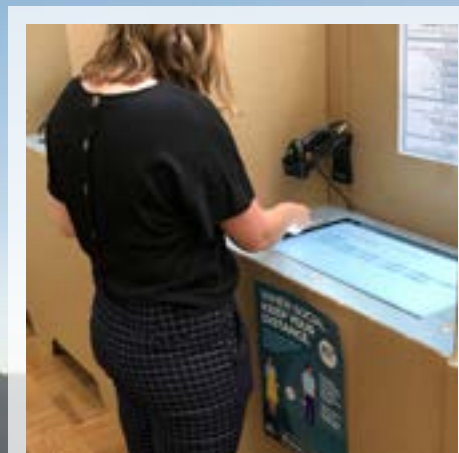


ACT  
ELECTORAL  
COMMISSION

**REPORT ON  
THE ACT  
LEGISLATIVE  
ASSEMBLY  
ELECTION 2020**



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ELECTORAL  
COMMISSION

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Ms Joy Burch MLA  
Speaker  
ACT Legislative Assembly  
London Circuit  
CANBERRA ACT 2601

Dear Madam Speaker

This report on the conduct of the 2020 ACT Legislative Assembly election is presented to you under section 10A of the *Electoral Act 1992*.

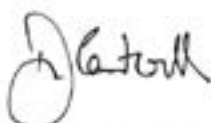
Section 10A(2) of the Electoral Act requires you to present a copy of this report to the Legislative Assembly within six (6) sitting days of receiving the report.

Under section 10A(3) of the Electoral Act the responsible Minister must present a written response to this report to the Legislative Assembly within three (3) months after the day the report was presented to the Legislative Assembly.


Yours sincerely



Dawn Casey  
Chairperson



Damian Cantwell AM CSC  
Electoral Commissioner



Philip Moss AM  
Member

15 April 2021

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# Glossary

Term	Description
ABS	Australian Bureau of Statistics
ACSC	Australian Cyber Security Centre
ACT	Australian Capital Territory
ACT Self-Government Act	<i>Australian Capital Territory (Self-Government) Act 1988</i> (Commonwealth)
AEC	Australian Electoral Commission
Commission	ACT Electoral Commission
Commissioner	ACT Electoral Commissioner
Commonwealth Electoral Act	<i>Commonwealth Electoral Act 1918</i> (Commonwealth)
DAC	ACT electoral disability advisory committee
ECPT	Election Contingency Planning Team
EEP	Eligible elector population (an estimate of the number of persons who are eligible to be enrolled at a particular point in time)
Elections ACT	The office of the Electoral Commissioner and the staff appointed to assist the Commissioner
Electoral Act	<i>Electoral Act 1992</i>
eVACS	Electronic Voting and Counting System
FDEU	Federal Direct Enrolment and Update program
Hare-Clark	The proportional representation electoral system used in the ACT
Joint roll	The common ACT and Commonwealth electoral roll maintained under a formal government-to-government arrangement
LAPPERDS	Legislative Assembly Polling Place and Election Results Display System
MLA	Member of the ACT Legislative Assembly
non-voter	A person listed on the electoral roll for an election who apparently did not vote at that election
PAMs	Polling Area Managers
OATSIA	Office of Aboriginal and Torres Strait Islander Affairs
OIC	Officer in charge of a polling place or early voting centre
OSEV	Overseas e-Voting System
Party	A political party registered under the Electoral Act
Redistribution	A redistribution of electoral boundaries
SSICT	The ACT Government information technology management agency
2IC	Second in charge of a polling place or early voting centre
TCCS	Transport Canberra and City Services
TIS	Translating and Interpreting Service



# Introduction

## Overview

**This report examines the conduct of the 2020 ACT Legislative Assembly election held between 28 September 2020 and 17 October 2020, notes areas for improvement, and makes recommendations for changes to the *Electoral Act 1992*.**

At each ACT Legislative Assembly election, the ACT Electoral Commission aims to improve upon the services it provides. At the 2020 election, the Commission built upon the achievements of the 2016 election. Of particular note was the major upgrade of the electronic voting and counting system (eVACS®); the implementation of the new online voting system for electors based overseas (OSEV); and the upgrade to the polling place management system (LAPPERDS).

Planning for and the conduct of the 2020 election was significantly impacted by the effects of the COVID-19 pandemic. This required the implementation of a COVID-Safe Election Service Delivery Plan to ensure delivery of the highest standard of electoral services in a COVID-safe manner for the ACT public, electoral workers and all other stakeholders. The election was delivered across a three-week voting period with all electors actively encouraged to vote at one of 15 early voting centres, open daily and for extended hours, to reduce the potential for large gatherings and the risk of virus transmission, especially on a traditional final election day. COVID-safe procedures were implemented across all aspects of election preparations and conduct to ensure the COVID safety of the ACT community during this critical community event.

The 2020 election is noteworthy for the significant increase in electronic voting resulting from the active 'vote early' message. Seven out every ten voters (70%) cast their vote electronically in 2020, more than double that during the 2016 election (33%). This increase in early voting resulted in the lowest ever informal voting rate and the fastest ever final result, highlighting the important benefits realised through electronic voting.

## Aim

This aim of this report is to examine the conduct of the 2020 election and the operation of the Electoral Act, to note areas for improvement, and to make recommendations for changes to electoral legislation in preparation for the conduct of the 2024 ACT Legislative Assembly election.

## Scope

The scope and structure of this report broadly reflects a logical sequence of election planning, delivery and post-election considerations.

This review should be read in conjunction with the following reports:

- *Election Statistics: ACT Legislative Assembly election 2020*
- the Commission's annual report 2020–2021.

The Commission's annual report for 2020–2021 will necessarily contain information on the conduct of the election, but not to the level of detail in this report. The annual report will refer to the relevant detail included in this report.



# Notable features of the 2020 election

Notable features of the 2020 ACT Legislative Assembly election included:

- Successfully prepared for, and conducted an ACT Legislative Assembly election during a public health emergency pandemic.
- Recorded the highest number of votes in an ACT election — 273,143 (compared to 250,460 in 2016 and 229,125 in 2012).
- Successful expansion of early voting facilities to 15 centres up from six in 2016.
- Recorded the highest percentage (76.2 per cent) of early votes in an Australian general election.
- Set a record for the highest number of electronic votes in an ACT election — 192,892 equating to more than 70 per cent of all voters (compared to 81,538 in 2016).
- Successfully introduced an online voting system for electors residing overseas, facilitating the inclusion of overseas votes otherwise unlikely to have been returned in time to be admitted to the count.
- Once again facilitated the election of a majority of female members to parliament, with 14 female MLAs elected in 2020 (an increase on the 13 female members elected as an Australian first in 2016).
- Had the highest number of eligible voters for any ACT election — 306,000 — compared to 283,162 in 2016.
- Successfully implemented 'enrol on the day' legislation.
- Achieved the highest level of voter turnout of the last five elections, when measuring voter participation as a proportion of the estimated eligible population, with more than 89 per cent of the eligible population casting a vote.
- Recorded the lowest ever rate of informal voting at an ACT election, with only 1.4 per cent of votes counted as informal compared to the previous record of 2.5 per cent set in 2016.
- Issued the highest number of postal votes at an ACT election — 22,317 compared to 16,925 in 2016.
- Registered the highest number of political parties to contest an election since the introduction of Hare-Clark — 16 compared to 11 in 2016 which was the previous record.
- Successfully introduced unassisted secret telephone voting facilities for blind and sight-impaired electors.
- Conducted an extensive public information campaign, combining traditional media and online advertising with public relations activities and social media platforms.
- High voter satisfaction with electoral services, with 96 per cent of surveyed voters expressing satisfaction with their overall voting experience.
- Finalised the election result in record time, with the count concluding six days after polling day as a result of combining the scanning of paper ballots with electronic voting and the eVACS® counting system.
- Record payment of public funding to parties and candidates — \$2,097,949.76 compared to \$1,716,784 in 2016.

# Recommendations

**The ACT Electoral Commission (the Commission) makes the following recommendations in this Report to the ACT Legislative Assembly on the 2020 election (in order of appearance within the report).**

The Commission recommends:

## **Recommendation 1**

The Electoral Act be amended to provide further detail in relation to the information required to be included within a political party's constitution as part of the registration process for ACT Legislative Assembly elections (see *Party constitutions*, page 22).

## **Recommendation 2**

Section 91(2) of the Electoral Act be amended to include the name and address of the person nominated to be the Party secretary of the party (see *Party secretaries*, page 23).

## **Recommendation 3**

Section 89(1)(f) of the Electoral Act be amended to include the provision of date of birth and email address (if held), on the list of at least 100 members of the party who are electors (see *Party membership checks*, page 24).

## **Recommendation 4**

Amending the Electoral Act to limit the number of candidates that a registered political party can run, per electorate, to five (see *Party nomination limits*, page 25).

## **Recommendation 5**

Amending section 108(3) of the Electoral Act to read: 'The hour of nomination in relation to an election is 12 o'clock noon on the 24th day before polling day for the election.' (see *Election timetable*, page 26).

## **Recommendation 6**

Amending the Electoral Act to remove section 110A which requires the Electoral Commission to be involved in the publication of political campaign canvassing on behalf of candidates and parties (see *Candidate information*, page 31).

## **Recommendation 7**

In lieu of the preferred option to remove section 110A in its entirety (recommendation 6), the Commission recommends amending section 110A so that candidates and registered officers may lodge their candidate statements at the point of nomination (see *Candidate information*, page 31).

## **Recommendation 8**

The Electoral Act be amended to re-introduce supporting legislation to provide for telephone voting for electors who are blind or vision impaired.

## **Recommendation 9**

The definition of 'eligible elector' in the context of telephone voting, be expanded to include ACT electors based in Antarctica at the time of the election (see *Telephone voting*, page 38).

## **Recommendation 10**

Schedule 3 of the Electoral Act be expanded to allow the use of a secret question and answer, established by the elector at the point of postal vote application, to be used to satisfy an electoral officer that the declaration is that of the elector (see *Postal voting*, page 41.).

## **Recommendation 11**

The overseas e-voting supporting legislation which was in place for the 2020 ACT election be reinstated for all future ACT elections (see *Overseas e-voting*, page 42).

## **Recommendation 12**

Amending Division 10.5 of the Electoral Act to allow mobile polling to be conducted at locations across the ACT where homeless electors congregate to access government and welfare services (see *Early Morning Centre — voting services for the homeless*, page 45).

## **Recommendation 13**

The Electoral Act be amended to provide that any elector may vote early at an early voting centre without the need to declare they are unable to attend a polling place on election day (see *Removing restrictions on early voting*, page 47).

## **Recommendation 14**

The Electoral Act be amended to require the individual who authorises, or authors, the electoral matter to be an elector on the Commonwealth electoral roll or the electoral roll of any state or territory (see *Political campaigning*, page 51).

### **Recommendation 15**

Expanding upon section 292 of the Electoral Act to clarify how an authorisation statement is to appear within social media accounts (see *Political campaigning*, page 51).

### **Recommendation 16**

Amending section 293A of the Electoral Act to clarify that the exception to the inclusion of an authorisation statement extends only to an individual's personal views on social media if the individual is acting in their own name and in a private capacity, not acting for a special interest profile (see *Political campaigning*, page 51).

### **Recommendation 17**

Expanding upon section 292 of the Electoral Act to clarify how an authorisation is to appear on printed material. The Commission suggests mandating that the statement appear in black font upon a white background and a minimum font height be established for materials intended to be read at a distance and intended to be read up close (see *Political campaigning*, page 51).

### **Recommendation 18**

The Commission recommends identifying and empowering a separate independent body to administer complaints, commence investigations and ultimately lodge prosecutions into matters of misleading electoral advertising (see *Truth in political advertising*, page 54).

### **Recommendation 19**

The definition of 'surplus' in Schedule 4 of the Electoral Act be amended to 'the candidate's total votes less the quota, if the resulting number of votes is greater than zero' (see *2020 enhancement of the ACT's Hare-Clark counting system*, page 57).

### **Recommendation 20**

The definition of 'party grouping' be expanded to include 'related political parties' and other associated political entities such as elected members from other jurisdictions, for the purpose of electoral expenditure cap calculations. An alternative approach may be to amend the Electoral Act to clarify the relationship between a territory registered political party and a related political party, for the purpose of electoral expenditure cap calculations (see *Limits on election campaign expenditure*, page 65).

### **Recommendation 21**

The Assembly review the previous legislation imposing a \$10,000 cap on political donations with the aim of reinstating a similar provision (see *Comparison of public funding received against election campaign expenditure*, page 66).

### **Recommendation 22**

Amending the Electoral Act to include provisions that limit the amount of public funding that can be received by a political party or candidate to ensure that the amount received does not exceed the amount of electoral expenditure incurred (see *Comparison of public funding received against election campaign expenditure*, page 66).

### **Recommendation 23**

The penalty notice fine for failing to vote at ACT Legislative Assembly elections should be increased and linked to a fraction of a penalty unit. The Commission also recommends that the penalty should be set at a quarter ( $\frac{1}{4}$ ) of a penalty unit, rounded down to the nearest \$5 (see *Compulsory voting*, page 69).

### **Recommendation 24**

That legislation be provided for the imposition of a non-voter infringement notice, linked to a penalty unit or a fraction of a penalty unit, to provide for a graduated increase in the penalty for failing to vote. In lieu of agreement to this recommendation, the Electoral Commission recommends that consideration be given to alternative legislative change with the aim of bypassing or significantly reducing the requirement for the involvement of the Magistrates Court in compulsory voting enforcement proceedings (see *Enforcement of compulsory voting through the Magistrates Court*, page 71).

# Key facts about the 2020 election

**The tenth general election for the ACT Legislative Assembly was held between 28 September 2020 and 17 October 2020. For the first time, following the implementation of a temporary electoral law amendment, all eligible ACT electors were permitted to cast their vote during the full three-week voting period. This was a change to previous election arrangements which permitted only those electors who were unable to attend a polling place on election day to cast an early vote.**

Unlike most state and federal elections, there are no writs issued to commence an ACT election. The legislative basis for the timing of ACT elections is contained in section 100 of the *Electoral Act 1992* (the Electoral Act), which provides that a general election of the ACT Legislative Assembly must be held on the third Saturday in October in the fourth year after the year in which the last election was held. The official 'pre-election period' commences 36 days before polling day.

Table 1 shows the key dates for the 2020 election.

**Table 1.** Key election dates

Event	2020
Last day to lodge applications for party registration	30 June
Close of register of political parties	10 September
Pre-election period commenced and nominations opened	11 September
Preliminary rolls closed	11 September (6pm)
Nominations closed	23 September (12 noon)
Nominations declared and ballot paper order determined	24 September (12 noon)
Early voting commenced	28 September
Early voting concluded	16 October (8 pm)
Polling day	17 October (8am–6pm)
Last day for receipt of postal votes	23 October
Election result announced	23 October
Declaration of the poll	28 October
Legislative Assembly formed	3 November

The Register of Political Parties closed on 10 September 2020. Sixteen parties were registered on that date. Fourteen of these parties contested the election. Two parties, The Flux Party (ACT) and The Canberra Party, did not contest the election. Table 2 shows the registered parties eligible to contest the election.

**Table 2.** Registered political parties eligible to contest the 2020 election

Registered party	Abbreviation: registered	used in this report
Animal Justice Party	AJP	AJP
Australian Climate Change Justice Party	Socially Just Community Action On Climate	CLIM
Australian Federation Party Australian Capital Territory	Federation Party Australian Capital Territory	FED
Australian Labor Party (ACT Branch)	ACT Labor	ALP
Belco Party (ACT)	Belco Party	BEL
Canberra Progressives	CP	PROG
David Pollard Independent	David Pollard	POL
Democratic Labour Party (DLP)	Labour DLP	DLP
Liberal Democratic Party	Liberal Democrats	LDP
Liberal Party of Australia (A.C.T. Division)	Canberra Liberals	LIB
Shooters, Fishers and Farmers Party (ACT)	SFF	SFF
Sustainable Australia (ACT)	Sustainable Australia — Stop overdevelopment. Stop corruption.	SUST
The ACT Greens	The Greens	GREEN
The Canberra Party	Canberra Party	No candidates
The Community Action Party (ACT)	Community Action	CAP
The Flux Party (ACT)	The Flux Party (Flux the System)	No candidates

A total of 137 candidates contested the 2020 election. Tables 3 and 4 set out the numbers of candidates nominated for each party for each electorate and the ACT.

**Table 3.** Candidates nominated by party and electorate

Party	Brindabella	Ginninderra	Kurrajong	Murrumbidgee	Yerrabi	Total
AJP	2	2	2	2	2	10
ALP	5	5	5	5	5	25
BEL		5				5
CAP			2			2
CLIM		3	3	5		11
DLP		2			2	4
FED	2				1	3
GREEN	3	3	4	3	2	15
LDP	2	2				4
LIB	5	5	5	5	5	25
POL					2	2
PROG			3	2	2	7
SFF	2	2		2		6
SUST	2	2	2	2	2	10
Other		1	2	3	2	8
<b>Total</b>	<b>23</b>	<b>32</b>	<b>28</b>	<b>29</b>	<b>25</b>	<b>137</b>

**Table 4.** Candidates elected by party and electorate

Party	Brindabella	Ginninderra	Kurrajong	Murrumbidgee	Yerrabi	Total
AJP						
ALP	2	2	2	2	2	10
BEL						
CAP						
CLIM						
DLP						
FED						
GREEN	1	1	2	1	1	6
LDP						
LIB	2	2	1	2	2	9
POL						
PROG						
SFF						
SUST						
Other						
<b>Total</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>25</b>

Tables 5–11 summarise the count of first preference votes for each electorate and the ACT.

**Table 5.** Summary of first preference votes by electorate, ACT total

Party	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	1,235	2.23	959	1.71	790	1.56	1,077	2.00	701	1.31	<b>4,762</b>	<b>1.77</b>
ALP	22,560	40.71	22,409	40.00	19,213	37.97	19,382	36.06	18,262	34.16	<b>101,826</b>	<b>37.82</b>
BEL	0	0.00	5,264	9.40	0	0.00	0	0.00	0	0.00	<b>5,264</b>	<b>1.96</b>
CAP	0	0.00	0	0.00	183	0.36	0	0.00	0	0.00	<b>183</b>	<b>0.07</b>
CLIM	0	0.00	618	1.10	560	1.11	671	1.25	0	0.00	<b>1,849</b>	<b>0.69</b>
DLP	0	0.00	1,347	2.40	0	0.00	0	0.00	2,517	4.71	<b>3,864</b>	<b>1.44</b>
FED	594	1.07	0	0.00	0	0.00	0	0.00	116	0.22	<b>710</b>	<b>0.26</b>
GREEN	5,985	10.80	7,006	12.51	11,635	22.99	6,303	11.73	5,440	10.18	<b>36,369</b>	<b>13.51</b>
LDP	745	1.34	464	0.83	0	0.00	0	0.00	0	0.00	<b>1,209</b>	<b>0.45</b>
LIB	21,290	38.42	14,977	26.73	13,959	27.59	19,122	35.57	21,699	40.59	<b>91,047</b>	<b>33.81</b>
POL	0	0.00	0	0.00	0	0.00	0	0.00	1,729	3.23	<b>1,729</b>	<b>0.64</b>
PROG	0	0.00	0	0.00	2,546	5.03	1,451	2.70	1,446	2.70	<b>5,443</b>	<b>2.02</b>
SFF	1,727	3.12	1,290	2.30	0	0.00	761	1.42	0	0.00	<b>3,778</b>	<b>1.40</b>
SUST	1,277	2.30	987	1.76	800	1.58	835	1.55	694	1.30	<b>4,593</b>	<b>1.71</b>
UNG	0	0.00	704	1.26	914	1.81	4,152	7.72	855	1.60	<b>6,625</b>	<b>2.46</b>
Formal	55,413	98.22	56,025	98.48	50,600	98.87	53,754	98.82	53,459	98.52	<b>269,251</b>	<b>98.58</b>
Informal	1,005	1.78	865	1.52	577	1.13	641	1.18	804	1.48	<b>3,892</b>	<b>1.42</b>
<b>Total</b>	<b>56,418</b>		<b>56,890</b>		<b>51,177</b>		<b>54,395</b>		<b>54,263</b>		<b>273,143</b>	

**Table 6.** Summary of first preference votes by party/vote type, ACT total

Party	Ordinary votes		Postal votes		Early votes		Declaration votes		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	1,295	2.15	375	2.23	3,015	1.59	77	2.68	<b>4,762</b>	<b>1.77</b>
ALP	22,299	36.97	5,981	35.52	72,591	38.36	955	33.29	<b>101,826</b>	<b>37.82</b>
BEL	1,229	2.04	344	2.04	3,638	1.92	53	1.85	<b>5,264</b>	<b>1.96</b>
CAP	53	0.09	19	0.11	110	0.06	1	0.03	<b>183</b>	<b>0.07</b>
CLIM	530	0.88	116	0.69	1,147	0.61	56	1.95	<b>1,849</b>	<b>0.69</b>
DLP	873	1.45	121	0.72	2,801	1.48	69	2.41	<b>3,864</b>	<b>1.44</b>
FED	183	0.30	35	0.21	483	0.26	9	0.31	<b>710</b>	<b>0.26</b>
GREEN	9,349	15.50	1,733	10.29	24,730	13.07	557	19.41	<b>36,369</b>	<b>13.51</b>
LDP	307	0.51	34	0.20	855	0.45	13	0.45	<b>1,209</b>	<b>0.45</b>
LIB	18,698	31.00	6,537	38.82	64,943	34.32	869	30.29	<b>91,047</b>	<b>33.81</b>
POL	395	0.65	127	0.75	1,192	0.63	15	0.52	<b>1,729</b>	<b>0.64</b>
PROG	1,389	2.30	346	2.05	3,646	1.93	62	2.16	<b>5,443</b>	<b>2.02</b>
SFF	1,070	1.77	185	1.10	2,480	1.31	43	1.50	<b>3,778</b>	<b>1.40</b>
SUST	1,168	1.94	415	2.46	2,961	1.56	49	1.71	<b>4,593</b>	<b>1.71</b>
UNG	1,479	2.45	470	2.79	4,635	2.45	41	1.43	<b>6,625</b>	<b>2.46</b>
Formal	60,317	97.18	16,838	98.05	189,227	99.09	2,869	97.59	<b>269,251</b>	<b>98.58</b>
Informal	1,750	2.82	334	1.95	1,737	0.91	71	2.41	<b>3,892</b>	<b>1.42</b>
<b>Total</b>	<b>62,067</b>	<b>22.72</b>	<b>17,172</b>	<b>6.29</b>	<b>190,964</b>	<b>69.91</b>	<b>2,940</b>	<b>1.08</b>	<b>273,143</b>	

**Table 7.** Summary of first preference votes by party/vote type, Brindabella

Party group	Ordinary votes		Postal votes		Early votes		Declaration votes		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	311	2.81	71	2.62	841	2.04	12	2.70	<b>1,235</b>	<b>2.23</b>
ALP	4,368	39.53	1,030	38.06	16,989	41.22	173	38.88	<b>22,560</b>	<b>40.71</b>
FED	146	1.32	29	1.07	411	1.00	8	1.80	<b>594</b>	<b>1.07</b>
GREEN	1,330	12.04	227	8.39	4,342	10.54	86	19.33	<b>5,985</b>	<b>10.80</b>
LDP	202	1.83	20	0.74	517	1.25	6	1.35	<b>745</b>	<b>1.34</b>
LIB	3,895	35.25	1,167	43.13	16,090	39.04	138	31.01	<b>21,290</b>	<b>38.42</b>
SFF	471	4.26	68	2.51	1,174	2.85	14	3.15	<b>1,727</b>	<b>3.12</b>
SUST	328	2.97	94	3.47	847	2.06	8	1.80	<b>1,277</b>	<b>2.30</b>
Formal	11,051	95.99	2,706	98.15	41,211	98.86	445	96.11	<b>55,413</b>	<b>98.22</b>
Informal	462	4.01	51	1.85	474	1.14	18	3.89	<b>1,005</b>	<b>1.78</b>
<b>Total</b>	<b>11,513</b>	<b>20.41</b>	<b>2,757</b>	<b>4.89</b>	<b>41,685</b>	<b>73.89</b>	<b>463</b>	<b>0.82</b>	<b>56,418</b>	<b>90.68</b>

**Table 8.** Summary of first preference votes by party/vote type, Ginninderra

Party group	Ordinary votes		Postal votes		Early votes		Declaration votes		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	250	2.05	67	1.80	624	1.58	18	3.10	<b>959</b>	<b>1.71</b>
ALP	4,721	38.67	1,447	38.91	16,043	40.60	198	34.14	<b>22,409</b>	<b>40.00</b>
BEL	1,229	10.07	344	9.25	3,638	9.21	53	9.14	<b>5,264</b>	<b>9.40</b>
CLIM	161	1.32	28	0.75	403	1.02	26	4.48	<b>618</b>	<b>1.10</b>
DLP	309	2.53	35	0.94	983	2.49	20	3.45	<b>1,347</b>	<b>2.40</b>
GREEN	1,668	13.66	361	9.71	4,882	12.35	95	16.38	<b>7,006</b>	<b>12.51</b>
LDP	105	0.86	14	0.38	338	0.86	7	1.21	<b>464</b>	<b>0.83</b>
LIB	3,002	24.59	1,222	32.86	10,627	26.89	126	21.72	<b>14,977</b>	<b>26.73</b>
SFF	344	2.82	66	1.77	860	2.18	20	3.45	<b>1,290</b>	<b>2.30</b>
SUST	240	1.97	82	2.20	654	1.65	11	1.90	<b>987</b>	<b>1.76</b>
UNG	178	1.46	53	1.43	467	1.18	6	1.03	<b>704</b>	<b>1.26</b>
Formal	12,207	97.06	3,719	97.87	39,519	99.01	580	97.15	<b>56,025</b>	<b>98.48</b>
Informal	370	2.94	81	2.13	397	0.99	17	2.85	<b>865</b>	<b>1.52</b>
<b>Total</b>	<b>12,577</b>	<b>22.11</b>	<b>3,800</b>	<b>6.68</b>	<b>39,916</b>	<b>70.16</b>	<b>597</b>	<b>1.05</b>	<b>56,890</b>	<b>89.11</b>

**Table 9.** Summary of first preference votes by party/vote type, Kurrajong

Party group	Ordinary votes		Postal votes		Early votes		Declaration votes		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	266	1.99	68	1.94	435	1.32	21	2.83	<b>790</b>	<b>1.56</b>
ALP	5,075	37.88	1,269	36.26	12,610	38.26	259	34.95	<b>19,213</b>	<b>37.97</b>
CAP	53	0.40	19	0.54	110	0.33	1	0.13	<b>183</b>	<b>0.36</b>
CLIM	186	1.39	35	1.00	326	0.99	13	1.75	<b>560</b>	<b>1.11</b>
GREEN	3,365	25.12	550	15.71	7,531	22.85	189	25.51	<b>11,635</b>	<b>22.99</b>
LIB	3,306	24.68	1,248	35.66	9,201	27.91	204	27.53	<b>13,959</b>	<b>27.59</b>
PROG	705	5.26	151	4.31	1,656	5.02	34	4.59	<b>2,546</b>	<b>5.03</b>
SUST	219	1.63	87	2.49	480	1.46	14	1.89	<b>800</b>	<b>1.58</b>
UNG	221	1.65	73	2.09	614	1.86	6	0.81	<b>914</b>	<b>1.81</b>
Formal	13,396	98.15	3,500	97.98	32,963	99.27	741	98.67	<b>50,600</b>	<b>98.87</b>
Informal	253	1.85	72	2.02	242	0.73	10	1.33	<b>577</b>	<b>1.13</b>
<b>Total</b>	<b>13,649</b>	<b>26.67</b>	<b>3,572</b>	<b>6.98</b>	<b>33,205</b>	<b>64.88</b>	<b>751</b>	<b>1.47</b>	<b>51,177</b>	<b>86.12</b>



**Table 10.** Summary of first preference votes by party/vote type, Murrumbidgee

Party group	Ordinary votes		Postal votes		Early votes		Declaration votes		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	275	2.30	92	2.51	697	1.85	13	2.63	<b>1,077</b>	<b>2.00</b>
ALP	4,246	35.44	1,179	32.12	13,808	36.72	149	30.10	<b>19,382</b>	<b>36.06</b>
CLIM	183	1.53	53	1.44	418	1.11	17	3.43	<b>671</b>	<b>1.25</b>
GREEN	1,624	13.55	299	8.14	4,276	11.37	104	21.01	<b>6,303</b>	<b>11.73</b>
LIB	3,917	32.69	1,545	42.09	13,499	35.89	161	32.53	<b>19,122</b>	<b>35.57</b>
PROG	342	2.85	93	2.53	1,003	2.67	13	2.63	<b>1,451</b>	<b>2.70</b>
SFF	255	2.13	51	1.39	446	1.19	9	1.82	<b>761</b>	<b>1.42</b>
SUST	206	1.72	73	1.99	546	1.45	10	2.02	<b>835</b>	<b>1.55</b>
UNG	933	7.79	286	7.79	2,914	7.75	19	3.84	<b>4,152</b>	<b>7.72</b>
Formal	11,981	97.84	3,671	98.21	37,607	99.20	495	98.41	<b>53,754</b>	<b>98.82</b>
Informal	264	2.16	67	1.79	302	0.80	8	1.59	<b>641</b>	<b>1.18</b>
<b>Total</b>	<b>12,245</b>	<b>22.51</b>	<b>3,738</b>	<b>6.87</b>	<b>37,909</b>	<b>69.69</b>	<b>503</b>	<b>0.92</b>	<b>54,395</b>	<b>90.76</b>

**Table 11.** Summary of first preference votes by party/vote type, Yerrabi

Party group	Ordinary votes		Postal votes		Early votes		Declaration votes		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	193	1.65	77	2.38	418	1.10	13	2.14	<b>701</b>	<b>1.31</b>
ALP	3,889	33.29	1,056	32.57	13,141	34.65	176	28.95	<b>18,262</b>	<b>34.16</b>
DLP	564	4.83	86	2.65	1,818	4.79	49	8.06	<b>2,517</b>	<b>4.71</b>
FED	37	0.32	6	0.19	72	0.19	1	0.16	<b>116</b>	<b>0.22</b>
GREEN	1,362	11.66	296	9.13	3,699	9.75	83	13.65	<b>5,440</b>	<b>10.18</b>
LIB	4,578	39.19	1,355	41.80	15,526	40.94	240	39.47	<b>21,699</b>	<b>40.59</b>
POL	395	3.38	127	3.92	1,192	3.14	15	2.47	<b>1,729</b>	<b>3.23</b>
PROG	342	2.93	102	3.15	987	2.60	15	2.47	<b>1,446</b>	<b>2.70</b>
SUST	175	1.50	79	2.44	434	1.14	6	0.99	<b>694</b>	<b>1.30</b>
UNG	147	1.26	58	1.79	640	1.69	10	1.64	<b>855</b>	<b>1.60</b>
Formal	11,682	96.68	3,242	98.09	37,927	99.16	608	97.12	<b>53,459</b>	<b>98.52</b>
Informal	401	3.32	63	1.91	322	0.84	18	2.88	<b>804</b>	<b>1.48</b>
<b>Total</b>	<b>12,083</b>	<b>22.27</b>	<b>3,305</b>	<b>6.09</b>	<b>38,249</b>	<b>70.49</b>	<b>626</b>	<b>1.15</b>	<b>54,263</b>	<b>89.57</b>

# Impact of COVID-19 on the election

**On 16 March 2020, the ACT Minister for Health declared a Public Health Emergency under the *Public Health Act 1997* in response to the COVID-19 pandemic. The ACT Chief Health Officer accordingly made a series of directions intended to limit the spread of the virus, including restrictions on non-essential gatherings and non-essential business gatherings or undertakings.**

Although those restrictions were eased a few months later, the ACT Electoral Commission was mindful of the enduring impact of the COVID-19 pandemic and assumed ongoing and fluctuating community restrictions for its long-term planning for the conduct of the election. The Commission considered these impacts in terms of health and safety and electoral integrity from the perspective of government, political parties and candidates, the ACT electoral staff and the wider ACT community.

Assuming a continued risk of virus outbreaks and associated restrictions and learning from the experiences of the Electoral Commission of Queensland in the conduct of local government elections on 28 March 2020, the following considerations impacted the planning for the conduct of the election under normal attendance ballot arrangements.

- With approximately 300,000 electors expected to take part in early voting, election day, and mobile polling activities, there were concerns for the health and safety of ACT electors, political party members, candidates and workers. Similarly, there were significant risks to election staff in all facets of election operations through contact with numerous community members, candidates, party members and vendors, through the necessary handling of election materials and the necessary requirement to conduct an election in project teams. There were risks of infection to electors and staff handling election materials such as pencils, voting booths, computer voting terminals, ballot papers or postal votes. Mitigating these risks would require dedicated and targeted health preventative measures such as strict social distancing between booths and electors, provision of hand sanitisers, surface wipes and, where appropriate face, masks for staff exposed to large numbers of people. However, it was also understood that implementing such measures could delay the voting process at each polling location, potentially causing queues to form, prolonging the exposure time of electors to possible contamination and likely discourage some electors from voting in the interests of personal safety.
- The reduced ability of political parties and candidates to conduct electioneering and other election related community engagements, with limitations on being able to reach constituents by traditional campaigning methods such as campaign meetings, candidate door-knocking and multi-party/candidate forums. The Commission viewed these engagements as an important part of inclusive democracy, especially impactful for smaller parties and non-party candidates with relatively small budgets and lower public profiles.
- There was likely to be increased levels of voter anxiety and a potential inability or reluctance of electors to vote, with resultant low participation rates and the implications for the normal non-voter process conducted following each election.
- The efforts by Elections ACT to confirm polling locations, progress ICT upgrades, acquire essential equipment and supplies under degraded supply lines, recruit and train additional staff, and develop a community information campaign, had been and were likely to continue to be impaired through the effects and inefficiencies of remote working arrangements and similar impacts upon vendors. There was a growing risk that a lack of capacity and certainty in enacting long-term planning milestones could compound into serious capacity and timing issues in the later months of the electoral preparations.
- There was likely to be a surge in postal vote applications, enquiry calls and social media messages, placing additional demands on electoral staff.
- It was deemed likely that postal voting carried health risks to staff in the transmission of the virus through the handling of postal votes to be sent to and from electors located across the country and overseas.
- The counting of ballot papers, within a polling place or delayed until later, would require a team of electoral staff overseen by teams of party workers. All of this would be performed in proximity to other staff and involve the continual handling of material and exposure to potentially contaminated working surfaces.
- The conduct of mobile polling within nursing homes and hospitals during the week prior to election day would likely expose residents and staff of these facilities, already at the highest risk of serious COVID-19 complications, to further risks. Similar risks and issues would exist in potential delivery of mobile polling to staff and detainees at the Alexander Maconochie Centre.

- Although mitigated by stringent preventative staff health measures, the potential absence of key members of Elections ACT staff through the effects of the virus could result in additional pressures on remaining staff and increased operational complexity in the delivery of the election.
- Efforts by Elections ACT to engage, train and deploy approximately 700 polling official staff could be severely complicated by the impact of COVID-19. There was a risk that some more experienced polling officials may decline the offer of employment due to the increased infection potential brought about by sustained contact with the public. A significant outbreak of the virus amongst polling staff through face-to-face training could impact election delivery through short notice reduced polling place management levels; longer queuing times and greater elector exposure to infection risks; and an increased risk to the reputation of the Commission through delayed results, potential errors and complaints.

## Election Contingency Planning Team

To address and plan for these potential issues the Commission established an Election Contingency Planning Team (ECPT) to assist in the development of options for the conduct of the election. The ECPT consisted of the ACT Electoral Commissioner and Deputy Electoral Commissioner, the ACT A/Chief Police Officer and senior representatives from ACT Health, the ACT Solicitor-General's office, ACT Government Shared Services ICT and the Australian Cyber Security Centre (ACSC).

The Commission considered the outcomes of the ECPT and the real and potential impacts of COVID-19 on the conduct of the election in the areas of health and safety for the public and electoral staff and the continuing integrity of the electoral process. The Commission also invited and received advice from parties and prospective non-party candidates regarding their concerns about the preparation for and conduct of the election under continuing pandemic conditions.

At the conclusion of the ECPT and consultation process, and through a structured planning process, the Commission considered six options for the delivery of the election:

- **No change to date or election format.** This option would accept the extreme risks to the health and safety of the electors and staff as outlined above and would disregard the very high likelihood of low voter turnout and disputed results.

In relying on preventative health measures during the election period, this option would not address the possibility and impact of a second or third wave of pandemic effects on the community in the intervening period. The Commission considered that this option posed extreme risk to the health, safety and electoral integrity and did not consider it as a suitable option.

- **Universal online voting.** There were substantial complexities and extremely high risks, including significant cyber risks, associated with the legislative and procedural adjustments required to meet the demands of universal online voting. The Commission did not consider this was a suitable option.
- **Universal postal voting.** A universal postal election in the ACT would entail the creation, delivery, return and count processing of approximately 300,000 postal vote packs. This would have been a significant increase on postal voting numbers from the 2016 ACT Legislative Assembly election which involved the issue of 17,000 postal ballots and the return processing of approximately 15,550 postal votes. A decision to implement a universal postal ballot in time for the October 2020 election would have raised significant health risks to the large number of staff required to process voting packs; large scale inadmissible votes due to degraded Australia Post services; considerable operational complexities for the Commission; electoral integrity issues through vote loss and fraud; delays in results and substantial legislative amendment. The Commission did not consider this was a suitable option.
- **Extend the election as per extant legislation.** This option would have seen the election extended under section 159 of the Electoral Act which enables the Executive, by written notice, to make provision for extending the time for holding the election or meeting any difficulty that might otherwise interfere with the due conduct of the election. However, this option did not properly address the public health and safety issues owing to a lack of clarity regarding the period of extension required and would simply extend rather than shift the electoral period in which pandemic effects would need to be inevitably addressed. The Commission did not consider this was a suitable option.
- **Defer the election through amended legislation.** This option would have seen the election deferred to a time when the impacts of the pandemic and the community health restrictions no longer affected the preparations and conduct of the election. However,

the period required for such a deferral was unclear and also carried significant risks to the standing of the caretaker government, budget uncertainties in delivery of community services over time, and increased disenfranchisement of electors. Importantly, no legislation existed for deferral of the election, meaning significant work would be required to frame and table new supporting legislation in the limited sitting days prior to October 2020. The Commission did not consider this was a suitable option.

- **Expanded early voting.** This option would see the election delivered within existing legislated timeframes, but with a significantly expanded number of early voting locations. It was proposed that the only voting locations available on election day would be those utilised during the early voting period. In doing so, it would prevent large concentrations of electors gathering on election day. It was envisaged at the time that 15 early voting centres would be established, open between 8:00am to 8:00pm daily for 20 days across the ACT, as opposed to the standard five early voting centres from 9:00am to 5:00pm and extended hours on the final Friday. Targeted preventative health measures would be implemented at each polling location throughout the election to further mitigate health and safety risks.

The Commission considered the **expanded early voting** model best assured continued electoral integrity, required minimal legislative amendments, and provided a responsible and adaptive response to mitigate the community health risks of the virus as known at that time, and importantly guarded against possible further waves of outbreaks that may have occurred over the period leading up to the election.

The Commission ultimately recommended this approach to the Legislative Assembly through a Special Report to the Assembly tabled in May 2020, seeking the associated legislative amendment to the *Electoral Act 1992* to facilitate eligibility for all electors to vote early. The Electoral Commissioner already had the legislative authority under the Electoral Act to vary the number and operating hours of early voting centres.

