Vote Cards**

5.10 The JSCEM queried what the AEC meant by its statements about registration of HTV cards. In submission 174, the AEC states that HTV card registration would be impossible to enforce,<sup>25</sup> while at the public hearing on 9 December 2002, the AEC reported that a registration system would be administratively difficult.<sup>26</sup>

5.11 When discussing registration of HTV cards, it is important to bear in mind the basic philosophy underlying the regulation process in the Act, which is discussed above and at section 11.9-11.12 of submission 174. The essential basis of this philosophical approach is to make transparent the source of the HTV material to prevent anonymity from being a defensive shield for irresponsible or defamatory statements. In the discussion below, the AEC assumes that JSCEM intends to retain this approach as enshrined in section 328 of the Act.

5.12 Dealing with the administrative aspects first, at the 2001 federal election there were 1039 candidates for the House of Representatives, and 101

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<sup>24</sup> 2002. AEC. *Submission 174*, paragraph 11.9.

<sup>25</sup> 2002. AEC. *Submission 174*, paragraph 11.12.

<sup>26</sup> Transcript p314.

groups and 26 ungrouped candidates for the Senate.<sup>27</sup> On this basis it would be reasonable to expect at a very minimum to have 1166 HTV cards registered.

5.13 In addition, it is not unusual for some parties, such as the Australian Democrats, to produce two HTV cards splitting preferences between the major parties. Major parties also regularly produce second preference HTV cards. This would add considerably to the number of registered HTV cards.

5.14 If the mechanism operated in such a way that political parties and candidates did not have to reach preference arrangements before registration, registered parties and candidates may wish to register a number of HTV cards for each Division to allow for a number of eventual preference outcomes. This could increase the number of HTV cards considerably.

5.15 The AEC assumes that, if HTV cards were to be registered, they would need to be checked by the AEC to ensure they comply with the requirements of section 328 and do not manifestly contravene section 329 of the Act. Such checking would have serious resource implications for the AEC. For each HTV card, this checking would likely involve: ensuring there was an authorisation and that the authorisation contained the correct types of information (section 328 of the Act); ensuring the correct number of candidates were on the HTV card; ensuring the order of the candidates was correct, ensuring the candidates' names and the names of the political parties were correct, and ensuring any of the 'political' material contained in the HTV card did not manifestly mislead the elector in the casting of their vote.

5.16 Assuming political parties and candidates would require HTV cards to be available for pre polling, the process of registering HTV cards could be similar to that for Group Voting Tickets (GVTs). GVTs must be registered within 24 hours of the declaration of nominations, which is usually a Saturday, with pre poll voting commencing the following Monday.

5.17 At the 2001 federal election, nominations were declared at noon on Friday 19 October 2001, and pre poll voting centres were open on Monday 22 October 2001. If there had been a requirement to register HTV cards at the 2001 federal election, the following tasks would have to have been performed between noon Friday and the commencement of polling on Monday morning:

- political parties and candidates would have to draft HTV cards, including preference arrangements;
- the HTV cards would have to be lodged with the AEC;
- AEC staff would have to undertake, at a minimum, the checks indicated above;
- political parties and candidates would have to have the opportunity to correct errors as they would otherwise be prevented from distributing the HTV card;<sup>28</sup>

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<sup>27</sup> 2002. AEC. *Electoral Pocketbook*, p42.

- corrected HTV cards would need to be checked again by the AEC;
- political parties and candidates would then be informed that their HTV cards had been registered; and
- political parties and candidates would have to have the HTV cards printed and distributed.

5.18 Given that the number of HTV cards requiring registration may well number in the thousands, this represents a considerable administrative hurdle for the AEC, political parties and candidates.

5.19 Turning to the enforcement of HTV card registration, the AEC notes that the Act will need to be amended to reflect that only registered HTV cards can be distributed. However, it should be born in mind that registration is only a means to statutory compliance, it will not ensure statutory compliance. In other words, the introduction of registration for HTV cards will not prevent unregistered HTV cards from being distributed, although it might contribute to the identification of that material as unregistered.

5.20 Assuming the current enforcement mechanisms remain, it would take the same amount of time to enforce the withdrawal of an unregistered HTV card as it would to enforce the withdrawal of an illegal HTV card.

5.21 On the basis of the discussion above, the AEC believes that registration of HTV cards would be ineffective, costly and administratively unworkable. Given the small number of HTV cards that actually turn out to not comply with section 328 or manifestly breach section 329 of the Act at any given election, the AEC believes that registration would not, on balance, be worthwhile.

5.22 The AEC is still in the initial stages of collecting information on the regulation of HTV cards in the other electoral jurisdictions in Australia, but can report that only two of the nine jurisdictions, NSW and Victoria, require registration of HTV cards. HTV cards are effectively banned in the ACT and Tasmania, and are subject to varying degrees of regulation (as opposed to registration) in the other jurisdictions, the most proscriptive being South Australia.

5.23 In NSW, the registration of HTV cards is covered by section 151F and 151G of the *Parliamentary Electorates and Elections Act 1912* (NSW). The sections relate to materials handed out on polling day only, which allows considerably more time to process registrations. Material for registration must be provided to the NSW Electoral Commissioner no later than eight days before polling day. The registration process is permissive, in that material must be registered unless it appears that:

- the political party in question is not registered;
- the application for registration was not submitted by the party named on the card;
- the candidate is not affiliated with the party named on the card;

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<sup>28</sup> It should be noted that in contentious cases, the AEC will refer HTV cards to the DPP for advice on the legality of the HTV card, and this advice would need to be received in time for the political party or candidate to correct any errors.