Ultimately, the Assembly agreed with this proposed delivery plan. However, it raised concerns with the Commission's intention not to open single-day polling locations. Following discussions with the interested parties, the Commission agreed to maintain a traditional number of polling places open on the final day of voting. Consequently, 15 early voting locations were established across the ACT from Monday, 28 September to Friday, 16 October 2020, open every day, from 9:00am to 5:00pm with extended hours on Fridays. A further 67 polling places were opened on the final day of voting, Saturday, 17 October 2020.

The Commission also sought additional funding, above its base election delivery budget, to enable the delivery of the election under the intended risk mitigated amended delivery model.

## COVID-19 financial impact

In order to implement the expanded early voting model, the Electoral Commission sought \$4.926 million in additional operating cost funding and an additional \$0.120 million in capital funding. These costs were based on advice provided by the ACT Chief Medical Officer in the assessment of the community health risks and necessary mitigation measures and were directly attributable to the measures necessary to mitigate the assumed continuation and potential spiking of health and safety risks to the community, electoral staff and political stakeholders. Most importantly, the amount of funding requested safeguarded against the assumed continued impact of the pandemic and related community restrictions, but also mitigated against the community health risks associated with possible further outbreaks as restrictions might be eased. The amount of additional funds requested was inversely proportional to the degree of assumed risk to public health and safety and electoral integrity. That is, any reduction to the amount requested by the Commission would need to be considered in terms of the resultant increased risks to public health and safety and assured electoral integrity.

Following discussions with Treasury, the Electoral Commission ultimately received an additional \$3.846 million which included \$3.726 million of controlled recurrent payments and \$0.120 million in capital injection. The resultant risks as identified above arising from the shortfall of funds from that requested were considered by the Commission to be satisfactorily mitigated by an assurance from government that additional funds would be available, if needed.

Funding for the amended delivery model provided for:

- an increase in election casual staffing costs for the amended model including operating 15 early voting centres and 67 static polling places on election day
- an increase in costs associated with accommodation and venue hire
- the purchase of Personal Protective Equipment (PPE) and associated hygiene supplies
- an increase in information campaign costs to ensure the community was informed of the safety provisions in place and how to safely access voting services
- capital funding for integrating ACT digital accounts ID verification functionality into the overseas e-voting system.

# Legislative changes made since the 2016 election

**Following the 2016 ACT Legislative Assembly election, on 15 December 2016, the ACT Legislative Assembly established a Select Committee to review and report on 'to review the operation of the 2016 ACT election and the Electoral Act and other relevant legislation and policies in regards to election-related matters'.<sup>1</sup> The inquiry report, including recommendations for legislative amendment, was tabled on 30 November 2017.**

Following the Select Committee process, a number of bills seeking to amend the Electoral Act were debated by the Assembly over the course of the three years prior to the 2020 ACT election.

The Assembly passed two enactments on 2 July 2020. The Electoral Legislation Amendment Bill 2019 was tabled on 26 September 2019 and was subsequently passed by the ACT Legislative Assembly as the *Electoral Legislative Amendment Act 2020* on 2 July 2020. The Act amended the Electoral Act to:

- allow ACT citizens, who were not currently on the ACT electoral roll, to enrol to vote in an election up to and including on election day
- removed the capacity for the Electoral Commissioner to establish a defined polling area for a polling place (in which political canvassing is not permitted) from an enclosure if the polling place is located on grounds within an enclosure
- require the full given name and surname of a person to be shown in an authorisation statement
- require the name of the entity to be shown in an authorisation statement, where electoral matter is published on behalf of an entity;
- require vote values to be rounded down to six decimal places rather than the nearest whole number
- correct an anomaly to prevent the public disclosure of address details of individuals paying money or providing gifts to political entities.

The Act also made amendments to the *Public Unleased Land Act 2013* to allow an authorised person to remove electoral advertising signs from public unleased land, where the signs are not compliant with statutory requirements, without providing prior notice to the owner of the sign.

The *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)* was also passed by the ACT

Legislative Assembly on 2 July 2020. This Act amended the Electoral Act to support the Electoral Commission to conduct a COVID-safe 2020 ACT election.

The amendments expanded the eligibility criteria for early voting so that any eligible elector of the ACT could cast a vote before election day at an early voting centre; and provided legislative support for the introduction of an online e-voting system for electors residing overseas and telephone voting for electors who are blind, vision impaired or have a physical disability.

All Members present in the Assembly supported the amendments.

The electoral amendments introduced by the *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)* were in place only for the 2020 ACT election, to expire on 17 April 2021 following the election.

A further Electoral Amendment Bill was tabled and passed during the ninth assembly. However, the included legislative amendments did not take effect during the term of the Assembly and were not in force for the 2020 ACT election. The *Electoral Amendment Bill 2018* was tabled on 29 November 2018. Subsequently, the *Electoral Amendment Act 2020* was passed by the Assembly on 27 August 2020. The Act provides for a range of amendments including:

- Introducing an objects clause to outline the intended purposes of the Act
- Prohibiting gifts from property developers and their close associates
- Amending the definition of gift to include the first \$250 of a contribution in a single fundraising event;
- Amending the timeframe for reporting of gifts received over \$1,000
- Introducing 'truth in political advertising' legislation.

The amendments introduced by the *Electoral Amendment Act 2020* were scheduled to take effect from 1 July 2021.

A range of technical amendments were also made to the Electoral Act between the 2016 and 2020 elections. These amendments were made by the following acts:

- *Legislative Assembly Legislation Amendment Act 2017*
- *Statute Law Amendment Act 2017 (No 2)*
- *Red Tape Reduction Legislation Amendment Act 2018.*

<sup>1</sup> Terms of reference, Inquiry into the 2016 ACT Election and Electoral Act, <[www.parliament.act.gov.au/parliamentary-business/in-committees/previous-assemblies/select-committees-ninth-assembly/2016-ACT-Election-and-Electoral-Act/inquiry-into-the-operation-of-the-2016-act-election-and-the-electoral-act#tab1019817-1id](http://www.parliament.act.gov.au/parliamentary-business/in-committees/previous-assemblies/select-committees-ninth-assembly/2016-ACT-Election-and-Electoral-Act/inquiry-into-the-operation-of-the-2016-act-election-and-the-electoral-act#tab1019817-1id)>.



# Innovative use of information and communications technology

**Elections ACT continues to lead Australia in the adoption of many electoral information and communications technology (ICT) innovations, aimed at better and faster electoral services to the ACT community.**

Elections ACT again built upon the successful range of ICT systems used at preceding elections, redeveloping and adding to systems used at the 2016 election. In preparation for the 2020 election, the Commission received capital funding of \$0.436 million for the upgrade of eVACS® over the two years from 2019–20 to 2020–21 and a further \$0.456 million capital injection for the EMS (TIGER modernisation) project over the three-year period following the 2018–19 budget review process, which included funding for the development of the overseas e-voting system. The Electoral Commission also received an additional \$0.008 million as part of the government's 'screwdriver ready' program in 2019–20 to improve the election results website and a further \$0.120 million to integrate ACT Digital Accounts processes into the overseas e-voting system.

Following the successful conclusion of the 2016 ACT election, Elections ACT commissioned an external independent review into the future of electronic voting in the ACT. The report found that eVACS®, the electronic voting and counting system used in ACT elections since its introduction at the 2001 election, provides an effective, robust and reliable electronic voting solution, with strong and mature data management protocols. However, the report also found that improvements in design, functionality and security were necessary to ensure the system's strong record could be carried forward into future ACT elections. Accordingly, in preparation for the 2020 ACT election, the ACT Electoral Commission commenced the first major redevelopment upgrade of eVACS® since the system's inception. Building upon the already significant security, integrity and configuration features, Elections ACT's upgrade project focussed upon implementing contemporary security enhancements and implementing functionality improvements to ensure continued trust and satisfaction within the community. Improvements included updating to contemporary encryption and hash-code standards; and increased access controls and re-coding into Ada, a premier programming language for engineering safe, secure and reliable software. In addition, a new touch-screen user interface was introduced to improve and modernise usability.

Since its introduction in 2001, eVACS® has provided a secret and unassisted means for blind or vision impaired electors to cast a vote at specific polling locations across the ACT. In 2020, the Commission expanded the functionality of eVACS® to provide a new telephone voting facility enabling electors who are blind, have a visual impairment or a physical disability (which makes it difficult for the voter to attend a polling place or to cast a postal vote), to vote over the telephone, removing the need for these electors to travel to a specific polling location. This new telephone voting system is completely electronic; eliminating the need for electors to state their voting preferences to an electoral officer for transcribing onto a ballot paper. As such, it is the first of its kind to be used in an election in Australia.

The 2020 ACT election also saw the introduction of an online electronic voting system limited only for use by electors residing in an overseas location. This system overcame the significant issues associated with providing voting services to electors abroad (discussed in detail as part of the 2016 ACT Election report), an issue only heightened by the impact of COVID-19 upon global postal services. The system ensured that over 1,500 overseas electors were able to cast their vote in the 2020 ACT election.

Elections ACT also introduced online enrolment services within each polling location, leveraging the Wi-Fi network already established to facilitate roll mark-off. This initiative provided an efficient means for eligible electors, who were not currently on the ACT electoral roll, to cast a declaration vote and enrol online at the time of voting. It met not only the intent of the new 'enrol on the day' legislation, but also ensured that the electoral roll could be updated in the fastest and most efficient manner so as not to delay the final processing of declaration votes and consequently, the final election result.

The 2020 election also saw an increased continuation in the take up of electronic voting to around 70 per cent of eligible ACT voters; the continued use of online applications for postal votes; electronic scanning of handwritten vote preferences on paper ballots; electronic ballot paper reconciliation; transmission of election results direct from polling places to the virtual tally room; whole of jurisdiction electoral roll mark-off; formal voting instructional videos at all polling places; online casual work applications including an online form for recording salary and tax information; and web-based polling official training. These various innovations are discussed further in this report.

## Cyber security preparations

A large body of work in relation to cyber-security and incident response was also undertaken in preparation for the 2020 election. Subsequent to the 2016 election, Elections ACT worked closely with the Australian Signals Directorate, the Australian Cyber Security Centre and Deloitte, firstly by participating in a cyber-maturity review, co-ordinated through the interjurisdictional board of the Electoral Commissions of Australia and New Zealand (ECANZ), and then, in response to that review, to strengthen the organisation's cyber-posture and its capabilities in dealing with any cyber incident.

The Electoral Commissioner also established for the first time a Command Centre to serve as the coordination and control centre for the conduct of the 2020 ACT Legislative Assembly election. Its aim was to facilitate effective and timely information management and decision making by the Electoral Commissioner in the event of a cyber, ICT or physical incident and to provide a framework for disaster recovery, as well as immediate access to the necessary technical and communications expertise. The Command Centre was established as a permanent video conference room to which invitees, including senior representatives from Elections ACT, ACSC, SSICT, ACT Policing, the government Solicitors office, DPP and each ICT vendor, could join at the first indication of an issue impacting the election. While the Command Centre was not required to oversee a serious incident during the election, incident rehearsals and drills conducted prior to the election enhanced the necessary shared understanding and cohesion of stakeholder partners essential in an effective response if required, and a valuable insight into the effectiveness of such an arrangement. This new initiative brought an enhanced level of coordination, not previously achieved in the ACT election context.

In a similar manner, a permanent video conference room was established between Elections ACT and each of the early voting centre OICs using the capabilities of the OIC's LAPPERDS computer. This polling place Command Centre enabled daily group video conferences during which each OIC could share experiences and best practices between voting centres and raise issues that they were experiencing for quick resolution by Elections ACT. Conversely, Elections ACT could use the daily meetings to establish expectations and provide advice on changes to procedure as they arose. A similar video conference arrangement was also established between Elections ACT and each of the election day OICs. This initiative also produced enhanced outcomes in communication and shared learning outcomes between election staff members deployed across dispersed polling locations.

## ICT Steering Committee

In preparation for the 2020 ACT election, the Electoral Commissioner reconvened the Elections ACT ICT Steering Committee, with the aim of overseeing and guiding Elections ACT ICT related projects.

The membership of the Committee is:

- The Electoral Commissioner
- The Deputy Electoral Commissioner
- The Elections ACT Operations Manager
- Shared Services ICT, Executive Group Manager
- Shared Services ICT, Executive Branch Manager, Customer Engagement Services Branch
- The Senior Director ICT, Chief Minister, Treasury and Economic Directorate, and Public Authorities and Territory Owned Corporations.

The role of the Committee is to:

- Develop ICT strategies and plans that ensure Legislative Assembly and other elections are enabled by cost effective and timely application of ICT systems and resources.
- Review current and future technologies to identify opportunities to further innovate in ACT elections and increase efficiencies of Elections ACT ICT resources.
- Provide advice to the Electoral Commissioner on election-related ICT projects and achievements against the Elections ACT ICT Strategic Plan.
- Provide advice and recommendations to the Electoral Commissioner on significant ICT issues effecting ACT elections, including cyber security matters.
- Provide an escalation point to expediate ICT activity to ensure critical and immutable election timeframes are met.

With a focus on the 2020 election, the Committee was tasked with examining whether the proposed Elections ACT ICT business system upgrades and redevelopments were fit for purpose; examining the risks for each of the proposed ICT business systems; and advising the Commission on whether the Committee supported the use of the proposed ICT systems for the election.

The Committee was satisfied that the systems being used for the election were adequate and that they should and could be deployed for use during the 2020 election.

As was the case at all recent ACT elections, the ACT Government's in-house ICT service provider, Shared Services ICT (SSICT), provided Elections ACT with invaluable assistance during the lead-up to the 2020 election, including sourcing and installation of ICT equipment for use in Elections ACT head office and polling venues, provision of Wi-Fi networks across the ACT polling places, and assistance with cyber-assurance, load and system testing.



# Electoral roll

**The electoral roll is one of the keystones of the election process. An accurate and up-to-date electoral roll is required to facilitate the franchise and to ensure the integrity of the election. In the ACT, the electoral roll is jointly maintained with the Australian Electoral Commission (AEC) under a formal joint roll arrangement.**

The Australian electoral roll is kept up to date through a variety of strategies, including encouraging eligible citizens to enrol or update their enrolment details via online enrolment services and for the direct update and direct enrolment of electors based on information from other government agencies and without the need for an elector to complete an enrolment application. The AEC also continues to use a variety of continuous roll update (CRU) strategies, including direct mail and field reviews of habitations to maintain an accurate roll.

## Enrolment stimulation activities

While it is incumbent upon electoral authorities to maintain an accurate electoral roll throughout an election cycle, it is well documented that many people defer bringing their enrolment up to date until an election is imminent. In recognition of this tendency, electoral authorities place special emphasis on encouraging eligible citizens to enrol in the lead-up to specific electoral roll milestones such as a close of roll for a general election.

The following enrolment stimulation activities helped to improve the ACT electoral roll for the 17 October 2020 ACT election:

- The Elections ACT 2020 election information and advertising campaign of which there was a specific enrolment focus between 31 August 2020 and 11 September 2020.
- The 4 June 2020 federal by-election close of rolls for the Division of Eden-Monaro, including the accompanying information campaign.
- Ongoing AEC roll maintenance procedures including mail review and direct enrolment.

## Close of rolls

On 9 July 2020, the *Electoral Act 1992* was amended through the *Electoral Legislation Amendment Act 2020* to 'allow voters to enrol to vote in an election up to and including election day'.<sup>2</sup> In effect, this amendment removed the long held electoral concept of a 'hard' roll close and implemented a new system by which a 'soft'

close of rolls, known as the 'preliminary close of rolls' occurred at 6:00pm on the first day of the pre-election period (11 September 2020). A final 'supplementary close of rolls' then occurred at 6:00pm on election day (17 October 2020).

Prior to the amendment, the Electoral Act required the roll to close to all enrolment activities at 8:00pm on the 29<sup>th</sup> day before polling day (18 September 2020 in this case). After this deadline, no applications for new enrolment or changes to current enrolments could take effect for the impending election. The *Electoral Legislation Amendment Act 2020* altered this practice by closing the electoral roll to any changes to currently registered enrolments at the date and time of the preliminary roll close (11 September 2020). The roll however, remained open for any new enrolments of eligible electors not currently registered on the ACT electoral roll. Any eligible elector not currently enrolled had until 6:00pm on election day to apply to the Australian Electoral Commission for enrolment in the ACT.

This change in procedure allowed electors not previously enrolled anywhere in the country or electors enrolled in a different state or territory, but now residing in the ACT, to enrol to vote up to and including election day.

Elections ACT facilitated this new procedure by installing an online enrolment terminal within every polling place. Alternatively, eligible electors could enrol at their homes, provided that the enrolment application was lodged prior to 6:00pm on election day.

By the preliminary roll close on 11 September 2020, there were 302,628 electors enrolled to vote for the 2020 election. At the close of the rolls at 6:00pm on 17 October 2020, a further 3,372 electors had enrolled to vote, resulting in a final electoral roll of 306,000 eligible electors for the 2020 election: an increase of 22,838 on 2016 election numbers. Of the 3,372 newly eligible electors, 47.1 per cent were first-time enrolments, 47.0 per cent were transfers to the ACT from other jurisdictions and 5.9 per cent were previously enrolled ACT residents who had fallen off the roll at some point since their first enrolment.

It should be noted that following the election, the ACT electoral roll declined in number for the first time since self-government due to adjustments that were not permissible during the election period. Some 2,171 electors were removed from the ACT electoral roll directly following election day, involving 115 deaths and 2,056 electors who had moved out of the ACT and re-enrolled elsewhere between 12 September 2020 and election day.

<sup>2</sup> Electoral Legislation Amendment Bill 2019, Explanatory Statement, 26 September 2019, <[www.legislation.act.gov.au/View/es/db\\_61042/20190926-72278/PDF/db\\_61042.PDF](http://www.legislation.act.gov.au/View/es/db_61042/20190926-72278/PDF/db_61042.PDF)>, p.2.

Table 12 compares the number of electors enrolled at the last five elections.

**Table 12.** Close of rolls enrolment by electorate

Electorate	2004	2008	2012	2016	2020
Brindabella	65,279	71,394	72,368	53,614	62,217
Ginninderra	65,271	68,358	76,140	54,585	63,844
Kurrajong	N/A	N/A	N/A	59,010	59,422
Murrumbidgee	N/A	N/A	N/A	57,058	59,934
Yerrabi	N/A	N/A	N/A	58,895	60,583
Molonglo*	95,548	103,719	108,194	N/A	N/A
Total	226,098	243,471	256,702	283,162	306,000

\* Molonglo no longer features as an electorate for ACT Legislative Assembly elections following the redistribution conducted prior to the 2016 ACT election.

## Measuring participation on the electoral roll

### Participation

The introduction in 2012 of direct update and direct enrolment legislation to the Commonwealth Electoral Act appears to have reversed the previous general decline in the proportion of eligible citizens enrolled to vote in the ACT and in Australia generally. Following the introduction of legislation allowing the AEC to directly update and enrol electors based on information from other government agencies, without the need for an elector to complete an enrolment application, the participation rate in the ACT reached record levels in both the 2016 and 2020 elections.

Table 13 shows the numbers of electors enrolled by age group at the past four elections in 2008, 2012, 2016 and 2020 and the estimated eligible proportion of each age group enrolled.

**Table 13.** Eligible voters by age group and estimated percentage of those eligible, 2008, 2012, 2016 and 2020 elections

Age	2008		2012		2016		2020*	
	No.	%*	No.	%*	No.	%*	No.	%*
18#	3,850	79.9	3,435	67.3	4,160	96.7	3,832	83.5
19	4,453	85.4	3,165	56.0	4,685	103.7	4,397	91.8
20-24	24,078	91.1	23,499	79.8	25,082	100.5	26,249	97.1
25-29	24,844	94.3	26,102	88.7	27,479	93.7	28,397	104.6
30-34	23,249	97.4	25,456	96.1	29,370	97.5	30,047	99.7
35-39	25,030	98.4	24,393	93.6	27,477	101.3	31,881	99.8
40-44	22,829	98.4	25,062	98.4	26,504	101.8	28,582	101.2
45-49	23,618	98.3	22,920	93.3	25,305	100.0	27,924	100.6
50-54	21,819	100.0	23,273	97.8	23,550	100.8	24,588	97.7
55-59	20,418	101.2	20,497	98.2	21,898	99.5	22,864	99.4
60-64	16,647	100.7	18,619	99.1	18,882	101.0	20,209	100.5
65-69	10,716	100.3	14,229	110.4	17,253	102.8	17,372	100.8
70+	21,920	99.6	26,052	104.6	31,517	101.2	39,658	101.4
Total	243,471	97.1	256,702	93.9	283,162	99.8	306,000	99.9

\* Figures are based on the final certified list as at 6:00pm on 17 October 2020.

^ The percentages for EEP in the above table need to be treated with caution as they are calculated using ABS citizen population figures for 30 June 2018 (revised) and 30 June 2019 (preliminary) based on the 2016 Census. ABS data is adjusted by the AEC and projected forward to the relevant date, then adjusted for British Subjects, those of unsound mind, overseas electors and new citizens since the Census. EEP for the final Certified List includes electors who may have died or moved interstate after the preliminary close of roll date, 11 September 2020.

The fact that some age groups show participation rates greater than 100 per cent is likely to be due to the ageing nature of the census data on which the estimates are based and may also be a result of electors remaining on the ACT electoral roll even where they had left the ACT.

# This row includes 17-year-old electors who turned 18 between the preliminary close of rolls date and polling day in 2020 and were therefore entitled to vote.

The estimated number of electors on the roll compared to the estimated number entitled to be enrolled was 99.5 per cent at the preliminary close of rolls for the 2020 election and 99.9 per cent at the final close of rolls on election day. This compares to an estimate of 99.8 per cent at the 2016 election and 93.9 per cent at the 2012 election. It should be noted that, between the period of the preliminary roll close and the final roll close, it was not possible for an elector to be removed from the ACT electoral roll. For instance, any elector who had recently moved interstate or died during this period, remained on the certified list for the election. This will have contributed to the very high EEP as at the final close of rolls.

Significant improvements are evident in the table above for each of the 2016 and 2020 elections in the age groups up to age 29 and in particular 18 and 19-year-olds, who have historically displayed as significantly under-enrolled. This is likely able to be attributed to the introduction of direct enrolment processes following the 2012 election.

By comparison with all other Australian States and the Northern Territory, the ACT has tended to out-perform the other jurisdictions in enrolment participation rates. The rates displayed in 2020 continue this trend. Looking at the 2020 September quarter enrolment report figures, the ACT again had the highest EEP rate of all the states and territories. At that time, it is estimated that the enrolment participation rate in the ACT was 99.8 per cent, compared to a national average of 96.7 per cent. The next highest participation rate was 97.8 per cent in New South Wales, while the lowest was 86.6 per cent in the Northern Territory.

## **Voter turnout**

The traditional method of measuring voter participation has been to express voter turnout as a percentage of total actual enrolment. However, the result thereby obtained can be influenced by the completeness and accuracy of the electoral roll. There are two additional ways of measuring performance — relating to the completeness of the roll and voter turnout — that have been used at previous elections and are again used for 2020. Each provides another perspective on the state of the roll and the level of voter turnout, and all three measures are now taken together.

The two additional measures use, as a base, the eligible elector population (EEP). As discussed above, the EEP is calculated every quarter by the Australian Electoral Commission, using base data provided by the Australian Bureau of Statistics and applying a method developed by the AEC in consultation with the ABS. The EEP is an estimate of the number of persons who are eligible to be enrolled at a particular point in time and is calculated using post-censal estimates based on the latest census data adjusted for British subjects, those of unsound mind, overseas electors and new citizens.

The first additional performance measure expresses enrolment as a percentage of the EEP. This measure provides an assessment of the effectiveness of the roll maintenance activities, including direct enrolment and update, carried out by the AEC.

The second additional performance measure expresses voter turnout as a percentage of the EEP at election day. This measure provides an assessment of the effectiveness of the Commission in encouraging electors to vote, regardless of the accuracy of the electoral roll. Arguably, this is a better measure of the Commission's performance than the traditional measure, which depends in part on the performance of the AEC in maintaining the roll and the time when the ACT election falls in the federal election cycle.

The effectiveness of this measure has however, been affected by the 9 July 2020 electoral amendment altering the close of rolls arrangements discussed under *Close of rolls* above. The final close of roll figure is arguably skewed through the ability to add electors to the roll after the preliminary close of roll date, but not remove electors who have otherwise become ineligible through death or moving interstate. We can see from the unprecedented drop in enrolment figures directly following the 2020 election that more than 2,000 electors were immediately removed from the roll following the election. This is likely to have impacted the accuracy of the 'voter turnout as a percentage of enrolment' figure.

Table 14 provides the calculation of the three measures at the 2004, 2008, 2012, 2016 and 2020 elections.

**Table 14.** Measures of enrolment and voter turnout at 2004, 2008, 2012, 2016 and 2020 elections

Election	EEP*	No. enrolled	% no. enrolled to EEP	Voter turnout	% voter turnout to EEP	% voter turnout to no. enrolled
2004	242,042	226,098	93.4	209,749	86.7	92.8
2008	250,743	243,471	97.1	220,019	87.7	90.4
2012	273,449	256,702	93.9	229,125	83.9	89.3
2016	283,688	283,162	99.8	250,460	88.3	88.5
2020	306,294	306,000	99.9	273,143	89.2	89.3

\* The estimates of the EEP may alter following the rebasing of the estimates by the ABS. A decrease in the EEP will be reflected as an increase in the participation rate, and vice versa.

This table shows that participation rates (measured by voter turnout as a proportion of estimated eligible population) improved between the 2004 and 2008 elections, declined in 2012, improved significantly in 2016 following the introduction of direct enrolment and update and improved again slightly at the 2020 election. Noting that the 2020 election was held in the midst of the COVID-19 pandemic, the Commission considers an increase in voter turnout in all measures against 2016 figures as a considerable achievement.

Like the 2016 election before it, the 2020 election saw another sharp increase in the absolute number of voters turning out to vote. In comparison the previous three elections experienced an increase of 10,270 voters (4.9%) between the 2004 and 2008 elections, an increase of 9,106 voters (4.1%) between the 2008 and 2012 elections, and an increase of 21,335 voters (9.3%) between the 2012 and 2016 elections. The 2020 election experienced a similar total increase (22,674 voters) to that experienced in 2016. A percentage increase of 9.1 per cent.

Voter turnout as a percentage of enrolment continued to remain relatively constant, recording a figure of 89.3 per cent in 2020, matching the figure achieved in 2012 and increasing slightly upon 2016's figure (88.5%). However, turnout as a percentage of the eligible elector population slightly exceeded the 2016 figure which was itself a significant rise against 2012 figures. This indicates that the electoral roll in 2016 and 2020 was more complete in comparison to the roll in 2012 and that the absolute proportion of eligible voters turning out to vote in 2020 increased.

The reasons for the increase in voter participation in 2020 are likely to be complex, particularly due to the timing of the election within a pandemic environment. In the midst of the pandemic and the community's COVID-19 safety concerns around voting in person, Elections ACT committed considerable resources to its information and education campaign, which is likely to have played at least some part in

these favourable participation rates. Feedback received during the non-voter process (which commenced in December 2020 and will conclude in mid-2021) will provide further information on the accuracy of the electoral roll and on the reasons for elector non-voting.

As the direct enrolment process introduced by the AEC in 2012 has led to increases in the proportion of eligible electors enrolled in the ACT to the point where EEP figures are close to 100 per cent, the Commission, following the 2016 ACT election, considered it appropriate to update its performance targets for future elections to reflect the higher participation rates routinely being achieved.

The Commission removed the performance target related to voter turnout expressed as a percentage of enrolment. With enrolment levels close to 100 per cent, this measure is effectively little different to expressing voter turnout as a percentage of eligible population. Therefore, the Commission considers a better measure of voter turnout is to simply measure turnout as percentage of the eligible elector population.

The highest level of voter turnout as a percentage of EEP achieved at the last five ACT elections is the 89.2 per cent achieved at the 2020 election. This outcome did not quite meet the increased performance target of 90 per cent adopted by the Commission following the 2016 election outcome of 88 per cent turnout. The Commission remains of the view that a target of 90 per cent is appropriate.

# Redistribution of electoral boundaries

A redistribution of the ACT Legislative Assembly electoral boundaries occurs after every general election. The most recent redistribution was finalised in 2019.

Detailed information on the redistribution can be found in the Augmented Commission's *Redistribution Report: ACT Legislative Assembly Electoral Boundaries Redistribution 2019*, available on the Elections ACT website.

The following table shows the projected 2020 election enrolment numbers and variations from quota estimated at the time of the redistribution, and the actual results as at the close of rolls for the 2020 election.

Table 15 indicates that the redistribution achieved the desired aim of ensuring that the enrolment in each electorate was within +/-5 per cent at the time of the election in all five of the electorates.

**Table 15.** 2020 election actual enrolment compared to redistribution projected enrolment

Electorate	Estimated enrolment for polling day 2020 used during 2019 redistribution (projected)			Actual results for polling day 2020 (actual)		
	Enrolment at redistribution	Quota	Variation from quota (%)	Enrolment at election	Quota	Variation from quota (%)
Brindabella	59,247	59,816	-0.95	62,217	61,200	1.66
Ginninderra	62,426	59,816	4.36	63,844	61,200	4.32
Kurrajong	57,009	59,816	-4.69	59,422	61,200	-2.91
Murrumbidgee	59,150	59,816	-1.11	59,934	61,200	-2.07
Yerrabi	61,249	59,816	2.40	60,583	61,200	-1.01
<b>Total</b>	<b>299,081</b>			<b>306,000</b>		

# Party registration

There were 16 political parties registered for the 2020 election. Of these, all but two (The Flux Party — ACT and The Canberra Party) nominated candidates for the election. The following table lists those parties on the ACT Register of Political Parties at the start of the pre-election period for the 2020 election, with notation of those parties that were registered since the previous election in 2016.

**Table 16.** Parties registered for the 2020 election

Party name	Party abbreviation	Newly registered party?
Animal Justice Party	AJP	No
Australian Climate Change Justice Party	Socially Just Community Action on Climate	Yes
Australian Federation Party Australian Capital Territory	Federation Party Australian Capital Territory	Yes
Australian Labor Party (ACT Branch)	ACT Labor	No
Belco Party (ACT)	Belco Party	Yes
Canberra Progressives	CP	Yes
David Pollard Independent	David Pollard	Yes
Democratic Labour Party (DLP)	Labour DLP	Yes
Liberal Democratic Party	Liberal Democrats	No
Liberal Party of Australia (A.C.T. Division)	Canberra Liberals	No
Shooters, Fishers and Farmers Party (ACT)	SFF	Yes
Sustainable Australia (ACT)	Sustainable Australia — Stop overdevelopment. Stop corruption.	No
The ACT Greens	The Greens	No
The Canberra Party	Canberra Party	Yes
The Community Action Party (ACT)	Community Action	No
The Flux Party — ACT	The Flux Party (Flux the System)	No

## New party registrations between the 2016 and 2020 elections

Eight political parties were added to the Register of Political Parties between the 2016 and 2020 elections. The Canberra Progressives registered in May 2020, the Belco Party (ACT) in June 2020, The Shooters, Fishers and Farmers Party (ACT), The Canberra Party, Democratic Labour Party (DLP), David Pollard Independent, Australian Federation Party Australian Capital Territory, Australian Climate Change Justice Party were all registered in July 2020. All parties lodged their applications prior to the legislated cut-off for new party registration applications on 30 June 2020.

There are several opportunities for public objections to applications to register a political party. Objections can be lodged upon public notification of an application for registration; a request for an internal review of a decision to register a party made by the Electoral Commissioner or the Commissioner's delegate can be made to the full Electoral Commission; and a review of a decision of the Commission can be sought before the ACT Civil and Administrative Tribunal.

There were no objections received to the applications for registration of any of the newly registered political parties.

## Party registrations cancelled between the 2016 and 2020 elections

During the period between the 2016 and 2020 elections, the registration of four parties were cancelled:

- Like Canberra (26 May 2017)
- VoteCanberra (9 June 2017)
- Australian Sex Party ACT (1 June 2018)
- Canberra Community Voters (9 May 2019).

The de-registrations of Like Canberra, VoteCanberra and Canberra Community Voters, were all made at the request of the party.

The de-registration of the Australian Sex Party ACT was cancelled on the grounds that the party no longer held at least 100 members who were electors. This determination was made through discussions with the party prior to de-registration.



## Changes to existing party names between the 2016 and 2020 elections

Two existing parties registered changes to their registered party name and registered abbreviation between the 2016 and 2020 elections.

The Community Alliance Party (ACT) changed its name to The Community Action Party (ACT) and the registered abbreviation changed to Community Action (previously Community Alliance) on 12 April 2019. No objections were received in relation to this change application.

Sustainable Australia (ACT) applied to change its registered abbreviation from Sustainable Australia to Sustainable Australia — Stop overdevelopment. Stop corruption. One objection was received in relation to this change application. The Deputy Electoral Commissioner is the Registrar of Political Parties in the ACT, acting as a delegate of the Electoral Commissioner. Following the objection to change the party's registered abbreviation, the Deputy Electoral Commissioner reviewed the objection and the applicant's response to the objection, and decided not to uphold the objection to the application. Subsequently, the objector sought an internal review of the decision of the Deputy Electoral Commissioner. The full Electoral Commission issued a stay order on the Deputy Electoral Commissioner's decision while it considered the application, objection and Deputy Commissioner's original decision. Ultimately, the full Commission upheld the Deputy Electoral Commissioner's decision and the change to the party's registered abbreviation was notified on 30 July 2020.

## Party register recommendations

The party registration process is an area requiring robust controls and ongoing scrutiny to ensure transparency for stakeholders and overall compliance with legislation.

The ACT Electoral Commissioner is the governing authority for the registration of political parties in the territory and is required to discharge these duties in line with the requirements for registration of a political party as documented in Part 7 (Sections 89 through 93) of the *Electoral Act 1992*.

## Party constitutions

To register a political party, an interested entity must submit an application signed by the secretary of the party; state the party's name and abbreviation; establish the inaugural individual to undertake the role of Registered Officer of the party; provide a list of names and addresses of at least 100 members of the party who are electors; and provide a copy of the party's constitution.

A party's constitution is an important document that details the inner workings of the registered political party. Under ideal conditions, it sets out, among other things, details about membership, voting rights within the party and decision-making processes, party structure, financial arrangements and mechanisms for changing the constitution. When items such as this are in place, it provides a solid foundation for the party to function and allows internal disputes to be resolved based on an agreed set of parameters and established rules. The Electoral Act however, with the exception of requiring a constitution to be lodged at the point of party registration application, is silent on the information to be included within a constitution.

In practice, the Electoral Commission provides a 'quality assurance' layer over the respective party constitutions at the point of application, ensuring, prior to final registration, that each constitution contains the information required for appropriate internal administration.

While the *Electoral Act 1992* (Part 7, section 89(e)) requires that each party undertaking the registration process provide a copy of their constitution, this is the limit of the legislation's requirements with reference to this key document. While this review process is of value and actively assists parties seeking registration, inadequacies in party constitutions are not grounds on which the registration of a political party can be denied. In theory, a party could submit a single sheet of paper headed with the party's name and the word 'constitution' and assuming the party complies in all other aspects of registration, the Electoral Commission would be obligated to accept the application.



In the Commission's view, the Electoral Act should be amended to mandate the inclusion of the following items within each political party's constitution:

- the party name
- party functions and objectives — which must include the promotion of the election to the ACT Legislative Assembly of a candidate or candidates endorsed by it
- membership requirements — who is eligible to join the party, different membership categories and how members are admitted to, suspended and expelled from the party
- the party's decision-making processes — including arrangements for party meetings and annual general meetings, how members are to be notified of meetings and the number required for a quorum
- office bearers of the party — including terms of office and must include a Secretary position
- details related to the keeping of the party's accounts — who is responsible and how bank accounts and financial matters are handled, as well as auditing and reporting requirements
- the mechanism for changing the constitution.

A recently concluded internal audit into the party registration process noted similarities in the issues within the constitutions lodged as part of the eight applications for party registration received prior to the 2020 ACT election cut-off:

- three of the eight parties did not identify whether party members could hold different levels of membership
- four of the eight parties' constitutions lacked clarity around Annual and General Meetings including:
  - lack of information as to what constitutes a quorum for the purposes of decision making
  - means of notifying members of upcoming AGMs and other significant party events
  - voting requirements and procedures for decision-making other than for the election of party officials.

This suggests that there is a lack of understanding among applicant political parties around the implications and importance of party constitutions in maintaining open and transparent processes and procedures that their members can rely on.

### **Recommendation 1**

The Commission recommends that the Electoral Act be amended to require parties to provide further details to be included within a political party's constitution as part of the registration process for ACT Legislative Assembly elections. This will provide the Commission with the power to ensure appropriate accountability and good governance within internal party structures.

## **Party secretaries**

It is a requirement of the Electoral Act for applicants seeking political party registration to have the registration application signed by the secretary of the party. The secretary of the party also has a number of other legislated powers under the Electoral Act. A critical power of the party secretary as prescribed under section 98 is:

*The Commissioner must cancel the registration of a registered party if the secretary of the party asks the Commissioner to cancel the registration.*

Other key powers include applying to change the particulars included in the register of political parties in relation to the party and appointing reporting agents for a party.

Section 95 of the Electoral Act requires an application to the Commissioner to change particulars included in the register of political parties in relation to the party. This includes an application to change the registered party name, registered party abbreviation or the person occupying the role of Registered Officer. The formal application triggers a 14-day objection period during which an individual may object to the change in writing.

No such requirement exists for the person occupying the role of party secretary. In fact, there is no requirement in the Act for a political party to inform the Commission that the person occupying the role of secretary has changed. Accordingly, when the secretary applies to the Commission to cancel the registration of the party, or appoint a reporting agent or any other of the legislated powers of the secretary, the Commission must seek some form of evidence that the person applying has indeed been formally ratified as the party secretary and is currently serving in that role.

Given the importance of the role of secretary and the accompanying legislated powers including cancelling a party's registration, the Commission considers there is a requirement to formally maintain the details of the party secretary as part of the ACT Party Register to provide enhanced transparency and governance.

### **Recommendation 2**

The Commission recommends that section 91(2) of the Electoral Act be amended to include details of the name and address of the person nominated to be the party secretary of the party. Doing so will make the name and address of the party secretary a 'registered particular' under the Act. This would ensure that any party wishing to change the person occupying the role of secretary would be required to formally apply to the Commission to do so, enhancing transparency and governance through the resultant 14-day objection period.

## Party membership checks

At least once in the life of each Assembly, the Electoral Commissioner conducts a membership check of each registered political party in accordance with Part 7 of the Electoral Act, in order to be satisfied that each party retains the right to be registered. Section 98 of the Electoral Act provides that the Commissioner must cancel the registration of a party if the Commissioner believes on reasonable grounds that the party does not have at least 100 members who are ACT electors.

Similarly, at the point of registration, the Electoral Commission must ensure that the list of 100 members provided as part of the registration application is a list of at least 100 individuals enrolled in the ACT who consider themselves to be members of the party.

Section 89(3) prescribes that the Commissioner may use name and address information obtained from the supplied membership list to identify whether the party has at least 100 members who are electors.

Accordingly, either at the point of registration or once during each election cycle, the Commissioner writes to each member on the supplied party lists requesting confirmation of their membership status.

Increasingly Elections ACT is finding that contacting members via email, rather than hardcopy letter, is a cheaper and more effective means of undertaking party membership checks. This negates the need for the member to lodge a hardcopy response. Accordingly, it is Elections ACT's practice to seek email addresses and date of birth details from the party in order to simplify the checking and confirmation process. However, Elections ACT has found that some political parties are reluctant to provide these details believing this could be a breach of information and privacy rules and decline to do so without a legislated requirement. Without this information, administration of the political party register is becoming less accurate. Fewer replies result in a smaller pool from which the Commissioner can make an informed assessment concerning a party's eligibility to become or remain registered.

### ***Recommendation 3***

The Commission recommends that section 89(1)(f) of the Electoral Act be amended to require parties to include the provision of date of birth and email address (if held), on the list of at least 100 members of the party who are electors.

# Nomination of candidates

A total of 137 candidates nominated for the 2020 election. This compared to 141 in 2016, 74 in 2012 and 86 in 2008. The increases in 2016 and 2020 are largely attributable to the increase in the size of the Assembly from 17 to 25 MLAs prior to the 2016 election.

Table 17 provides a breakdown by gender and electorate for the 2020 election, together with a total comparison with the 2016, 2012 and 2008 elections.

**Table 17.** Candidates by gender and electorate, 2020

Electorate		Male	Female	Total
Brindabella		15	8	23
Ginninderra		19	13	32
Kurrajong		12	16	28
Murrumbidgee		19	10	29
Yerrabi		18	7	25
ACT total	2020	83	54	137
	2016	90	51	141
	2012	50	24	74
	2008	60	26	86

Despite the significant difference in male nominations to female nominations, 14 of the 25 elected candidates were female in 2020.

## Non-party candidates

A non-party candidate is any candidate who contests an ACT Legislative Assembly election and is not running as a nominated candidate of a registered ACT political party.

To nominate for the election, a non-party candidate must be proposed by at least 20 electors who are enrolled for the electorate that the candidate is intending to contest.

Eight non-party candidates contested the 2020 ACT election. This represents a significant decline in non-party candidates contesting the election in comparison to the 2016 election (17).

Table 18 provides a breakdown by electorate of non-party candidates contesting the 2016 and 2020 ACT elections.

**Table 18.** Non-party candidates by electorate

Electorate	2016	2020
Brindabella	2	0
Ginninderra	8	1
Kurrajong	3	2
Murrumbidgee	2	3
Yerrabi	2	2
<b>Total</b>	<b>17</b>	<b>8</b>

## Nomination and election timetable recommendations

### Party nomination limits

Section 116 of the Electoral Act prescribes the manner in which group and candidate names must appear on a ballot paper. Section 116(2) limits the number of candidates per column to five, while section 116(3) prescribes that should there be more than five candidates in a party (referred to in the Act as a group), their names shall be printed in two or more adjacent columns of equal length.

No political party has ever chosen to run more candidates than there are seats to be won. It is with good reason that this is the case. Running more candidates is likely to dilute the party's vote; splitting the party across two columns and reducing the effectiveness of achieving a preference flow across the party. It would increase the risk of preference flows going across to other party columns before the second party column.

The potential for a political party to run more candidates than there are seats to be won, and its impact of splitting party candidates across two columns, significantly increases the complexity of administration for Elections ACT, particularly in relation to the testing and implementation of electronic voting.

Prior to every election, Elections ACT conducts extensive testing across its ICT electoral business systems to ensure they are functional and meet the Electoral Act's legislated requirements. This is a significant and critical undertaking and a sizable effort is made by Elections prior to each election to test for the correct implementation of this potential for parties to split their candidates across multiple columns.

Section 205F of the Electoral Act sets the expenditure cap for a party grouping based on the number of candidates the party is running per electorate or five,

whichever is the lesser. Accordingly, the campaign expenditure cap for a political party is limited to the electoral expenditure cap multiplied by a maximum of 25 candidates. In this way, the Electoral Act recognises that the maximum number of candidates that a party will be running is set at the number of members representing each electorate in the Legislative Assembly.

As there has been no history of political parties seeking to run more candidates than there are seats to be won, and strategically doing so would arguably be contrary to a party's interests, the Electoral Commission recommends amending the Electoral Act to limit the number of candidates that a registered political party can run, per electorate, to five.

#### **Recommendation 4**

The Commission recommends amending the Electoral Act to limit the number of candidates that a registered political party can run, per electorate, to five.

### **Election timetable**

The pre-election period for an ACT election commences 36 days before election day. In 2020, the pre-election period commenced on 11 September 2020. This date marks the commencement of the nomination period for an election.

The *hour of nomination* in relation to an election is 12 noon on the 23<sup>rd</sup> day before election day. This is the date and time that the Commissioner must declare the candidates who have nominated to contest the election. In 2020, the hour of nomination was 12 noon on 24 September 2020. Registered political parties and non-party candidates must have lodged their candidate nomination forms not later than 24 hours before the 'hour of nomination', equating to 12 noon on 23 September 2020.

Section 136B of the Electoral Act prescribes that early voting for an election begins on the 3<sup>rd</sup> Monday before election day. In 2020, early voting commenced on 28 September 2020.

This timetable provides very limited time (3½ days, including weekend days) between the formal declaration of candidates and the commencement of voting.

A significant amount of work must be undertaken during these critical three and a half days in order for the election to commence. Among other things, paper ballot papers must be configured, verified, printed and sent to early voting centres and interstate voting centres ready for the commencement of voting; electronic voting, telephone voting and overseas e-voting must be configured including the audio recording of all candidate names, the establishment, configuration and final testing of early voting centre servers and Local Area Networks (LANS), configuration and final testing of the LAPPERDS ICT business system and in particular the results display system; preparation of the first batch of postal votes for distribution on the first day of early voting; and candidate statements must be received, reviewed, approved and published. None of these critical tasks can be commenced or completed until after the 'hour of nomination'.

This election schedule puts enormous stress upon the staff of Elections ACT and increases the risk profile of the agency. A human error in any one of these critical tasks could place the success and integrity of the election at risk.

The Electoral Commission seeks a further 24 hours under which these tasks can be completed. While such an amendment would have the effect of reducing the timeframe for parties and non-party candidates to lodge their nomination forms from a period of 12 and a half days, currently ending at noon on a Wednesday, to 11 and a half days and ending on a Tuesday, the Commission would be provided with four and a half days, from noon Wednesday of the same week, to conduct all of the tasks discussed above. This would significantly reduce the operational and health and safety risks inherent in the current election schedule.

#### **Recommendation 5**

The Commission recommends amending section 108(3) of the Electoral Act to read: 'The *hour of nomination* in relation to an election is 12 noon on the 24<sup>th</sup> day before polling day for the election'.

# 2020 election information and education campaign

**Noting that the 2020 ACT election was to be held in the midst of the COVID-19 pandemic, Elections ACT undertook an extensive five-stage communication campaign leading up to the 2020 election, focussing on 'Election safety', 'Enrol to vote', 'Vote now', 'Formal voting' and 'Check the source'.**

New advertisements for each phase were created and screened on television, aired on radio, printed in various newspapers and magazines, and on a range of online channels and social media in the months leading up to the election.

The key messages communicated to ACT electors included:

- an election for the ACT Legislative Assembly would be held between 28 September and 17 October 2020
- voting was available to all electors during the full voting period 28 September and 17 October 2020 and electors were encouraged to vote early to ensure COVID safety
- when and how potential voters could enrol
- voting at one of the 15 early voting centres prior to election day was encouraged
- electronic voting was available at each of the 15 electronic voting locations
- physical requirements of the election, such as where and when to vote, what to do in special circumstances (including information on early voting, postal voting, overseas e-voting and voting at polling places on polling day)
- strict safety measures to be implemented to ensure the COVID safety of the community and election workers
- voting is compulsory
- how to cast a valid and informed vote (including an explanation of the implications of preference choices, such as numbering only one box, numbering the number of boxes for which there are seats in the electorate, or giving preferences to as many candidates as the electors wish)
- informing voters, parties and candidates of the 100-metre ban on political canvassing outside polling places
- raising awareness of the need to consider and review the source of electoral communication so that electors can avoid being misled by disinformation and can cast an informed vote at the ACT Legislative Assembly election.

Information was also provided to potential candidates and political parties to ensure they understood the requirements they needed to meet in order to actively participate in the election.

The Commission worked closely with an external service provider to modernise the look and feel of the election information campaign by updating artwork and incorporating new branding and formatting for the 2020 election, while maintaining the previous advertising tagline — *Your Canberra. Your Voice.*

The information campaign included the following methods for engaging electors:

- television, radio, newspaper and online advertising
- media releases
- mail-outs of two separate information booklets to every household in the ACT
- SMS phone messages and emails using information provided by electors on their enrolment forms
- bus shelter advertising
- 'Out of home' advertising, such as digital shopping centre and building foyer advertising
- establishing a contact centre with Access Canberra
- Elections ACT website
- Social media — Facebook, Twitter, YouTube; and
- providing targeted information for people with disabilities and their family members or carers, those experiencing homelessness, those from culturally and linguistically diverse backgrounds and those from the Aboriginal and Torres Strait Islander community within the ACT.

In addition, relevant election information was included in the Access Canberra call centre messages aired while callers were waiting on the phone to speak to an operator. The advertisements and messages were changed to coincide with the relevant phase of the election campaign.

Large format ads were displayed in bus shelters at various locations around Canberra, targeting the 'Vote now' element of the campaign, while large format digital ads were displayed in shopping centres targeting enrolment, COVID safety, 'vote now' and formal voting.

The earliest ACT election related media release was issued in March 2020, setting out the deadline for applying to register new political parties. Over the following months, Elections ACT worked to increase awareness of the election by briefing journalists and



political participants, and by generating news stories in the media including Elections ACT's social media channels. Elections ACT recognises the important role played by the general media in assisting Elections ACT to provide factual information about the election such as: key dates, encouraging engagement, and correcting misconceptions.

School and community group programs, as previously conducted by Elections ACT, were unable to be conducted during the 2020 ACT election period due to health and safety concerns related to the COVID-19 pandemic.

## Formal advertising campaign

Elections ACT's formal advertising campaign commenced in late July 2020 with social media-only digital advertisements related to the *Check the Source* campaign (discussed in more detail below).

From 31 August 2020, Elections ACT commenced the *Enrol to vote* phase of the campaign aimed at ensuring eligible ACT electors were correctly enrolled before the preliminary close of roll cut-off date of 6:00pm on 11 September 2020. The *Enrol to vote* phase included, digital advertisements, social media, 'Out of home' advertisements, television commercials, radio and press ads, concluding on 11 September 2020.

Running between 6 September and 7:00pm on 16 October 2020, the *Vote Safe, Vote Early* phase was conducted on television, radio, press, online and 'out of home'. This phase focussed on the COVID safety measures in place at polling locations and encouraged electors to vote early to enhance public safety. The locations of each of the 15 early voting centres were also provided as part of this critical advertising phase.

The *Vote now* advertising phase began as soon as early voting commenced on 28 September, running until the end of election day on 17 October 2020. The *Vote now* campaign phase included, digital advertisements, social media, *Out of home* advertisements, television commercials, radio and press ads. This phase encouraged all electors to vote during the three-week early voting period, highlighting that electors could vote on any day, including weekends and public holidays, between 9:00am and 5:00pm and until 8:00pm on Fridays. This phase also ensured electors understood that voting is compulsory.

The *Formal voting* phase of the information campaign was the shortest of the five phases, running only from 15 October until the end of election day on 17 October 2020. Electronic voting does not allow unintentional informal voting and history has shown a higher informality rate through traditional paper ballots. As each of the early voting centres included electronic

voting, and prior experience from previous elections had shown that approximately 90 per cent of votes cast at an early voting centre are cast electronically, the formal voting phase was deemed to be of most value only in the lead up to election day itself, at which point paper-based voting would see a significant rise, due to the increased number of traditional polling places. The formal voting phase provided a reminder to electors to vote by 6:00pm on 17 October 2020 and advised against the use of ticks and crosses on a ballot paper. The phase stressed the use of numbers to indicate voting preferences, advising to number at least five boxes and cautioned against repeating any number. This phase also ensured electors understood that voting is compulsory.

Each of the advertising phases highlighted the Elections ACT website [www.elections.act.gov.au](http://www.elections.act.gov.au) as the most appropriate place for sourcing accurate and up-to-date election information.

The first mail-out was an information pamphlet delivered to all households in September 2020, ready for the commencement of early voting on 28 September. The core messages of this pamphlet highlighted that the ACT election would be different in 2020 due to the impact of the COVID-19 pandemic; informed all electors of the availability of voting early; highlighted the COVID safety measures in place at all voting locations; highlighted each of the five electorates and the early voting locations in each of those electorates; indicated how to mark the ballot paper correctly; informed voters of arrangements for alternatives to voting in person; and reminded electors of the availability of electronic voting and how to use it.

The second household mailout took place in the week prior to election day and focussed on providing key information for those electors who had not yet voted at an early voting centre and may be planning to vote on the final day of the election period, 17 October 2020. The booklet provided information about the Hare-Clark ballot paper, including information on Robson Rotation; maps of the five electorates and the locations of polling places open on election day; and information on how to correctly fill in a ballot paper.

## Check the source

In an effort to raise awareness of the need to consider and review the source of electoral communication to avoid electors being misled by disinformation at election time, Elections ACT implemented for the first time, an information campaign phase called *Check the source*.

The *Check the source* campaign phase was conducted digitally, utilising social media through paid advertisements. The phase encouraged electors to



review and consider the source of the electoral material they were exposed to, directing interested individuals to the Elections ACT website for further information about disinformation and how to manage it.

The Commission considers the *Check the source* campaign to be a success. Market research exit polling conducted for the Commission at polling places indicated that around 31 per cent of respondents recalled seeing the *Check the source*-related material and 81 per cent of those found the information useful. It is intended that this campaign be continued in future elections.

## Social media

The Commission made regular use of social media in the lead-up to and during the 2020 election to engage voters. The social media tools used during the campaign included Facebook, Twitter, Instagram and YouTube.

Market research exit polling conducted for the Commission at polling places indicated that around 20 per cent of respondents recalled seeing Elections ACT social media material with 93 per cent of those finding the information 'highly useful'.

## Public relations activities

A range of public relations activities were undertaken during the election period. These activities succeeded in generating positive coverage of the Commission's election messages.

Public relations activities included:

- issuing 11 election-related media releases in September – October 2020
- radio, television and newspaper interviews conducted by the Electoral Commissioner
- social media posts
- photo and television opportunities in order to draw attention to aspects of the election, particularly voting by computer and early voting
- webinars for media and political participants to ensure accurate dissemination of key election information
- public events, including the declaration of the nominations and draw for ballot positions on the ballot papers and the official declaration of the poll.

## Access Canberra Contact Centre

A call centre is an essential component of an election information campaign. The Commission once again contracted Access Canberra to establish a contact centre team to answer simple enquiries related to the election. More complex enquiries were managed by Elections ACT staff.

The dedicated ACT election contact centre team operated out of the Access Canberra contact centre environment, for seven-weeks prior to the election and for the initial half of the week following. The team's size was expanded for the 2020 election in anticipation of an increase in the number of calls due to the impact that the COVID-19 pandemic may have on the election. The Commission provided information and resources to support the team in relation to a variety of inquiry areas together with training in election content and procedures. Training in customer contact skills was provided by Access Canberra.

Some 6,307 calls were answered by the dedicated ACT election team contact centre. This represents an 18 per cent increase on the number of calls taken during the 2016 election. This increase in calls is likely due to the significant changes made to delivery of voting services to minimise possible exposure of electors and election workers to the COVID-19 virus.

An in-house team of Elections ACT staff, employed from 12 weeks before the election and for the week following, responded to the more complex phone inquiries; dealt with all email inquiries and provided registration and assistance for eligible telephone voters. The team handled almost 1,000 calls, nearly twice the number for the 2016 election, along with approximately 5,000 emails.

## Activities aimed at people with special needs

A key component of the Commission's communication strategy was to assist voters with special needs, including people from culturally and linguistically diverse backgrounds, electors experiencing homelessness and people with disability, including vision or hearing impairment. The focus was on ensuring people understood the compulsory nature of enrolment and voting, where to vote and how to cast a valid vote at the election.

Elections ACT undertook a range of activities to encourage participation of members of the multicultural community, however the Commission was unable to engage bilingual educators in the manner of previous elections, due to the health and safety concerns related to the COVID-19 pandemic. Elections ACT undertook the following multicultural related activities:

- analysed the language needs of the ACT multicultural community to identify the most appropriate language groups to target with information material (using ABS Census data and Department of Home Affairs data on citizenship, the Commission identified 11 languages to be used in addition to English: Arabic, Croatian, Chinese

(Mandarin), Greek, Italian, Korean, Lao, Persian (Farsi), Serbian, Spanish and Vietnamese)

- provided printed electoral information in the targeted languages to be disseminated into shops, places of worship and community groups or organisations
- provided electoral information in the targeted languages on the Elections ACT website
- inserted short information articles/advertisements targeting specific aspects of the election, such as the 'vote now' message, in language newspapers stocked by ACT newsagents as well as the ACT Multicultural Community eNews Bulletin published by the Office of Aboriginal and Torres Strait Islander Affairs (ATSIA)
- provided instruction screens at electronic voting terminals in 12 languages
- employed the Translating and Interpreting Service (TIS) to assist callers requiring an interpreter, ensuring the TIS information panel was printed on Elections ACT publications, where possible, and encouraging electors with limited English to make use of the service to assist with understanding electoral information
- provided electoral information in the targeted languages to Radio CMS (Canberra multicultural radio station) for the broadcast of electoral information to Canberra's multicultural community.

The Commission also provided targeted information to members of the community as a way to encourage participation from people with special needs.

The Commission:

- provided election information to community groups in the homelessness and disability sectors for inclusion in their newsletters and dissemination to their members
- set up a polling location specifically for electors experiencing homelessness;
- made alternative formats of printed publications available on request
- arranged for the Elections ACT election guides to be read on Radio 1RPH (radio for the print-handicapped) and for the guides and other election relevant information to be sent to their network members as audio files. This information was also available on the Elections ACT website and in Canberra public libraries.

The Commission, with the assistance of the Office of Aboriginal and Torres Strait Islander Affairs, also produced a pamphlet using an indigenous theme with key messages for distribution to the Aboriginal and Torres Strait Islander community. Posters with the same theme were displayed at indigenous community venues.

## Elections ACT website

In the lead-up to and during the election period, Elections ACT continued to make extensive use of its website [www.elections.act.gov.au](http://www.elections.act.gov.au) as a means of providing election information and services. Large numbers of users accessed the specific 2020 election webpages which included information on the list of early voting centres and election day polling places, electronic voting, the election timetable, electoral boundaries, COVID-19 safety, candidate information and contact details. The website also included webpages dedicated to information for candidates, information for voters, overseas or interstate electors, frequently asked questions, and links to election related factsheets.

Results from exit polling conducted on behalf of Elections ACT indicate that 50 per cent of voters used the Elections ACT website to access election and voting related information. This is an increase from 39 per cent at the previous election in 2016. Of those who access the website, 93 per cent reported a 'very high level of satisfaction' with the information provided, which is consistent with other recent elections. Only 1 per cent of those surveyed were not able to identify the information they were seeking.

Before the election period began, the number of website users of the Elections ACT website averaged 149 per day. In September, this increased to an average of 3,175 users per day. From the beginning of the official election period on 11 September, until the Sunday before the final election week, the average number of visitors to the site increased to an average of 4,428 users per day. During the election week, from 12 October until 17 October, the average rose to 15,100 users per day. The largest number of users unsurprisingly, occurred on election day, 17 October, when 39,722 users accessed the site. Following election day, site access steadily declined, averaging 4,363 users in the week immediately following election day, a time during which election results were being finalised and declined to 833 users per day for the remainder of October, once the final election results were known.

## Election results website

On and after polling day, users accessed the on-line election results systems displaying election results in tabular and graphical forms. Users were able to view results by electorate, party and polling place as well as an election overview table, presenting results data by both electorate and party.

Following the close of polls at 6:00pm on election day, an interim distribution of preferences including all electronically cast early votes was published on the website at around 6:20pm. A further

interim distribution of preference, which added all electronically cast votes taken on election day to the electronically cast early votes, was published on the website at around 10:00pm.

Similar to the practice from previous elections since 2008, the 2020 virtual tally room allowed the media (particularly the ABC) to regularly download up-to-date election results through an automatically generated media file. This media file then forms the basis of the media's own on-screen and web-based reporting platforms.

## Candidate information

On 9 July 2020, the *Electoral Act 1992*, was amended through the *Electoral Legislation Amendment Act 2020*, to 'require the Electoral Commissioner to publish information about candidates for an ACT election on the Election [sic] ACT website'.<sup>3</sup>

This matter was the focus of some discussion as part of the Inquiry into the 2016 ACT election and the Electoral Act and following the publication of the Select Committee report in relation to this inquiry, the Commission formally noted its disapproval of the proposition.

*Whilst acknowledging the utility of a central point of access for voters seeking candidate information, the Commission considers that provision of this is not an appropriate role for the Electoral Commission. The risk of unintended or perceived bias in presentation and accuracy of candidate information would seriously undermine and threaten the independence and impartiality of the Commission.*

*The Commission wishes to restate that it will continue to host a webpage during the election period, providing links to individual candidate and party webpages and social media accounts, as supplied by each entity at the time of nomination.*<sup>4</sup>

The Electoral Commission has not altered its view on this legislative provision following its inaugural implementation at the 2020 ACT Election.

The Electoral Commission maintains the view that its independence and reputation for impartiality are put at risk through the requirement for it to be involved in political canvassing on its website. The Commission continues to agree that the community can benefit from a single location under which they

may find important candidate and campaign material, but remains strongly of the view that this is not an appropriate role for the Electoral Commission.

Only 26,777 users accessed the Candidate Statement section of the Elections ACT website, 8.8 per cent of the ACT's electorate.

In the implementation of this legislation in 2020, the Electoral Commission was required to make judgments as to whether content within the statements could be perceived as 'obscene, defamatory or otherwise unlawful' [section 110A(6)]. Making such judgements is inherently risky and open to accusations directed at the Commission of partiality.

The 2020 ACT election saw the publication of a new ACT election-focussed voting advice application, Smartvote Australia, which is a project of the Australian National University. The application functions by asking each candidate 32 questions on a wide range of policy issues and then asking voters those same questions. Users then receive a ranked list of candidates who best match their political profile.<sup>5</sup>

Smartvote Australia reports that 42,302 users accessed the service as part of its ACT election coverage, 13.8 per cent of the ACT's electorate or 15,525 more users than accessed the Elections ACT website's legislated candidate statement pages. This demonstrates the application of external solutions to the issues raised as part of the 2016 ACT election inquiry.

### Recommendation 6

The Commission recommends amending the Electoral Act to remove section 110A which requires the Electoral Commission to be involved in the publication of political campaign canvassing on behalf of candidates and parties.

While the Electoral Commission holds strong views on the removal of section 110A, should the Assembly continue to see the publication of these webpages as an appropriate service to be provided by the Electoral Commission, amendments to the current law are required.

Section 110A(1) of the Act, without obvious reason, sets the timeframe for the commencement of the provision of candidate statements to the Commission, as 'after the declaration of candidates'. Section 110A(9)(c) sets the word limit for candidate statements at 'not more than 500 words'. Three and half days (which includes two weekend days) separate the declaration of candidates and the commencement of voting, at which point it is most logical that the provided statements are made available to the public on the website. A total of

<sup>3</sup> Electoral Legislation Amendment Bill 2019, Amendments to be moved by Caroline Le Couteur MLA, Supplementary Explanatory [sic] Statement, 2 July 2020, [www.legislation.act.gov.au/View/es/db\\_61042/20200702-74572/PDF/db\\_61042.PDF](http://www.legislation.act.gov.au/View/es/db_61042/20200702-74572/PDF/db_61042.PDF), p.2.

<sup>4</sup> ACT Electoral Commission response to Select Committee on 2016 ACT Election and the Electoral Act, tabled 5 June 2018, [www.parliament.act.gov.au/\\_data/assets/pdf\\_file/0019/1208017/ACT-Electoral-Commission-response-to-Select-Committee-on-2016-ACT-Election-and-the-Electoral-Act-tabled-5-June-2018.pdf](http://www.parliament.act.gov.au/_data/assets/pdf_file/0019/1208017/ACT-Electoral-Commission-response-to-Select-Committee-on-2016-ACT-Election-and-the-Electoral-Act-tabled-5-June-2018.pdf), p.7.

<sup>5</sup> Smartvote Australia website <https://act.smartvote.org/en/home>

137 candidates ran for election in 2020, only 14 did not submit statements. Such a limited timeframe confers unnecessary delays to the considerable work that is required in order to review, prepare and publish this vast number of candidate statements ready for the critical voting period.

### **Recommendation 7**

In lieu of the preferred option to remove section 110A in its entirety, the Electoral Commission recommends amending section 110A so that candidates and registered officers may lodge their candidate statements at the point of nomination to provide an increased and staggered timeframe in which to implement the publication requirement.

## **Exit polling**

The Electoral Commission engaged an external service provider to undertake an evaluation of voter satisfaction with the 2020 election polling place services (including electronic voting), voter knowledge of voting procedures, and an assessment of the impact of the public information program conducted by the Commission. Similar evaluations have been conducted for all elections since 1995.

Random intercept exit interviews were conducted with voters as they departed the polling place throughout the early voting period and on election day. Interviews were conducted with 636 voters across a random selection of 21 different early voting and election day polling places.

The key findings of the research were:

- When asked to rate their overall voting experience, 98 per cent of voters expressed satisfaction (98% in 2016), with 73 per cent claiming to be very satisfied (63% in 2016).
- Around eight in ten voters (81%) could recall seeing, hearing or reading material from the Elections ACT public information campaign (89% in 2016) and 83 per cent of these voters advised that this information was useful (79% in 2016).
- The strongest information campaign 'reach' was again achieved by the Elections ACT letterbox delivered material (with 72% of voters recalling receiving the material (76% in 2016) and 90 per cent of those voters reported reading it (82% in 2016), followed by Facebook (31%) and the Elections ACT website (29%).
- Of the other forms of publicity, television commercials reached 18 per cent, radio advertisements reached 14 per cent of voters, bus

stop posters reached 14 per cent of voters and *The Canberra Times* advertisements reached 6 per cent of voters.

- 77 per cent of those electors who accessed the Elections ACT website did so to find out the location of polling places (72% in 2016) and 36 per cent to source information about voting before election day (17% in 2016).
- Voter awareness of the name of their electorate was again strong with 91 per cent correctly identifying the name of their electorate (86% in 2016), but voter awareness of the number of members to be elected in their electorate continued its downward trend dropping from 54 per cent in 2016 to only 40 per cent in 2020.
- Consistent with results from previous elections, 2020 ACT election voters surveyed expressed satisfaction with:
  - polling place staff helpfulness (97%)
  - polling place staff efficiency (96%)
  - polling place staff friendliness (97%).
- Electors who perceived the instructions to complete their ballot as inadequate remained reasonably steady at 2 per cent for both the 2016 and 2020 elections.
- 86 per cent of voters agreed that the election was conducted impartially and without bias; a consistent result with 2016 reporting, the first time such information was recorded.
- The majority of voters (86%) experienced no inconveniences at polling places, consistent with 2016 reporting.
- With regard to queuing at polling places, nearly 98 per cent found the queue lengths at polling places acceptable, with 8 per cent highlighting queue length to be a specific inconvenience in 2016 and only 1 per cent in 2020.
- 95 per cent of voters surveyed at an electronic voting polling place actually voted using electronic voting (89% in 2016) and of these voters, over 96 per cent rated this system easy to use (90% in 2016), 98 per cent as fast and efficient (94% in 2016), and 95 per cent said it had clear instructions (92% in 2016).

Detailed findings from the research can be found at Appendix 2 from page 85.



# Voting

A total of 273,143 electors cast votes that were admitted to the scrutiny at the 2020 election. This represents a turnout of 89.2 per cent of estimated eligible citizens. The turnout was 0.9 per cent higher than for the 2016 election (88.3%) and the highest turnout of the last five ACT elections. This outcome is significant considering that the 2020 election was run during a world-wide pandemic. 2020 also continued the trend for taking the highest absolute number of votes in an ACT Legislative Assembly election (compared to 250,460 in 2016; 229,125 in 2012 and 220,019 in 2008). The turnout of voters is discussed above under Electoral roll above.

A historical Australian record of 76.2 per cent of all votes cast at the 2020 election was achieved by voters who voted before election day (38.9% in 2016 and 31.2% in 2012). Votes cast at an early voting centre accounted for 69.9 per cent of all votes cast (33.7% in 2016 and 26.9% in 2012) and postal votes accounted for 6.3 per cent (5.2% in 2016 and 4.3% in 2012). Table 19 shows the percentage of ordinary, early and postal votes for each ACT election since 1995.

Table 19 shows that the 2020 election was particularly noteworthy in a number of respects. The 2020 election saw the highest ever proportion of postal votes, albeit only a small increase when compared to the increase in early votes; the highest ever proportion of declaration votes; and the lowest ever proportion of ordinary votes.

**Table 19.** Percentage of votes cast by vote type

Year	Percentage (%)			
	Ordinary	Postal	Early vote	Declaration
1995	86.1	2.4	10.6	0.9
1998	84.1	2.8	12.2	1.0
2001	83.8	3.2	12.4	0.6
2004	81.4	3.1	14.7	0.9
2008	75.0	4.4	20.3	0.4
2012	68.4	4.3	26.9	0.4
2016	61.0	5.2	33.7	0.1
2020	22.7	6.3	69.9	1.1

Details of numbers of votes cast by vote type and electorate are in Tables 5–11.

## Legislative Assembly Polling Place and Election Results Display System (LAPPERDS)

### Electronic rolls for polling

In 2020, Elections ACT continued to build upon the success of the LAPPERDS (previously eLAPPS) system that was first introduced at the 2012 election. In preparation for the 2020 election, the system was again updated to increase functionality and improve system processes and efficiencies. The aim of LAPPERDS is to replace as much of the polling place's managerial paperwork as possible with electronic transactions and improve the accuracy and efficiency of electoral roll search and mark off.

The active search function and the additional search functionalities of LAPPERDS again proved highly effective in speeding up the transaction time when searching and marking electors on the electoral roll and processing electors through a polling place.

LAPPERDS was also designed to reduce the number of apparent multiple votes by transmitting each roll transaction back to a central database, which in turn collated all the recent transmissions from all polling places and re-transmitted them across the ACT so that all roll mark transactions appeared on all LAPPERDS computers across the jurisdiction in near real-time. The transmission of electoral roll marks in 2020 was highly successful. By the end of voting on election day over 253,000 names had been marked on a laptop and then transmitted, collated and dispersed to all units across the ACT. A further 17,000-plus electors had their postal vote processed on the system after election day. These votes were uploaded into LAPPERDS in order to achieve a single central record of voters and non-voters.

### Polling place management tasks

In 2020, LAPPERDS again allowed for the majority of polling place managerial paperwork to be replaced by electronic systems. Following the 2016 election, Elections ACT reviewed the performance of LAPPERDS and implemented a number of functionality and security improvements prior to the 2020 election. These improvements included, among other things, the ability to electronically record 'Elector Information Reports' rather than the traditional means of manually recording minor errors in roll information reported by electors in polling places; the ability for Elections ACT to host video web-calls with officers-in-charge (OIC) of each polling location, allowing for immediate and

efficient management discussions should the case arise; and the ability to bulk upload result count data to amend minor counting errors reported by polling places so that the election results website reflected the accurate counts achieved after ballot papers had been scanned.

LAPPERDS in 2020 continued to keep track electronically of the number of blank ballot papers received by the OIC, and then reconcile that number with the number of votes issued for each of the electorates, ensuring that a balance is obtained with the number of unused ballot papers and the number of votes in the ballot box at the conclusion of voting. This automation allows the OIC to concentrate their time after the polls close on achieving an accurate count for each electorate and allows for more timely reporting of final polling place results, compared to the traditional manual reconciliation processes used in the ACT prior to 2012 and still used in other state and federal jurisdictions. This capability and its benefits for fast and accurate results transmissions, together with the significant uptake of early voting in 2020 saw a record time achieved for the conclusion of key election night activities. In 2016, 73 per cent of polling places had finalised and transmitted their results by 9:00pm, which itself was a significant improvement on all previous elections. In 2020, 92 per cent of polling places had completed their reporting obligations in full by 9:00pm. Of the remaining 8 per cent, all but one polling place had transmitted results for four of the five electorates by 9:00pm, resulting in 98 per cent of all electorate results available to the public by 9:00pm. The average reporting completion time was 7:47pm; just one hour and 47 minutes after the polls closed at 6:00pm.

### **Improvements for LAPPERDS in 2024**

2020 was the third use of LAPPERDS at an ACT Legislative Assembly election after its debut in 2012. As was the case at both the 2012 and 2016 elections the use of LAPPERDS in polling places and as a management tool within Election HQ was highly successful. The system will again be reviewed following the 2020 election in preparation for the 2024 election to improve functionality and address minor issues that arose during the 2020 election.

## **Early voting**

As a result of the real and potential impact of the COVID-19 pandemic upon the ACT election, and following a structured planning process, the Commission made a recommendation to the Legislative Assembly for an Electoral Act amendment to remove the eligibility requirement for electors to access early voting services. With agreement from the Assembly, through the passing of the *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)*, the amendment allowed all ACT electors to vote early utilising an expanded early voting service.

Ultimately, the Electoral Commission provided for 15 early voting locations, open every day of the voting period, including weekends and public holidays, between 9:00am to 5:00pm and with extended 9:00am to 8:00pm hours on Fridays. Targeted preventative health measures were implemented at each polling location throughout the election to further mitigate COVID health and safety risks.

Early voting centres were located in Belconnen, Chisholm, Civic, Dickson, Flynn, Gungahlin, Harrison, Kippax, Lanyon, Manuka, Tuggeranong, Weston Creek and Woden in the three weeks before election day, commencing on Monday, 28 September 2020.

Electronic voting was provided at all early voting centres.

A total of 189,580 early votes were cast in 2020, not including postal votes. This equated to 69.4 per cent of all votes cast. This is a significant increase on 2016 levels (33.4%). In 2012 and 2008, early voting centre votes accounted for 26.9 per cent and 20.3 per cent of all votes respectively.

Of the early votes cast in 2020, 179,101 were cast electronically, representing 94.5 per cent of votes cast early. This is another significant increase in both absolute numbers (72,203 in 2016 and 50,767 in 2012) and percentage terms (86.2% in 2016 and 82.3% in 2012).

The early voting centres were also used as polling places on polling day, with electronic voting available at those locations. This replicated the practice of all previous elections since 2001.

Details of the numbers of early votes cast at the 2020 election are at Tables 6–11.



## Electronic voting

Elections ACT's electronic voting and counting system, eVACS®, used previously at the 2001, 2004, 2008, 2012 and 2016 elections, again proved highly successful. In 2016, nearly one in three voters (81,538) used the ACT's electronic voting system. In 2020, this figure increased to over seven in ten electors (192,892).

eVACS® continued to provide benefits to the ACT electoral system through a reduction in inadvertent informal votes, providing an early indication of the likely election result on election night and a faster completion of the final election results less than a week after election day.

### Changes made to eVACS® since the 2016 ACT election

Following the successful conclusion of the 2016 ACT election, Elections ACT engaged an independent consultancy to review the past performance of the eVACS® system and provide advice and guidance for electronic voting services for the ACT into the future. The report found that eVACS® had provided an effective, robust and reliable electronic voting solution for the ACT, with strong and mature data management protocols, but recommended improvements in design, functionality and security to ensure its suitability and integrity into the future.

Accordingly, in preparation for the 2020 ACT election, the ACT Electoral Commission commenced the first major redevelopment upgrade of eVACS® since the system's inception. Capital funding of \$0.477 million over the three years from 2018–19 to 2020–21 was provided for an upgrade of the eVACS® system in preparation for the 2020 election.

Building upon the already significant security and integrity design and configuration features, Elections ACT's upgrade project primarily focussed upon implementing contemporary security to ensure continued community trust. Security and integrity improvements included updating the system to use contemporary encryption and hash-code standards, increased access controls and re-coding the software suite into Ada, a premier programming language specifically for engineering safe, secure and reliable software.

In addition, Elections ACT implemented the first major improvement to the functionality to eVACS® since its inception. From its first use in 2001, voters navigated through the voting system using an altered number-keypad. The various keypad buttons allowed the user to move across the ballot paper and to make their selections of candidates. While this was an effective

and relatively straight forward means of operating the system, it did have the effect of causing some users to question the system's integrity, believing that the aging interface had direct correlations to the system's ability to receive and store their votes securely. To address these negative perception issues and to ensure eVACS® was modernised appropriately for the future, a new touch-screen user interface was introduced for the 2020 election.

### Deployment of electronic voting for the 2020 election

Electronic voting was deployed in the 15 early voting centres located across the ACT (see *Early voting* above). These same locations also had electronic voting on election day. Traditional paper ballots were also available at each of these electronic voting centres.

Staff of Elections ACT set-up the early voting centres with a voting server and a number of electronic voting terminals, dependant on the size and location of the centre. One electronic voting terminal was specifically established to assist electors who had a requirement to being seated or in a wheelchair, or for electors with vision impairment.

Each electronic voting booth was equipped with a 23-inch touch-screen voting display, QR code reader, and instruction poster.

The electronic voting booths configured to suit vision-impaired electors included headphones and a telephone-style keypad to assist the user to navigate through the system as audio instructions explained the screen elements to the voter.

To address a 2016 usability issue relating to an intermittent occurrence — where electors were scanning their barcode without incident to begin the voting process, but experienced difficulties in scanning the same barcode a second time to finalise their vote — Elections ACT implemented a change to how electors commenced and completed their voting session. Prior to the 2020 election, Elections ACT replaced the aging barcode technology with two-dimensional QR codes. This change appears to have had the desired effect of eliminating the vote conclusion issue.

At each election since the introduction of electronic voting, the number of voters using electronic voting has increased. In 2020, due largely to the amended delivery model responding to the COVID-19 pandemic and the active encouragement of early voting, the rate of electronic voting experienced its greatest surge in use since its introduction. 192,892 electronic votes were cast in 2020 or 95.6 per cent of votes cast at electronic voting centres (and 70.6% of all votes cast).

**Table 20. Votes cast electronically**

	2004	2008	2012	2016	2020
Total number of votes cast at early voting centres	30,391	44,635	61,660	83,807	189,580
Number e-votes at early voting centres	20,722	36,323	50,767	72,203	179,101
Percentage (%) of e-votes cast at early voting centres	68.2	81.4	82.3	86.2	94.5
Total number of e-votes cast	28,169	43,820	59,200	81,538	192,892
Percentage of e-votes cast in the election	13.4	19.9	25.8	32.6	70.6
Total votes issued at e-voting centres on election day*	11,710	9,312	10,163	9,849	12,479
e-votes issued at e-voting centres on election day	7,447	7,497	8,433	9,335	12,185
Percentage (%) of e-votes cast on election day at e-voting centres	63.6	80.5	83.0	94.8	97.6

\* The number of electronic voting centres issuing electronic votes on election day has differed since electronic voting was introduced. Four electronic voting centres issued electronic votes on election day in 2001; eight issued electronic votes on election day in 2004; reducing to five centres in 2008; and then six centres issued electronic votes on election day in 2012 and 2016. Fifteen locations were open in 2020.

Tables at Appendix 1 show the number and percentage of paper ballots and electronic votes by electorate cast at the 15 electronic polling places in 2020; however, where fewer than 20 paper votes were taken at some electronic voting centres, these were counted under the Central Scrutiny category. These are not included in the tables at Appendix 1. The table above includes votes counted under the Central Scrutiny category in 2020, where fewer than 20 paper votes were taken at some electronic voting centres. This includes 243 votes cast at early voting centres and 425 votes cast at that same locations on election day.