- the party is not running a candidate in the named electorate;
- the candidate is not a candidate for that electorate; or
- the material on the card is intended to mislead a voter about how to cast a vote or is offensive.

5.24 In Victoria, the registration of HTV cards is governed by Division 5 of the *Electoral Act 2002* (Victoria), and the arrangements are generally similar to those for NSW, with a long time frame for registration (up to 7 working days before polling day) and a certain number of checks for the authenticity of the card, the accuracy of the information contained on the card and the authorisation.

5.25 In relation to whether a registration process would have prevented the issue that arose in the Division of Barton, it is not possible for the AEC to determine whether the Unity Party candidate would have complied with a registration process or not. Given that the candidate's HTV card complied with all the requirements of the Act and was therefore a legal card, the AEC assumes that they would also have complied with a registration process.

5.26 If the Unity Party candidate for Barton registered their HTV card, registration would not prevent the situation that arose in Barton. On this basis the AEC can state that if the JSCEM is considering registration of HTV cards as a solution to the sort of situation that arose in Barton, this will not work.

5.27 To reiterate: the HTV card used by the Unity Party candidate for Barton complied with the requirements of section 328 and did not appear to contravene section 329 of the Act. Therefore, the AEC was not required to take compliance action against the Unity Party. As the AEC indicated at paragraph 11.7 of submission 174, this was essentially an internal dispute within the Unity Party.

5.28 Preventing candidates from producing their own HTV cards that are at variance with their political party would, as Mr McClelland indicated, require an amendment to the Act.<sup>29</sup> The AEC points out at paragraph 11.10 of submission 174 that this recommendation may be construed as limiting the freedom of political expression of candidates, which may cause a constitutional difficulty.

## **6. Ms Julie Irwin MP, Member for Fowler's submissions**

### **Informal voting in the Division of Fowler**

6.1 At the 9 December 2002 hearing, the JSCEM requested that the AEC check an apparent contradiction in the informal voting statistics for the Division of Fowler at the 2001 federal election.

6.2 The Division of Fowler recorded a total of 3,315 ballot papers categorised as 'other,' which is significantly greater than that recorded in other Divisions. The AEC can confirm that the statistics are accurate. A high proportion of the

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<sup>29</sup> 2002. The Hon. Robert McClelland MP, Member for Barton. *Submission*, p2.

informal ballot papers recorded in the 'other' category did not have all the boxes preferenced. It should be noted that in many cases DROs placed these papers in the 'non sequential' category.

### **The relationship between a high informal vote and a high protest vote in safe seats**

6.3 The JSCEM asked if the AEC has researched a possible relationship between a high informal vote and a high protest vote in safe seats.

6.4 The answer to this question is much more complex than it might initially appear. Essentially, in order to establish a relationship between informal voting and protest voting, an intent to protest vote needs to be established.

6.5 In some circumstances, this is not difficult, such as when marks or slogans are written on ballot papers. This phenomenon was analysed in the AEC's *Research Report No1: Informal Vote Survey: House of Representatives: 2001 Federal Election*:

These ballot papers consist of slogans, words of protest against the political and electoral system. They are deliberately informal, in many cases no party has been selected, rather simply words of protest have been written on the ballot paper. In other words it is clear that the voter's intent was to cast an informal ballot.

At the 2001 election a total of 36,689 electors voted in such a manner.<sup>30</sup>

6.6 With the majority of forms of informal voting, such as leaving the ballot paper blank or numbering non sequentially, the intent to cast a protest vote is more difficult to establish as there are a number of other reasonable reasons why such votes might be cast.

6.7 A study that investigated any link between informal and protest voting would be large and complex, and is not on the AEC's agenda at this stage.

### **Langer and non sequential informal votes**

6.8 During the 9 December 2002 hearing, Mr Melham quoted from the AEC's *Research Report no. 1: Informal Vote Survey: House of Representatives: 2001 Election* as part of a discussion about the number of informal votes resulting from the amendments to the Act in 1998 to make Langer style votes informal.<sup>31</sup>

6.9 A Langer style vote is a vote that is marked non consecutively with repeated numbers, for example 1,2,3,3,3. A non sequential vote is marked with numbers that are not sequential, but are not repeated, for example 1, 2, 300, 324, 490.

6.10 The AEC assumes that in reaching the quoted figure of 115,510 informal votes of this type, Mr Melham is combining the number of Langer style informal votes and the number of non sequential informal votes from Table 2 of that report.

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<sup>30</sup> 2002. AEC. *Research Report No. 1: Informal Vote Survey: House of Representatives: 2001 Federal Election*, Table 2. Available from the AEC website ([www.aec.gov.au](http://www.aec.gov.au)).

<sup>31</sup> 2002. AEC. *Research Report No. 1: Informal vote survey House of Representatives: 2001 Election*. Available from the AEC website ([www.aec.gov.au](http://www.aec.gov.au)).

6.11 Following campaigns by Mr Albert Langer at the 1987 and 1990 federal elections to encourage voters to use forms of optional preferential voting to avoid voting for either of the major political parties, the Act was amended to make it an offence to encourage voting of this sort.

6.12 At the 1996 federal election, Mr Langer attempted to encourage people to vote non consecutively with repeated numbers. Mr Langer was eventually jailed for contempt for continuing to advocate this form of vote after the Victorian Supreme Court issued an injunction to prevent his activities.

6.13 After the events of the 1996 federal election, the Act was amended again to repeal the offence of advocating this form of vote, and render a Langer style vote informal again, as it had been from 1918 to 1984.<sup>32</sup>

6.14 Mr Langer's campaign relied on the actions of two sections of the Act. The first was section 240, which stated:

(1) In a House of Representatives election a person shall mark his or her vote on the ballot-paper by:

(a) writing the number 1 in the square opposite the name of the candidate for whom the person votes as his or her first preference; and

(b) writing the numbers 2, 3, 4 (and so on, as the case requires) in the squares opposite the names of all the remaining candidates so as to indicate the order of the person's preference for them.

6.15 The effect of this section was to enforce full preferential voting.

6.16 The second was section 270(2), which stated:

(2) Where a ballot paper in a House of Representatives Election where there are three or more candidates:

(a) has the number 1 in the square opposite to the name of a candidate;

(b) has other numbers in all the other squares opposite to the names of candidates or in all the other squares where one square is left blank; and

(c) but for this section would be informal by virtue of paragraph 268 (1) (c);

then:

(d) the ballot paper shall not be informal by virtue of that paragraph;

(e) the number 1 shall be taken to express the voter's first preference;

(f) where numbers in the squares opposite the names of candidates are in a sequence of consecutive numbers commencing with the number 1 – the voter shall be taken to have expressed a preference by the other number, or to have expressed preferences by the other numbers, in that sequence; and

(g) the voter shall not be taken to have expressed any other preference.

6.17 The effect of this section was to 'save' ballot papers with non consecutive numbers to the greatest extent possible by following the flow of preferences until they become non consecutive.

6.18 The *Electoral and Referendum Amendment Act 1998* repealed section 270(2) and amended section 240 to add the following paragraph:

(2) The numbers referred to in paragraph (1)(b) are to be consecutive numbers, without the repetition of any number.

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<sup>32</sup> 1998. AEC. *Electoral backgrounder 7: Langer Style Voting*.

6.19 These amendments have caused the effect described by Mr Melham at the public hearing, that is to say, ballot papers that contain a non sequential series of numbers, but are not Langer style votes, are currently informal.

6.20 At the time these changes were being considered by the JSCEM, the AEC pointed out that this was a likely outcome of the option eventually adopted by the JSCEM.<sup>33</sup>

6.21 If the JSCEM intends to consider this issue, the AEC can discern four options available to the JSCEM:

1. continue with the current arrangements and accept the consequential informality involved;
2. amend the Act to revert to the previous arrangements prior to the 1998 amendments which were in effect between 1984 and 1998, which would allow a savings provision to 'save' all non sequential votes (including Langer style votes) to the greatest extent possible;
3. amend the Act to explicitly allow optional preferential voting; or
4. amend the Act to reintroduce a savings provision but explicitly exclude a Langer style vote from the savings provision, which would leave the way open for a campaign to use the savings provision in a different way to the same effect.

## **7. Electoral Reform Society of South Australia submission**

### **Group Voting Ticket booklets**

7.1 In Submission 174 the AEC acknowledges problems were experienced in displaying the GVT booklets. The JSCEM asked that the AEC expand on why this was the case.

7.2 As indicated in submission 174, the 2001 federal election was the first election where the GVT booklet was used. The AEC is aware of some difficulties that arose in relation to the display of GVT booklets within some polling places.<sup>34</sup> These difficulties were experienced in some states other than South Australia. The problems were not widespread, and the AEC believes these can be put down to teething problems with the new booklet.

7.3 As indicated in submission 174 the AEC will take the Electoral Reform Society of South Australia's comments into account when reviewing and revising procedures for the next federal election.<sup>35</sup>

### **Transfer value of Senate votes**

7.4 At the public hearing on 9 December 2002, the JSCEM indicated that it supported a trial recount of Senate ballot papers using the alternative transfer value<sup>36</sup> proposed by the Electoral Reform Society of South Australia.<sup>37</sup>

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<sup>33</sup> 1998. AEC. *Electoral backgrounder 7: Langer Style Voting*, Paragraph 37

<sup>34</sup> 2002. AEC. *Submission 174*, Paragraph 13.4.

<sup>35</sup> 2002. AEC. *Submission 174*, Paragraph 13.4.

<sup>36</sup> Transcript pp320-323.

7.5 The programming work will have to be scheduled within the range of programming requirements already scheduled and identified for ongoing work and election specific needs. It would be unlikely to commence before the 2003-04 financial year. Once it has been completed and the results analysed, the AEC will report the results to the JSCEM.

## **8. Mr J Rogers' submission**

### **Easycount system**

8.1 The JSCEM asked that the AEC provide a detailed explanation of the Easycount system. As discussed in submission 174, the AEC is currently redeveloping the Computerised Senate Scrutiny System (CSSS) for operation in an Easycount application.<sup>38</sup>

8.2 The old version of Easycount was written in Cobol and was used for industrial elections. Easycount was redeveloped for the following reasons:

- the existing version was not compatible with the Microsoft 2000 operating system that is now part of the AEC's standard operating environment;
- the AEC uses a Microsoft development environment for its internally developed PC based software. A standard platform provides better support for the product; and
- additional functionality and an improved user interface are being introduced into the product.

8.3 The new Easycount is an amalgamation of two existing applications: the current version of Easycount used for industrial elections; and the CSSS used for Senate elections.

8.4 Easycount is being written as a Microsoft Visual Basic application with a Microsoft SQL Server database (MSDE) in a Microsoft Windows environment with a possibility of implementing a web based data entry front end in the future.

8.5 Easycount will initially have a networking capability for up to five PCs per database and may also run on a standalone PC. A number of PCs are used for data entry with a single PC used to collect the batched information (Batch Controller) and later to distribute the preferences.