### Electors not completing their electronic vote

While software and procedural changes, implemented following the 2016 election to improve security and usability, were largely a success, it was apparent that efforts to reduce the occurrence of electors not completing their electronic vote were not completely effective.

There remained a continuation of the issue from previous elections where voters did not scan the barcode/QR code to end the voting session. This has the consequence that a vote is not recorded and the barcode/QR code was effectively 'discarded' (such votes are considered blank informal votes).

It is estimated that the number of electors who were issued with a barcode, but who did not record an electronic vote was around 295 in 2008, 180 in 2012 and 430 in 2016. Improvements in the way Elections ACT was able to identify these apparent discarded barcodes in 2016 may explain the increase in numbers between 2012 and 2016 rather than there actually being a sharp spike in occurrences in 2016. It is also likely that a proportion of apparently 'discarded' electronic votes were deliberately unused. In these cases, voters issued with barcodes/QR codes may have deliberately placed their unused code directly into the ballot box, in

the same way that people wishing to vote informally will place a blank ballot paper in the ballot box.

In preparation for the 2020 election, eVACS® was adjusted so that the final screen of the voting process, along with providing the elector with advice that their vote had been lodged, was coloured green; a significantly different colour to the background colour of all other eVACS® voting screens. This amendment was designed to provide electronic voting staff undertaking the role of e-voting officer to quickly and efficiently identify electors leaving the voting centre who had not officially completed their voting session, indicated by a green screen not being visible. Additional training was also provided to staff assigned to electronic voting centres to be alert to such a possibility and to call back any 'offending' elector before they left the venue.

Elections ACT also attempted to gain a better means of recording the numbers of electronic votes that were commenced, but not correctly completed. Following the 2016 election, eVACS® functionality was upgraded to include a specific report to capture and report this data. However, in practice the report also captured data on sessions being intentionally restarted after the initial QR code scan because of issues such as electors accidentally choosing the incorrect language or any other reasons that may have led to the OIC to cancel the voting session and start it again on behalf of the voter. Elections ACT will work on this eVACS® capability again before the 2024 election to improve the reporting of this issue.

In 2020, it is estimated that the number on occurrences of this issue declined to 383 from its peak in 2016 of 430. While this number represents only 0.2 per cent of all electors issued with an electronic vote, Elections ACT will continue to seek improvement in this area.

As a result of the training emphasis on reducing such occurrences, Elections ACT received a number of complaints within voting centres from electors who felt that staff undertaking the role of e-voting officer infringed upon their right to a secret vote by 'looking over their shoulder' before they had completed their voting process. To address this issue as voting continued, Elections ACT held several video conference calls with voting centre managers to highlight the issue and to ensure that e-voting officers were instructed to wait until the voter had left the terminal before seeking vote completion confirmation.

In preparation for 2024, Elections ACT will refine its e-voting officer training and will also ensure that staffing undertaking the roll of ballot box supervisors in these centres are instructed to ask exiting voters whether they had seen the green 'vote accepted' screen before leaving their terminal.

### **Errors in the eVACS® counting code**

Following the publication of the final election results on 23 October 2020, Mr Andrew Conway and Dr Vanessa Teague published a report titled "Errors in the ACT's electronic counting code". The report identified a number of minor errors in the manner in which the system interprets the Electoral Act in ascertaining the result. In particular, the report identified an error in the way that eVACS® grouped transfer values of the same value.

When a candidate is excluded, votes received by the candidate throughout the count are redistributed to continuing candidates. Alternatively they become exhausted if the ballot paper does not indicate any further preferences to candidates that remain in the count. If a candidate is excluded, the ballot papers counted for the candidate are sorted into groups according to their transfer values and distributed according to the individual preferences shown on each ballot paper.

An excluded candidate will have received ballot papers as first preference votes, and may have also received ballot papers from a previously excluded candidate that have never been part of an elected candidate's surplus. In both these cases the vote value of the ballot papers is one (1). However, an excluded candidate may also have received votes through ballots that had a value of 1 and then became part of an elected candidate's surplus, but the resulting number was greater than the number of excess votes when the transfer value was calculated. This scenario typically occurs towards the end of a count when a large number of ballot papers exhaust because the majority of candidates have been excluded and only a small number of candidates remain in the count. In this

circumstance, a vote cannot be given a transfer value greater than the value in which the elected candidate originally received ballots, so the value of the vote continues to be 1.

Mr Conway and Ms Teague correctly identified that eVACS® had implemented a misinterpretation of the Electoral Act surrounding this counting mechanism implementing a distribution of this later grouping of transfer values as a separate count, rather than grouping all vote values with the transfer value of 1.

This can have an effect if another candidate is elected as a result of the initial distribution of ballot papers. When a candidate is elected, they are not able to receive further ballot papers as part of a later distribution. Separating and distributing these vote packages can impact the natural flow of the count process. Ballot papers in the latter distribution that would have gone to the now elected candidate had the vote packages been grouped must now be distributed to other candidates still active in the count process. This would alter the number of votes received by the elected candidate and also the vote totals of the candidates remaining in the count.

As discussed by the report authors, an example of this issue arises in the electorate of Brindabella. At the point where Mr Andrew Wall was to be eliminated from the count he had received votes at earlier counts at full value (transfer value of 1) as well as votes from the recent distribution of the surplus votes following the elections of Joy Burch and Mick Gentleman. When the transfer values were calculated from these surplus events the resulting value was greater than the value at the point when those ballot papers were originally received by Ms Burch and Mr Gentleman respectively. This cannot occur and consequently the ballot papers were assigned an applied transfer value of 1.

Despite the transfer value for all of Mr Wall's ballot papers being the same, the papers were incorrectly distributed by eVACS® across three separate counts.

After the first count distribution, Nicole Lawder and Mark Parton received enough votes to be deemed elected, meaning they could no longer receive further votes as part of the later distributions of Mr Wall's votes. The next two count distributions therefore moved votes from Mr Wall to remaining candidates or to 'exhausted' rather than potentially Ms Lawder or Mr Parton. This had the effect of reducing Ms Lawder's final vote tally by 21 votes and Mr Parton's by 13.

It is important to note that this did not change the result of the election as only one candidate, Mr Johnathan Davis, remained in the count following the election of Ms Lawder and Mr Parton. Mr Davis was the final candidate elected in Brindabella.

The report also identified that eVACS® incorrectly implemented the July 2020 legislation change requiring the rounding down of vote values to six decimal places, by rounding to six decimal places and implementing the same process against transfer values.

As identified by the report authors, none of the above counting issues altered the result of the counts for the 2020 ACT election. Regardless, all the above issues have been rectified in eVACS® for future elections since receipt of the report.

The Commission thanks Dr Teague and Mr Conway for their helpful report and analysis, and welcomes constructive engagement in the continuous improvement of the electoral systems and processes utilised by Elections ACT to further advance the integrity and transparency of elections in the ACT.

## Telephone voting

While eVACS® has long provided electors with vision impairment the ability to cast an unassisted secret vote at ACT elections, it became apparent following the 2017 Select Committee inquiry into the 2016 ACT election, that some blind and vision impaired electors were seeking an ability to cast their vote in secret and unassisted from home, without the often difficult and sometime confronting requirement to attend an electronic voting location.

In response to this request for improved services, the Electoral Commission enhanced the eVACS® system by expanding its functionality to provide for telephone voting. This new telephone voting facility enabled electors who are blind, have a visual impairment or a physical disability (which makes it difficult for the voter to attend a polling place or to vote by postal vote), to vote over the telephone in an entirely electronic manner. While alternative solutions for vision impaired telephone voting used in other jurisdictions require electors state their voting preferences over the telephone to an electoral officer, who then transcribes the vote preferences onto a ballot paper, eVACS® provides for a completely secret and independent telephone voting system, functioning in much the same way as eVACS® functions within a polling place for vision impaired electors, but from the elector's location of choice.

During the design and development phase of the eVACS® redevelopment project, the Electoral Commission reconvened the ACT electoral disability advisory committee (DAC) to review, comment and advise on the user interfaces of the new eVACS® system including telephone voting. Members of the disability advisory committee, along with representatives from ACT disability peak bodies were asked to assist Elections ACT in disseminating information regarding telephone voting to their constituents in the lead up to the election.

To use telephone voting in 2020, eligible electors were first required to register with Elections ACT and were provided with a specific telephone voting 1800 number to do so. Registration was available from 9:00am on Monday, 28 September until 4:00pm on Saturday, 17 October 2020. Registration was open during normal business hours (Monday – Friday 9:00am to 5:00pm) with extended hours on Friday 16 October (9:00am to 8:00pm) and Saturday 17 October (7:00am to 4:00pm).

While the Commission considers the first implementation of telephone voting services to be a success, only 52 electors chose to access the system.

The legislation providing for telephone voting was introduced through the *COVID-19 Emergency Response Legislation Amendment Act 2020 (No 2)*, which also included provisions for the telephone voting legislation to automatically be omitted from the *Electoral Act 1992*, six months after the conclusion of the election.

The Electoral Commission does not consider the implementation of telephone voting to be directly related to its COVID-safe delivery model and had been seeking the implementation of supporting legislation prior to the advent of the virus.

### **Recommendation 8**

The Electoral Commission recommends that the Electoral Act be amended to re-introduce supporting legislation to provide for telephone voting for electors who are blind or vision impaired.

## Antarctic electors

Part 11 of the Electoral Act provides detailed directions on the method for taking receipt of votes from eligible ACT electors who are stationed in Antarctica, its surrounding islands or on a ship transporting research personnel to or from Antarctica.

As the Electoral Act was initially drafted prior to 1992 and was based on similar provisions within the Commonwealth Electoral Act at the time, the provisions for Antarctic voting are based on the establishment of Returning Officers and Assistant Returning Officers for each Antarctic station and the use of outdated technology (fax machines or another means approved by the Electoral Commissioner). If an ACT elector is currently residing at an Antarctic station or on a ship, the Commissioner must transmit to the Returning Officer an extract of the certified list and directions on how the Returning Officer can prepare a ballot paper for the elector. The Returning officer must arrange for an empty ballot box, provide the ballot paper to the elector for completion and lodgement. After the time in which the polls close in the ACT, the Returning officer in Antarctica is to transmit to the Commission the particulars of the elector(s) who have voted and the particulars of the preference marks of each ballot paper. On receipt of the transmission an officer of the Commission is then required to transcribe the elector's vote onto an official ballot paper and seal it in an Antarctic elector envelope.

While this process was appropriate for the time of initial drafting, it is now considerably outdated, and the process described above does not provide for a secret vote for an elector residing in Antarctica. It is for this reason that it is not compulsory for Antarctic electors to vote under section 129 of the Act.

In 2020, the Electoral Act was amended to allow Antarctic electors to cast a vote using the overseas e-voting system. This ensured, for the first time, that an Antarctic elector's vote would be secret. The Act did not provide for Antarctic electors to cast their vote via the telephone voting system. In discussions with the Australian Antarctic Division in the lead up to the 2020 ACT election, it became evident that not all Antarctic stations and ships have access to the internet. While not an issue in 2020, given that no ACT residents were stationed in Antarctica at the time of the election, it would be beneficial if Antarctic electors at future elections could choose to vote either online using the overseas e-voting system, or if the internet is not available to them, via the telephone voting system.

Noting that the legislation in support of overseas e-voting and telephone voting expired following the conclusion of the 2020 election and referring to the Commission's recommendations for the reinstatement of legislation, the Electoral Commission recommends that the definition of 'eligible elector' in the context of telephone voting, be expanded to include ACT electors based in Antarctica at the time of the election.

### **Recommendation 9**

The Electoral Commission recommends that the definition of 'eligible elector' in the context of telephone voting be expanded to include ACT electors based in Antarctica at the time of the election.

## Interstate voting

All interstate votes are issued as declaration votes.

Typically, during an ACT election, interstate voters are able to vote in person at the capital city office of each state and territory electoral commission during the early voting period. However, in response to the COVID-19 pandemic restrictions in place at the time, a number of state electoral authority offices were not open to the public at the time of the 2020 ACT election voting period. As a consequence, voting services were not made available to interstate electors in either Melbourne or Sydney.

There were 111 votes issued at the offices of the state and territory electoral commissions during the 2020 election compared to 557 in 2016 and 559 in 2012. The sharp decline in interstate votes can be attributed to the unavailability of the two historically largest state electoral authorities, NSW and Victoria and also to the decline in travel which was a broader response to the ongoing pandemic at the time.

Of those votes issued, 108 were admitted to the count; a fairly consistent percentage when compared to previous elections. The following table shows the detailed returns from each interstate voting venue.

**Table 21.** Interstate voting at the 2020 election

Interstate Electoral Commission	Brindabella	Ginninderra	Kurrajong	Murrumbidgee	Yerrabi	Total
NSW	-	-	-	-	-	N/A
NT	1	7	2	8	4	22
Qld	7	5	9	5	4	30
SA	5	5	13	2	6	31
Tas	0	0	2	1	0	3
Vic	-	-	-	-	-	N/A
WA	3	4	4	9	5	25
<b>Total</b>	<b>16</b>	<b>21</b>	<b>30</b>	<b>25</b>	<b>19</b>	<b>111</b>

## Postal voting

A total of 22,317 postal votes were dispatched in 2020. Of these, 17,172 were returned prior to the last date for receipt of postal votes (23 October 2020) and admitted to the count following a preliminary scrutiny.

The 2020 election saw a 30.9 per cent increase on the number of postal votes admitted to the count, compared to the 13,114 admitted in 2016. This is a similar increase to the increase of 33 per cent between the 2012 (9,859) and 2016 elections, but significantly higher than the increase of 2.7 per cent between the 2008 (9,599) and 2012 (9,859) elections.

In preparation for a significant spike in postal vote applications as a result of elector concerns regarding the pandemic and public locations, Elections ACT prepared for a 50 per cent increase on 2016 postal vote levels. However, it is likely that the lack of any COVID-19 cases in the ACT during the lead up to and during the ACT election, combined with the Commission's amended delivery plan actively encouraging early voting to avoid congested polling locations, attributed to the less than expected postal vote numbers.

Table 22 provides details of the number of postal votes issued, returned and admitted and the various categories of postal votes received by Elections ACT, but rejected from the count, for the 2016 and 2020 elections.

**Table 22.** Postal vote outcomes

Category of postal vote	2016	2020
Issued	16,925	22,317
Ballot papers admitted to the count	13,114	17,172
Applied for, but voted by another means	750	2,128*
Returned to sender	252	232
Returned too late to be admitted	701	247
Received, but not admitted, voter not correctly enrolled	68	112
Cancelled due to death or advice of incapacity	6	7
Received, but not admitted, voter marked his/her vote after polling day	200	69
Received, but not admitted because the voter did not sign the declaration	144	195
Received, but not admitted, voter's signature did not match signature on application/enrolment	65	181
Received, but not admitted, signed by someone other than the elector	26	26
Received, but not admitted, returned without any identifying declaration	295	347
<b>Total returned to Elections ACT or postal voters who voted by another means</b>	<b>15,621</b>	<b>20,716</b>
<b>Total not returned to Elections ACT</b>	<b>1,304</b>	<b>1,601</b>

\* In 2020, this figure included 507 electors who were sent a postal vote, but cast an overseas e-vote and two electors who were sent a postal vote but cast a telephone vote.



The following table shows the number of postal vote applications received using the various methods of application. Note that electors registered as general postal voters are automatically sent postal ballot papers without needing to make an application.

**Table 23. Applications for postal votes**

	2016	2020
General postal voters	4,306	5,502
Access Canberra*	1,621	2,628
In person at Elections ACT	4	0
Over the phone at Elections ACT	104	169
Email	151	37
Faxed	3	0
Handed in at an early voting centre	1	1
On a printed official postal vote application form	1,265	0 <sup>^</sup>
Web application	10,107	13,229
Postal vote applications from previous mobile polling institutions	-	1,231 <sup>#</sup>
<b>Total</b> ~	17,562	22,797

\* Includes applications by telephone and in person (2012 and 2016 only) at shopfronts.

<sup>^</sup> Elections ACT did not provide hardcopy postal vote application forms in 2020.

<sup>#</sup> Mobile polling was not conducted in 2020 due to COVID-19. In lieu of mobile polling, qualifying institutions were offered a bulk postal vote service for the residents.

~ Not all postal vote applications received resulted in postal ballot packs being issued. As the ACT has fixed term elections, postal vote applications can be made many months in advance of election day. It is relatively common for electors to apply for postal votes early, but later withdraw their application when they are made aware of the dates for despatch of postal voting papers. Electors may also apply for a postal vote multiple times, potentially using a variety of mediums.

## Postal voting recommendations

The Australian electoral roll is kept up to date using a variety of strategies, including encouraging eligible citizens to enrol or update their enrolment details by providing for online enrolment, as well as the Federal Direct Enrolment and Update program (FDEU) introduced by the Commonwealth in June 2012 allowing the AEC to automatically update or enrol electors based on information from other government agencies and without the need for an elector to complete an enrolment application.

Online enrolments, which in some circumstances allow an elector to provide a 'signature equivalent' (change of address enrolment applications accept a combination of driver's licence number and date of birth as a signature equivalent option) in lieu of providing an actual signature, together with FDEU, have resulted in a significant number of electors listed on the electoral roll without an accompanying sample signature.

Historically, the signature on a returning postal vote envelope is matched against the elector's signature on the electoral roll; the signature originally obtained from their lodged enrolment form and scanned into the enrolment system. A positive signature comparison goes some way to satisfying the scrutiny process allowing the returned postal vote to be admitted to the final count.

FDEU, as stated above, does not require a signature and accounts for around 25 per cent of all new enrolments since 2013. All new enrolment claims, including online new enrolment applications, must contain a signature. Where this first enrolment is completed through the online enrolment application form, a digital signature is captured in the majority of cases. The quality of digital signatures varies significantly (as the user typically uses a mouse or touch screen to input) which can impact the usefulness of the signature when making comparisons for the purpose of admitting a postal vote to the count.

The result of the decline in stored sample signatures is that it is increasing becoming difficult to ensure that a returned postal vote has been completed by the stated elector. In a case where a returned postal vote is unable to be matched to an elector's enrolment signature, a number of strategies, including randomised phone calls to postal voters, are used to satisfy requirements for the votes to be admitted to the count by the Electoral Commission.

The Australian Electoral Commission has, since the 2013 federal election, provided for the inclusion of a secret question on a postal vote application form, along with the provision of the accompanying answer, and then require that same answer to be provided when returning the completed postal vote. If no signature exists on file for that elector, the secret question/answer combination is then used as an additional means to increase the levels of satisfaction that the returned postal vote has been completed by the stated elector.

Currently, Schedule 3 of the Electoral Act, *Preliminary scrutiny of declaration voting papers*, which includes postal votes as a form of declaration vote, requires an electoral officer to be satisfied that 'the signature on the declaration is that of the elector'.

### Recommendation 10

The Electoral Commission recommends that Schedule 3 of the Electoral Act be expanded to allow the use of a secret question and answer, established by the elector at the point of postal vote application, to be used to satisfy an electoral officer that the declaration is that of the elector.

It should be noted that section 136A(2) provides for a postal vote application to be submitted by someone other than the elector, providing that person has been authorised by the elector to do so. In order to enact the recommendation above, consideration will be required on how a secret question and answer combination can be established under the 'on behalf of the elector' provision.

## Overseas e-voting

Of significant note from the postal vote figures above, is the decrease in the number of postal votes returned after the last date for receipt of postal votes in 2020. In the corresponding report into the 2016 ACT election, the Electoral Commission highlighted the large number of votes that were rejected due to being received after the legislated deadline for receipt of postal votes. A total of 701 postal votes could not be admitted to the count in 2016 because they were received after 5:00pm on the Friday following polling day. This represented a 120 per cent increase on 2012 figures (318). 560 (80%) of the 701 postal votes that were rejected because they were received too late were postal votes sent to and from an address overseas. At the time, the Electoral Commission attributed this, at least in part, to a perceived decline in overseas postal services. The Commission characterised this as a strong indication that the current postal service was not meeting the requirements for long distance postal voting.

In a reaction to the spike in rejected postal votes and the disenfranchisement of overseas electors, the Electoral Commission recommended and ultimately implemented a limited online e-voting system for electors based outside of Australia.

Elections ACT designed the Overseas e-voting system (OSEV) with system security, process integrity and vote integrity at its core. Working with the Australian Signals Directorate and the Australian Cyber Security Centre (ACSC), Elections ACT refined the design and processes to implement a safe and secure system that could be trusted by ACT electors to capture vote preferences from an overseas location using the internet.

The system includes five main components with restricted interfaces limiting the communication across the system; sending and storing data that is relevant only to that component. The five components include a web application providing public facing web interfaces for applicants to register for overseas voting and submit their votes; a verification server to act as

an intermediary between where applicant personal information is stored and where vote preferences are stored so that neither has a direct link to the other; a restricted web application for Elections ACT administration; a vote storage system to store the encrypted vote preferences and hold vote preference digital signatures to verify that the vote has not been changed; and an authentication and identification service, a third party service which provides both identification of applicants through the submission of identity documents and authentication through a single sign on authentication model.

For the authentication and identification service, Elections ACT worked with the Office of the Chief Digital Officer to integrate the ACT Digital Accounts service. Electors wishing to vote from overseas using OSEV must have first confirmed their identity through the establishment of an ACT digital account. Identity documents such as an Australian driver's licence, Australian passport and Medicare card, among others, could be used to establish level two identity verification. Once an individual's identity was verified through this system, the elector was seamlessly redirected back to OSEV, matched against the electoral roll or otherwise provided with an online ballot paper for the claimed address and provided with the opportunity to complete their vote online.

All overseas e-votes are declaration votes, requiring a process of preliminary scrutiny to be performed upon the returned vote. This process provided an extra level of integrity ensuring that every vote is individually scrutinised for eligibility before being admitted into the final count. Applicant authentication identifiers along with the specific registration information is isolated from the corresponding vote preferences and exported to a stand-alone checking system. Elector details are either matched or confirmed against the electoral roll; eligibility is confirmed for the supplied ballot paper; and a final check is made to ensure the elector has not submitted a vote using another means. Admitted votes are then uploaded back into the core OSEV system, matched back to their vote preferences using the applicant authentication identifier and the corresponding encrypted preference strings are exported for inclusion in the final count.

The 2020 ACT election figures appear to indicate that the introduction of this system has had the desired effect of significantly reducing the number of overseas electors who either could not vote or whose vote could not be admitted to the count as it had been received

by Elections ACT too late. At the time of writing, in April 2020, only 22 postal votes from overseas locations had been received after the legislated deadline. This is in stark contrast to the 560 overseas postal votes rejected following the 2016 election. A total of 507 overseas-based electors who had originally applied for a postal vote in the lead up to the 2020 election actually cast their vote using the overseas e-voting system. In total, 1,554 overseas e-votes were admitted into the 2020 election count.

While the Commission remains cautious regarding the introduction of online voting to a broader elector base at ACT elections, the implementation of OSEV, the Overseas e-voting System at the 2020 election should be viewed as a significant success.

While the Legislative Assembly was supportive of the introduction of overseas e-voting, it took a cautious approach, limiting the supporting legislation to the 2020 ACT election only. The legislation providing for overseas e-voting expired six months after the election. While the explanatory statement accompanying the *COVID-19 Emergency Response Legislation Amendment Bill 2020 (No 2)* characterised the legislation as addressing the risk of disenfranchisement of overseas voters due to delays associated with international postal services since the emergence of COVID-19, the issue of disenfranchised overseas electors due to delays associated with international postal services was evident in 2016 and will continue to be evident into the future. This is an ongoing issue experienced by all electoral jurisdictions over many recent election cycles. OSEV proved highly effective in providing secure and trusted voting services to electors overseas with the ACSC reporting no malicious attacks against the system following their proactive monitoring during the election campaign.

Accordingly, to continue to provide appropriate voting services to ACT electors based outside of Australia, the Electoral Commission recommends that the overseas e-voting supporting legislation that was in place for the 2020 ACT election be enacted for all future ACT elections.

### **Recommendation 11**

The Electoral Commission recommends that the overseas e-voting supporting legislation that was in place for the 2020 ACT election be enacted for all future ACT elections.

## **Voting at polling places**

In addition to the 15 early voting centres open throughout the early voting period, an additional 67 single day polling places were open between 8:00am to 6:00pm on the final day of the voting period, 17 October 2020. In total, this provided for 82 locations open for voting on election day. At each of these locations, electors were able to cast an ordinary vote. An ordinary vote is a vote issued to an elector whose name is found on the certified list of electors for the election.

Polling venues used at the 2020 election included accommodation provided by public schools, private schools, community facilities and commercial properties.

Historically, wherever possible, the Commission attempts to use the same polling places as are used at federal elections and previous ACT elections to minimise public confusion. However, due to the unavailability of some locations (either at earlier elections or in 2020), the emergence of new suburbs or the placement of additional early voting centres, there were 19 instances of differing polling place venues to those used at the 2016 ACT election.

**Table 24.** Polling place venue changes and closures

Polling place name	Previous venue	2020 venue
Barton	Telopea Park School 25 New South Wales Crescent, Barton	Closed
Bruce East	Australian Institute of Sport Leverrier Street, Bruce	Closed
Calvary Hospital	Calvary Hospital Haydon Drive, Bruce	Closed due to COVID-19 concerns
Chisholm	Caroline Chisholm School (Primary campus), Hambidge Crescent, Chisholm	26 Benham St, Chisholm*
City East	Eclipse House Level 5, 197 London Circuit, Canberra City*	Canberra Museum and Gallery 176 London Circuit, Canberra City*
Conder	Charles Conder Primary School 134 Tom Roberts Avenue, Conder	Closed
Dickson	Northside Community Centre 2 Rosevear Place, Dickson	Ground Floor, WOTSO Dickson 490 Northbourne Avenue, Dickson*
Franklin	Franklin Early Childhood School 135 Oodgeroo Avenue, Franklin	Closed
Gungahlin	Gungahlin Library Conference Room 1 Hibberson Street, Gungahlin*	Ground floor, Ruby Apartments 8 Gribble Street, Gungahlin*
Harrison	Harrison School 20 Wimmera Street, Harrison	Ground floor, Harrison Green 11 Wimmera Street, Harrison*
Weston	Weston Creek Community Centre Parkinson Street, Weston	Weston Arcade 11 Brierly Street, Weston*
Woden	Callam Offices 58 Easty Street, Phillip*	Bonner House Neptune Street, Phillip*

\* Polling location served as an early voting centre during the three-week early voting period and as an electronic polling place on election day.

**Table 25.** New polling places

Polling place name	2020 venue
Early Morning Centre	Uniting Care, 69/71 Northbourne Avenue, Canberra^
Flynn	Flynn Community Hub, 21 Bingle Street, Flynn*
Gungahlin	Gungahlin Enclosed Oval, Warwick Street, Gungahlin*
Kippax	Holt Community Centre, 80 Beaurepaire Crescent, Holt*
Lanyon	21 Sidney Nolan Street, Conder*
Manuka	Manuka Village, 33 Bougainville Street, Griffith*
Taylor	Margaret Hendry School, 100 Sutherland Crescent, Taylor

\* Polling location served as an early voting centre during the three-week early voting period and as an electronic polling place on election day

^ The Early Morning Centre (EMC) was a polling location established to service electors experiencing homelessness. The EMC was open for two hours on 12 October and 13 October 2020.

In preparation for the 2020 election, Elections ACT closed five venues previously used as polling places at ACT elections.

Barton, Bruce East, Conder and Franklin were all closed as a direct consequence of the expanded number of early voting centres in operation for 2020. Barton was closed due to its relatively small number of historical votes and the proximity of the location to the new Manuka-based early voting centre. Bruce East was closed due to its relatively small number of historical votes and the proximity to the early voting centre in Belconnen. Conder was closed due to its proximity to the new early voting location in Lanyon and Franklin was closed due to its proximity to the new early voting centre in Harrison.

Calvary Hospital was closed as a direct consequence of the COVID-19 pandemic. In early preparations for the election, the hospital advised Elections ACT that due to concerns surrounding the potential transmission of the disease, the risk of including a polling place within the hospital complex were too great and declined the establishment of a polling place within the building and also the conduct of mobile polling services within the hospital.

## Early Morning Centre — voting services for the homeless

A key finding of the report prepared for the Australian Electoral Commission — *An exploration of homelessness and electoral participation* was that while the political interest of people experiencing homelessness may actually be higher than that of the general population, their turnout rate is much lower.<sup>6</sup>

Research conducted as part of the report identified a number of obstacles to voting for electors experiencing homelessness. Many in this group are simply not enrolled. 'It is likely that a significant number are not even aware they are eligible to enrol as voters of no fixed address.'<sup>7</sup> The most commonly cited reason by participants who were enrolled to vote for not voting was 'unaware where to vote/unable to access'.<sup>8</sup>

'The benefits of electoral inclusion, for citizens experiencing homelessness themselves and for democratic legitimacy in Australia, do not depend on this group having a decisive impact on election outcomes. Voting has important symbolic value. It gives marginalised groups a voice and puts their interests and preferences on the political radar. It may also give individuals a greater sense of empowerment and political efficacy.'<sup>9</sup>

In a step towards addressing some of these obstacles for electoral participation by the homeless, Elections ACT implemented a new initiative for the 2020 ACT election through the establishment of a voting location specifically targeting electors experiencing homelessness. The Early Morning Centre (EMC) on Northbourne Avenue in Canberra City was used as a temporary voting centre aimed at improving voting access to those homeless citizens within the city centre. The centre was open on two separate days in the final week of early voting, between the hours of 9:00am and 11:00am when the centre is typically at its busiest serving breakfast.

While only six votes were taken at the EMC over the two days, it was an important first step in increasing the services provided to homeless electors.

It was the preference of Elections ACT to provide voting services to key locations across the ACT where electors experiencing homelessness routinely congregate to access important government services. The intent was to provide temporary voting services at such locations during the week prior to election day. However, this type of voting activity is classified as mobile polling under the Electoral Act and thereby limited to correctional centres and locations with health care arrangements such as hospitals and nursing homes.

Providing homelessness voting services in a single location such as the EMC only assists those electors who live in that area and frequent that service delivery centre. To appropriately service this group of electors across the ACT, a more flexible and responsive arrangement must be made available to Elections ACT through legislation.

### Recommendation 12

The Electoral Commission recommends amending Division 10.5 of the Electoral Act to allow mobile polling to be conducted at locations across the ACT where homeless electors congregate to access government and welfare services.

## Mobile polling

Under normal conditions, Elections ACT would arrange mobile polling activities at hospitals, nursing homes and the Alexander Maconochie Centre. However, given the health concerns relating to the COVID-19 pandemic which were ongoing at the time of the election, the Electoral Commission decided against delivering mobile polling arrangements to any institutions for the 2020 ACT election.

As an alternative, residents at eligible institutions were offered the opportunity to participate in a bulk and direct postal voting process. Elections ACT worked

<sup>6</sup> Coram V, Louth J, Hil, L, Tually S & Goodwin-Smith I 2019, *An Exploration of Homelessness and Electoral Participation*, University of South Australia and The University of Adelaide, Adelaide, p.3.

<sup>7</sup> Ibid. p.13.

<sup>8</sup> Ibid. p.52.

<sup>9</sup> Ibid. p.15



with each eligible institution to collect the names and addresses of each resident seeking a postal vote. The institution then provided a list of electors, formally applying, for a postal vote on each resident's behalf, as is permitted under the Electoral Act.

Elections ACT then processed each postal vote application in preparation for the commencement of voting on 28 September 2020. At the commencement of voting, each institution was delivered the postal vote packages for their residents in bulk. As a precautionary measure, institutions were advised to quarantine the bulk postal vote delivery for up to 48 hours before internally delivering each pack to its individual residents. These postal votes were then returned to Elections ACT via the standard postal service.

Elections ACT issued 1231 postal votes to institutions that would have been eligible for mobile polling activities under normal circumstances. This compares to 1,462 votes taken from patients, residents and inmates of similar institutions in 2016.

## Prisoner voting

In May 2008, the entitlement for prisoners to enrol to vote was amended to allow all eligible ACT prisoners to enrol and vote in ACT Legislative Assembly elections. By contrast, for federal elections, prisoners sentenced to imprisonment for three years or longer are not eligible to vote.

As has been the case for other recent ACT elections, ACT remandees and prisoners eligible to enrol and vote at the 2020 election were located in the Alexander Maconochie Centre (AMC). Elections ACT liaised with ACT Corrective Services on the arrangements for enrolment and voting to service these electors, particularly in light of the COVID-19 pandemic. Under normal conditions, Elections ACT would have arranged mobile polling activities for eligible prisoners at the AMC. However, given the health concerns under the pandemic environment, Elections ACT decided against delivering mobile polling arrangements at the centre.

Enrolment information explaining prisoner enrolment and voting entitlements were provided through ACT Corrective Services before the preliminary roll close to enable those not enrolled to do so.

Instead of conducting mobile polling activities, alternate arrangements were made with Corrective Services to collect postal vote applications for remandees and prisoners at AMC. A total of 74 electors requested a postal vote through this means. Elections ACT then arranged for the distribution of these postal packs through Corrective Services. Remandees and prisoners returned their completed postal votes through the postal service.

## Declaration voting

A declaration vote is issued to a voter in a polling place or early voting centre where:

- the elector's name cannot be found on the preliminary certified list (the electoral roll) for any of the five electorates
- the elector's name appears on the preliminary certified list as having already been marked as having voted
- the elector's name is found on the electoral roll for the correct address, but the year of birth does not match, or
- if the vote is issued at an interstate polling place (111 in 2020).

Postal votes and overseas e-votes are also considered forms of declaration votes. These vote types are discussed under *Postal voting* and *Overseas e-voting* above.

Before a declaration vote envelope can be opened and the ballot paper included can be counted, each declaration vote must undergo a preliminary scrutiny to establish that the vote is eligible for inclusion in the count. The declaration scrutiny is a complex task involving the detailed examination of the voter's enrolment history using the AEC's computerised roll management system.

Elections ACT performed the preliminary declaration scrutiny in-house using staff with experience in preliminary scrutinies and the AEC's roll management system.

The number of declaration votes issued saw a significant increase in 2020 compared to 2016. Only 1,936 declaration votes were issued in 2016 compared to 4,142 in 2020. This has seen a return to a similar number to that experienced in 2012, where 4,294 declaration votes were issued. 111 of these were issued at interstate voting offices in 2020 (557 in 2016 and 559 in 2012) where it is permissible only to issue declaration votes regardless of the enrolled status of the elector.

New legislation introduced by the Assembly just prior to the 2020 election allowed, for the first time, electors who were not on the ACT roll at the close of the preliminary roll to cast a declaration vote. If the elector then enrolled before the close of polls at 6:00pm on 17 October 2020, the declaration vote was able to be admitted to the final count. This new legislation accounts for the dramatic increase in 'Elector not found on roll' declaration votes in 2020.

By comparison, the 2016 election recorded only 1,243 'elector not found on roll' declaration votes, with the vast majority (1,047) rejected.



Table 26 shows the outcome of the preliminary scrutiny of declaration votes at the 2012, 2016 and 2020 elections.

**Table 26.** Preliminary scrutiny of declaration votes

Category of declaration vote	Preliminary scrutiny outcome	2012	2016	2020
Elector not found on roll		3,392	1,243	3,915
	Admitted on roll	214	96	2,877
	Admitted not on roll	546	100	35
	Rejected	2,647	1,047	1,003
YOB/Name don't match*		2	29	4
	Admitted	0	28	3
	Rejected	2	1	1
Already marked as having voted		123	87	88
	Admitted	118	73	29
	Rejected	5	14	59
Interstate		559	557	111
	Admitted	534	551	111
	Rejected	25	6	0
Declaration votes: Electronic voters <sup>^</sup>		218	20	24
	Admitted	4	0	4
	Rejected	214	20	20
Total		4,294	1,936	4,142
Total Admitted Declaration <sup>#</sup>	Admitted	882	297	2,948
Total Rejected	Rejected	2,878	1,088	1,083

\* The purpose of this category is to identify electors who may show as enrolled at the correct address, but their year of birth suggests a different elector. An example may be a father and son who share a name and address, but a different year of birth. The father is marked as having voted against the son's record. When the son presents to vote only the father's roll record is yet to be marked — same name, same address different year of birth. In 2020, three out of the four occurrences of these declaration votes were found to be incorrectly issued by polling officials who issued the declaration vote because of minor errors associated with the elector's date of birth. In 2016, the corresponding figure was 28 out of 29.

<sup>^</sup> Declaration votes: Electronic voters were issued to an elector where the elector claimed not to have successfully completed their electronic vote before the vote was lodged. In almost all cases records indicated that these electors had cast electronic votes.

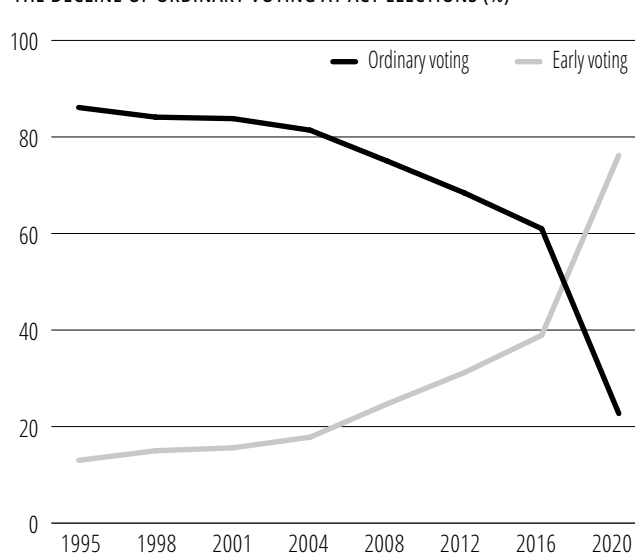
<sup>#</sup> Total admitted does not include interstate as these are reported elsewhere in the election statistics and may include admitted declaration envelopes that did not have a ballot paper inside.

## Removing restrictions on early voting

As shown in Table 6 on page 7, the percentage of voters who voted before election day amounted to 76.2 per cent of all votes cast at the 2020 election. Votes cast at an early voting centre accounted for 69.9 per cent of all votes and postal votes accounted 6.3 per cent.

The percentage of voters attending an early voting centre and casting their vote before election day has increased markedly at every ACT election held since 1995. Where one in ten electors cast an early vote in 1995, over one in three electors cast an early vote in 2016, with the number increasing further to seven in ten electors in the pandemic-affected 2020 election.

**THE DECLINE OF ORDINARY VOTING AT ACT ELECTIONS (%)**



Conversely, the percentage of ordinary voters casting their vote on election day has declined continuously since 1995, from 86.1 per cent in 1995 to only 22.7 per cent in 2020.

While the significant spike in early voting experienced as part of the 2020 election can be viewed as an outlier — due to the amended delivery plan brought about by the need to address the health and safety risks of COVID-19 — it remains clear that many electors are attracted to the option of voting early, particularly at an early voting centre. The reasons for this, as previously reported, may include a range of factors, such as:

- elector convenience
- an increasing emphasis on family and leisure time
- ACT elections are held in late spring — a time when the weather is warming after a long winter and when families typically begin to travel for the weekend
- changing work patterns, with more people working flexible hours and weekends
- an increasing public demand for flexible and accessible service delivery.

While the 2020 results cannot in themselves be viewed as a direct continuation of the trend experienced across elections and across jurisdictions, due to the active encouragement for early voting as part of Elections ACT's 2020 information campaign, nevertheless, the Commission had been planning for approximately 50 per cent early voting prior to the advent of the pandemic requiring an amended delivery plan. The Commission's view is that the trend towards an increase in early voting is likely to continue given the history of previous elections. This view is only strengthened by the results in 2020. In fact, it is clear from the trend that once an elector engages with early voting at one election, they are increasingly likely to access early voting at future elections. The experiences of 2020 are likely to amplify this ongoing trend. Noting the large number of early votes cast in 2020, it can be expected that the number of early votes cast in 2024, while potentially reducing against 2020 figures, will remain high and likely well above half of all votes cast.