8.6 Data is exported from the data entry PCs and imported into the Batch Controller PC either through a manual process of migrating data using a zip drive or floppy disk, or through a networked environment with a shared single database.

8.7 Easycount has been developed to handle the following voting systems (and their subsidiary methods of counting):

- Preferential (ATSIC, Optional Preferential, Multiple Preferential, Standard Preferential, Points System);

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<sup>37</sup> 2002. Electoral Reform Society of South Australia. *Submission 97*, p3.

<sup>38</sup> 2002. AEC. Submission 174, paragraph 15.3.



- First Past the Post (Strikeout, Standard); and
- Proportional Representation (ATSIC, Senate, Australian Education Union (SA, Tasmania, Victoria), National Tertiary Education Industry Union, State Public Service Federation, Hare Clarke).

8.8 Easycount has a variety of audit reports including an Audit Trail and Order Sheet report to show any inconsistencies. There are reports displaying count details for every method of counting, and numerous reports displaying: informal or non standard ballot papers; batch status and summary; corrected or exhausted papers; tie resolution; statement of count results; counts on which votes were received; and various other discrepancies.

8.9 Development of the new Easycount system is being undertaken by the AEC's own programmers, who are engaged as part of an IT consultancy contract. The 'Trusted Computing' standard, ISO 15408, is not being used in the AEC.<sup>39</sup> EasyCount is being developed to meet the Standard ISO 9126 'Software engineering - Product quality'. This is a rigorous Quality Assurance standard. Also, the AEC plans to have Easycount independently verified, as well as have code available for inspection by stakeholders.

8.10 The AEC will conduct extensive in house testing of the application prior to the engagement of an appropriately qualified external and independent testing authority.

### **Transparency of electronic counting systems**

8.11 The AEC strongly supports the transparency of electronic counting systems. When the CSSS was first developed, the code was offered for review. Only the WA Greens expressed an interest but, as they didn't have a license for Powerbuilder, they weren't able to take up the offer. As indicated in submission 174, the CSSS was also independently verified by the ANAO.<sup>40</sup>

8.12 In the interests of transparency, and because there are no security implications,<sup>41</sup> the code will be available for review. Potential reviewers will have to have the appropriate infrastructure (such as a VB license) in order to undertake a review.

## **9. The Hon Bob Katter MP, Member for Kennedy's submission**

### **Amending PVA forms**

9.1 The JSCEM asked whether the AEC has made any progress in amending PVA forms to make it clear that applicants unable to sign their names must as an alternative make their own mark in order for the PVA to be accepted. The AEC has not yet amended the PVA to reflect this change, but will do so before the next federal election.

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<sup>39</sup> The AEC will examine ISO 15408 to consider the value of using it for future AEC software systems.

<sup>40</sup> 2002. AEC. *Submission 174*, paragraph 15.2.

<sup>41</sup> For security reasons, Easycount will operate on stand alone machines, which will prevent hacking.

## 10. HS Chapman Society submission

### Counting of postal and pre poll votes

10.1 Discussion at the public hearing on 9 December 2002 focused on how quickly pre poll and postal votes were counted in the recent Victorian election. The AEC undertook to see if the Victorian process could be adapted to federal elections.<sup>42</sup>

10.2 The VEC has not completed a formal review of the new procedures, but reports that there were 104,767 postal votes counted on election night and 119,039 early (pre poll) votes counted.

10.3 The procedure for the count of postal votes was as follows:

- At each electoral district office, an on-line signature check was conducted from 8.00am-5:30pm on polling day. Staffing was managed on a one operator per 2000 votes basis and all offices finished this task comfortably within the time.
- Extraction and counting took place between 6:00pm and 10:00pm. The staffing allocation for this task was one person per 350 postal votes (each postal vote contained two ballot papers). All offices reported finishing the count comfortably within this time.

10.4 In relation to early votes, sorting into Districts and Provinces commenced from 6:00pm on polling day. The allocated staffing resource was one person per 750 votes. These staff then split into two teams. The first team counted their own District and Province early votes. The second team packaged early votes for other Districts and Provinces for the declaration vote exchange.

10.5 Most offices finished the early vote counting process comfortably by 10:00pm. Those with larger numbers may have worked to midnight, but this will not be clear until the review is completed.

10.6 At this early stage the VEC reports the advantages of the new process were:

- results for all ballot papers held in each office for that electorate were included in the count on election night;
- the pressure was taken off declaration vote exchange on Sunday; and
- Monday was completely clear for those offices requiring a preference distribution to begin their re-check of voting centres without any other distractions.

10.7 The disadvantages were:

- additional staffing was required on election night compared to previous elections;
- the additional activities did require a reasonable sized area within the office; and

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<sup>42</sup> Transcript p331.

- there were development costs for the software package that allowed the screen-based signature check.

10.8 The cost implications for staffing were minimal. There may have been an additional cost for staff on election night being paid at a higher rate after 8:00pm, however, some savings were gained in the staff required for the declaration vote exchange on Sunday.

10.9 Overall, the VEC reported that the new process went very smoothly and once the staffing formula has been fine tuned, the process should be a simple resourcing exercise.

10.10 The AEC will wait until the VEC has completed its review of the new process before it considers the issues in applying the process to federal elections. Once the review is completed, the AEC will provide the results of the review to the JSCEM.

### **Scrutineers and observers**

10.11 At the 9 December 2002 hearing, the role of scrutineers and observers was extensively discussed. The JSCEM has requested that the AEC prepare a paper on the advantages and disadvantages of accrediting election observers. The AEC will prepare this paper and forward it to the JSCEM when it is completed.