From an operational perspective, the increasing number of early votes has several advantages for the conduct of an election. 94.5 per cent of all votes cast at an early voting centre in 2020 were electronic votes. The greater the number of electronic votes, the faster the results of the election can be known, both preliminarily on election night and the final election result less than a week later. In 2020, with 70.62 per cent of all votes cast electronically, Elections ACT was able to upload to the election results website, only minutes after the polls closed, an interim distribution of preferences scrutiny sheet, for all five electorates, that counted and distributed the vote preferences of 179,101 electors; 65.6 per cent of all votes cast, distributed and available to the public within the first half-hour of the polls closing.

Similarly, due to the significant decrease in the number of paper votes, the final election result was known on the evening of the Friday following election day. This is in practical terms the earliest possible finalisation of election results due to the need to wait until 5:00pm on the Friday for the final allowable return of postal votes. Without electronic voting the final result would not be known for several more days.

As demonstrated elsewhere in this report (see *Informal vote survey*), an increase in the number of electronic votes results in a decrease in the number of inadvertent informal votes when compared to votes cast on paper. The 2020 election saw a record low informality rate, in a large part contributable to the increase in electronic voting numbers.

The Commission maintains the view that the trend towards early voting will continue and is an inevitable result of the expectations of the electorate. The Commission considers that this trend should be

recognised, accepted and integrated in legislation, planning and delivery of the election. The Commission recognises that this may require political parties to adapt the way that they conduct their campaigns to attract the early vote of electors. The Commission notes that political parties will have already made many of these adjustments as part of the 2020 election campaign and also notes the general community satisfaction with the conduct of the election, including very high satisfaction levels with early voting services.

Three Australian jurisdictions — Queensland, Western Australia and the Northern Territory — have wholly embraced the trend towards early voting by removing the eligibility requirement for an early vote by allowing any elector to have an early vote, similar to the provisions in the ACT for the 2020 ACT election.

This move recognises that voting on election day is no longer the accepted practice for a significant proportion of the population, and that voting is now conducted over a period of several weeks. The move also recognises the convenience of service, demanded by the electorate, which in any case appears to be occurring by default.

The Commission recommends that the ACT should reinstate the legislative provisions implemented specifically for the 2020 ACT election and legislated to expire following the election, which removed the eligibility requirement for an early vote, permitting all eligible ACT electors to attend an early voting centre and cast a vote on a day and at a time that suited their particular circumstances.

The Commission notes that the Auditor General's performance audit report on the 2016 ACT election recommended both allowing any elector to cast an early vote and facilitating increases in electronic voting.

### **Recommendation 13**

The Commission recommends that the Electoral Act be amended to provide that any elector may vote early at an early voting centre without the need to declare that they are unable to attend a polling place on election day.

The Commission does not support any change to the eligibility requirements for postal votes. This would mean that only those voters who are unable to attend an early voting centre or a polling place on election day, or a silent elector, would remain eligible to apply for a postal vote. The Commission does not support increasing eligibility for a postal vote as this method of voting continues to be the method with the highest risk of electors failing to have their votes counted, because of issues related to the postal service or errors made on postal vote declarations.

## Complaints made to the Electoral Commissioner

There were 135 complaints made to the Electoral Commissioner relating to the 2020 election, each of which was given due consideration and investigated.

The majority of complaints were of a similar nature to those received in 2012 and 2016, although the overall number decreased from 204 in 2012, to 169 in 2016 and then to 135 in 2020.

In 2020, 101 of the complaints related to activities of parties and candidates, 29 related to activities of Elections ACT, with a further five related to other matters.

The complaints fell into the broad categories shown in the Table 27, comparing the 2012, 2016 and 2020 elections.

**Table 27.** Complaints relating to the 2008, 2012, 2016 and 2020 elections

Complaint category		2008	2012	2016	2020
Complaints relating to party and candidate activity					
Matters regulated under the Electoral Act	Canvassing within 100-metres on a polling place	30	18	33	16
	Authorisation of advertisements*	17	24	35	46
	Miscellaneous^	5	16	12	10
Matters not regulated under the Electoral Act	Placement of signs in public or commercial places#	12	28	13	17
	Miscellaneous~	39	24	39	12
Sub-total — complaints relating to party and candidate activity		105	110	132	101
Complaints relating to Elections ACT services@					
Voting	Locations/signage	10	13	2	5
	Electronic voting facilities/systems	0	14	1	3
	Electronic voting staff assistance	9	10	6	3
	Other voting facilities/systems/postal voting	0	12	4	0
	Other voting staff assistance	10	15	2	7
Elections ACT advertising		11	8	7	6
Miscellaneous		5	10	7	5
Sub-total — Complaints relating to Elections ACT services		45	79	29	29
Complaints unrelated to Party, candidate or Elections ACT activity+		4	15	8	5
<b>Total complaints</b>		<b>154</b>	<b>204</b>	<b>169</b>	<b>135</b>

\* Where the material appeared to be in breach of the authorisation requirements, the matter was brought to the notice of the responsible person and rectified. The authorisation of electoral material is discussed below under Political Campaigning.

^ These complaints included assertions that a party provided incorrect information regarding the use of the electoral roll, issues relating to misleading/deceptive advertising, and assertions in relation to the expenditure cap.

# These complaints were referred to Transport Canberra and City Services, and included references to the number, size and location of signs, location of stationary vehicles displaying advertising, and use of public land.

~ These covered a range of activity including the quality of messages in advertising, acceptable canvassing, junk mail, and use of material without permission.

@ These complaints refer to complaints received by Elections ACT head office and do not include complaints received by polling officials working in voting centres.

+ The unrelated complaints referred to issues such as the availability of electoral roll data, compulsory voting, the media blackout, voter identification not being required and the ABC television coverage.

In accordance with the Commission's prosecution policy in cases of apparent minor, technical or trivial breaches of the Act, where the Commissioner was of the view that a breach of the Act may have occurred, the Commissioner's first approach was to contact the potential offender and ask them to comply with the Act. This approach continued to be effective in preventing ongoing minor or technical breaches of the Act.

It is notable that the number of complaints relating to the authorisation of electoral advertisements increased to 46 in 2020, up from 35 in 2016 and 24 in 2012. This is likely to be a result of an increase in awareness of authorisation requirements within the electoral environment, a result of ongoing discussions around disinformation and fake news and other electoral integrity issues.

The overall number of complaints categorised as relating to Elections ACT services remained steady, recording 29 complaints in both 2020 and 2016. This is notwithstanding the increased number of operating hours as a result of the amended delivery plan and the complexities associated with the implementation of COVID-19 safe operating procedures throughout the election delivery.

# Political campaigning

## Authorisation of electoral advertisements

**Electoral matter intended or likely to affect voting in an ACT Legislative Assembly election is required to carry an authorisation statement setting out the name of the person who has authorised the electoral matter and, if the matter is published for or on behalf of party or a candidate, a statement that the matter is published for the party or candidate.**

The authorisation rules are intended to prevent “irresponsibility through anonymity” – that is, making it unlawful to publish electoral material that does not identify the author, so that voters who may be using that information to decide how they will vote are able to judge whether the material is coming from a source with a vested interest in the election.

Amendments to the Electoral Act which came into effect on 9 July 2020, having been recommended by the Electoral Commission following the 2016 election, arguably strengthened authorisation rules by requiring the full given name and surname of a person and the name of an entity (where the electoral matter is published on behalf of an entity) to be shown in an authorisation statement. This removed the ability for the person authorising the material to simply include their first initial and surname without any further identifying information. This change has arguably made it easier for voters to satisfy themselves of the identity of the person responsible for publishing the electoral matter and determine whether the material is coming from a source with a particular interest in the election.

However, in reviewing material to ensure that the authorisation provisions were being met, it became apparent to Elections ACT that there was a need to ensure legitimacy of the first and last names of authorising officers through a review of the electoral roll.

It should be noted that it is a legitimate practice for an authorising officer disseminating electoral matter in reference to an ACT election campaign to reside outside of the ACT's borders, that is, it should not be a requirement for electoral matter to contain the details of an authorising officer limited to authorisation by an ACT elector.

Accordingly, to ensure that the intent of the ACT's authorisation rules is met appropriately, and to allow ACT electors to fully and accurately adjudicate the source of the electoral matter that they are considering, the Electoral Commission recommends

that the Electoral Act be amended to require the individual who authorises or authors electoral matter to be an elector on the Commonwealth electoral roll or the electoral roll of any state or territory.

### **Recommendation 14**

The Commission recommends that the Electoral Act be amended to require the individual who authorises or authors electoral matter to be an elector on the Commonwealth electoral roll or the electoral roll of any state or territory.

After the 2012 election, following a recommendation made by the Electoral Commission, the Electoral Act was amended to remove internet commentary by persons acting in a private capacity from the authorisation requirements. Section 293A *Exception for personal views on social media*, states that the section of the act requiring an authorisation statement to accompany electoral matter, does not apply if the electoral matter is disseminated on or through social media; forms part of the expression of the individual's personal political views; and the individual is not paid to express those views. While this amendment has succeeded in exempting this class of publication, it has created some confusion in the community about the requirements for authorisation of social media content and has also created difficulties for the Electoral Commission in communicating the requirements. In some instances, the administrators of a ‘special interest profile’ with content related to the ‘an issue submitted to, or otherwise before the electors in relation to the election’<sup>10</sup>, were of the preliminary view that section 293A of the Electoral Act absolved the administrator from including an authorisation statement in any electoral matter posted on social media. However, electoral matter disseminated on social media will only be exempt from the requirements to include an authorisation statement (section 292) if, among the other requirements of section 293A, the electoral matter is disseminated by a natural person i.e. an individual acting in their own name and in a private capacity; not acting for a special interest profile, regardless of whether that individual is acting alone.

Further to social media authorisation requirements, the Electoral Commissioner has taken the enforcement view that the presence of an authorisation statement on the main page of a special interest profile, in the page's biography or ‘about’ section is sufficient to comply with the authorisation requirements for social

<sup>10</sup> ACT Electoral Act 1992, section 4(2)(e)

media content and the inclusion of an authorisation statement is not required in each instance that electoral matter is disseminated, for instance, accompanying each tweet or post. Posts published on social media are always linked to a profile or account. The identity of the person posting the electoral matter will therefore be ascertainable where the main page of the special interest profile contains an authorisation statement. This approach ensures that the intent of section 292, the avoidance of anonymity in electoral matter, is met. Taking the alternative approach would impose a heavier burden on a person's freedom of expression and in many ways is impractical when working within the character constraints of some social media platforms. However, the Commission is of the view that the wording of section 292 makes it relatively clear that an authorisation statement is required in each instance of electoral matter dissemination. This as stated above is impractical in social media formats.

### **Recommendation 15**

The Commission recommends expanding upon section 292 of the Electoral Act to clarify how an authorisation statement is to appear within social media accounts.

### **Recommendation 16**

The Commission recommends amending section 293A to clarify that the exception to the inclusion of an authorisation statement extends only to an individual's personal views on social media if the individual is acting in their own name and in a private capacity, not acting for a special interest profile.

Further, a significant number of the 46 complaints received in relation to authorisation matters, related to the manner in which an authorisation statement was displayed on physical material. The Commission received complaints from electors aiming to highlight electoral matter that did not include an authorisation statement, only to find, after review of the publications in question, that the publications complied with authorisation laws. It was noted that identifying the authorisation statement was difficult due to the relative small font size and colour used in contrast to the publication's background. Similar complaints were received in relation to roadside publications, typically referred to as corflute signs, and other electoral posters which included authorisation statements in a font size that made identifying and reading the statement prohibitive from a distance and manner in which the publication was intended to be viewed.

The Electoral Act does not currently include any provision surrounding the physical form that an

authorisation statement must take. Section 292 only provides that such a statement must include the first and last name of the individual and a statement to the effect that the matter is disseminated for a party, candidate, person or entity.

It is the view of the Electoral Commission that authorisation statements serve an important role in ensuring that the community is able to judge whether the material is coming from a source with a particular interest in the election. Individuals or entities should not be able to hide behind anonymity to make irresponsible, false or defamatory statements about elections. Likewise, those authorisation statements should be clearly identifiable and able to be read from the distance for which the publication is intended to be viewed. It should not be acceptable to print this important piece of information at a font size or using colours that result in complaints from electors who were legitimately unable to locate the statement.

### **Recommendation 17**

The Commission recommends expanding upon section 292 of the Electoral Act to clarify how an authorisation is to appear on printed material, in that the statement appears in black font upon a white background and in a minimum font height to permit ease of reading at a reasonable distance.

Under the Commissioner's prosecution policy, all reported cases of unauthorised electoral matter are addressed in the first instance with a request to cease distribution of unauthorised matter and to ensure matter is correctly authorised. This process is generally very effective. The Commissioner did not see cause to refer any unauthorised material to ACT Policing for prosecution in 2020.

## **The 100-metre ban on canvassing at polling places**

Section 303 of the Electoral Act provides for an offence of doing anything for the purpose of influencing the vote of an elector as the elector is approaching a polling place, within 100 metres of an early voting centre or a polling place on election day, within the hours of polling. This prohibition includes the handing out of how-to-vote cards.

In 2019, the Electoral Legislation Amendment Bill 2019 was introduced to the Assembly to, among other things, 'ensure consistency in measuring a defined polling location (in which canvassing is not permitted).'<sup>11</sup>

11 Electoral Legislation Amendment Bill 2019, Explanatory statement, 26 September 2019, [www.legislation.act.gov.au/View/es/db\\_61042/20190926-72278/PDF/db\\_61042.PDF](http://www.legislation.act.gov.au/View/es/db_61042/20190926-72278/PDF/db_61042.PDF), p.2.



Section 303 of the Electoral Act provided for two ways of defining the limits of the 100-metre ban on canvassing. The default limit applied by measuring the 100-metre limit from the building where the polling place is located. However, where a polling place was situated in grounds within an enclosure (such as a school surrounded by a fence), the Commissioner had the discretion to publish a notifiable instrument effectively providing that the 100-metre limit was to be measured from the boundary of the enclosure, rather than from the walls of the particular building housing the polling place.

This provision was intended to extend the 100-metre limit to ensure it was outside the grounds of a polling place, particularly where a polling place was a school.

The *Electoral Legislation Amendment Act 2020*, however, was passed in the Assembly in July 2020, removing the Electoral Commissioner's discretion to establish the 100-metre boundary from an enclosure surrounding a building where a polling place was located. In effect this ensured that the 100-metre boundary commenced at the building and extended 100 metres for all polling places, regardless of whether a polling place location included a fence or enclosure.

To assist party campaigners to identify the limits of the 100-metre boundary, Elections ACT prepared maps of each polling place and early voting centre showing the extent of the 100-metre boundary for each location. These maps were made available on the Elections ACT website.

At the 2020 election, 16 allegations of breaches of the 100-metre ban were received by Elections ACT, compared to 33 complaints received at the 2016 election. The majority of these breaches involved campaigning within a few metres of the 100-metre limit, however a significant number also involved repeated infringements by vehicles driving or parking on roads within the 100-metre prohibited zone.

In these instances, the Electoral Commission has no power to directly impose a penalty. Any formal enforcement action would require a charge, which is police matter, and prosecution in the courts. Accordingly, in the first instance, compliance by the party worker or party is sought. Continued infringements may lead to referral to the appropriate authority. The Electoral Commission did not refer any 100-metre ban issues to the police in 2020.

In general, complaints were dealt with by electoral staff — primarily polling place managers (OICs) or Polling Area Managers (PAMs) — asking campaigners to move outside the 100-metre limit and by asking party workers to remove signs placed within the 100-metre boundary.

The Commission considers that the majority of these reported breaches of the 100-metre limit were trivial, as they were generally close to the 100-metre limit and respected the spirit of the limit if not the letter of the law. Consequently, the Commission does not consider that there is a need to alter the 100-metre limit or to alter the enforcement provisions to introduce new ways of enforcing the ban. While it may be superficially attractive to introduce an on-the-spot fine mechanism, possibly enforced by city rangers, the Commission is concerned that this could lead to an increase in reported alleged breaches aimed at hindering political opponents.

Given the above discussion, the Commission does not consider that any changes to the 100-metre canvassing ban provisions are needed.

## Political party and candidate posters in public places

The City Rangers from Transport Canberra and City Services (TCCS) administer and enforce the laws relating to the placement of signs in public places in the ACT. TCCS has produced a factsheet titled *Electoral advertising and the Public Unleased Land (Movable Signs) Code of Practice 2019*. The *Code of practice 2019* applies to, among other things, electoral advertising signs, and recognises the ACT and Commonwealth electoral acts by requiring that signs conform to the requirements of any relevant provisions of those acts. There are limitations on the areas where signs may be placed, including prohibiting placement on median strips, within 20 metres of traffic lights and designated areas of the National Capital without the express permission from the National Capital Authority.

Electoral signs may only be displayed for the period of up to 6 weeks leading up to polling day and must be removed within 48 hours after the close of polls.

In 2019, the Electoral Legislation Amendment Bill 2019 was introduced to the Assembly to make 'amendments to the *Public Unleased Land Act 2013* to allow an authorised person to immediately remove electoral advertising signs from public unleased land, where the signs are not compliant with statutory requirements, without providing prior notice to the owner of the sign'.<sup>12</sup> The Bill was passed in the Assembly in July 2020.

During the 2020 election campaign, the Commission received 17 complaints about the placement of campaign advertisements on public unleased land. This was an increase on the 13 similar complaints received during the 2016 election. All of these complaints were referred to Transport Canberra and City Services, City Rangers.

12 Electoral Legislation Amendment Bill 2019, Explanatory statement, 26 September 2019, [www.legislation.act.gov.au/View/es/db\\_61042/20190926-72278/PDF/db\\_61042.PDF](http://www.legislation.act.gov.au/View/es/db_61042/20190926-72278/PDF/db_61042.PDF), p.3.

While the number of formal complaints relating to placement of signs increased from 13 in 2016 to 17 in 2020, anecdotal and informal analysis of social media, letters to the editor and public commentary during the campaign indicates that the general degree of dissatisfaction with the proliferation of campaign signs (principally the signs on stakes known as corflutes) across Canberra's main roads and suburban streets, became less intense than that experienced at the previous election.

The Commission remains cautious about imposing further restrictions on signs that could lead to time consuming and/or cumbersome methods of regulating electoral advertising signs.

## Truth in political advertising

In September 2020, the ACT Legislative Assembly passed the *Electoral Amendment Act 2020*, which introduced a new offence for misleading electoral advertising, more commonly referred to as 'truth in political advertising law'. While the Electoral Amendment Act was passed prior to the 2020 election, the provisions within did not take effect for the election because of commencement provisions provided for the law to come into effect on 1 July 2021.

The idea of legislating for truth in political advertising has been discussed in depth at both federal and state levels numerous times over the past 30 years. When proposed, typically inquiring committees or parliaments have deemed it unworkable in practice and it has not reached legislation in most circumstances. Legislation has been in place previously, but was repealed soon after at a Commonwealth level, and a form of truth in advertising legislation remains in force in South Australia and to a certain extent within the Northern Territory.

Prior to the passing of *Electoral Amendment Act 2020*, South Australia was the only Australian jurisdiction with current legislation in place that actively governs truth in political advertising. Section 113 of the *Electoral Act 1985* (South Australia) provides for an offence if a person authorises, causes or permits the publication of an electoral advertisement if the advertisement contains a statement purporting to be a statement of fact that is inaccurate and misleading to a material extent. The new ACT legislation mirrors the wording of the South Australian legislation.

The scope of both pieces of legislation is narrow, limiting the law to regulating statements of fact as either inaccurate or misleading.

At a 2001 Finance and Public Administration Legislation Committee hearing, the then Australian Electoral Commissioner, Andrew Becker, who had also previously served as the South Australian Electoral

Commissioner, opined that the South Australian legislation had not had any appreciable effect on the nature of political advertising in South Australia and that the legislation opened up opportunities for individual candidates to disrupt the electoral process by lodging nuisance complaints.<sup>13</sup>

While the Commission believes strongly that truth should be at the heart of an election campaign, it continues to hold a number of concerns about the new legislation aimed at regulating it. Assessing political statements inevitably requires complex and often subjective judgments of concepts, policies, figures and theories. It is the Commission's view that such assessments are outside of what the Commission's statutory function should be. Such investigations could impose a significant increase in its election period workload and demand a sizable percentage of the Electoral Commissioner's focus, at such a crucial period as to interfere with its core functions of conducting a free, fair and transparent election. The Commission notes that the AEC has regularly expressed the same view about performing this function when proposed for Commonwealth adoption.

The Electoral Commission maintains concerns that when required to scrutinise political advertising and act as the final arbiter on the truth or otherwise, the consequence of determinations made, one way or the other, by the Commission could inevitably raise accusations of political partisanship. The reputation of the Commission, based inherently around neutrality and independence, would likely face unprecedented attacks; attacks that could ultimately have a serious impact on the community's perceptions of the ACT's democratic system.

The new law provides for the Commissioner to ask the offending person not to disseminate the advertisement again and/or publish a retraction. However, if neither of these actions are undertaken, or there is delay to the action, any purported damage to a political campaign is likely to have already been done. With the full force of enforcement of this legislation coming via the ACT Supreme Court, which is likely not to occur until after the election has concluded, political participants may decide to risk post-election sanctions in the hope of electoral advantage. Alternatively, and importantly, if the consequence of a positive prosecution for a breach of truth legislation is a formally disputed election through the Supreme Court acting as the Court of Disputed Elections, such legislation could provide for long periods of political uncertainty following the conclusion of each election.

<sup>13</sup> Finance and Public Administration Legislation Committee, Charter of Political Honesty Bill 2000 [2002] Electoral Amendment (Political honesty) Bill 2000 [2002] Provisions of Government Advertising (Objectivity, Fairness and Accountability) Bill 2000 Auditor of Parliamentary Allowances and Entitlements Bill 2000 [No 2], August 2002, para 5.60

Assuming that the Assembly does not wish to remove 'Misleading electoral advertising' law altogether, and with consideration of the practicality and enforcement issues addressed above, with particular focus on the potential for accusations of partisanship against the Commission and the potential for the Commission to find embroiled within political gamesmanship, the Commission recommends identifying and empowering a separate independent body to administer complaints, commence investigations and lodge prosecutions into matters of misleading electoral advertising.

### ***Recommendation 18***

The Commission recommends identifying and empowering a separate independent body to administer complaints, commence investigations and lodge prosecutions into matters of misleading electoral advertising.

# Election night and the virtual tally room

**From 6:00pm on election night, Elections ACT provided an election results display system via its election results website until the conclusion of the distribution of preferences and the announcement of the final results on the evening of Friday, 23 October 2021. Following the declaration of the final results the election results website was then amalgamated with the Elections ACT website for ongoing access by the public for informational, and ultimately historical, purposes.**

This election results system featured detailed election results displayed in both textual and graphical form. Interim preference distributions were also made available as the results of electronic votes were entered into the counting system from the close of polls on election night; continuing with progressive updates in the week after election day as paper ballots were electronically scanned and added to the count.

As has been the practice at all recent ACT elections, Elections ACT continued to provide data feeds to any media organisations requesting up to the minute results information for use within their own election results systems.

Following the close of polls on election night at 6:00pm, the counting of the votes taken on election day commenced at each polling place. The ballot boxes containing ordinary votes were opened and ballot papers sorted to the first preference for each candidate. Ballot papers for all five electorates were counted and sorted to candidates in each polling place. At the same time as this counting was occurring, Elections ACT were able to conduct an interim distribution of preferences for each electorate using electronic votes cast throughout the three-week early voting period. The results from the distribution of 179,101 electronic votes cast at the 15 early voting centres were available on the website at around 6:20 pm. A second interim distribution of preferences which included all the electronic early votes and all electronic polling day votes was published on the website at approximately 10:00 pm.

Once the count of first preferences on paper ballots within a polling place was complete, the OIC of the polling place entered the results into the Election Results Display System (ERDS) module incorporated in the LAPPERDS system, using the laptop computer provided to each OIC to manage their polling place. The results were transmitted to a central database either via a 4G router, in the case of polling places

located in non-ACT government owned premises, or via the ACT government network for polling places located in ACT government schools and some community locations. ERDS then tabulated the results for display on the results website. As at previous ACT elections, the statistical information made available online included vote totals for candidates and parties at the polling place and electorate level, as well as summary information by party at the electorate and ACT level. Results were automatically updated every minute to accommodate new data that may have been lodged as each polling place finalised and transmitted their final election result.

The election results display also included a dashboard graphical display which presented up to the minute data on voter turnout, the current top five parties by electorate, the current top five candidates by electorate, swing results data and total vote counts for each party. The election results website also included an interactive map of the ACT allowing users to select an electorate, polling place or the ACT as a whole for up to the minute top-level result information.

As has been the case at recent past ACT elections, the transmission of results directly from laptops within a polling place to the virtual tally room via a communications network, replaced the past practice of OICs phoning their results to a call centre in the tally room, where results would be data-entered. Elections ACT remains the only electoral commission in the country to facilitate this automated transmission of results from the polling place direct to the results website.

In 2016, 73 per cent of polling places had finalised and transmitted their results by 9:00pm, which itself was a significant improvement on all previous elections. In 2020, 92 per cent of polling places had completed their reporting obligations in full by 9:00pm. Of the remaining 8 per cent all but one polling place had transmitted results for four of the five electorates by 9:00pm, resulting in 98 per cent of all electorate results available to the public by 9:00pm. The average reporting completion time was 7:47pm; only one hour and 47 minutes after the polls closed at 6:00pm. Historically, prior to the introduction of LAPPERDS in the ACT, it was not uncommon for the larger polling places to still be finalising their results at 11:30pm or later. Many other jurisdictions still experience these types of delays to election night result finalisations.

# The count of preferences

## Scanning scrutiny system

**At the last four ACT elections, the Electoral Commission has engaged a ballot paper scanning system that reads and records the preferences on each handwritten ballot paper.**

This system was first used at the 2008 election, the first time such a scanning system was used for a parliamentary election in Australia. The scanning system was developed for the Commission using a combination of available scanning, imaging and Intelligent Character Recognition software and specific purpose software to cater for the ACT election scrutiny rules.

In 2020, using the ballot paper scanning scrutiny system, the final result was publicised through the issuing of a media release at 9:45pm on Friday, 23 October 2020. This is the earliest that a final result has been made known in any ACT election. Due to the legislative requirement to wait for the final mail delivery on the Friday following election day, to allow for the cut-off for returned postal votes, the earliest possible timeframe for a final result is Friday evening, six days after election day. In effect, the 2020 ACT election saw the earliest possible final result publication.

The final distribution of preference result sheets was posted on the Elections ACT website at around 9:15pm on Friday, 23 October 2020, just over six days after the close of the poll at 6:00pm on 17 October 2020.

In most respects, the process followed in 2020 was essentially the same as the process followed in 2016. With a few minor alterations, it was in turn the same process adopted in 2012. This process is described in more detail in the Commission's report on the 2012 election.

The Commission is confident that the count of preferences using the scanning system was conducted at a very high level of accuracy. The various quality control measures built into the process were designed to achieve as close to 100 per cent accuracy as possible, given the limitations of interpreting handwritten numbers on ballots.

As was the case following the 2012 and 2016 elections, the Commission again conducted an audit of the images of the scanned ballot papers from the 2020 election to verify the accuracy of the system. After the 2012 election, a random sample of 1,000 ballot papers from each of the three electorates was checked to ensure the ballots were scanned correctly. Since 2016, a random sample of 3,000 ballot papers across the five

electorates has been checked to audit the accuracy of the ballot paper scanning scrutiny system. The audit process across each of the three electoral events is yet to find any cases where the electronically recorded preferences differed from the handwritten preferences on the paper ballots.

At the 1998 election, a full recount was conducted in the Molonglo electorate to confirm a close result. Two candidates were five votes apart when a decision was needed to determine which of the two candidates was to be excluded from the count. In the course of the recount, a small number of sorting errors were detected, sufficient to change the relative order of the two candidates, so that the candidate who was five votes behind ended up three votes in front after the recount. The small, yet crucial number of sorting errors detected led to calls for the ACT election counting process to be computerised and ultimately led to implementation of eVACS®, and a little later in 2008, ballot paper scanning. While it is possible that errors have occurred on individual ballot papers across these recent electoral events, the fact that across a combined 9000 ballot papers not a single error has been identified indicates that the ballot paper scanning system provides for a very high level of counting accuracy.

## Electronic counting using eVACS®

The eVACS® counting system has been used to count ACT elections since the introduction of computerised voting and counting at the 2001 election.

## 2020 enhancement of the ACT's Hare-Clark counting system

### Impact of rounding values to six decimal places

In its report on the 2016 ACT Legislative Assembly election, the Commission recommended that Schedule 4 of the Electoral Act be amended to provide that vote values calculated by multiplying ballot paper totals by fractional transfer values should be rounded down to six decimal places, rather than the nearest whole number. This recommended change was accepted by the Assembly and an appropriate amendment was made to the Electoral Act, in July 2020, by the *Electoral Legislation Amendment Act 2020*.

In making this recommendation, the Commission noted that the practice of rounding vote values down to whole numbers had the potential to unfairly influence election outcomes, particularly where two

or more candidates have very close numbers of votes at the point where one of those candidates is to be elected or excluded. While the Electoral Commission had some difficulty implementing the change within the eVACS® counting system, as discussed under *Errors in the eVACS® counting code*, it is evident via an analysis of hypothetical scrutiny sheets that the legislative change was an effective one, arguably resulting in a more accurate and fair election result.

This potential to unfairly influence election outcomes arises as the rounding down of vote values to whole numbers removes fine gradations of support indicated by voters' preferences that become apparent when fractions of votes are taken into account. Over the course of a complex Hare-Clark scrutiny, particularly where there is a relatively large number of candidates, the omission of fractions of votes by rounding to whole numbers can have the effect in a small number of cases of leading to anomalous situations where a candidate with demonstrably greater voter support may be excluded from the count while a candidate with lesser support remains in the count.

In turn, this practice could have the potential to result in the election of a candidate with lesser support than a candidate with greater support, in the rare event that two candidates were vying for the final position in an election scrutiny with very close numbers of total votes.

A more likely outcome might be to alter the order of exclusion of candidates standing lower in the poll than those who have sufficient numbers of votes to reach a quota and be elected. While this outcome may not alter the final election outcome, again there is a possibility, however remote, that changing the order of exclusion of candidates may impact the identity of candidates elected later in the scrutiny.

While these are unlikely scenarios, it is preferable that the election counting rules be designed to prevent or at least minimise such arguably unfair outcomes.

The adoption prior to the 2020 election of the rule to calculate vote values to six decimal places provided an opportunity to demonstrate the differences that applying this rule may make. As the computer system used to calculate the election results had to be re-written to provide for this change, the Commission was able to undertake comparisons using the 2016 election results to analyse the impact of making this change.

For the 2016 ACT Legislative Assembly election, all vote values were rounded down to whole numbers to calculate the election results according to the law as applied at that election. In order to test the application of the new rules rounding vote values to six decimal places, the 2016 general election results in all five ACT Legislative Assembly electorates were recalculated using the new rule. In all cases, the application of the

new rule did not alter the final election results, nor did it alter the order of exclusion of any candidates. As to be expected, the adoption of the six decimal place rounding rule resulted in small increases to the total numbers of votes received by candidates in each election, as fewer votes were lost by fraction.

While the adoption of the six decimal place rule did not alter the 2016 general election results, test results applied to hypothetical casual vacancies using the 2016 election results did result in changes to the order of exclusion of candidates in some cases.

In order to test the revised counting system for casual vacancies resulting from the adoption of the six decimal place rule, ten test cases were chosen across all five electorates, and the results were compared using the old rounding down rule and the new six decimal place rule. It is noted that these test cases necessarily required the arbitrary choosing of candidates to contest hypothetical casual vacancies. This test was also conducted using the two actual casual vacancies that occurred in the period 2017–19.

Of these 12 cases, the order of exclusion was found to be different in three cases, all of them hypothetical. In two of these cases, the change in the order of exclusion happened relatively early in the course of the scrutiny and impacted only candidates with relatively small numbers of votes. In one case, the change in the order of exclusion happened near the end of the scrutiny, where the two candidates concerned each had over 2,000 votes. In all of these cases, the final result was unchanged with respect to the identity of the successful candidates.

No changes were apparent in the cases of the actual casual vacancies that occurred in this period.

The following table illustrates how the application of the six decimal place rule can change the order of exclusion of candidates. In this hypothetical example, a casual vacancy was conducted in the electorate of Murrumbidgee for Jeremy Hanson, with 22 candidates contesting the vacancy.

The order of exclusion of candidates Roman Gowor and Emma Davidson was altered following the application of the six decimal place rule. In the table, the *Count* column shows the count numbers of the relevant part of the scrutiny at which ballot papers were distributed. The *Ballot papers* columns shows the numbers of ballot papers allocated to the two candidates, and the transfer value applied to those ballots. The *six decimal places* columns show the vote numbers allocated to each candidate, calculated by multiplying the number of ballots counted to each candidate by the transfer value, and rounding the results down to six decimal places. The *Rounded to whole no.* columns show the vote numbers allocated to each candidate, calculated



by multiplying the number of ballots counted to each candidate by the transfer value, and rounding the results down to whole numbers.

It can be seen that candidate Davidson receives several parcels of just a single ballot paper, which upon multiplication by the transfer value, equate to 0.742399 of a vote. Under the round down to whole numbers rule, each of these ballots has zero vote value. Under the six decimal places rule, they each retain the value of 0.742399 of a vote. The inclusion of these votes under the 2020 six decimal places rule is sufficient to place Davidson ahead of Gowor at the point where one of them must be excluded; by contrast the omission of these votes under the round down to whole numbers rule puts Gowor ahead at this point in the comparable scrutiny using the 2016 rules.

This example clearly illustrates the value of the change to the six decimal place rule, as it takes into account valid preferences of voters that under the old rules were effectively ignored.

Table 28 is a hypothetical casual vacancy in the electorate of Murrumbidgee showing the relative standing of candidates Roman Gowor and Emma Davidson using the two different rounding methods.

**Table 28.** Hypothetical casual vacancy

Count	Ballot papers			Six decimal places		Rounded to whole no.	
	Roman Gowor	Emma Davidson	Transfer value	Roman Gowor	Emma Davidson	Roman Gowor	Emma Davidson
1	0	0	1	0.000000	0.000000	0	0
				0.000000	0.000000	0	0
2	40	38	8303 / 11184	29.695994	28.211194	29	28
				29.695994	28.211194	29	28
3	3	1	8303 / 11184	2.227199	0.742399	2	0
				31.923193	28.953593	31	28
4	0	1	8303 / 11184	0.000000	0.742399	0	0
				31.923193	29.695992	31	28
5	2	1	8303 / 11184	1.484799	0.742399	1	0
				33.407992	30.438391	32	28
6	3	0	8303 / 11184	2.227199	0.000000	2	0
				35.635191	30.438391	34	28
7	1	1	8303 / 11184	0.742399	0.742399	0	0
				36.377590	31.180790	34	28
8	0	10	8303 / 11184	0.000000	7.423998	0	7
				36.377590	38.604788	34	35
9	3	1	8303 / 11184	2.227199	0.742399	2	0
				38.604789	39.347187	36	35
10	0	1	8303 / 11184	-38.604789	0.742399	0	-35
				0.000000	40.089586	36	0
11	0	0	8303 / 11184		-40.089586	-36	
					0.000000	0	

The fact that the application of the six decimal places rule to these 12 test casual vacancies cases resulted in a change to the order of exclusion in three cases indicates that this change can have a material impact in relatively common circumstances. While the new rule did not result in any changes to the 2016 election results with regard to the candidates elected, it is apparent from these test cases that it is possible for this rule to have a material impact where the vote totals of two candidates are close to each other at the point in the scrutiny where one has to be elected or excluded. In rare but not unforeseeable circumstances, this could lead to a different election result at future elections.

Given that the six decimal places rule gives effect to votes that would otherwise be lost by fraction under the previous round to whole number rule, the Commission supports retaining this change to the ACT's Hare-Clark counting system.

### The definition of surplus

During the course of the 2020 election preparations, it became evident that a previously unforeseen issue had arisen due to the legislative amendments associated with introducing the rounding down of vote values to six decimal places.

The term 'surplus' is defined in the Electoral Act, in relation to a successful candidate, to mean 'the candidate's total votes less the quota, if the resulting number of votes is one or greater'.<sup>14</sup> That surplus is then converted into 'count votes' for those continuing candidates for whom electors have expressed their 'next available preference', and those 'count votes' are allotted to the individual preferred next available continuing candidate and added to their vote totals, noting that the vote value will likely be transferred at a reduced value after the application of the associated 'fractional transfer value' resulting from the surplus.

Prior to the implementation of six decimal places, any fraction that resulted from the calculation of count votes was disregarded. However, the amendments contained within *Electoral Legislation Amendment Act 2020* amended the definition of 'count votes' to provide that, when calculating those votes, any fraction must be rounded down to six decimal places. Consequently, it now became possible that a successful candidate, at the count in which they became successful, could, although highly unlikely, have a 'total vote' total anywhere between 0.000001 and 0.999999 of a vote greater than quota.

Under the current definition of surplus ('the candidate's total votes less the quota, if the resulting number of votes is one or greater'), any amount above quota that falls within the parameters of between 0.000001 and 0.999999 of a vote, would not be considered part of a candidate's surplus, as it is not 'one or greater'.

It is the view of the Commission that this situation was contrary to the design of the Hare-Clark electoral system where once a candidate receives a surplus of required votes, that is higher than the quota, that surplus is transferred, likely at a reduced value, to the voter's next preferred continuing candidate. The Commission was, at the time of the election, and continues to be, of the view that this is an unintended consequence of the change to calculating to six decimal places. The Commission considers this matter to be a drafting error.

The principle discussed here is entrenched within the territory's electoral system by the *Proportional Representation (Hare-Clark) Entrenchment Act 1994*, which provides:

*unless the number of successful candidates is equal to the number of vacancies, any surplus votes for a successful candidate shall be transferred to continuing candidates in accordance with the next available preferences indicated on ballot papers that were counted for the successful candidate.*<sup>15</sup>

This principle provides that once a candidate obtains a quota and is elected, the successful candidate's surplus votes are assigned a transfer value and allotted to the next available candidate preferred and indicated by the voter on each individual ballot paper. The successful candidate is to retain exactly a quota's worth of votes and the surplus moves on.

It is theoretically possible for a successful candidate to achieve a quota plus (0.000001 – 0.999999) of a vote, and under current wording within the Act, anything under a surplus of one would remain with the successful candidate.

### Recommendation 19

The Commission recommends that the definition of 'surplus' in Schedule 4 of the Electoral Act be amended to 'the candidate's total votes less the quota, if the resulting number of votes is greater than 0'.

<sup>14</sup> Electoral Act, dictionary (definition, surplus, for schedule 4, by signpost reference to clause 1 of the schedule).

<sup>15</sup> *Proportional Representation (Hare-Clark) Entrenchment Act 1994*, section 4(1)(j)

# Election staff

## Staffing

For each ACT Legislative Assembly election, the permanent Elections ACT team is supplemented by employing experienced casual and contract staff in temporary positions to manage various processes in the lead-up to, during and following the election. Elections ACT also employ staff under the Electoral Act to work as polling officials at early voting centres and polling places on election day.

In 2020 key temporary contract staff were engaged from March 2020.