## **11. Liberal Party of Australia submission**

### **Incident in the Division of Petrie**

11.1 The JSCEM asked how the incident involving the Australian Democrats' HTV card in the Division of Petrie<sup>43</sup> differed from the incident involving a Unity Party HTV card in the Division of Barton.

11.2 The Australian Democrats' HTV card in the Division of Petrie complied with the authorisation requirements under section 328 of the Act, but incorrectly identified a Green candidate as an Independent. When the Liberal Party complained about this HTV card, the AEC determined that the HTV card manifestly contravened section 329 of the Act on the basis that it contained an obvious factual error. Therefore the HTV card contained material that was likely to mislead an elector who relied on the HTV card when casting their vote. What followed was described in paragraphs 29.2-29.3 of submission 174:

...The AEO for Queensland contacted the Democrats State Secretary to ask them to cease distribution. This was done and a replacement HTV card was issued.

At one polling place (Bald Hills) Liberal booth workers may have got the message before the Democrat booth workers, so they went to the OIC to ask for action. The AEO for Queensland then contacted the Democrats State Secretary again and received confirmation that she had sent out new cards and that she would contact Democrat workers to ensure they understood which HTV cards were to be used. The OIC of Bald Hills was then informed by the DRO that the Democrats were in the process of replacing the HTV cards.

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<sup>43</sup> 2002. AEC. *Submission 174* paragraphs 29.2-29.3.

11.3 In other words, once a decision had been made about the accuracy of the HTV card and the relevant parties informed, that party began to withdraw the HTV card.

11.4 In the Division of Barton, following a complaint by the ALP, the Unity Party candidate for Barton's HTV card was considered by the AEC to comply with the requirements of section 328 and did not manifestly contravene section 329 of the Act. Therefore there was no grounds for the AEC to require the withdrawal of the HTV card. The candidate and the complainant were informed of the decision and the HTV cards continued to be handed out.

11.5 As implied in the quote from paragraph 29.3 of submission 174 above, the Liberal Party (the complainant), was informed of the outcome of its complaint and was able to inform its booth workers quicker than the Australian Democrats was able to inform its booth workers.

11.6 The Australian Democrats' Petrie HTV card, unlike the Unity Party HTV card in Barton, was factually incorrect. In this instance a registration process would have identified the error in the HTV card and the HTV card could have been corrected prior to distribution.

### **Power of OICs**

11.7 The JSCEM asks for an explanation of how OICs can be given the power to advise party workers about the outcome of investigations into electoral material. The powers of the OIC are as they were stated in paragraphs 29.6-29.9 of submission 174.

11.8 Under subsection 203(2) of the Act, the Electoral Commission appoints presiding officers to preside at polling places on polling day. Presiding Officers are commonly referred to as OICs. In order to come to an understanding of this issue, it is necessary to understand the limits to the powers of an OIC.

11.9 On polling day, the OIC may establish the perimeters of polling booth using a notice signed by the DRO under subsection 340(2) of the Act. Under subsection 340(1), no canvassing for votes can occur within six metres of the entrance to the polling booth. Except for specific circumstances, the OIC has no legal power to take action in relation to events that occur outside the entrance to the polling booth.

11.10 The specific circumstances under which an OIC can take action in relation to events that occur outside the entrance to the polling booth are derived from two sources. The first is section 241 of the Act, which specifically empowers OICs to adjourn polling because of riot, open violence, storm, tempest, flood or other event of this sort.

11.11 The second source is the *Polling Place Management Procedures Manual* for OICs. This manual provides practical advice on how to handle disturbances or other problems outside the polling booth. The manual advises OICs that in the first instance they should attempt to resolve these problems and that common sense should be the rule of thumb. If the issue cannot be resolved using this method, the OIC is directed to contact the DRO.

11.12 The quote in the question is derived from paragraph 29.12 of submission 174, and relates to very specific circumstances in which a

decision about material being distributed by canvassers has been determined to be illegal. It should be noted that before the OIC is advised of this decision, the political party or candidate to whom the material belongs will have been contacted and informed of the decision and will have consented to the withdrawal of the material, the complainant will have been contacted and informed of the decision, and the DRO will have been contacted and informed of the decision.

11.13 As discussed in submission 174,<sup>44</sup> OICs may be empowered to **advise** party workers of this decision. The OIC is not under an obligation to provide the advice and has no power to enforce the decision. The advice would be provided as a common courtesy and as a mechanism for the effective management of the polling place.

### **Advertising material**

11.14 The JSCEM has asked the AEC to clarify an incident in Queensland in which a Queensland newspaper group refused to publish inserts in their newspapers unless the inserts contained the heading 'advertisement.'

11.15 On 8 October 2001, the AEO Queensland sent a letter to all Queensland newspapers to:

...remind you of your obligations regarding electoral advertisements. Of particular note is the need to use the headline "ADVERTISEMENT" in each election advertisement.

11.16 The letter also indicated that newspapers should seek their own legal advice if they required clarification of these matters. The advice contained in the letter was not incorrect or misleading, and therefore did not require correction.

11.17 On 16 October 2002 the AEC received separate complaints from the ALP and the Liberal Party concerning a decision taken by Quest newspapers not to include pamphlets containing electoral material in their newspapers unless the pamphlets contained the heading 'advertisement.' It should be noted that this was Quest's own interpretation of the letter of 8 October 2001. The letter itself contained no advice of this sort.

11.18 Following advice from the DPP, the AEC responded in writing to both the ALP and the Liberal Party on 19 October 2001. The response time for this complaint was therefore three working days, not the 10 days implied by the Liberal Party.

11.19 As indicated by the Liberal Party in its submission, the decision in this instance to send a letter to all newspapers was taken by the AEO Queensland.<sup>45</sup> The powers of AEOs were discussed in submission 147. Section 20 of the Act provides for AEOs to be the principal electoral officer in each State with power, subject to any directions of the Electoral Commissioner, to give written directions to officers with respect to the

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<sup>44</sup> 2002. AEC. *Submission 174*, paragraph 29.12.

<sup>45</sup> 2002. Liberal Party of Australia. *Submission 49*, p3

performance of their functions and the exercise of their powers under the Act in, or in relation to, the State.<sup>46</sup>

11.20 As the submission indicated, there is a requirement for AEOs to exercise independent decision making with respect to key electoral issues.<sup>47</sup> While in individual cases, political parties and others have concerns about these decisions, the vast majority of these decisions are accepted as necessary by all involved. Unless there appears to be a pattern of difficulties in relation to decision making by AEOs, the AEC does not believe this important independence of action should be overridden.

11.21 The recommendation contained in submission 147 with regard to amending the employment arrangements for AEOs would in no way alter their independent statutory functions, but would provide the AEC with a degree of flexibility in its administration that other public sector entities currently enjoy.<sup>48</sup>

### **Responses to Liberal Party complaints**

11.22 At the public hearing on 9 December 2002, Senator Ray requested that the AEC provide advice on the time taken to obtain legal advice on a complaint by the Liberal Party concerned items published in *Ipswich's Own* on Friday 2 November 2001 by Mr Bernie Ripoll MP, Member for Oxley and Mr Wayne Wendt, ALP candidate for Blair.<sup>49</sup>

11.23 The complaint to the AEC by Mr Cameron Thompson MP, Member for Blair, was received on 9 November 2001. The complaint was referred to the DPP for advice on 9 November 2001. The DPP responded on 14 November 2001.

11.24 Because the DPP responded to the request for advice after the election had been held, and the complaint related to campaigning material, this complaint was not considered a high priority, and was responded to on 22 November 2001.

11.25 At the same time, Mr Danby requested some advice on the background to a complaint made by the Liberal Party in the Division of Bennelong.<sup>50</sup>

11.26 Mr Danby's request relates to a complaint made by the Liberal Party to the AEC on 31 October 2001 concerning an A4 document containing the words 'A vote for John Howard is a vote for a by-election' and a double sided B5 document with the same heading on one side and the heading 'John Howard's priorities' on the other. The B5 document contained what appeared to be an authorisation.

11.27 The AEC referred the documents to the DPP on 1 November 2001. On 2 November 2001, the DPP advised that the documents were in breach of section 328 of the Act on the basis that one did not contain an authorisation and the authorisation on the other was not complete. On 6 November 2001, the AEC wrote to the person whose name and partial address appeared on the B5 document asking that they cease distributing the material and to

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<sup>46</sup> 2002. AEC. *Submission 147*, paragraph 1.11.1.

<sup>47</sup> 2002. AEC. *Submission 147*, paragraph 1.11.7.

<sup>48</sup> 2002. AEC. *Submission 147*, recommendation 5.

<sup>49</sup> 2002. AEC. *Submission 174*, Table 1.

<sup>50</sup> 2002. AEC. *Submission 174*, Table 1.

correctly authorise any further material, and wrote to the Liberal Party to inform them of the outcome of their complaint.

### **Loudspeakers at polling booths**

11.28 The JSCEM asks whether the AEC has any recommendations on how to limit noise at polling booths. In terms of limiting noise from broadcasting, it could only be by legislative means, and then the enforcement of such legislation could be problematic.

### **Restructuring of the AEC**

11.29 The JSCEM asked the AEC to provide an update on the implementation of recommendations to form a single electoral authority in New Zealand. The former Federal Director of the Liberal Party had used the current New Zealand electoral administration as an example of his preferred model for electoral administration. In response, the AEC pointed out that the New Zealand Election Framework Taskforce had recommended that New Zealand's electoral administration bodies be amalgamated into a single entity.

11.30 The New Zealand Election Framework Taskforce was formed to provide advice on significant structural and legislative changes to be considered for the long term configuration of the conduct of elections.<sup>51</sup>

11.31 According to a media release in late 2001 by the then Associate Minister of Justice, the Hon. Margaret Wilson, the New Zealand cabinet's policy committee was investigating the feasibility of the Taskforce's recommendations with a view to implementing the recommendation some time in 2003.<sup>52</sup>

11.32 In its briefing for incoming ministers released in September 2002, the New Zealand Department of Justice indicated that implementing the recommendations of the Taskforce was one of the policy priorities for the new New Zealand government.<sup>53</sup>

11.33 There are some countries other than New Zealand in which the conduct of national elections is the subject of divided responsibilities. Such cases, however, tend to arise where there is a national civil register (akin to the proposed 'Australia Card' database) from which the roll is produced more or less automatically, or where national electoral body does not actually run elections, for example in the USA where the national body deals mainly with election finance, leaving state bodies to deal with enrolment and elections.

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<sup>51</sup> 2001. Elections Framework Taskforce. *Report of the Elections Framework Taskforce*, paragraph 1

<sup>52</sup> 2001. The Hon. Margaret Wilson, Associate Minister for Justice. *Media Release: New Structure Sought for Electoral Institutions*.