Table 29 outlines the commencement dates of key temporary staff at the 2020 ACT election.

**Table 29. Key staff**

Staff position	Commencement
Training manager	March 2020
Election operations officer	March 2020
Elections project officer	March 2020
Materials manager	April 2020
Election operations officer	May 2020
Election operations officer	June 2020
Staffing project officer	July 2020
Postal voting assistant manager	August 2020
Materials assistant	August 2020
Client relations engagement officer	August 2020
Administrative assistant	August 2020
Elections operations officer	August 2020
Communications manager	September 2020

In 2020, Elections ACT sought two secondments from the Australian Electoral Commission, working as an Elections operations officer and the Commission's Communications manager, these officers commenced in August and September respectively.

Elections ACT maintains a database of people who have applied for employment as polling officials and election casuals. Where possible, staff who have been employed previously and who were rated as suitable are offered work again at the approaching election.

In 2020, the number of staff employed to work in early voting centres increased dramatically in comparison to previous elections due to the expansion of early voting services in response to the COVID-19 pandemic. 353 staff were employed to administer early voting centres in 2020 over the three-week voting period.

This is in comparison to 100 staff at the 2016 election. 458 staff were employed to work within the additional polling places that opened for election day. Although the number of polling places remained relatively static between elections, this number is significantly less than the 646 employees engaged for the same purpose in 2016. The decline in the number of single-day employments was a result of the foreshadowed decline in election day votes resulting from the significant uptake in early voting. Prior to the election, Elections ACT had reduced its estimated votes predictions for each election day polling place by 50 per cent, effectively halving the number of issuing points in each single-day polling place. In addition to this additional staff who had undergone online training were on standby in case of any late withdrawals by polling officials who had been allocated to particular locations. Additional casual staff were also employed to work within the office of Elections ACT and at materials collection points across the ACT following the close of polls.

In preparation for the impact of COVID-19 health and safety practices, a decision was made to increase the number of queue controllers and e-voting officers within each early voting location. This decision allowed for a queue controller to be stationed at the head of any queue, directing electors to a place in front of an issuing table, as is typically the practice within ACT polling places. The second queue controller provided for the additional oversight of COVID social distancing measures within any queue that may have formed. The addition of a second e-voting officer allowed for each electronic voting screen to be sanitised after every voter, while still ensuring that assistance was available to e-voting electors at all times.

Exit polling conducted on behalf of Elections ACT indicated that voters felt polling staff were friendly (97%), efficient (96%) and friendly (97%) (see *Table 58 – Voter satisfaction with service delivery provided by ACT polling places* in Appendix 2: Exit polling findings on voter awareness and Elections ACT services).

ACT Shared Services Human Resources was again engaged under contract for the election to facilitate the payment of election casuals. Payment information was maintained and processed through the Elections ACT employment database and payment details transferred electronically to Shared Services for payment. This arrangement again worked well.

Table 30 sets out the staff employed by Elections ACT to conduct the 2020 election. As some employees worked in more than one capacity, these employees may be listed in more than one category in this table.

**Table 30. Staff employed during the 2020 election**

Position	No.
Statutory office holders	3
Permanent Public Sector Management Act staff	13
Contract Public Sector Management Act staff	12
Secondees from the AEC	2
Senior casual staff — election HQ	18
Casual staff — election HQ	106
Polling area managers	7
Officers in charge of polling places (including early voting centres)	82
Seconds in charge of polling places	72
Other election day polling officials	329
Mobile polling officials	0
Early voting officials	321
Bilingual educators	0
<b>Total</b>	<b>966*</b>

\* Individual employees may have performed roles in multiple positions.

## Training

Detailed polling official training is undertaken before every election. In 2020, seven different categories of polling place staff were provided with specific tailored training information: polling area managers (PAMs); officers in charge (OICs); early voting OICs; seconds in charge (2ICs); early voting 2ICs; issuing officers; and early voting issuing officers.

A new online training system for polling staff was developed in preparation for the 2020 election. With the exception of PAMs (who were only required to complete a face-to-face training session) all polling place staff categories were catered for through the online system and all staff employed to work within a polling location were required to complete the online training.

The web-based system contained modularised text sections that were delivered to staff depending on each staff member's particular staff category. Many of the text modules were relevant to multiple staff categories. Using this modular structure enabled changes to the text to be made in one place with the updates automatically disseminated across the training packages of all relevant staffing categories.

Textual information was supplemented by graphics, video content and interactive training elements.

Elections ACT continued to offer a web-based training portal for the LAPPERDS ballot paper issuing component. The portal was integrated within the online training system so that staff could train on a functional online training version of LAPPERDS before their polling official role commenced.

The system was again received well by staff; 83 per cent of OICs, 80 per cent of 2ICs and 83 per cent of issuing officers reporting that they felt that the training either made them very prepared or highly prepared for their work on the election, although these figures were down on the corresponding figures from the 2016 election. Elections ACT will review the online training system in preparation for the 2024 election with the aim of improving polling place outcomes and satisfaction levels within the polling official cohort.

Polling place management staff such as OICs, 2ICs and PAMs received face-to-face training in the weeks before polling day. The three hour-long sessions were conducted by a contracted training provider working to a session outline and content provided by Elections ACT. Sessions were a mix of re-emphasising critical information from the online training package and practical exercises. The sessions were regarded highly by participants with 74 per cent of respondents reporting that they felt the sessions were either very effective or highly effective at preparing them for their work on election day. These results were again down on the previous election's results and a review will be conducted in preparation for 2024 to ensure the training program is as effective as possible prior to the conduct of the election.

# Election equipment and logistics

**While the logistical aspects of conducting a Legislative Assembly election commence at the conclusion of the previous election, many aspects of the process can only be finalised when planning is well into the election period, particularly those areas that require inclusion of polling place addresses or candidate names.**

Between the declaration of nominations and the opening of early voting (a period of only 3 and a half days, including a weekend), a number of vital tasks are undertaken that are critical to the commencement of voting.

Included in this category is the final professional audio recording and associated installation of the candidate names for electronic voting, critical to the use of the electronic voting system by blind and vision impaired voters. The set-up of each of the individual Local Area Networks that supports the electronic voting system within each of the 15 early voting centres must also be completed in the short period between the declaration of nominations and the opening of early voting. This is a significant and critical undertaking.

During this same period, the ballot papers for the election must be typeset, proof-read and printed. Traditionally, this task was made more complex by the fact that there are 60 Robson Rotation versions of each electorate ballot paper; each set requiring thorough proof-reading. However, in preparation for the 2016 election, Elections ACT introduced through its election management system TIGER, the automation of ballot paper formatting which only required the proof reading of the original 60 ballot paper Robson Rotation template. Once this was confirmed as correct the election management system could be relied upon to insert the candidate names in the correct order and Robson Rotation format for each of the five electorates. Elections ACT then compared the first ballot paper in a Robson Rotation set against the template and spot checked various other papers.

However, in addition to the paper versions of ballot papers, electronic versions of the ballot papers and the corresponding 60 Robson Rotation versions, must also be created and proofed for the eVACS® electronic voting system and the OSEV overseas e-voting system. This work could also only take place during the three and a half day period following the declaration of nominations.

The complexities of this period and a corresponding recommendation for legislative change are discussed under *Election timetable* above.

Table 31 sets out a number of key aspects of the election that illustrates the scale of the task of equipping an ACT Legislative Assembly election.

**Table 31. Materials required for the 2020 ACT election**

Item	No.
4G routers	54
Ballot boxes of various sizes	464
Ballot papers printed	271,800
Barcodes printed	544,450
Declaration vote envelopes	6,400
Electoral enrolment cards printed	44,000
Electronic voting touchscreen computers	300
Extension cords	284
Litres of disinfectant	940
Litres of hand-sanitiser	1,328
Pencils (single use)	149,854
Personal protective masks	33,310
Polling official and scrutineer badges	1,567
Polling place issuing point and OIC laptops	685
Polling places hired	83
Power boards	284
Protective screens (sneeze guards)	366
QR code readers	302
Voting screens and other cardboard equipment	2,124

Of particular interest at the 2020 election was the use of materials required to conduct the election in a COVID-safe manner. New materials such as social distancing floor markers, room capacity and COVID-check in posters and posters displaying COVID-safe procedures and practices, were developed for display within each polling location. Personal Protective Equipment (PPE), such as disinfectant, hand-sanitiser, masks and Perspex 'sneeze-screens' were procured in large numbers and dispersed across all facets of the Commission's event conduct. 'Single-use' pencils were

also provided at the 2020 election providing enhanced COVID-safety for those electors voting on traditional paper ballots. In 2016, 2,414 pencils were used, typically attached to each voting screen by a long piece of string. In 2020 however, 149,854 single use pencils were purchased to allow each elector to record their vote on the ballot paper using a pencil that had not come into contact with any other elector.

Also of note was the use of new 'raw' cardboard to manufacture the entire suite of cardboard voting equipment used throughout the election. The new cardboard voting equipment was lighter, stronger, biodegradable and easier to recycle because they were not 'wrapped' in a coloured film as has been the case at previous elections.

Much of the ICT equipment used within voting locations was hired to ensure value for money for the territory and to ensure that contemporary equipment was being used for the critical task of recording voter preferences. 300 touch-screen computers were deployed across the 15 early voting centres. The Electoral Commission also deployed 18 servers in support of electronic voting and telephone voting, as well as 16 printers and 302 QR code readers.



# Election funding, expenditure and financial disclosure

The ACT's election funding, expenditure and financial disclosure scheme consists of three components:

- public funding of election campaign expenditure and party/MLA administrative expenditure
- limits on the amount of electoral expenditure that may be incurred
- disclosure of the financial transactions of registered political parties, political party groupings, MLAs, associated entities, candidates, third-party campaigners, broadcasters and publishers.

The Commission held an online briefing session for party administrators, prospective candidates and other election participants in July 2020, drawing attention to the funding and disclosure provisions, the obligations of each participant and reinforcing the importance of complying with the ACT's funding and disclosure laws.

## Public funding

Registered political parties and non-party candidates who receive a specified minimum number of formal votes are eligible to receive public funding.

To qualify, a group of candidates endorsed by a registered party in an electorate must receive at least 4 per cent of the formal first preference votes counted in that electorate. Each candidate that is not endorsed by a registered political party must also receive 4 per cent of the formal first preference votes counted in that electorate to qualify.

The ACT scheme for public funding is a formula-based direct entitlement scheme, involving automatic payments to parties and candidates calculated by multiplying the total number of first preference votes received by a prescribed amount. For the 2016 election, the *Electoral Amendment Act 2015* increased the prescribed amount for public funding to 800 cents per eligible vote, compared to 200 cents per vote paid at the 2012 election. For subsequent elections, this prescribed amount is adjusted every 6 months by the all-groups consumer price index issued by the ABS. For the 2020 election, the public funding amount was 862.105 cents per eligible vote.

The public funding payments made with respect to the 2012, 2016 and 2020 ACT elections are provided in the following table.

**Table 32.** Public funding at the 2012, 2016 and 2020 elections

Political party/ candidate	Election		
	2012	2016	2020
ALP	\$171,982	\$750,488	\$877,847
LIB	\$172,064	\$717,056	\$784,921
GREEN	\$47,546	\$200,768	\$313,539
BEL	-	-	\$45,381
CP	-	-	\$21,949
DLP	-	-	\$21,699
Aust. Sex Party ACT	-	\$29,552	-
Fiona Carrick	-	-	\$32,613
Kim Huynh	-	\$18,920	-
Aust. Motorist Party	\$9,588	-	-
Bullet Train for Canb.	\$8,222	-	-
<b>Total</b>	<b>\$409,402</b>	<b>\$1,716,784</b>	<b>\$2,097,950</b>

## Limits on election campaign expenditure

Limits on ACT election campaign expenditure were imposed on political entities for the first time at the 2012 election. As a consequence of the increase in the size of the Assembly from 17 to 25 Members, the *Electoral Amendment Act 2015* reduced the expenditure cap amount from \$60,000 to \$40,000 per candidate, resulting in a maximum cap of \$1,000,000 for a party fielding the full 25 candidates. After the 2016 election, the *Electoral Amendment Act 2015* required the expenditure cap amount to be indexed to increase with the Consumer Price Index.

For the 2020 election, the capped expenditure period commenced on 1 January 2020 and concluded on election day, 17 October 2020. The expenditure caps that applied were:

- \$42,750 per candidate to a maximum of 25 candidates for party groupings (with a maximum of five candidates in each of the five electorates)
- \$42,750 per non-party MLA or non-party candidate
- \$42,750 per associated entity
- \$42,750 per third-party campaigner.

There were no occurrences of political participants exceeding the electoral expenditure cap as part of the 2020 ACT election capped expenditure period.

One matter that did arise in relation to electoral expenditure caps in 2020 was the issue of whether expenditure incurred by associated federal elected members or other associated individuals or branches of political parties needed to be included within the party grouping's electoral expenditure cap calculations.

The Electoral Act exhaustively defines 'party grouping' as comprising a party, a MLA, a candidate and a prospective candidate. When the Electoral Act uses the word 'party' the term is defined to mean the registered political party in the ACT. Neither federal elected members from the related federally registered party, other state and territory MPs from other related parties, nor the related party infrastructure itself, falls within the definition of 'party grouping' for the ACT registered political party. Accordingly, expenditure on electoral matter for an ACT election, whether by an MP from a related party federally or in another state or territory, or any related party at another jurisdictional level, is to be regarded, to the extent it is \$1,000 or more, as subject to its own expenditure cap regulated as a third-party campaigner under the Electoral Act and not that of the ACT registered party grouping.

The extrapolated possible impact of this is the potential for related political parties and/or related elected members from another jurisdiction, but particularly federally elected members representing the ACT either in the Senate or the House of Representatives, to act in a concerted manner to benefit the electoral campaign of an ACT registered political party or its associated candidates, outside of the associated party grouping's expenditure cap. Under these conditions, it is possible for a political party to effectively extend its electoral expenditure cap to a significant extent by arranging for associated political entities from within the broader party to engage in the production and dissemination of electoral matter for an ACT election.

The Electoral Commission is of the view that such arrangements would not be considered within the intent of the electoral expenditure cap provisions.

The Electoral Commission recommends that the definition of 'party grouping' be expanded to include 'related political parties' and other associated political entities such as elected members from other jurisdictions, for the purpose of electoral expenditure cap calculations.

An alternative approach may be to amend the Electoral Act simply to clarify the relationship between a territory registered political party and a related political party, for the purpose of electoral expenditure cap calculations.

### **Recommendation 20**

The Commission recommends that the definition of 'party grouping' be expanded to include 'related political parties' and other associated political entities such as elected members from other jurisdictions, for the purpose of electoral expenditure cap calculations.

## **Comparison of public funding received against election campaign expenditure**

With an expenditure cap of \$42,750 per candidate, a party grouping running a maximum of five candidates in each of the five electorates, was permitted to spend up to \$1,068,750 on electoral matter during the 2020 electoral expenditure cap period.

Public funding for the 2020 ACT election was set at 862.105 cents per eligible vote.

The explanatory statement that accompanied *Electoral Amendment Act 2015* which originally increased the public funding amount from 200 cents to 800 cents per eligible vote, stated that:

*There is a rational connection between the limitation on political electoral expenditure and the legitimate purposes of reducing the risk that electoral debates will be dominated by the well-financed and reducing the related risk that candidates and parties will be beholden to their financial supporters. These purposes are inextricably connected to the wider purpose of discouraging corruption through a scheme of robust reporting of political donations, partial public funding and expenditure limits.<sup>16</sup>*

It can be seen from the table below which compares the reported electoral expenditure of political parties and non-party candidates, that the introduction of an electoral expenditure cap and the increase to public funding has arguably achieved its stated purpose of reducing the risk that candidates and parties will be beholden to private financial supporters.

<sup>16</sup> Electoral Amendment Bill 2014 (No 2), Revised explanatory statement, 19 February 2015, [www.legislation.act.gov.au/View/es/db\\_50925/20150219-60187/PDF/db\\_50925.PDF](http://www.legislation.act.gov.au/View/es/db_50925/20150219-60187/PDF/db_50925.PDF), p. 3.

Of the parties and candidates that qualified for public funding, the two major political parties, the Australian Labor Party (ACT Branch) and the Liberal Party of Australia (A.C.T. Division) accounted for 83.4 per cent and 73.6 per cent of their electoral expenditure through public funding, respectively. The Belco Party received public funding accounting for 79.9 per cent of their electoral expenditure, while Canberra Progressives' public funding receipts accounted for 60.3 per cent of their electoral expenditure.

The ACT Greens, Democratic Labour Party (DLP) and Fiona Carrick, each received more public funding than they incurred in electoral expenditure.

Prior to *Electoral Amendment Act 2015*, the Electoral Act provided for a \$10,000 cap on donations to a political entity by a single donor in a financial year. Noting that the high levels of public funding have resulted in political parties covering a significant majority of their electoral expenditure through public funding, and in some cases exceeding it, the amount of public funding received has duly and significantly limited the potential for undue influence from private funding.

### **Recommendation 21**

To limit the perception of undue influence of private money in ACT elections, the Commission recommends that the Assembly review the previous legislation imposing a \$10,000 cap on political donations with a view to reinstating a similar provision.

### **Recommendation 22**

The Commission recommends amending the Electoral Act to include provisions that limit the amount of public funding that can be received by a political party or candidate to ensure that the amount received does not exceed the amount of electoral expenditure incurred.

**Table 33.** Comparison of electoral expenditure and public funding received

Political party/candidate	2020 electoral expenditure	2020 public funding received
ALP	\$1,052,682	\$877,847
LIB	\$1,066,876	\$784,921
GREEN	\$124,768	\$313,539
BEL	\$56,798	\$45,381
Fiona Carrick	\$13,693	\$32,613
CP	\$36,387	\$21,949
DLP	\$12,893	\$21,699
AJP	\$5,248	-
CLIM	\$18,039	-
FED	\$3,463	-
David Pollard Independent	\$5,597	-
LDP	\$4,947	-
SFF	\$4,189	-
SUST	\$650	-
Canberra Party	\$0	-
CAP	\$183	-
The Flux Party	\$0	-
Mignonne Cullen	\$4,093	-
Marilena Damiano	\$2,000	-
Fuxin Li	\$27,953	-
Bruce Paine	\$1,207	-
Lee Perren-Leveridge	\$500	-
Brendan Whyte	\$541	-

## Disclosure of financial transactions

Political parties, MLAs and associated entities are required to lodge their annual returns with the Electoral Commissioner no later than 31 August each year. The returns must then be made public by 7 September. The Commission continued to meet this timeline in the 2020 election year.

The Electoral Act also provides for a changing disclosure timeline dependent upon the period of the four-year election cycle in which the electoral participant is required to report. The varying timeframes for the regular reporting of gifts are:

- In a non-election year, or in the first quarter (1 January until 31 March) of an election year, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year, a return must be submitted to the Electoral Commissioner within 30 days of the end of the financial quarter in which the total amount received from the person reached \$1,000.
- In an election year, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year between 1 April and 30 June, a return must be submitted to the Electoral Commissioner by 7 July.
- In an election year, if the value of the gift or gifts received from a person reaches \$1,000 in the financial year after 30 June and before the end of polling day, a return must be submitted to the Electoral Commissioner seven-days after the total amount received from the person reaches \$1,000.

Once a gift return is received, the Electoral Commissioner must then publish the returns as soon as practicable after receiving them. In practice, this is usually achieved within a day or two of the disclosure.

The seven-day reporting period, also known as the 'real-time reporting' period, ran from 1 July 2020 up to the end of polling day, 17 October 2020. In this period, gifts of \$1,000 or more or multiple gifts from the same individual or organisation that totalled \$1,000 or more were required to be reported within seven days of receipt of the gift or within seven days of the total of gifts from the same individual or organisation reaching the \$1,000 threshold. For the 2020 election, 213 separate gifts, totally \$367,245.92 were disclosed and published on the Elections ACT website during this period. This is a significant decrease in the number

and value of gifts disclosed during the same period in 2016. At the 2016 election, 611 separate gifts, totalling over \$1,770,000 were disclosed during the real-time reporting period. It is likely that this dramatic reduction in disclosure numbers was not reflective of a reduction in donations to political parties in 2020, but a result of amendments to the Commonwealth Electoral Act which came into effect on 1 January 2019 and had the effect of limiting, to a significant extent, the operation of the ACT's funding and disclosure scheme. While the ACT's funding and disclosure provisions remained unchanged between the 2016 and 2020 elections, the commencement of the Commonwealth laws meant that, for a gift or gifts that were provided to a party with dual registration at the ACT and federal levels, without the express designation by the donor that it be used for a territory electoral purpose, or it had not been kept or identified separately by the political party for a territory electoral purpose, then the registered political party was not required under territory law to disclose the gift particulars to the ACT Electoral Commission.

Following the 2020 election, election returns outlining details of electoral expenditure were received from all 16 registered political parties. Election returns outlining donations received and expenditure on electoral matter were also received from non-party candidates and third-party campaigners and election disclosure returns outlining details of those who purchased electoral advertising were received from six broadcasters and four publishers.

All election returns received before the due publication date were made available for public inspection on 1 February 2021. Returns were made available at the office of the Electoral Commissioner and were published on the Elections ACT website at [www.elections.act.gov.au/funding\\_and\\_disclosure/financial\\_disclosure\\_returns/financial-disclosure-returns-election-returns/2020-election-returns](http://www.elections.act.gov.au/funding_and_disclosure/financial_disclosure_returns/financial-disclosure-returns-election-returns/2020-election-returns).

# Compulsory voting

Voting is compulsory for ACT elections. It is an offence for an enrolled elector to fail to vote at an election without a valid and sufficient reason.

By subtracting the number of votes counted (273,143) from the total enrolment (306,000), a total of 32,857 electors had apparently failed to vote at the 2020 election. However, this calculation does not take account of electors who attempted to vote and had their votes rejected (such as postal voters who did not sign their declaration) or declaration voters whose names were not included on the roll, but whose votes were admitted to the count because their name was found to have been removed from the roll in error.

The 2020 election also saw a new non-voter related occurrence. Due to the change to the close of roll arrangements and the new ability for electors not on the ACT electoral roll to enrol up until the close of polls on election day, many new electors to the ACT enrolled online after the close of the preliminary roll without realising that doing so would make them eligible to vote in the ACT election that was already underway. When these electors received an apparent failure to vote notice, a common response was that they did not believe they were eligible as they enrolled after what they understood to be the traditional close of rolls. At the time of writing, just prior to issuing the second non-voter notice, there were 202 occurrences of this scenario.

For the first time since the 2004 election, the 2020 election saw a decrease in the percentage (10.7%) of apparent non-voters. This is remarkable considering that the 2020 election was run during a pandemic. It is also impressive due to the change in the close of rolls arrangements. For the first time new electors in the ACT could enrol up until the close of polls on election day, yet electors who were enrolled in the ACT, but had left the ACT since the close of the preliminary roll could not be removed from the roll. This had the effect of swelling the final close of roll and increasing the number of non-voters; leaving electors on the roll who, while eligible to vote, were no longer located in the territory. A total of 2,171 electors was immediately removed from the ACT electoral roll following election day, involving 115 deaths and 2,056 electors who had moved out of the ACT and re-enrolled elsewhere between 12 September 2020 and election day. Had these electors been removed from the final certified list of electors, the percentage of non-voters would have reduced further to 10.1 per cent.

It is arguable that the ability to achieve a decline in non-voter percentage in 2020 was a result of offering all electors the opportunity to vote on a date and at

a time that suited their particular needs. Even in the midst of a world-wide pandemic, more people voted in the 2020 election, both in raw numbers and by percentage, than at the previous election. It remains clear that many electors are attracted to the option of voting early, particularly at an early voting centre.

Accordingly, and as previously discussed under *Removing restrictions on early voting* the Commission recommends that the Electoral Act be amended to provide that any elector may vote early at an early voting centre without the need to declare that they are unable to attend a polling place on election day.

Table 34 shows the percentage of apparent non-voters for ACT elections since 1995.

**Table 34. Percentage (%) of non-voters at ACT elections**

1995	1998	2001	2004	2008	2012	2016	2020
10.5	8.1	9.1	7.2	9.6	10.7	11.5	10.7

Table 35 shows the percentage of non-voters at each of the two most recent state/territory and federal elections.

**Table 35. Percentage (%) of non-voters at federal/state elections**

	2013	2014	2015	2016	2017	2018	2019	2020
NSW				9.5				10.6
Vic		7.0				9.6		
Qld			10.1					12.1
WA	10.8				11.4			
SA		8.0				9.0		
Tas		6.5				7.6		
ACT				11.7				10.7
NT				26.0				25.1
Federal				9.0			8.1	

It is interesting to note from the table above that only the most recent ACT, Northern Territory and federal elections experienced declines in their non-voter percentages in comparison to their corresponding previous election. Both the NT and ACT elections were run during the pandemic and both jurisdictions allowed all electors to access early voting services.

A total of 9,012 apparent non-voters were not sent failure to vote notices as they had either provided early notification of a valid and sufficient reason for failing to vote, their postal or declaration votes were not admitted to the count, or they had transferred their enrolment interstate after the election.



On 8 December 2020, 23,845 electors were sent an apparent non-voter notice.

On 29 March 2021, Elections ACT sent reminder 'second notices' to the 14,364 apparent non-voters who had failed to reply to the first notice by that time.

At the time of preparing this report, Elections ACT was still accepting replies to second notices.

Notices of possible prosecution will be sent to those electors who do not reply to the second notice following the expiry of the three-week deadline.

Elections ACT will then liaise with the ACT Magistrates Court regarding the issuing of summonses to those electors who fail to respond to the notice of possible prosecution, and to those electors who provided a reason that was taken not to be valid and sufficient and who had not subsequently paid the failure to vote penalty.

Table 36 outlines the replies received up to 25 March 2021, compared with the total replies for the 2012 and 2016 elections. Non-voter processes will continue into the 2020–21 financial year.

**Table 36. Non-voter statistics, 2016 and 2020 elections**

Details	2016	2020 <sup>‡</sup>
Total enrolment	283,162	306,000
Votes counted	250,460	273,143
<b>No. of apparent non-voters</b>	<b>32,702</b>	<b>32,857</b>
Valid reason for not voting provided before notices sent*	11,729	8,745
<b>No. of electors sent non-voters notice<sup>^</sup></b>	<b>21,372</b>	<b>23,845</b>
Elector claimed to have voted	385	251
Elector deceased	33	11
Other valid and sufficient reason provided	5,837	2,671
\$20 penalty paid	6,082	5,235
Elector moved permanently interstate or overseas	1,138	1,511
Letter returned undelivered	1,948	952
Under investigation	0	104
No reply — second notice sent	-	14,318

\* Includes electors whose postal or declaration votes were not admitted to the count, electors who provided valid reasons in person or by telephone, letter or email, and electors who transferred their enrolment interstate before notices were sent.

<sup>^</sup> The number of notices sent and the number of valid reasons provided before notices were sent do not sum to the total number of apparent non-voters because some electors who did in fact vote were sent non-voter notices as their names were not correctly marked as having voted in polling places and because some electors who were not enrolled had their votes admitted to the count following the declaration vote scrutiny.

<sup>#</sup> At the time of preparing this report the non-voter process was yet to be finalised. 2020 figures are not final.

After the completion of the 2016 non-voter process, a total of 6,082 electors paid the \$20 fine for failure to vote. For the 2020 election, 5,211 electors have already chosen to pay the fine by the point that second notices were being sent. It is likely that this number will continue to increase following the conclusion of the deadline for responses to the second notice and the issuing of the notice of possible prosecution later in 2021.

As argued in previous election reports, it is possible that the marked increase since 2004 in the number of non-voters choosing to pay the \$20 penalty for failing to vote may be due, at least in part, to the low value of the penalty. For some electors, it may be that the \$20 penalty is not a sufficient incentive to encourage them to vote.

It continues to be noteworthy that only the Commonwealth, Western Australia and the ACT currently have a \$20 penalty for failure to vote. The Western Australian penalty increases to \$50 if the elector has previously paid a penalty or has been convicted of failing to vote. The penalty notice fines in other jurisdictions range from \$25 in the Northern Territory to \$83 in Victoria. The penalty in Tasmania is \$34.40, \$70 in South Australia, \$55 in New South Wales, and \$66.50 in Queensland. In each of these jurisdictions with the exception of the Commonwealth, Western Australia, South Australia and the ACT the penalty for failure to vote is linked to a penalty unit, providing for the penalty to increase over time.

The Commission notes that the current ACT penalty for failure to vote that may be imposed by a court is half a penalty unit (plus court costs). With one penalty unit currently set at \$160, this penalty is \$80. The Commission suggests that, if the penalty notice fine in the ACT is to be increased, it would be appropriate to link it to a quarter of a penalty unit, rounded down to the nearest \$5 (for ease of administration). This would result in the penalty notice fine being increased to \$40.

### Recommendation 23

The Commission recommends that the penalty notice fine for failing to vote at ACT Legislative Assembly elections should be increased and linked to a fraction of a penalty unit. The Commission further recommends that the penalty should be set at quarter of a penalty unit, rounded down to the nearest \$5.



The Commission notes that the Auditor General in the *Performance Audit Report: 2016 ACT Election* makes a similar recommendation for linking the non-voter fine to a penalty unit 'to allow incremental adjustments and determine what penalty is to be established for non-voters (and in doing so increase the current \$20 fine).'<sup>17</sup>

## **Enforcement of compulsory voting through the Magistrates Court**

Division 10.7 of the Electoral Act provides for the process of enforcing compulsory voting in the ACT. Section 164 of the Act provides for the content of the final default notice, stating that if the elector does not wish to have the matter dealt with by a court, the elector may pay the amount of the prescribed penalty, or otherwise satisfy the Commissioner that they did vote or have a valid reason for failing to vote. For the 2016 election, following the completion of the final default notice process, the ACT Electoral Commission issued a total of 1,882 non-voter summonses.

Over 1,800 court proceedings are a significant burden on the Magistrates court and the Director of Public Prosecutions, notwithstanding the administrative effort and costs incurred by the Electoral Commission in issuing the summonses. It is the view of the Commission that a more practical and efficient solution should be devised that continues to deliver on the policy objectives of failure to vote enforcement while removing the requirement for electors who have not responded to the initial three apparent failure to vote notices to be directly dealt with by the courts.

One possible solution could be to impose an infringement notice to sit alongside the prescribed penalty providing for a graduated step in the enforcement of the electoral breach. Under this regime, an elector who failed to vote at an ACT election without a valid reason for doing so could opt to pay the prescribed penalty. Should the elector fail to take this action after the exhaustion of the legislated three-notice process, the matter would be handed over to the responsible ACT government entity for the issuing of an infringement notice. The infringement notice penalty amount would be linked to a penalty unit or a fraction of a penalty unit. This graduated increase in fine would provide a meaningful fine, but also an incentive for offenders to pay the increased fine rather than pursue the matter in the court. This proposed regime would eliminate the issuing of all summonses, with only those electors wishing to further contest the matter requiring the Magistrates Court and the DPP to be involved. Failure to pay the infringement notice would be dealt with in a similar manner as other failure to pay matters in the ACT such as driver's licence suspension.

Noting that some electors will not have responded to any of the default notices as a result of having changed address without updating their electoral roll details, it would be beneficial for the compulsory voting enforcement legislation and infringement notice process as discussed above, to provide for the Electoral Commission to withdraw, or apply to withdraw, an infringement notice if an apparent non-voter was to submit a 'valid and sufficient' reason for not voting following their eventual notification of having received the infringement notice.

### **Recommendation 24**

The Commission recommends that legislation be provided for the imposition of a non-voter infringement notice, linked to a penalty unit or a fraction of a penalty unit, to provide for a graduated increase in the penalty for failing to vote. In lieu of agreement to this recommendation, the Commission recommends that consideration be given to alternative legislative change with the aim of bypassing or significantly reducing the requirement for the involvement of the Magistrates Court in compulsory voting enforcement proceedings.

<sup>17</sup> ACT Audit Office, Report no. 02/2017, February 2017, *Performance Audit Report: 2016 ACT Election*, p. 81.

# Multiple voting

**After every election, the records of electors who have voted are checked to determine whether it appears any elector may have been marked as having voted more than once.**

In most cases, investigations indicate that the multiple roll marks are the result of errors made by polling officials either marking a name similar to the elector's name or occasionally marking an elector's name and then very soon afterwards, searching another laptop for the roll mark, finding the name unmarked (as time has not yet permitted the roll mark to be transmitted across to other units) and marking the name a second time.

In the ACT, it is rare to find evidence that a person has deliberately voted more than once, which is a relatively serious offence, with a penalty of 50 penalty units (\$8,000 at the time of the 2020 election), or imprisonment for six months, or both. Historically, in those cases where evidence suggests a person may have voted more than once, there are often mitigating circumstances. For example, in years when mobile polling has been in operation, persons with memory loss may vote through a visit by a mobile polling team and then vote a second time at a polling place on election day. In ACT elections, no elector has ever been prosecuted for deliberate and systematic multiple voting.

The introduction of networked electoral rolls LAPPERDS in 2012 and used again in 2016 and 2020, limited the opportunity for people to fraudulently vote more than once. The LAPPERDS system provides for a voter's roll mark transaction made on one laptop in a polling place to be transmitted across the

telecommunications network to all other networked LAPPERDS computers in all other polling places within minutes. Any elector who presented at an issuing point, but was found to have already had their name marked was offered the chance to vote using a declaration vote. A preliminary scrutiny of the declaration vote against the amalgamated certified list is then used as part of the investigation to determine whether the vote is to be admitted or rejected.

In 2020, there were 88 cases (87 cases in 2016) where a person presenting to vote had already had their name marked off as a result of someone else voting earlier. Each of these voters were issued with a declaration vote. Following a preliminary scrutiny, 29 of these declaration votes were admitted to the count, 59 were rejected.

Following the detailed process of electronically examining the amalgamated certified list of voters and after culling the list to account for identified polling official error, Elections ACT concluded that only 14 names had been marked more than once without an obvious and apparent explanation. Of these two were in relation to electors from the electorate of Brindabella, one from Ginninderra, two from Kurrajong, three from Murrumbidgee and six from Yerrabi.

At the time of preparing this report the 14 electors had been sent further investigation notices. Three had replied with responses deemed to be acceptable explanations for the apparent multiple votes and 11 had not yet replied. The Commission considers that these multiple voting investigations are unlikely to provide evidence of any organised or systematic attempts to fraudulently influence the result of the election.

# Ballot paper surveys

After every ACT election, the Commission conducts surveys of the marking of informal and formal votes to determine whether any patterns of behaviour can be deduced in order to inform future election information campaigns.

## Informal vote survey

The informal rate for the 2020 election was 1.4 per cent, the lowest ever rate of informal voting at an ACT Legislative Assembly election. This was a 44 per cent decrease on the 2016 informal voting result, which was itself a record low at the time.

**Table 37.** Percentage (%) informal voting in the ACT

1989	1992	1995	1998	2001	2004	2008	2012	2016	2020
5.7	6.5	6.7	4.3	4.0	3.0	3.8	3.5	2.5	1.4

Table 38 provides the results of a survey of all informal paper ballots, categorised by the reason for their informality.

**Table 38.** Breakdown of informal paper ballots by reason for informality

Informal type	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Electronic informal	402	36.8	260	27.1	166	26.1	235	32.9	252	28.9	1315	30.8
Electronic barcodes issued — no vote recorded	87	8.0	96	10.0	56	8.8	75	10.5	69	7.9	383	9.0
Identify the voter	0	0.0	0	0.0	1	0.2	1	0.1	0	0.0	2	0.0
Totally blank	174	15.9	169	17.6	113	17.8	105	14.7	148	17.0	709	16.6
Ticket vote — a preference for one or more parties	4	0.4	6	0.6	3	0.5	5	0.7	6	0.7	24	0.6
Numbers but no number 1	19	1.7	22	2.3	13	2.0	17	2.4	12	1.4	83	1.9
A single tick	3	0.3	2	0.2	2	0.3	2	0.3	3	0.3	12	0.3
A single cross	2	0.2	6	0.6		0.0		0.0	4	0.5	12	0.3
Consecutive numbering from 1 in every column	62	5.7	20	2.1	31	4.9	30	4.2	43	4.9	186	4.4
Consecutive numbering from 1 in 2 or more columns but not all	60	5.5	73	7.6	49	7.7	39	5.5	61	7.0	282	6.6
A first preference in every column only		0.0	1	0.1		0.0	3	0.4	1	0.1	5	0.1
A first preference for all candidates in one column only	21	1.9	31	3.2	27	4.3	20	2.8	18	2.1	117	2.7
A first preference in every box	10	0.9	4	0.4	8	1.3	7	1.0	15	1.7	44	1.0
More first preferences than number of columns	5	0.5	11	1.1	5	0.8	8	1.1	11	1.3	40	0.9
With 9 first preferences	3	0.3	2	0.2	3	0.5	2	0.3	3	0.3	13	0.3
With 8 first preferences	11	1.0	8	0.8		0.0	5	0.7	9	1.0	33	0.8
With 7 first preferences	5	0.5	5	0.5	4	0.6	2	0.3	4	0.5	20	0.5
With 6 first preferences	9	0.8	7	0.7	2	0.3	1	0.1	4	0.5	23	0.5
With 5 first preferences	30	2.7	31	3.2	27	4.3	20	2.8	41	4.7	149	3.5
With 4 first preferences	6	0.5	11	1.1	5	0.8	5	0.7	11	1.3	38	0.9
With 3 first preferences	10	0.9	22	2.3	5	0.8	3	0.4	18	2.1	58	1.4
With 2 first preferences	21	1.9	45	4.7	13	2.0	24	3.4	36	4.1	139	3.3
Voter has 'written in' a candidate	7	0.6	6	0.6	5	0.8	8	1.1	9	1.0	35	0.8
Marks/writing/lines/scribbles/slogans/stickers only	136	12.5	122	12.7	89	14.0	97	13.6	93	10.7	537	12.6
Not enclosed in a declaration envelope	1	0.1	0	0.0	7	1.1	1	0.1	1	0.1	10	0.2
Other	3	0.3	1	0.1	1	0.2		0.0	1	0.1	6	0.1
<b>Total</b>	<b>1,091</b>		<b>961</b>		<b>635</b>		<b>715</b>		<b>873</b>		<b>4,275</b>	

Table 39 compares the informal rate of paper and electronic ballots. More detailed tables showing the numbers of electronic votes cast are included at Appendix 1.

**Table 39.** Comparison of rate of informal voting, paper v electronic ballots

Ballot type		Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		ACT total*	
		Votes	%	Votes	%	Votes	%	Votes	%	Votes	%	Votes	%
Paper	Informal	603	4.40	605	3.49	411	2.36	406	2.41	552	3.68	2,577	3.21
	Total	13,709		17,317		17,413		16,826		14,986		80,251	
Electronic	Informal*	489	1.14	356	0.90	222	0.66	310	0.82	321	0.82	1,646	0.85
	Total	42,788		39,653		33,809		37,636		39,337		193,223	
Total	Informal	1,092	1.93	961	1.69	633	1.24	716	1.31	873	1.61	4,223	1.54
	Ballots*	56,497		56,970		51,222		54,462		54,323		273,474	

\* This table includes 383 discarded QR codes in the informal electronic ballot category, issued to electors, but not used to cast a vote.

As was the case in 2016, this table indicates a marked difference between the informal rates of electors using electronic voting (a total of 0.85%) compared to those using paper ballots (3.21%). The high proportion of electronic votes and the comparatively low rate of informal electronic votes in turn contributed to the historically low total informal rate of 1.54 per cent in 2020 (noting that this figure includes 383 discarded QR codes issued to electors, but not used to cast a vote).