<sup>53</sup> 2002. New Zealand Ministry of Justice. *Briefings for Incoming Ministers*, paragraph 4.2.2

## **12. Australian Labor Party submission**

### **Government advertising**

12.1 The JSCEM asked whether the AEC has a position on the suitability of the guidelines suggested by the Auditor General regarding Government advertising.

12.2 The AEC does not have a position on the Guidelines suggested by the Auditor General except to agree with Section 4 which states that 'All advertising material and the manner of presentation should comply with the relevant law, including broadcasting, media and electoral law.'

12.3 The Auditor General's report dealt with issues such as the legality of the use of taxpayers' funds on community education and information programs (CEIP), the use of the Advance to the Minister for Finance and Administration (AMFA - contingency funds) to fund expenditure on the CEIP, the use of public servants to staff a telephone call centre, the use of Commonwealth copyright material for party political advertising purposes in electorates, the alleged combination of CEIP materials with electoral advertising in letterbox drops, the conduct of Commonwealth sponsored mail outs, and the use of the confidential database of pensioner and veterans' names and addresses for the dissemination of party political advertising material.

12.4 The Auditor General's report looks at ethical and administrative issues, which are significantly wider than the scope of the Act or the role of the AEC. Apart from issues such as authorisation, misleading electors and defamation that are already covered by the Act, the AEC should not have a role in party political advertising, which is a campaign rather than an electoral issue.

### **Strategies for enrolling homeless, young and indigenous Australians**

12.5 The JSCEM asked the AEC to provide some information on its public awareness campaigns targeted at homeless, young and Indigenous Australians.

12.6 The AEC's Continuous Roll Update (CRU) strategies were discussed in submission 174.<sup>54</sup>

12.7 As part of its refocussing of electoral education, the AEC is developing a campaign based approach to reach key target groups including the homeless, youth and indigenous people. These campaigns are still being developed but will be implemented during 2003. In addition, these groups are key targets of the communication plan for the next election. Indigenous electors were also the target of a substantial public awareness campaign prior to and during the 2002 ATSIC election. The AEC believes that progress is being made in these areas.

12.8 The integrated education and enrolment service for indigenous Australians recommended in the JSCEM's report on the 1998 federal election is being considered as part of the internal review of the 2002 ATSIC election being conducted at present and will be completed by mid 2003.

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<sup>54</sup> 2002. AEC. *Submission 174*, paragraphs 31.6-31.13.



## Political party names

12.9 The AEC has noted the ALP's recommendation 'that the AEC be requested to prepare a report for (the) JSCEM on the issues and legislative options for reforming the rules governing the registration of political parties to ensure that parties whose proposed name is the same as or uses part of the name of a recognised organisation are appropriately restricted.'<sup>55</sup>

12.10 The AEC does not think a report needs to be prepared. The AEC made two recommendations in its 3 August 2001 submission to the JSCEM's Inquiry into Electoral Funding and Disclosure on this matter and believes that these recommendations will address the issues to the extent that it is appropriate to do so.

12.11 The AEC has made a total of 95 recommendations in its 1993, 1996 and 1998 Funding and Disclosure post-election reports and its two submissions to the JSCEM Inquiry into Electoral Funding and Disclosure. Of these one is no longer relevant due to other legislative change. Of the remaining 94 recommendations, 45 relate to the party registration provisions of the Act and 49 to the funding and disclosure provisions. Nine recommendations (of which eight relate to party registration matters) have resulted in legislative change and one recommendation (related to party registration matters) resulted in a JSCEM recommendation, which was not supported by the Government. The AEC's view on the necessary changes to the party registration and funding and disclosure provisions of the Act is contained in the abovementioned reports and submissions. For this reason, the AEC sees no need to prepare another report especially given the other existing demands on AEC resources.

12.12 However, as the JSCEM has requested the AEC to comment on this matter, the AEC makes the following observations. Apart from its recommendations, the AEC sees three possible options that the JSCEM may wish to consider in relation to this matter. They are:

### *Option 1:*

12.13 Alter the Act to specifically provide that words such as 'liberal' or 'labor' can only be used by particular parties (effectively copyright certain words). Consideration would need to be given to whether the legislation would restrict use to only future applicants or also cover currently registered parties.

12.14 Problems with this approach relate to the 'ownership' of words by certain parties especially where those words are in general use in the community and have dictionary definitions, for example, liberal, or democratic. Appropriation of particular words by particular parties may lead to a successful court challenge to the validity of the legislation (most likely on Constitutional grounds). Also, any legislation which can be interpreted as being aimed at affecting one organisation may also lead to a successful court challenge. Further problems with this approach are that a number of parties currently use words that other parties use such as Australian, party, and green, and a decision would need to be made as to how it is determined who gets to use which words.

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<sup>55</sup> 2002. Australian Labor Party. *Submission 153*, p3.

*Option 2:*

12.15 Alter the legislation so that certain words (which would be listed) cannot be used by more than one party. Consideration would need to be given to whether the legislation would restrict use to only future applicants or also cover any currently registered parties.

12.16 The problems with this approach are that it effectively freezes the list of words currently used and it may be difficult to add to if the need arises (although the alteration process could be simplified if the list of words were in the Regulations); and again, some of those words may have a meaning which has been in use for some time and does not relate to the name of a party and appropriation of such a word by one Party may lead to a successful court challenge to the validity of the legislation (most likely on Constitutional grounds).

*Option 3:*

12.17 Leave the legislation as it stands.

12.18 The AEC will continue to use its discretion (based on legal advice and the Administrative Appeals Tribunal decision relating to political party names) to determine when, because of its name, a new party might be likely to be confused with or mistaken for another party.