One of the significant benefits of electronic voting is that it does not allow votes if they do not meet the rules of a formal vote. Electors cannot cast a vote that is missing numbers from a consecutive list starting at one; repeats numbers; does not include a first preference; includes two or more first preferences; includes ticks or crosses in place of a first preference; or identifies the elector. The only means for an elector to cast an informal vote electronically is to cast a blank ballot, and eVACS® has been designed to make the casting of a blank electronic ballot a very intentional action. Multiple screens exist, initially making the elector aware that they are on the path to casting an informal vote, and then requiring the elector to confirm that casting a blank informal vote is what they wish to do. If the 383 discarded QR codes mentioned above are removed from the electronic vote informal calculations, only 0.65 per cent of electors who cast their vote electronically cast what can be described as an intentional informal vote. A similar figure can be achieved when analysing informal paper ballots. A total of 709 totally blank paper ballots were cast in 2020, equating to 0.88 per cent of all paper ballots cast. While paper ballots provide for other intentional informal actions to be taken, such as the writing in

of an alternative candidate, it can be argued that the rate of intentional informality is likely under 1 per cent. This is likely to largely be a response to the fact that compulsory voting compels people to cast a vote who might in a voluntary system have not wanted to vote.

The remaining informal ballots can be considered mistakes made by the elector. This demonstrates the importance of electronic voting in ensuring that the voting preferences of all electors are included when ascertaining the result.

The results of the 2020 informal vote survey tend to indicate that the majority of informal votes were cast deliberately. As the efforts of Elections ACT continue to reduce the number of inadvertent informal votes, it can be expected that the rate of informal voting at future elections will plateau to a level equivalent to those who routinely cast deliberate informal votes. However, this will only likely be the case if electronic voting continues to capture the high proportion of votes as seen in 2020. As the legislation that removed the eligibility requirement for accessing early voting lapsed following the 2020 election, it is quite feasible that without legislative amendment as recommended by the Electoral Commission under *Removing restrictions on early voting*, the informality rate at future elections will rise.

Of the 1,315 electors who correctly recorded an informal vote on eVACS® it is reasonable to assume that the great majority of these electors deliberately cast informal votes. Of the estimate 383 electors who were issued with a QR code but did not use them to cast an electronic vote, it is likely that many of them deliberately placed their unused QR code directly in

a ballot box, in the same way that 709 electors cast a totally blank paper ballot.

With the eVACS® system, it is possible for an elector to start a vote, but not complete it correctly if they do not scan their QR code a second time to finish their vote. However, each electronic polling place employed two “e-vote helpers” at all times, who were responsible for monitoring voting terminals to ensure, in particular, that voters did not leave the voting screens without correctly completing their votes.

Following the 2016 election, Elections ACT attempted to gain a better means of recording the numbers of electronic votes that were commenced, but not correctly completed. Following the 2016 election, eVACS® functionality was improved to include a specific report to capture and report this data. However, in practice the report also captured data on sessions being intentionally restarted after the initial QR code scan because of issues such as electors accidentally choosing the incorrect language or any other reasons that may have led to the OIC to cancel the voting session and start it again on behalf of the voter. Elections ACT will work on this eVACS® capability again before the 2024 election to improve the reporting of this issue.

Historically, a relatively common informal vote is a vote in which the elector numbers one to n in each party or group column, where n is the number of candidates in the column. It is likely that this type of informal vote are unintentional informal ballot papers. It is possible that these voters believed that they needed to vote for candidates starting with one in each column. However, in 2020 there were only 186 informal votes in this category. The number of voters using single ticks or crosses (24) was also very low.

These types of informal votes were identified as areas for improvement following each of the most recent elections. As a result, Elections ACT has continually added emphasis on correctly numbering ballot papers within the Commission’s information strategy. In particular, posters included in each voting compartment stressed correct numbering, and videos were played alongside the queue in every polling place and early voting centre highlighting the correct method of numbering ballot papers. The brochures delivered to all households dedicated a whole section on correct numbering. It would appear from the trending decline in the total number and proportion of informal votes that this strategy continues to have a significant impact on reducing inadvertent informal votes.

## Formal vote survey

An examination of the formal votes cast can provide useful and interesting data on voting patterns. In particular, the length of sequence of numbering of votes may provide some insight into the way voters interpret the instructions on the ballot paper, in Elections ACT information brochures and party and candidate canvassing material. It also provides an indication of the impact of the number of candidates, and the possible impact of electronic voting.

The fact that the preferences shown on all formal ballot papers are now recorded electronically means that, since the 2001 election, it has been feasible to tabulate a range of statistics that show how all electors have numbered preferences on their ballot papers.

*Tables 70–74 — Length of sequence* shows for each electorate in 2020 the length of sequence of each ballot paper, recording how far each elector indicated preferences in an unbroken sequence.

Around 98.9 per cent of all formal voters in 2020 followed the instructions on the ballot papers and indicated at least as many preferences as there were vacancies in the electorate. This result indicates that the instructions provided to voters were effective. Around 68.1 per cent of formal voters indicated exactly as many preferences as there were vacancies in the electorate (a slight increase from around 64% in 2016, but still down from the 72% in 2012).

Around 31 per cent of formal voters showed more than the instructed minimum number of preferences (compared to 35% in 2016 and 26% in 2012).

Around 6.3 per cent of formal voters marked preferences for every candidate, compared to 7.8 per cent in 2016 and 7.2 per cent in 2012. On an electorate basis, the highest number of formal voters marking preferences for every candidate was 8.58 per cent in Kurrajong.

The formality rules within the Electoral Act accept as a formal ballot, papers that indicate at least a unique first preference, even if the instructed minimum number of preferences is not shown. This is known as a savings provision. Around 1.12 per cent of electors who cast a formal ballot failed to number at least as many preferences as there were vacancies in the electorate (compared to 1.2% of electors in 2016 and 1.9% in 2012). It is impossible to know how many of these votes were cast in the knowledge that these votes were not complying with the recommended minimum, but were nevertheless formal votes, and

how many of these votes were the result of a failure to understand or follow the instructions. Whatever the reason, the number of ballot papers concerned is significant enough to make it worth keeping the current formality rules, while maintaining the general instruction to number at least as many candidates as there are vacancies in the electorate. The steady reduction in the proportion of these ballots across recent elections may indicate that the additional effort expended by Elections ACT to inform electors of the correct numbering instructions has had an impact on reducing this occurrence.

*Table 68 — Sequence breaks on formal ballot papers* shows the number of formal ballot papers that omitted a preference number or duplicated a preference number, thereby breaking the sequence of preferences that can be taken into account in a Hare-Clark scrutiny. A total of 604 ballot papers contained a repeated number (compared to 1,068 in 2016, 780 in 2012 and 1,142 in 2008), and a total of 336 ballot papers missed a number in the sequence (compared to 719 in 2016, 650 in 2012 and 863 in 2008). Under the ACT's Hare-Clark system, these ballot papers are still counted as formal, as they had a unique first preference. However, they could not be given full effect, with regard to any preferences shown after the break in sequence. The significant reduction in occurrences of missing or repeated numbers in 2020 can largely be attributed to the significant uptake of electronic voting which prohibits such errors on an electronic ballot paper.

This outcome supports the continued widespread use of electronic voting to reduce the likelihood of voters making inadvertent errors on their ballot papers.

Most breaks in sequence occurred early in the sequence, with the number of mistakes tailing off as the number of preferences increases. This is to be expected, since around 68 per cent of all formal voters only showed the recommended minimum number of preferences.



## 2020 election budget

To provide for the Commission's amended delivery model for a COVID-safe, for the 2020–21 financial year, the Commission sought additional funding above the base election year funding to provide for the additional costs associated with an expansion of early voting and COVID safety requirements. The Commission sought an additional \$5.046 million for the proposed amended delivery model for the 2020 ACT Legislative Assembly election. However, the Commission received an additional \$3.846 million, including \$3.726 million of controlled recurrent payments and \$0.120 million in capital injection.

The Commission's total expenditure for the 2020 ACT Legislative Assembly election is estimated to be around \$8.002 million. This includes around \$2.097 million for public funding for parties and candidates. The Commission was also allocated capital funding of \$0.436 million for the upgrade of eVACS® over the two years from 2018–19 to 2019–20 and a further \$0.456 million capital injection for the EMS (TIGER modernisation) project in the 2018–19 budget review. The Commission additionally allocated \$0.300 million from accumulated funds to support the EMS (TIGER modernisation) project. In the 2020–21 budget, a technical adjustment was prepared to transfer recurrent funding to capital injection to cover additional work required on the systems resulting from the COVID-19 pandemic. Transfers amounted to \$0.041 million for the upgrade of eVACS® and \$0.139 million for EMS (TIGER modernisation) project. The Electoral Commission also received an additional \$0.008 million as part of the government's 'screwdriver ready' program in 2019–20 and \$0.120 million to support the implementation of overseas e-voting as part of the funding to support the amended delivery plan for a COVID-safe election.

As has been typical for Elections ACT's election preparations, the Commission's permanent accommodation in North Building, Civic Square was only large enough to house its permanent core staff. Due to the expanded operational requirements and the significant increase in workforce required to undertake preparatory election work, alternative office locations were required during 2020. The Commission's main office location moved to Level 6, 221 London Circuit, Canberra City from October 2019. The Commission also leased a location in Fyshwick from 1 June 2020 until 30 November 2020 to act as the materials depot for the election. Level 3, 221 London Circuit, Canberra City was later leased from August until November 2020 as an election scrutiny centre, while the Commission continued to use the

space in North Building, Civic Square, as the postal vote processing hub.

Expenditure on the 2020 election and election ICT projects was within Commission budget allocations once the additional funds were provided for the amended delivery model. The Commission's 2020–21 annual report will provide more detail on the Commission's budget outcomes for the financial year.

The following table shows the Commission's 2020 election expenditure broken down into main areas of expenditure. Note that the figures are indicative only, as the non-voter project was still on-going as at the date of writing this report. Some expenditure was incurred in earlier financial years, particularly relating to salaries and wages of temporary staff, and procurement of equipment, stores and storage. All election temporary staff and election casual costs are included under the staff line item.

**Table 40. 2020 election expenditure**

Expenditure	\$ (GST excl.)
Contingency planning	89,290
Independent audit of election systems	59,532
Information campaign	738,756
Materials and general printing	131,466
Other ICT systems hosting, hardware purchase and support	169,224
Protective materials	147,034
Redistribution of electoral boundaries	25,991
Scrutiny	105,527
Security costs	90,575
Shared Services ICT project management costs and hardware hire costs	219,344
Staff	2,650,118
Temporary office accommodation*	624,208
Venue hire	401,818
Voting (including electronic voting, postal voting, general voting and non-voters)	451,635
Total not including public funding	5,904,518
Public funding of parties and candidates	2,097,950
<b>Total including public funding</b>	<b>8,002,468</b>

\* Temporary accommodation cost includes \$76k relating to fit-out & other establishment costs such as security and ICT connectivity.

# Performance audit conducted by the ACT Auditor General's Office

**The ACT Auditor General's Report — 2016 ACT election — Report No.2/2017 was published on 16 February 2017. The report concluded that:**

*Elections ACT's planning and conduct of the 2016 election was effective as reflected in the election performance indicator results. This was achieved in the context of an increase in voters, electorates, candidates and members of the Legislative Assembly. Means whereby Elections ACT can enhance its planning and improve the security controls for its electronic voting and counting system (eVACS®) have been identified.<sup>18</sup>*

The report made a range of recommendations, all of which the Commission agreed with and/or supported.

During the period between the release of the *ACT Auditor General's Report* and the 2020 ACT election, the Electoral Commission addressed each of the report recommendations. Table 41 provides a brief outline of the Electoral Commission's approach to each of the Auditor General's report recommendations.

**Table 41.** Electoral Commission actions against Auditor General performance audit recommendations

Recommendation	Electoral Commission actions
<b>Planning</b> Develop a project management framework and/or explicitly link its project management elements for the four years prior to an election	<ul style="list-style-type: none"> <li>• The Commission amalgamated all 2020 election planning documents into a single location.</li> <li>• A Staff Training Education and Planning (STEP) program was established in part to inform an Elections ACT Administrative Directive issued by the Commissioner, to provide direction and coordinate activities for the 2020 elections.</li> <li>• The Commission procured a new organisational planning application to modernise the planning and conduct of elections.</li> <li>• The Commission included all significant 'out year' tasks and projects into the recurrent four-year election planning document.</li> </ul>
Review its operational plan and develop a control process for maintaining the integrity of its content	<ul style="list-style-type: none"> <li>• The executive implemented a process to ensure officers reviewed and updated the operational plan in preparation for the 2020 ACT election.</li> <li>• Time was set aside at the end of 2020 and in early 2021 for officers to review their 2020 election projects and refine the written instructions.</li> </ul>
Develop a periodic comprehensive review of its risk registers (in addition to the system of reviews already undertaken)	<ul style="list-style-type: none"> <li>• The Commission members engaged an internal audit activity to assess the Electoral Commission's risk management framework, risk management policies and procedures and their application within the Electoral Commission's operating environment.</li> <li>• The Commission reviewed and developed new organisational risk management framework and risk management plan documents</li> </ul>
Develop a lessons learnt tracking document for guiding actions that need to be undertaken between elections	<ul style="list-style-type: none"> <li>• Elections ACT created a document that identified all recommendations from the 2016 election debrief minutes, creating a single location for the tracking of implementation or otherwise.</li> <li>• Lessons learnt were tracked through the Commission's new organisational planning application which was reviewed regularly in the lead up to the 2020 election.</li> <li>• This process is now established within the recurrent four-year election cycle planning framework.</li> </ul>
Review the classification of its ICT systems and, for any of its systems that are government critical, implement the required infrastructure arrangements that provide assurance these systems are continuously available; and document these arrangements in its business continuity and disaster recovery plans	<ul style="list-style-type: none"> <li>• Elections ACT, working with SSICT, reviewed the criticality ratings of all its ICT Business systems and implemented reclassifications as required.</li> </ul>

<sup>18</sup> ACT Audit Office, Report no. 02/2017, February 2017, *Performance Audit Report: 2016 ACT Election*, p. 1.

Recommendation		Electoral Commission actions
<b>Security</b>	Assess the security risk posed by casual staff working on ACT elections and, if appropriate, implement a mitigation measure	<ul style="list-style-type: none"> <li>• Elections ACT internally analysed the security risk posed by casual staff working on ACT elections.</li> <li>• Elections ACT restructured its office-based workforce increasing temporary contract staff and reducing reliance on a casual workforce.</li> </ul>
<b>Pre-poll voting</b>	Amend the Electoral Act so that an elector may vote at a pre-poll voting centre without the requirement to declare that they are able to attend a polling place on polling day	<ul style="list-style-type: none"> <li>• The Electoral Commission made the recommendation to remove the early voting eligibility requirement in its 2016 election report and raised the matter as an area for legislative amendment as part of the Select Committee inquiry into the 2016 election.</li> <li>• The Electoral Commission recommended removing the eligibility requirement for early voting as a means to ensure COVID safety as part of its amended delivery model.</li> <li>• The recommendation to remove the early voting eligibility requirement is included in this report.</li> </ul>
<b>Electronic voting options</b>	Develop a strategy to foster an increase in electronic voting	<ul style="list-style-type: none"> <li>• The Electoral Commission made the recommendation to remove the early voting eligibility requirement in its 2016 election report and raised the matter as an area for legislative amendment as part of the Select Committee inquiry into the 2016 election.</li> <li>• The Electoral Commission recommended removing the eligibility requirement for early voting as a means to ensure COVID safety as part of its amended delivery model.</li> <li>• The recommendation to remove the early voting eligibility requirement is included in this report.</li> <li>• Following the 2016 ACT election, the Electoral Commission engaged services for an external review into electronic voting in the ACT and reviewed eVACS® to identify improvements to security, deployment and usability.</li> <li>• The Commission commenced an eVACS® redevelopment project in July 2019 to upgrade the system, which included the addition of touch-screen functionality.</li> </ul>
<b>eVACS</b>	<p>Improve eVACS® security controls by:</p> <ol style="list-style-type: none"> <li>a. Using passwords that are compliant with ACT govt password security requirements</li> <li>b. Using a secure, modern, unique hash code</li> <li>c. Encrypting the cumulative record (data) of daily votes on compact discs</li> <li>d. Comprehensively reviewing the eVACS® code</li> </ol>	<ul style="list-style-type: none"> <li>• Following the 2016 ACT election, the Electoral Commission engaged services for an external review into electronic voting in the ACT and reviewed eVACS® to identify improvements to security, deployment and usability.</li> <li>• The Commission, through ECANZ, engaged the Australian Cyber Security Centre (ACSC) and the broader Australian Signals Directorate (ASD) in a cyber security maturity review which commenced in July 2018.</li> <li>• Funding to upgrade eVACS® was received in the 18/19 budget.</li> <li>• The Commission engaged ACSC to review eVACS® security protocols.</li> <li>• The Commission commenced an eVACS® redevelopment project in July 2019 to upgrade the underlying technology platforms and security protocols in line with recommendations from the AuditorGeneral, the external review and consultations with ACSC and ASD. This included compliance with ACT government password security requirements; modernising hash technology; reviewing system encryption to ensure encryption throughout the system; and auditing the full eVACS® code.</li> </ul>

Recommendation	Electoral Commission actions
<p><b>2020 accommodation</b></p> <p>Finalise a MOU with accommodation arrangements being agreed well in advance (two years) of the 2020 election. If this is not done, seek assistance from the Head of Service</p>	<ul style="list-style-type: none"> <li>• The Commissioner met with the Executive Director of ACT property group commencing negotiations for election accommodation on 1 February 2018.</li> <li>• The Commission developed and submitted its election requirements and ongoing future accommodation requirements with ACT property group in May 2018.</li> <li>• An election-time accommodation lease was signed for level 6, 221 London Circuit, Canberra City for the conduct of the 2020 ACT election.</li> <li>• A business case for recurrent funding for larger permanent office space to mitigate the risk of identifying suitable accommodation and relocating the Elections ACT office each election cycle was lodged as part of the 2019–20 Budget. Budget cabinet deferred the decision.</li> <li>• A concept brief for increased recurrent and capital funding to support a permanent accommodation solution was lodged as part of 2020–21 budget process.</li> <li>• A business case was drafted ready for lodgement with Treasury as part of the 2020–21 budget process. However, the Treasurer and Budget Cabinet made the decision to address the permanent accommodation issue through the ‘non-COB’ government accommodation arrangements.</li> <li>• A new business case has been submitted as part of the 2021–22 budget process seeking recurrent funds for a permanent election-ready office location.</li> </ul>
<p><b>Penalty units for not voting</b></p> <p>The ACT Govt should use penalty units as the basis for a non-voter fine to allow incremental adjustments and determine what penalty is to be established for non-voters (and in doing so increase the current \$20 fine)</p>	<ul style="list-style-type: none"> <li>• The Electoral Commission made the recommendation linking the prescribed penalty for failing to vote to a fraction of a penalty unit as part of its 2016 election report.</li> <li>• The Select Committee recommended amending the Electoral Act to increase the non-voter penalty.</li> <li>• The government did not include raising the prescribed penalty amount for failing to vote in any electoral amendment legislation prior to the 2020 ACT election.</li> </ul>

# Areas for improvement other than legislative changes

The following additional areas for improvement have been identified by the Commission:

- **There is an urgent requirement for the provision of funded permanent office accommodation for the Commission to facilitate the planning and delivery of the election.** This requirement was raised in the ACT Auditor-General's Report into the 2016 election and has been the subject of a number of submissions to the Strategic Office Accommodation Committee and related budget bids to Treasury. A permanent solution is yet to be determined. This outcome will mitigate the extreme risk to the Commission of being unable to deliver electoral services to the ACT community through the inability of ACT Property Group to source suitable periodic office space in the 12 months prior to the four-yearly election. The Commission considers that suitable office space for its workforce is a fundamental enabling resource to its core mission which must be funded and provided by the government.
- **There is a need for early and proactive engagement of the Commission by MLAs, ministerial advisors and political parties in provision of advice on electoral matters.** Such routine professional and independent engagement between the Electoral Commissioner and Deputy Commissioner and political stakeholders is considered essential in ensuring informed development of legislation related to electoral matters ahead of tabling and debate within the Assembly business processes.
- **Introduction of electoral related legislation late in the electoral cycle, such as the *Electoral Legislation Amendment Act 2020* passed by the Assembly on 2 July 2020, provided very little opportunity for the Commission to develop and implement appropriate procedures to enact such key legislation of direct impact in the delivery of the election.** Such reluctance to seek independent and early electoral advice of the Commission by political stakeholders in the framing and tabling of related legislation has increasingly jeopardised the appropriate and legally correct administration of the Electoral Act by the Commission, especially when passed into law by the Assembly within weeks of the election.

The resultant strategic reputational risks arising to both government and the Commission by potentially inadequate/deficient implementation of electoral legislation would be avoided through passing of such legislation at least 12 months prior to the election year, and by proactive and early consultation by political stakeholders with the Commission as noted above.

- **The electoral amendments passed by the Assembly in 2020 have resulted in a clear and urgent need for an increase in the Commission staffing levels and resources to appropriately enact and administer this new legislation.** The Commission will pursue budget bids for 2021–22 and forward years accordingly.
- **There is a need for assurance of funding to the Commission dedicated to the necessary continuous modernisation of the ICT systems such as eVACS, OSEV, and the Electoral Management System.** These systems underpin the delivery of reliable and trusted electoral services in the ACT. Continuous improvement and modernisation of these systems is fundamental in ensuring continued public confidence and trust in our electoral processes and outcomes, in an era of increasing cyber and physical threats to democracy. Funding for such modernisation must not be to the detriment to the Commission's baseline and periodic election funding.

# Conclusion

**This report examines the conduct of the 2020 ACT Legislative Assembly election held between 28 September 2020 and 17 October 2020, notes areas for improvement, and makes recommendations for changes to the *Electoral Act 1992* in preparation for the conduct of the 2024 election.**

Planning for and the conduct of the 2020 election was significantly impacted by the effects of the COVID-19 pandemic. This required the implementation of a COVID-Safe Election Service Delivery Plan to ensure delivery of the highest standard of electoral services in a COVID-safe manner for the ACT public, electoral workers and all other stakeholders.

The election was successfully delivered across a three-week voting period with all electors actively encouraged to vote at one of 15 early voting centres to reduce the potential for large gatherings and the risk of virus transmission, especially on a traditional final election day. COVID-safe procedures were implemented across all aspects of election preparations and conduct to ensure the COVID safety of the community during this critical ACT community event.

In addition to delivering the election under COVID-safe provisions, major upgrades to the electronic voting and counting system (eVACS®) were implemented; a new online voting system for electors based overseas (OSEV) was developed and implemented; and the polling place management system (LAPPERDS) was upgraded. These upgrades collectively enhanced the inclusivity, accessibility and quality of the electoral services provided by the Electoral Commission.

Other notable outcomes of the election include recording the highest number of votes for an ACT election; the highest number of early and electronic votes for an ACT election; a record low number of informal votes; and successful implementation of new legislation permitting early voting for all electors, enrolment up to the final day of voting, and telephone voting services for blind and vision impaired electors.

Planning for the 2024 election has already commenced. The Commission seeks to build on the success of the 2020 election, enabled by this report's recommended changes to the Electoral Act and through improvements in other areas as noted, to ensure continued improvement in delivery of the highest quality electoral services to the ACT community.



# Appendix 1: Votes cast at the 2020 ACT election

This appendix shows details of the total votes cast at the 2020 ACT election, and details of votes cast at the electronic voting polling places, including votes cast using electronic voting and votes cast using paper ballots.

**Table 42.** Summary of all first preference votes

	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
AJP	1,235	2.23	959	1.71	790	1.56	1,077	2.00	701	1.31	<b>4,762</b>	<b>1.77</b>
ALP	22,560	40.71	22,409	40.00	19,213	37.97	19,382	36.06	18,262	34.16	<b>101,826</b>	<b>37.82</b>
BEL	0	0.00	5,264	9.40	0	0.00	0	0.00	0	0.00	<b>5,264</b>	<b>1.96</b>
CAP	0	0.00	0	0.00	183	0.36	0	0.00	0	0.00	<b>183</b>	<b>0.07</b>
CLIM	0	0.00	618	1.10	560	1.11	671	1.25	0	0.00	<b>1,849</b>	<b>0.69</b>
DLP	0	0.00	1,347	2.40	0	0.00	0	0.00	2,517	4.71	<b>3,864</b>	<b>1.44</b>
FED	594	1.07	0	0.00	0	0.00	0	0.00	116	0.22	<b>710</b>	<b>0.26</b>
GREEN	5,985	10.80	7,006	12.51	11,635	22.99	6,303	11.73	5,440	10.18	<b>36,369</b>	<b>13.51</b>
LDP	745	1.34	464	0.83	0	0.00	0	0.00	0	0.00	<b>1,209</b>	<b>0.45</b>
LIB	21,290	38.42	14,977	26.73	13,959	27.59	19,122	35.57	21,699	40.59	<b>91,047</b>	<b>33.81</b>
POL	0	0.00	0	0.00	0	0.00	0	0.00	1,729	3.23	<b>1,729</b>	<b>0.64</b>
PROG	0	0.00	0	0.00	2,546	5.03	1,451	2.70	1,446	2.70	<b>5,443</b>	<b>2.02</b>
SFF	1,727	3.12	1,290	2.30	0	0.00	761	1.42	0	0.00	<b>3,778</b>	<b>1.40</b>
SUST	1,277	2.30	987	1.76	800	1.58	835	1.55	694	1.30	<b>4,593</b>	<b>1.71</b>
UNG	0	0.00	704	1.26	914	1.81	4,152	7.72	855	1.60	<b>6,625</b>	<b>2.46</b>
Formal	55,413	98.22	56,025	98.48	50,600	98.87	53,754	98.82	53,459	98.52	<b>269,251</b>	<b>98.58</b>
Informal	1,005	1.78	865	1.52	577	1.13	641	1.18	804	1.48	<b>3,892</b>	<b>1.42</b>
<b>Total</b>	<b>56,418</b>		<b>56,890</b>		<b>51,177</b>		<b>54,395</b>		<b>54,263</b>		<b>273,143</b>	

**Table 43.** Summary of all first preference votes at e-voting polling places

Party/ group	Total electronic		Paper at electronic polling places		Total	
	No.	%	No.	%	No.	%
AJP	3,200	1.67	169	1.44	<b>3,369</b>	<b>1.66</b>
ALP	74,092	38.67	3,691	31.53	<b>77,783</b>	<b>38.26</b>
BEL	3,520	1.84	358	3.06	<b>3,878</b>	<b>1.91</b>
CAP	100	0.05	18	0.15	<b>118</b>	<b>0.06</b>
CLIM	1,212	0.63	83	0.71	<b>1,295</b>	<b>0.64</b>
DLP	2,920	1.52	179	1.53	<b>3,099</b>	<b>1.52</b>
FED	508	0.27	25	0.21	<b>533</b>	<b>0.26</b>
GREEN	25,981	13.56	957	8.18	<b>26,938</b>	<b>13.25</b>
LDP	923	0.48	46	0.39	<b>969</b>	<b>0.48</b>
LIB	64,035	33.43	5,162	44.10	<b>69,197</b>	<b>34.04</b>
POL	1,210	0.63	56	0.48	<b>1,266</b>	<b>0.62</b>
PROG	3,764	1.96	183	1.56	<b>3,947</b>	<b>1.94</b>
SFF	2,622	1.37	151	1.29	<b>2,773</b>	<b>1.36</b>
SUST	3,003	1.57	230	1.96	<b>3,233</b>	<b>1.59</b>
UNG	4,487	2.34	398	3.40	<b>4,885</b>	<b>2.40</b>
Formal	191,577	99.32	11,706	94.43	<b>203,283</b>	<b>99.02</b>
Informal	1,315	0.68	691	5.57	<b>2,006</b>	<b>0.98</b>
<b>Total</b>	<b>192,892</b>	<b>93.96</b>	<b>12,397</b>	<b>6.04</b>	<b>205,289</b>	

**Table 44.** Summary of all first preference votes at e-voting polling places — Brindabella

Party/ group	Total electronic		Paper at electronic polling places		Total	
	No.	%	No.	%	No.	%
AJP	891	2.11	48	2.50	<b>939</b>	<b>2.12</b>
ALP	17,488	41.34	686	35.79	<b>18,174</b>	<b>41.10</b>
FED	430	1.02	17	0.89	<b>447</b>	<b>1.01</b>
GREEN	4,556	10.77	133	6.94	<b>4,689</b>	<b>10.60</b>
LDP	563	1.33	23	1.20	<b>586</b>	<b>1.33</b>
LIB	16,233	38.37	908	47.37	<b>17,141</b>	<b>38.76</b>
SFF	1,268	3.00	58	3.03	<b>1,326</b>	<b>3.00</b>
SUST	878	2.08	44	2.30	<b>922</b>	<b>2.08</b>
Formal	42,307	99.06	1,917	93.19	<b>44,224</b>	<b>98.79</b>
Informal	402	0.94	140	6.81	<b>542</b>	<b>1.21</b>
<b>Total</b>	<b>42,709</b>	<b>95.40</b>	<b>2,057</b>	<b>4.60</b>	<b>44,766</b>	<b>71.95</b>

**Table 45.** Summary of all first preference votes at e-voting polling places — Ginninderra

Party/ group	Total electronic		Paper at electronic polling places		Total	
	No.	%	No.	%	No.	%
AJP	662	1.68	26	0.94	<b>688</b>	<b>1.63</b>
ALP	16,070	40.88	894	32.25	<b>16,964</b>	<b>40.31</b>
BEL	3,520	8.95	358	12.91	<b>3,878</b>	<b>9.21</b>
CLIM	434	1.10	15	0.54	<b>449</b>	<b>1.07</b>
DLP	995	2.53	90	3.25	<b>1,085</b>	<b>2.58</b>
GREEN	5,081	12.92	193	6.96	<b>5,274</b>	<b>12.53</b>
LDP	360	0.92	23	0.83	<b>383</b>	<b>0.91</b>
LIB	10,186	25.91	1,018	36.72	<b>11,204</b>	<b>26.62</b>
SFF	894	2.27	57	2.06	<b>951</b>	<b>2.26</b>
SUST	644	1.64	56	2.02	<b>700</b>	<b>1.66</b>
UNG	467	1.19	42	1.52	<b>509</b>	<b>1.21</b>
Formal	39,313	99.34	2,772	93.87	<b>42,085</b>	<b>98.96</b>
Informal	260	0.66	181	6.13	<b>441</b>	<b>1.04</b>
<b>Total</b>	<b>39,573</b>	<b>93.06</b>	<b>2,953</b>	<b>6.94</b>	<b>42,526</b>	<b>66.61</b>

**Table 46.** Summary of all first preference votes at e-voting polling places — Kurrajong

Party/ group	Total electronic		Paper at electronic polling places		Total	
	No.	%	No.	%	No.	%
AJP	467	1.39	36	1.42	<b>503</b>	<b>1.39</b>
ALP	13,044	38.82	810	31.99	<b>13,854</b>	<b>38.34</b>
CAP	100	0.30	18	0.71	<b>118</b>	<b>0.33</b>
CLIM	346	1.03	39	1.54	<b>385</b>	<b>1.07</b>
GREEN	7,937	23.62	332	13.11	<b>8,269</b>	<b>22.89</b>
LIB	8,903	26.50	1,098	43.36	<b>10,001</b>	<b>27.68</b>
PROG	1,706	5.08	94	3.71	<b>1,800</b>	<b>4.98</b>
SUST	481	1.43	50	1.97	<b>531</b>	<b>1.47</b>
UNG	614	1.83	55	2.17	<b>669</b>	<b>1.85</b>
Formal	33,598	99.51	2,532	95.30	<b>36,130</b>	<b>99.20</b>
Informal	166	0.49	125	4.70	<b>291</b>	<b>0.80</b>
<b>Total</b>	<b>33,764</b>	<b>92.70</b>	<b>2,657</b>	<b>7.30</b>	<b>36,421</b>	<b>61.29</b>

**Table 47.** Summary of all first preference votes at e-voting polling places — Murrumbidgee

Party/ group	Total electronic		Paper at electronic polling places		Total	
	No.	%	No.	%	No.	%
AJP	725	1.94	36	1.48	<b>761</b>	<b>1.91</b>
ALP	13,912	37.26	712	29.19	<b>14,624</b>	<b>36.77</b>
CLIM	432	1.16	29	1.19	<b>461</b>	<b>1.16</b>
GREEN	4,467	11.96	153	6.27	<b>4,620</b>	<b>11.62</b>
LIB	12,993	34.80	1,130	46.33	<b>14,123</b>	<b>35.51</b>
PROG	1,026	2.75	43	1.76	<b>1,069</b>	<b>2.69</b>
SFF	460	1.23	36	1.48	<b>496</b>	<b>1.25</b>
SUST	544	1.46	44	1.80	<b>588</b>	<b>1.48</b>
UNG	2,775	7.43	256	10.50	<b>3,031</b>	<b>7.62</b>
Formal	37,334	99.37	2,439	95.61	<b>39,773</b>	<b>99.14</b>
Informal	235	0.63	112	4.39	<b>347</b>	<b>0.86</b>
<b>Total</b>	<b>37,569</b>	<b>93.64</b>	<b>2,551</b>	<b>6.36</b>	<b>40,120</b>	<b>66.94</b>

**Table 48.** Summary of all first preference votes at e-voting polling places — Yerrabi

Party/ group	Total electronic		Paper at electronic polling places		Total	
	No.	%	No.	%	No.	%
AJP	455	1.17	23	1.12	<b>478</b>	<b>1.16</b>
ALP	13,578	34.79	589	28.79	<b>14,167</b>	<b>34.49</b>
DLP	1,925	4.93	89	4.35	<b>2,014</b>	<b>4.90</b>
FED	78	0.20	8	0.39	<b>86</b>	<b>0.21</b>
GREEN	3,940	10.10	146	7.14	<b>4,086</b>	<b>9.95</b>
LIB	15,720	40.28	1,008	49.27	<b>16,728</b>	<b>40.73</b>
POL	1,210	3.10	56	2.74	<b>1,266</b>	<b>3.08</b>
PROG	1,032	2.64	46	2.25	<b>1,078</b>	<b>2.62</b>
SUST	456	1.17	36	1.76	<b>492</b>	<b>1.20</b>
UNG	631	1.62	45	2.20	<b>676</b>	<b>1.65</b>
Formal	39,025	99.36	2,046	93.90	<b>41,071</b>	<b>99.07</b>
Informal	252	0.64	133	6.10	<b>385</b>	<b>0.93</b>
<b>Total</b>	<b>39,277</b>	<b>94.74</b>	<b>2,179</b>	<b>5.26</b>	<b>41,456</b>	<b>68.43</b>

## Appendix 2 Exit polling findings on voter awareness and Elections ACT services

This Appendix shows detailed findings of the exit polling into voter awareness and satisfaction with polling place voter services and Elections ACT public awareness programs undertaken for the 2020 ACT election.

Results are shown compared to the equivalent results obtained from similar surveys undertaken during the 1998, 2001, 2004, 2008 and 2012 elections.

**Table 49.** Information sources used to locate an ACT polling place

Question: In which of these ways did you find out about the location of this polling place?

	1998	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	500	545	505	571	510
TV, radio and newspaper (news or advertisements)	34	14	12	14	9	6	7
Elections ACT brochure (letterbox or newspaper insert)	7	8	7	11	18	21	32
Through relatives/friends	8	11	10	15	6	7	2
Elections ACT website	-	1	3	4	12	26	17
Voted where always vote	65	57	55	57	33	36	13
Other (expected polling place to be at local school or hall)	-	15	15	8	34	1	1
Social media	-	-	-	-	0	3	4
Online advertisements	-	-	-	-	0	1	2
Bus stop advertisements	-	-	-	-	0	1	1
Miscellaneous	2	3	6	6	2	4	8

Note these results may sum to more than 100 per cent as respondents could nominate more than one response.

The conclusion to draw from this data is that while many people vote where they usually attend to vote, the Elections ACT household brochures and the Elections ACT website continue to demonstrate their importance in providing polling information to the ACT public.

**Table 50.** Usage and satisfaction with the Elections ACT website

Question: Did you access the elections ACT website to gain any information about the 2020 ACT election?  
If yes, how useful was this site in giving you information about the 2020 ACT election?

	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	545	505	571	636
Yes	4	7	14	31	39	50
No	96	93	86	69	61	50
If Yes						
Very useful	26	35	32	54	43	41
Useful	37	54	57	36	48	52
Neither useful nor not useful	5	3	5	3	5	5
Not useful	16	3	3	3	4	2
Not useful at all	11	-	3	4	-	0
Unsure/don't know	5	5	-	-	-	1

Respondents were also asked what information they were seeking. Key information sought included the address of polling places (77%), explanation of voting before election day (36%), information about candidates (28%) and an explanation of electorates and the number of elected members (22%). Information about COVID safety recorded 13 per cent.

These findings show a strong level of voter satisfaction (92%) when using the Elections ACT website and for most users the information sought was found (87%).

**Table 51.** Awareness and use of the 2020 Elections ACT brochure

Question: Did you or your household receive a copy of this brochure from the ACT Electoral Commission which explained this ACT election and its procedures? (The brochure was shown to each respondent).  
If yes, did you read the brochure?

		1998	2001	2004	2008	2012	2016	2020
Sample size (%)		500	500	500	545	505	571	636
Yes		69	70	81	69	71	76	68
No		22	22	12	23	29	21	15
Cannot remember		10	7	7	9		3	17
If Yes	Yes, read it thoroughly	19	27	21	23	20	24	22
	Yes, read parts needed to	19	15	17	21	33	34	42
	Yes, read & talk to others about it	3	1	1	1	3	4	7
	Yes, glanced at it quickly	23	27	30	23	26	20	20
	No, did not look at it at all	34	27	30	23	15	15	7
	No, lost it or threw it away	2	3	7	6	3	2	2
	Don't know	-	-	-	1	-	1	1

The above findings show that nearly seven in ten voters (68%) in 2020 could recall receiving the Elections ACT information brochure delivered to the. Some 71 per cent of those respondents read the material.

**Table 52.** Usage and usefulness of the 2020 Elections ACT social media network

Question: Elections ACT for this election introduced a social media network incorporating Facebook, Twitter and YouTube. Did you access this social media to gain information about this election?  
Did it provide useful information? For future ACT elections, would social media be useful to gain information from Elections ACT?

		2012	2016	2020
Sample size (%)		505	571	636
Yes		28	26	20
No		72	74	75
Unsure		-	-	5
Found to be useful?				
Yes, useful information		35	71	93
No, not useful		61	11	2
Unsure		4	18	5

These measures show that the Elections ACT Social Media Network was accessed by 20 per cent voters before the 2020 ACT Election. Over nine in ten (93%) of these voters believed that the content was useful for their purpose. This suggests that a high degree of improvement in Elections ACT's use of social media has occurred since the 2012 and 2016 elections.



**Table 53.** Awareness of exclusion of handing out how-to-vote cards within 100-metres of polling places  
Question: Before you came to vote today were you aware that how-to-vote cards were no longer given out within 100-metres for an ACT election polling place?

	1998	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	500	545	505	571	636
Yes	81	74	66	64	74	71	53
No	17	26	33	35	25	28	38
Unsure/don't know	1	-	1	1	1	1	8

These findings show that, while awareness of the 100-metre ban on canvassing has ebbed and flowed over time, a majority of ACT electors are aware of the ban.

**Table 54.** Problems caused by lack of easy accessibility of how-to-vote cards  
Question: Did you find it a problem that how-to-vote cards were not available today?  
If yes, what problems did you have?