12.19 The AEC does not recommend options 1 or 2.

12.20 With regard to other issues relating to the registration of political parties, as the JSCEM would be aware, the AEC is required, under the provisions of section 17 of the Act, as soon as practicable after each polling day to prepare a report on the operation of Part XX of the Act. Given that the Funding and Disclosure Section of the AEC is also responsible for party registration matters, the AEC usually includes commentary on the operation of Part XI of the Act in its Funding and Disclosure post-election reports.

12.21 The AEC intends to again include issues relating to party registration in its post 2001 election Funding and Disclosure report. However, this report is still being drafted and it is not currently possible to give a date when the report will be finalised. It is likely that there will also be issues arising out of the DLP court case, which, depending on when the case is completed may or may not be able to be included in the report.

## **13. The Greens NSW submission**

### **Entrances to polling places**

13.1 The JSCEM asked why decisions about the number of entrances to polling places are made on or close to polling day.

13.2 The AEC's preferred arrangement for a polling place is a single entrance into the actual polling place (the hall or gymnasium or large room where polling is occurring) and a separate exit in order to enhance a smooth flow of voters.

13.3 It is important to distinguish between the polling place, where polling is occurring, and the location in which the polling place is situated. Often there is no distinction such as a town hall where the entrance and exit are directly onto the street. In other cases, such as a school, the polling place is situated within grounds, sometimes shared with other buildings, and there may be more than one gate from the street onto the grounds. There will still, however, only usually be one entrance to and one exit from the actual polling place.

13.4 The issue becomes clouded when the whole grounds are declared to be part of the polling place. This can occur for a variety of reasons. A common reason is in order to keep party workers out of the grounds and limit them to the footpath. This is done, often at the request of the premises owner, to improve the smooth flow of voter traffic through the grounds and into the building, and to avoid a semi permanent crowd in the grounds.

13.5 Where this approach is planned prior to polling day, it seems reasonable in most cases to ensure that there is only one entrance from the street into the grounds. However, the configuration of the polling place grounds, and established custom and practice of electors accessing the grounds, would have to be considered in each case. Local issues on the day would also play a part.

13.6 OICs may vary the boundaries of a polling place during polling day, as a means of managing uncooperative behaviour by party workers. The AEC supports the retention of this power.

## **14. Issues raised by the JSCEM during AEC appearances and at other times**

### **Public awareness and understanding**

14.1 The AEC expressed concern that about 20% of those interviewed in its market research were not aware that some voters are allowed to vote before polling day. The JSCEM asked the AEC to expand on this issue. At this stage the AEC can report that this issue is being considered as part of the development of the communication plan for the next federal election. Advice is currently being sought from the AEC's advertising agency.

### **Public awareness campaign**

14.2 The AEC's original submission states that the cost of the public awareness campaign was around \$17 million. The JSCEM has asked for a breakdown of the figures for the public awareness campaign.

14.3 The basic breakdown of expenses for the public awareness campaign for the 2001 federal election is contained in the *Electoral Pocketbook*<sup>56</sup> and has been reproduced at Table 4 below. A more detailed breakdown advertising campaign expenditure is contained at Table 5 below.

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<sup>56</sup> 2002. AEC. *Electoral Pocketbook*, p63.

**Table 4: AEC public awareness campaign summary**

<b>Expenditure item</b>	<b>Cost</b>
Advertising campaign	10 408 504
Education & Information Service	245 324
Election leaflet (mailed to households)	1 712 340
Enquiry services	3 670 873
Internet	38 646
Media and result centre	16 729
National tally room provision	615 270
Newsfiles (publication)	49 687
Pocket book	17 349
Public relations campaign	264 460
Market research and surveys	239 843
<b>TOTAL</b>	<b>17 279 025</b>

**Table 5: Detailed breakdown of public awareness advertising campaign expenditure for the 2001 federal election**

<b>Advertising phase</b>	<b>Cost</b>
Phase 1: Enrolment	2 883 294
Comprising:	Comprising:
Press	229 608
Radio	338 602
TV	2 026 571
Production costs	288 512
Phase 2: Voter services	1 406 828
Comprising	Comprising:
Press	483 056
Radio	123 346
TV	789 389
Production costs	11 036
Phase 3: Formality	3 585 355
Comprising:	Comprising:
Press	797 784
Radio	195 204

TV	2 500 584
Production costs	91 783
Other items:	
Other production in relation to above	620 480
Non campaign (polling place press advertising)	1 774 262
Other related expenditure	138 285
<b>Total advertising</b>	<b>10 408 504</b>

### **National telephone inquiry service**

14.4 The JSCEM asked for comparisons of the number of phone calls made to, the number of calls answered, and the number of calls missed by, the AEC's national telephone inquiry service for the 1998 and 2001 federal election.

14.5 The following figures (Table 6) represent Telstra statistics that show all call attempts to the AEC's 13 23 26 telephone inquiry number. These figures include total calls presented, calls not answered and all calls that reached the Interactive Voice Recognition/Recorded Voice Announcement facility (IVR/RVA facility).

14.6 In comparing the 2001 event to 1998, approximately the same number of calls were answered (513,347 in 2001 and 505,127 in 1998) however, when compared with the total number of call attempts (1,030,573 in 1998 and 620,944 in 2001) the percentage of calls answered is much higher in 2001 (83% versus 49%).

**Table 6: Calls to the national telephone inquiry service: 1998 and 2001 federal elections**

	<b>1998 Election</b>	<b>2001 Election</b>
Calls Answered	505,129	513,347
Calls Not answered	525,444	107,597
Total Calls	1,030,573	620,944