	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	545	505	571	636
Yes	15	9	13	6	11	7
No	84	89	86	90	87	88
Unsure/don't know	1	1	1	4	2	5
If Yes (multiple responses possible)	75	45	71	30	34	45
Disagree with ban on how-to-vote cards	40	49	29	50	31	44
Did not know who to vote for	41	62	52	30	49	42
New resident to the ACT & did not know what to do	NA	4	7	10	2	18
Other	37	2	15	10	36	16

Only 7 per cent of voters in 2020 found the ban on how to vote cards to be a problem.

**Table 55.** Awareness of Robson Rotation method  
Question: Were you aware of the Robson Rotation method of printing ballot papers printed so that the candidate names are listed in a different order on different ballot papers?

	1998	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	500	545	505	571	636
Never heard of Robson rotation system	46	49	41	48	51	53	57
Have heard of Robson rotation but know nothing about it	13	14	10	7	7	5	7
Know some things about Robson rotation	23	26	22	20	25	25	22
Know all about Robson rotation	18	12	28	25	17	17	14

About 36 per cent of voters claimed to have some knowledge of the Robson Rotation system in 2020. This awareness continues to remain fairly steady over time.

**Table 56.** Voter awareness of the name of their electorate  
Question: Can you tell me the name of your electorate?

	1998	2001	2004	2008	2012	2016	2020
Sample size (%)	500	500	500	545	505	571	636
Brindabella	27	24	27	31	22	11	10
Ginninderra	26	26	24	22	26	20	20
Kurrajong	-	-	-	-	-	21	24
Murrumbidgee	-	-	-	-	-	16	18
Yerrabi	-	-	-	-	-	18	19
Molonglo	40	39	38	35	36	-	-
Fenner	-	-	-	-	-	0	0
Canberra	-	1	-	-	1	1	3
Fraser/Bean	1	1	3	1	2	-	1
Other	-	-	1	1	1	0	0
Don't know	6	9	8	10	13	12	5

This shows that around 9 in 10 (91%) voters knew their electorate in 2020.

**Table 57.** Voter awareness of how many Members will be elected in their electorate  
Question: Can you tell me how many Members are to be elected in your electorate?

	1998	2001	2004	2008	2012	2016	2020
Sample size (%)	500	500	500	545	505	571	636
One	2	1	1	2	2	2	1
Five	39	31	33	36	35	54	40
Seven	28	28	28	24	23	1	0
Seventeen	-	-	-	1	1	1	0
Twenty-five	-	-	-	-	-	1	1
Other	3	7	5	6	5	3	4
Don't know	28	33	33	34	36	38	54

The number of members to be elected in each of the electorates changed in 2016. Prior to the 2016 election, the answer may have been five or seven depending on whether the elector was enrolled in Brindabella/Ginninderra or Molonglo respectively. In 2016 and 2020, five members were to be elected in each of the five electorates. Only 40 per cent of voters in 2020 knew how many Members were elected in their electorate. This statistic has remained relatively consistent since 1998 however the 2020 figure is the lowest ever recorded in the ACT together with the highest ever 'don't know' response.

The conclusion regarding voter awareness is that knowledge of Robson rotation over time has remained stable with only around half of the voters aware of the system (43% awareness in 2020). Voter knowledge has remained high for voter awareness of the name of a voter's electorate (rising to 91% awareness in 2020). Awareness of the number of members to be elected in each electorate remained low and has declined to 40 per cent awareness. These findings suggest that for future elections, continued emphasis will need to be placed on the education of the community in relation to these issues.

**Table 58.** Voter perception of adequacy of instructions on ballot papers

Question: How adequate were the instructions you were given by the ACT Electoral Commission on how to fill out your ballot paper for this election?

	1998	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	500	545	505	571	636
Very adequate	36	36	38	54	61	54	46
Adequate	51	54	55	36	32	41	40
Neither adequate nor inadequate	8	5	2	3	3	1	7
Inadequate	3	3	3	2	1	2	2
Very inadequate	1	1	1	2	1	-	0
Unsure/don't know	-	2	1	3	2	2	5

Voter satisfaction with the instructions given to explain how to fill out the ballot paper has been strongly positive since 1998, displaying around 90 per cent satisfaction throughout. The 2020 election saw this trend continue with around 86 per cent of voters considering the instructions to be very adequate or adequate.

**Table 59.** Voter satisfaction with service delivery provided by ACT polling places

Question: Having just voted which of these comments best describes the service provided by the people running this polling place, that is, those inside the school/hall etc?

		1998	2001	2004	2008	2012	2016	2020
Sample size (%)		500	500	500	545	505	571	636
Helpfulness	Very helpful	51	49	48	63	71	84	74
	Helpful	43	45	46	31	26	14	23
	Neither helpful nor unhelpful	6	5	6	6	2	1	3
	Unhelpful	-	1	-	-	1	1	0
	Very unhelpful	-	-	-	-	-	-	0
Efficiency	Very efficient	55	47	55	67	73	80	77
	Efficient	38	47	42	30	24	18	19
	Neither efficient nor inefficient	6	4	3	3	1	1	3
	Inefficient	1	2	1	-	1	1	1
	Very inefficient	-	-	-	-	1	-	0
Friendliness	Very friendly	53	48	52	67	75	79	73
	Friendly	42	48	44	30	21	19	24
	Neither friendly nor rude	5	4	4	3	4	1	3
	Rude	-	-	-	-	-	-	0
	Very rude	-	-	-	-	-	1	0

These findings show clear outcomes for 2020 that voters felt Elections ACT polling place staff were helpful (97%), efficient (96%) and friendly (97%).

**Table 60.** Voter inconvenience at the polling place

Question: When you voted today, what, if any, inconvenience did you experience? [multiple response possible]

	1998	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	500	545	505	571	636
Queuing	1	1	2	1	5	8	1
Entrance to polling place was blocked	-	-	-	1	-	-	1
Staff inattentiveness	-	-	1	1	1	1	1
Booth layout	-	-	1	1	-	-	1
Instructions on ballot paper not clear	1	-	-	1	-	-	0
Instructions for electronic voting not clear	NA	1	-	1	1	1	2
Disabled access facilities	NA	-	-	1	-	2	1
Polling place location changed	NA	NA	NA	NA	4	1	2
Other	8	7	5	6	5	5	8
No inconvenience	89	91	91	90	86	86	86

**Table 61.** Voter satisfaction with queuing

Question: Looking at this card, which of these best describes how you found the queuing here today?

	1998	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	500	545	505	571	636
Unacceptable long	-	-	-	1	2	1	0
Long but acceptable	2	4	2	2	4	9	2
Not very long and acceptable	9	11	3	6	4	10	9
Not a real problem	88	85	95	92	90	80	89

The findings from these questions show that most voters (over eight in ten) in 2020 said they experienced no inconvenience with the voting process and 100 per cent found there to be no inconvenience with the level of queuing. The queuing results in 2020 are particularly pleasing given the implementation of the COVID amended delivery plan's aim to reduce crowding within polling places.

**Table 62.** Voter awareness and usage of ACT election electronic voting procedures

Question: the 2016 election allowed electronic voting.

Were you aware of the possibility to undertake electronic voting?

	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	500	500	545	505	571	636
Yes	69	64	65	62	67	72
No	30	34	33	36	32	24
Unsure/don't know	1	2	2	2	1	4

**Table 63.** Voter usage of electronic voting

Question: If electronic voting available at the polling place.

Did you vote today using electronic voting or the normal ballot paper method?

	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	Unknown	74	74	133	571	636
Yes, used electronic voting	59	73	81	79	89	95
No, used paper ballot method	41	27	19	21	11	5

**Table 64.** Voter satisfaction with electronic voting

Question: If you used the electronic voting system, did you find it...?

	2001	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	Unknown	54	60	105	571	636
Easy to use	89	86	85	91	90	96
Fast and efficient	70	88	90	88	94	98
Had clear instructions	81	83	79	87	92	95
Easy in barcode scanning	NA	86	66	73	90	90
Queuing length was satisfactory	NA	91	97	91	97	97

These findings show an increasing number of voters (72%) were aware of electronic voting being available for the 2020 ACT Election. This indicates that the information campaign encouraging the use of electronic voting was successful in getting the important COVID-safe message across. For the 2020 election at polling places where electronic voting was available there was strong growth in voters using electronic voting increasing from 59 per cent in 2001, 73 per cent in 2004, 81 per cent in 2008, 79 per cent in 2012, 89 per cent in 2016 and now 95 per cent in 2020.

Voters using electronic voting in 2020 advised it was 'easy to use' (96% satisfaction), fast and efficient (98%) and found the queuing length satisfactory (97%). Each of these figures are the highest ever recorded, indicating that the improvements to the electronic voting system implemented between the 2016 and 2020 election, particularly the introduction of touch-screen navigation, were highly successful.

**Table 65.** Reason why some voters at electronic voting polling places did not vote using the electronic method

	2004	2008	2012	2016	2020
<b>Sample size (%)</b>	20	14	28	27	26
Don't trust electronic voting	5	14	7	26	35
Don't use or don't like computers	20	21	25	26	15
Too many people queuing for electronic voting	5	-	11	-	16
Prefer paper ballot	65	64	57	70	4
Other reasons	5	-	-	7	35

Note these results are based on small sample sizes.

**Table 66.** Voter interest in electronic voting at polling places where it was not available

Question: Polling places where electronic voting was not available.

Electronic voting facilities were only available at certain places in the ACT. If this polling place had electronic voting do you think you would have used electronic voting or use the normal paper ballot method?

AND, if the paper ballot method is preferred or unsure/don't know, why did, or why would you choose not to use electronic voting?

		2001	2004	2008	2012	2016	2020
Sample size (%)		Unknown	426	471	372	571	636
Electronic voting		55	50	49	59	66	64
Paper ballot method		32	38	42	31	22	23
Unsure/don't know		13	12	9	10	12	13
Sample size (%)		Unknown	162	198	153	127	99
If paper ballot preferred or unsure/don't know:	Don't trust this method	17	31	29	16	24	44
	Don't use or like computers	25	30	27	18	11	14
	Paper ballot is easier	NA	35	44	66	21	11
	Other	58	5	-	-	46	31

At polling places in the 2020 ACT election where electronic voting was not provided as a voting option over six out of ten voters (64%) expressed an interest in using it if it was made available. Distrust in electronic voting was the main reason for preferring not to vote electronically.

These measures, together with a 95 per cent use of electronic voting in electronic polling places demonstrate strong levels of interest and awareness in electronic voting.

**Table 67.** Voter views on whether the election was conducted impartially. A new question was asked during exit polling in 2016 in relation to whether the election was conducted impartially and without bias. The Electoral Council of Australia and New Zealand have requested that this question be standard across electoral jurisdictions. (Font) Question: Do you think Elections ACT conducted this election impartially and without bias?

		2016	2020
Sample size (%)		571	636
Yes		86	86
No		3	1
No opinion		11	13

**Table 68.** How satisfied or dissatisfied are you with the way that the 2020 election has been managed in light of COVID-19? This was a new question was asked during exit polling in 2020 due to the conduct of the 2020 election during the world-wide COVID-19 pandemic. (Font)

		2020
Sample size (%)		636
Very dissatisfied		2
Dissatisfied		0
Neither / nor		3
Satisfied		24
Very satisfied		71
No opinion		0

This result indicates that 94 per cent of voters were satisfied with the procedures put in place by the ACT Electoral Commission to ensure the health and safety of electors and electoral workers during the conduct of the 2020 election during the COVID pandemic.



## Appendix 3 Preference sequences on formal ballot papers

Appendix 3 shows details of preferences shown on formal ballot papers at the 2020 ACT election.

**Table 69.** Sequence breaks in formal ballot papers

Highest preference counted	Missing next consecutive number						Repeated next consecutive number					
	Brin	Ginn	Kurr	Murr	Yerr	Total	Brin	Ginn	Kurr	Murr	Yerr	Total
1	6	8	3	5	7	<b>29</b>	10	18	29	8	19	<b>84</b>
2	5	7	3	11	12	<b>38</b>	11	18	15	17	15	<b>76</b>
3	4	8	5	3	8	<b>28</b>	6	13	17	9	9	<b>54</b>
4	3	6	6	2	10	<b>27</b>	3	15	16	7	10	<b>51</b>
5	17	9	9	10	9	<b>54</b>	10	11	8	9	3	<b>41</b>
6	3	1	2		2	<b>8</b>	4	14	18	8	10	<b>54</b>
7	2	1	3	3	3	<b>12</b>	8	14	10	8	5	<b>45</b>
8	5	3	2	2	4	<b>16</b>	5	4	14	4	1	<b>28</b>
9	4	1	2	2	3	<b>12</b>	1	3	6	4		<b>14</b>
10	2	4	2	2	3	<b>13</b>	3	1	7	1		<b>12</b>
11	2		3	3		<b>8</b>		9	1		4	<b>14</b>
12	1		1		2	<b>4</b>	1	4	7	4	4	<b>20</b>
13	1	3	4	6	2	<b>16</b>	1	2	4	3	3	<b>13</b>
14		3	4	2		<b>9</b>	3	3	3	4	1	<b>14</b>
15		3	2	3		<b>8</b>	1		5	1	1	<b>8</b>
16		1		1	1	<b>3</b>	2	1	4	1	2	<b>10</b>
17	1	2		1		<b>4</b>	1	4	2		1	<b>8</b>
18		1	1		3	<b>5</b>		2	4	6	1	<b>13</b>
19	3	1	5	4	1	<b>14</b>		2	3	2	1	<b>8</b>
20			1		2	<b>3</b>	2	1		4	1	<b>8</b>
21	1	1	2	2		<b>6</b>		1	4	1		<b>6</b>
22	1		1			<b>2</b>			1	4	1	<b>6</b>
23		1	2		1	<b>4</b>		1	3		1	<b>5</b>
24		1	1			<b>2</b>		2	1	2		<b>5</b>
25		2				<b>2</b>		3		1		<b>4</b>
26		2	2	2		<b>6</b>						<b>0</b>
27						<b>0</b>		3				<b>3</b>
28						<b>0</b>						
29		1				<b>1</b>						
30		1				<b>1</b>						
31		1				<b>1</b>						
<b>Total</b>	<b>61</b>	<b>72</b>	<b>66</b>	<b>64</b>	<b>73</b>	<b>336</b>	<b>72</b>	<b>149</b>	<b>182</b>	<b>108</b>	<b>93</b>	<b>604</b>

**Table 70.** Length of sequence — Brindabella

Group	Total	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
ALP	BURCH, Joy	6,459	27	6	9	16	4,781	234	152	606	42	185	13	45	24	7	17	7	5	3	3	0	8	4	265
	Day, Cathy	2,592	15	2	1	7	1,835	87	77	261	27	72	8	25	8	1	7	1	3	1	2	0	3	3	146
	Forde, Brendan	2,546	5	3	5	5	1,913	71	70	211	24	65	10	21	11	7	3	3	2	1	1	2	5	1	107
	Gentleman, Mick	6,395	28	6	12	16	4,725	189	171	583	44	164	23	48	18	11	8	7	4	7	1	3	8	5	314
	Werner-Gibbings, Taimus	4,568	20	2	4	12	3,103	157	122	537	63	151	16	48	14	10	14	4	7	2	0	1	6	5	270
AJP	Group total	22,560	95	19	31	56	16,357	738	592	2,198	200	637	70	187	75	36	49	22	21	14	7	6	30	18	1,102
	Fahiz, Jannah	653	4	12	2	5	417	39	30	19	12	28	14	11	2	2	3	1	2	2	1	2	1	0	44
	Soxsmith, Robyn	582	2	13	4	5	410	37	22	10	5	15	7	13	0	2	2	1	0	0	0	0	0	1	33
FED	Group total	1,235	6	25	6	10	827	76	52	29	17	43	21	24	2	4	5	2	2	2	1	2	1	1	77
	Potter, Jason	446	2	2	0	0	225	42	14	7	26	9	8	9	8	1	3	3	0	0	0	2	1	2	82
	Sandford, Scott	148	1	0	0	0	91	6	7	9	5	1	2	0	0	1	1	1	0	0	0	0	0	0	23
LIB	Group total	594	3	2	0	0	316	48	21	16	31	10	10	9	8	2	4	4	0	0	2	1	2	105	
	Daniels, James	2,179	7	2	1	3	1,813	52	92	30	25	24	11	6	9	1	4	3	1	2	1	5	0	1	86
	Hiatt, Jane	2,448	14	7	2	4	1,967	54	114	46	31	37	8	10	9	3	10	3	0	3	1	4	3	2	116
SFF	Lawder, Nicole	5,866	17	7	5	9	4,872	120	188	81	61	82	38	19	31	10	9	8	1	2	3	6	6	4	287
	Parton, Mark	6,218	10	2	6	13	5,209	130	255	58	75	64	40	13	15	12	12	2	2	3	1	6	7	2	281
	Wall, Andrew	4,579	12	4	4	11	3,760	113	172	61	64	44	26	11	19	5	11	2	3	4	0	5	4	2	242
	Group total	21,290	60	22	18	40	17,621	469	821	276	256	251	123	59	83	31	46	18	7	14	6	26	20	11	1,012
	Gowor, Jacob	318	4	12	1	2	189	23	29	5	9	6	3	6	1	2	2	0	0	1	0	1	1	1	20
LDP	Knight, Matthew	427	8	9	3	0	280	22	25	18	11	6	4	2	1	0	4	1	0	0	0	0	1	2	30
	Group total	745	12	21	4	2	469	45	54	23	20	12	7	8	2	2	6	1	0	1	0	1	2	3	50
	Baynham, Greg	894	8	20	3	6	617	42	44	12	20	10	8	7	4	1	5	0	0	1	0	0	1	2	83
SUST	Olley, Adrian	833	7	23	4	7	553	48	59	16	15	13	11	4	6	2	0	1	0	2	0	1	4	2	55
	Group total	1,727	15	43	7	13	1,170	90	103	28	35	23	19	11	10	3	5	1	0	3	0	1	5	4	138
	Clapham, Andrew	763	4	2	1	3	387	47	27	18	22	51	20	21	3	6	9	1	6	1	1	1	5	1	126
GREEN	Willett, Bruce	514	0	5	2	2	283	25	29	14	9	31	7	13	5	4	2	2	6	3	0	0	3	0	69
	Group total	1,277	4	7	3	5	670	72	56	32	31	82	27	34	8	10	11	3	12	4	1	1	8	1	195
	Davis, Johnathan	3,019	6	2	15	3	1,474	134	85	580	38	163	18	79	17	18	17	5	7	3	0	1	7	5	342
	Ellerman, Sue	1,309	3	0	18	3	715	43	38	187	21	88	6	29	6	0	13	4	5	1	2	1	2	1	123
	Nuttall, Laura	1,657	3	1	4	3	853	69	54	229	21	125	16	50	12	9	6	4	5	1	3	3	3	2	181
GREEN	Group total	5,985	12	3	37	9	3,042	246	177	996	80	376	40	158	35	27	36	13	17	5	5	5	12	8	646
	Total	55,413	207	142	106	135	40,472	1,784	1,876	3,598	670	1,434	317	490	223	115	162	64	59	43	20	44	79	48	3,325
%		0.37	0.26	0.19	0.24	0.24	73.04	3.22	3.39	6.49	1.21	2.59	0.57	0.88	0.40	0.21	0.29	0.12	0.11	0.08	0.04	0.08	0.14	0.09	6.00
Progressive totals		55,413	55,206	55,064	54,958	54,823	14,351	12,567	10,691	7,093	6,423	4,989	4,672	4,182	3,959	3,844	3,682	3,618	3,559	3,516	3,496	3,452	3,373	3,325	
Progressive %		100.00	99.63	99.37	99.18	98.94	25.90	22.68	19.29	12.80	11.59	9.00	8.43	7.55	7.14	6.94	6.64	6.53	6.42	6.35	6.31	6.23	6.09	6.00	

**Table 71.** Length of sequence — Ginninderra

Group	Total	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	
<b>ALP</b>																																		
Berry, Yvette	8,756	21	13	7	13	6,125	320	174	846	116	236	116	55	103	34	59	33	16	26	6	8	2	6	3	0	4	1	3	1	2	6	16	385	
Cheyne, Tara	6,306	10	6	9	3	3,986	216	155	807	115	184	89	47	81	36	47	26	11	18	8	9	4	4	3	1	2	1	3	0	1	5	15	404	
Ducker, Sue	1,288	5	2	2	5	926	39	29	107	18	34	18	9	13	7	7	3	1	1	1	1	4	0	0	2	0	2	0	0	0	2	2	49	
Lloyd, Greg	1,276	4	1	0	3	901	52	32	114	22	36	16	7	14	6	5	2	5	3	1	0	1	0	1	0	1	0	1	0	0	0	0	48	
Ramsay, Gordon	4,783	17	4	5	9	3,226	183	145	441	94	165	63	32	45	15	28	12	8	15	6	9	2	4	2	4	1	0	1	1	2	1	5	238	
<b>Group total</b>	<b>22,409</b>	<b>57</b>	<b>26</b>	<b>23</b>	<b>33</b>	<b>15,164</b>	<b>810</b>	<b>535</b>	<b>2,315</b>	<b>365</b>	<b>655</b>	<b>302</b>	<b>150</b>	<b>256</b>	<b>98</b>	<b>146</b>	<b>76</b>	<b>41</b>	<b>63</b>	<b>22</b>	<b>30</b>	<b>9</b>	<b>14</b>	<b>11</b>	<b>5</b>	<b>10</b>	<b>2</b>	<b>8</b>	<b>2</b>	<b>5</b>	<b>14</b>	<b>38</b>	<b>1,124</b>	
<b>AJP</b>																																		
Drew, Carolyne	418	2	4	3	2	254	21	22	14	7	31	7	8	5	1	5	3	4	0	0	1	1	0	1	0	0	1	0	0	0	0	0	22	
Drew, Lara	541	3	4	3	2	317	26	25	19	10	35	11	18	12	3	5	2	2	2	1	2	0	1	2	0	0	0	1	0	0	1	1	33	
<b>Group total</b>	<b>959</b>	<b>5</b>	<b>8</b>	<b>6</b>	<b>4</b>	<b>571</b>	<b>47</b>	<b>47</b>	<b>33</b>	<b>17</b>	<b>66</b>	<b>18</b>	<b>26</b>	<b>17</b>	<b>4</b>	<b>10</b>	<b>5</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>55</b>			
<b>CLIM</b>																																		
Demetriou, Oksana	200	1	1	0	0	119	11	10	10	4	8	11	2	3	1	3	1	2	0	0	1	1	0	0	0	0	0	0	0	0	0	0	11	
Ngep, Sok Kheng	203	1	0	2	0	119	14	6	13	3	9	5	0	3	1	1	1	1	2	1	0	1	0	0	0	1	0	0	0	0	0	0	19	
Stavridis, Jonathan	215	2	0	2	1	137	15	7	11	3	4	5	2	2	1	1	3	2	0	0	0	0	0	0	1	0	0	0	1	0	0	0	15	
<b>Group total</b>	<b>618</b>	<b>4</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>375</b>	<b>40</b>	<b>23</b>	<b>34</b>	<b>10</b>	<b>21</b>	<b>21</b>	<b>4</b>	<b>8</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>45</b>			
<b>BEL</b>																																		
Dubey, Vijay	414	0	0	4	1	294	24	16	7	4	15	5	6	2	0	3	3	1	0	1	1	2	0	0	0	0	0	0	0	0	1	1	23	
Henry, Chic	1,517	8	3	2	4	1,125	79	52	25	15	48	13	22	9	11	12	3	3	2	1	4	2	1	1	1	1	1	1	0	0	1	0	62	
Lount, Angela	493	2	1	0	1	336	25	18	15	9	21	5	9	7	6	9	2	0	2	1	2	0	0	1	1	1	1	1	0	0	1	0	17	
Stefaniak, Bill	2,214	14	8	4	5	1,450	110	88	38	28	148	22	40	15	18	10	7	9	6	3	5	3	6	2	1	1	1	1	1	1	6	4	157	
Tutt, Alan	626	4	0	1	0	447	28	15	14	11	27	6	10	8	2	6	4	5	1	0	2	1	1	0	1	0	0	0	1	1	0	0	30	
<b>Group total</b>	<b>5,264</b>	<b>28</b>	<b>12</b>	<b>11</b>	<b>11</b>	<b>3,652</b>	<b>266</b>	<b>189</b>	<b>99</b>	<b>67</b>	<b>259</b>	<b>51</b>	<b>87</b>	<b>41</b>	<b>37</b>	<b>40</b>	<b>19</b>	<b>18</b>	<b>11</b>	<b>6</b>	<b>14</b>	<b>8</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>8</b>	<b>11</b>	<b>289</b>	
<b>LIB</b>																																		
Cain, Peter	3,069	10	6	1	3	2,391	106	114	49	27	123	32	22	16	13	12	4	9	3	4	1	4	2	1	2	0	0	0	3	0	2	5	102	
Gunning, Robert	2,822	11	5	8	6	2,224	111	81	38	19	94	17	37	14	10	14	7	6	4	2	4	1	2	1	1	1	0	0	0	1	1	3	99	
Kikkert, Elizabeth	5,222	16	6	6	5	4,024	204	176	88	55	213	39	57	23	21	22	14	12	8	2	8	4	2	1	2	1	0	3	2	1	2	3	202	
Lam, Kacey	2,256	14	3	8	5	1,722	91	76	39	23	71	23	31	18	12	10	3	7	1	4	2	1	1	2	0	2	0	0	0	1	2	7	77	
Rozario, Ignatius	1,608	7	5	2	3	1,247	61	59	21	14	69	8	19	6	3	4	2	2	1	0	3	2	0	0	1	1	0	2	0	1	1	1	63	
<b>Group total</b>	<b>14,977</b>	<b>58</b>	<b>25</b>	<b>25</b>	<b>22</b>	<b>11,608</b>	<b>573</b>	<b>506</b>	<b>235</b>	<b>138</b>	<b>570</b>	<b>119</b>	<b>166</b>	<b>77</b>	<b>59</b>	<b>62</b>	<b>30</b>	<b>36</b>	<b>17</b>	<b>12</b>	<b>18</b>	<b>12</b>	<b>7</b>	<b>5</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>6</b>	<b>8</b>	<b>19</b>	<b>543</b>	
<b>DLP</b>																																		
McClure, Helen	724	10	16	1	6	514	44	44	17	12	18	9	4	6	2	3	0	4	0	1	0	0	0	0	0	0	1	0	0	0	1	0	10	
McClure, Ian	623	7	10	1	8	422	21	47	16	14	24	13	4	3	3	1	1	1	1	1	1	2	0	1	1	0	0	0	0	0	0	1	20	
<b>Group total</b>	<b>1,347</b>	<b>17</b>	<b>26</b>	<b>2</b>	<b>14</b>	<b>936</b>	<b>65</b>	<b>91</b>	<b>33</b>	<b>26</b>	<b>42</b>	<b>22</b>	<b>8</b>	<b>9</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>5</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>30</b>			
<b>LDP</b>																																		
De Luca, Dominic	206	2	5	0	4	136	13	15	0	6	4	2	1	0	1	2	0	2	0	1	1	0	0	0	0	0	0	0	0	0	1	0	10	
Jakeman, Guy	258	4	7	2	1	171	15	12	6	4	8	3	3	2	2	4	0	1	0	0	0	1	0	0	0	0	0	0	0	1	1	0	10	
<b>Group total</b>	<b>464</b>	<b>6</b>	<b>12</b>	<b>2</b>	<b>5</b>	<b>307</b>	<b>28</b>	<b>27</b>	<b>6</b>	<b>10</b>	<b>12</b>	<b>5</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>20</b>	
<b>SFF</b>																																		
Ogilvie, Matthew	676	2	2	1	0	454	41	34	11	15	17	34	12	2	5	3	1	2	1	0	1	1	0	0	1	1	0	0	0	0	1	0	34	
Smith, Oliver	614	2	14	3	7	367	43	40	16	15	21	26	11	2	1	2	1	0	1	0	1	0	1	0	1	1	0	1	0	0	0	3	34	
<b>Group total</b>	<b>1,290</b>	<b>4</b>	<b>16</b>	<b>4</b>	<b>7</b>	<b>821</b>	<b>84</b>	<b>74</b>	<b>27</b>	<b>30</b>	<b>38</b>	<b>60</b>	<b>23</b>	<b>4</b>	<b>6</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>68</b>	
<b>SUST</b>																																		
Gabriel, Paul	408	1	2	0	0	182	21	27	11	22	22	10	12	7	7	13	5	3	2	1	5	0	1	3	1	1	0	0	0	0	1	0	48	
O'Connor, Mark	579	1	0	1	0	261	36	29	23	18	42	21	16	12	5	10	5	4	5	5	2	3	2	1	0	1	0	1	2	0	0	0	4	70
<b>Group total</b>	<b>987</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>443</b>	<b>57</b>	<b>56</b>	<b>34</b>	<b>40</b>	<b>64</b>	<b>31</b>	<b>28</b>	<b>19</b>	<b>12</b>	<b>23</b>	<b>10</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>7</b>	<b>3</b>	<b>3</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>	<b>118</b>		
<b>GREEN</b>																																		
Clay, Jo	3,495	6	4	19	4	1,298	156	111	756	102	210	106	55	103	29	63	33	19	16	11	9	7	1	5	5	6	3	5	2	4	6	12	329	
Liersch, Tim	1,269	6	4	7	0	591	49	36	222	36	58	37	15	34	6	16	10	9	10	5	3	7	3	0	1	0	0	0	1	1	0	1	101	
Miller, Katt	2,242	4	2	8	6	1,041	105	66	349	53	106	74	33	61	17	30	16	11	9	3	5	2	2	0	2	0	0	0	3	1	1	2	228	
<b>Group total</b>	<b>7,006</b>	<b>16</b>	<b>10</b>	<b>34</b>	<b>10</b>	<b>2,930</b>	<b>310</b>	<b>213</b>	<b>1,327</b>	<b>191</b>	<b>374</b>	<b>217</b>	<b>103</b>	<b>198</b>	<b>52</b>	<b>109</b>																		

**Table 72.** Length of sequence — Kurrajong

Group	Total	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28		
ALP	Anderson, Judy	1,371	8	3	3	2	881	53	37	32	117	37	17	22	6	21	12	4	5	2	4	2	5	3	1	2	1	1	1	89	
	Barr, Andrew	11,148	49	7	12	16	7085	454	250	207	1300	249	134	246	41	127	62	31	43	16	24	9	19	4	22	5	10	18	10	698	
	Ingram, Jacob	1,736	6	5	3	5	1086	60	42	39	188	52	24	40	6	20	10	5	8	3	6	2	1	0	2	1	1	2	3	116	
	Northam, Maddy	2,172	10	8	3	10	1207	66	56	40	316	62	35	59	11	31	19	10	16	2	5	0	3	1	5	0	3	2	5	187	
AJP	Stephen-Smith, Rachel	2,786	6	4	4	2	1598	120	95	77	342	92	36	69	15	40	14	13	13	3	5	4	1	1	4	0	2	4	3	219	
	Group total	19,213	79	27	25	35	11,857	753	480	395	2,263	492	246	436	79	239	117	63	85	26	44	17	29	9	34	8	17	27	22	1,309	
	Rutledge-Prior, Serrin	343	0	3	1	0	172	12	15	10	8	8	29	10	5	9	3	6	5	2	4	0	2	1	0	0	1	2	0	35	
	Smith, Julie	447	2	7	2	1	251	25	15	14	10	24	15	6	6	7	1	6	3	0	2	0	2	0	3	0	2	0	0	43	
CLIM	Group total	790	2	10	3	1	423	37	30	24	18	32	44	16	11	16	4	12	8	2	6	0	4	1	3	0	3	2	0	78	
	Forner, Sophia	209	1	0	2	0	111	13	7	4	7	8	3	6	5	6	1	2	1	0	2	1	0	0	1	0	1	0	0	2	
	Johnson, Petar	156	1	0	5	2	73	8	4	5	2	2	5	6	5	3	2	2	1	0	2	0	1	0	1	0	0	0	0	26	
	O'hara, Alix	195	1	0	0	1	101	9	6	10	5	7	6	10	1	7	1	1	2	0	2	1	0	0	2	2	0	0	1	19	
LIB	Group total	560	3	0	7	3	285	30	17	19	14	17	14	22	11	16	4	5	4	0	6	2	1	0	4	2	1	0	1	72	
	Burch, Candice	3,978	16	5	4	7	3,288	106	87	52	61	65	16	26	17	16	7	5	8	2	1	2	1	1	0	1	1	4	3	176	
	Gumber, Rattesh	929	6	1	2	3	773	26	24	10	9	21	5	3	3	3	2	2	1	0	1	1	0	0	1	0	0	1	1	30	
	Johnson, Robert	1,628	6	3	1	4	1,349	49	46	20	21	23	8	7	6	4	1	1	0	0	1	0	0	1	1	0	1	1	4	70	
PROG	Lee, Elizabeth	5,040	20	12	7	10	4,024	146	115	78	73	105	45	25	21	24	9	12	2	4	6	3	1	0	3	3	2	9	4	277	
	Pentony, Patrick	2,384	7	2	2	7	2,003	51	65	27	31	36	7	9	5	13	6	5	4	0	0	1	1	1	1	0	1	2	4	93	
	Group total	13,959	55	23	16	31	11,437	378	337	187	195	250	81	70	52	60	25	25	15	6	9	7	3	3	6	4	5	17	16	646	
	Bohm, Tim	1,173	5	2	3	4	440	57	42	52	39	57	21	64	14	20	23	13	12	9	10	6	12	2	6	2	9	7	8	234	
SUST	Bryant, Peta Anne	472	0	0	0	0	161	22	15	17	19	24	12	35	7	16	8	9	9	4	4	4	6	0	4	2	3	3	1	87	
	Faulkner, Therese	901	1	1	1	2	322	42	36	46	31	53	25	60	17	23	23	7	15	6	6	5	6	3	5	2	4	5	3	151	
	Group total	2,546	6	3	4	6	923	121	93	115	89	134	58	159	38	59	54	29	36	19	20	15	24	5	15	6	16	15	12	472	
	Angel, Joy	435	3	0	1	5	204	26	24	10	17	6	10	8	7	12	4	5	7	3	4	0	1	0	6	1	3	2	2	64	
GREEN	Haydon, John	365	3	2	0	2	172	22	18	8	8	20	8	9	2	4	2	3	4	1	2	1	1	1	3	0	0	1	2	66	
	Group total	800	6	2	1	7	376	48	42	18	25	26	18	17	9	16	6	8	11	4	6	1	2	1	9	1	3	3	4	130	
	Boisen, Adriana	1,250	6	0	3	10	560	46	35	28	175	39	24	55	8	29	15	9	12	10	8	0	4	0	6	1	5	1	4	157	
	Brewer, Michael	904	1	1	2	8	425	39	27	26	117	25	23	35	5	23	6	8	9	3	3	2	2	2	2	0	1	1	4	104	
CAP	Rattenbury, Shane	6,388	14	4	9	54	2,394	246	195	124	1,311	194	155	338	44	149	92	60	67	15	37	13	16	7	23	5	13	19	12	778	
	Vassarotti, Rebecca	3,093	3	2	4	17	1,214	120	122	73	434	103	77	163	35	79	56	39	38	11	23	5	15	5	10	4	5	7	7	422	
	Group total	11,635	24	7	18	89	4,593	451	379	251	2,037	361	279	591	92	280	169	116	126	39	71	20	37	14	41	10	24	28	27	1,461	
	Hopper, Alvin	108	0	1	0	0	45	6	6	3	2	5	2	4	2	2	1	1	2	1	1	0	0	0	0	0	0	1	1	22	
Ungrouped	Williams, Robyn	75	2	2	0	0	45	2	6	0	0	0	0	1	0	0	2	1	1	2	1	0	1	0	1	0	1	0	0	7	
	Group total	183	2	3	0	0	90	8	12	3	2	5	2	5	2	2	3	2	3	3	2	0	1	0	1	0	1	1	1	29	
	Damiano, Marilena	221	3	0	0	0	115	13	8	5	10	12	3	2	1	1	0	0	1	1	1	1	1	1	0	4	0	0	3	4	32
	Paine, Bruce	693	5	5	0	1	315	39	41	21	15	24	16	24	14	13	10	7	6	2	1	3	2	2	3	1	3	3	7	110	
	Group total	914	8	5	0	1	430	52	49	26	25	36	19	26	15	14	10	7	7	3	2	4	3	2	7	1	3	6	11	142	
	Total	50,600	185	80	74	173	30,414	1,878	1,439	1,038	4,668	1,353	761	1,342	309	702	392	267	295	102	166	66	104	35	120	32	73	99	94	4,339	
	%		0.37	0.16	0.15	0.34	60.11	3.71	2.84	2.05	9.23	2.67	1.50	2.65	0.61	1.39	0.77	0.53	0.58	0.20	0.33	0.13	0.21	0.07	0.24	0.06	0.14	0.20	0.19	8.58	
	Progressive totals		50,600	50,415	50,335	50,261	50,088	19,674	17,796	16,357	15,319	10,651	9,298	8,537	7,195	6,886	6,184	5,792	5,525	5,230	5,128	4,962	4,896	4,792	4,757	4,637	4,605	4,532	4,433	4,339	
Progressive %		100.00	99.63	99.48	99.33	98.99	38.88	35.17	32.33	30.27	21.05	18.38	16.87	14.22	13.61	12.22	11.45	10.92	10.34	10.13	9.81	9.68	9.47	9.40	9.16	9.10	8.96	8.76	8.58		

**Table 73.** Length of sequence — Murrumbidgee

Group	Total	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29		
ALP	Cody, Bec	3,686	9	7	7	10	2,569	125	93	300	62	102	39	22	47	10	31	11	13	7	3	9	1	10	0	4	0	2	15	2	176	
	Dobson, Tim	2,264	4	1	5	4	1,546	94	55	195	34	67	10	17	31	4	10	6	7	11	2	2	3	3	1	4	1	2	6	4	135	
	Long, Brendan	1,828	4	4	6	3	1,295	71	24	134	38	51	25	16	25	7	12	5	5	5	2	2	2	2	1	2	2	1	3	1	80	
	Paterson, Marisa	4,197	12	2	8	13	2,793	167	128	375	80	126	33	31	40	15	29	15	19	12	7	7	1	5	2	5	3	2	12	6	249	
AJP	Steel, Chris	7,407	26	6	13	13	4,875	306	186	810	129	234	66	37	69	26	53	17	26	13	14	17	1	10	0	9	1	3	13	6	428	
	Group total	19,382	55	20	39	43	13,078	763	486	1,814	343	580	173	123	212	62	135	54	70	48	28	37	8	30	4	24	7	10	49	19	1,068	
	DelValle, Yana	613	4	8	1	0	306	38	45	10	48	23	14	16	2	10	2	4	6	3	4	1	0	4	1	3	0	0	2	0	58	
	Handby, Edmund	464	3	4	0	1	244	26	31	9	36	15	6	12	6	5	4	0	5	1	2	1	0	2	0	0	1	0	1	2	47	
CLIM	Group total	1,077	7	12	1	1	550	64	76	19	84	38	20	28	8	15	6	4	11	4	6	2	0	6	1	3	1	0	3	2	105	
	Byrnes, Rohan	121	0	0	2	0	72	2	3	5	3	5	1	2	4	2	2	0	1	0	0	1	0	0	0	0	0	2	0	0	14	
	Demetrius, Andrew	133	1	0	0	1	88	8	4	2	2	7	1	4	2	0	1	0	1	2	0	0	0	2	0	0	0	0	1	0	6	
	Forner, Richard	104	0	0	0	0	67	4	5	1	1	7	0	3	1	1	2	2	1	1	0	0	3	0	0	0	0	0	0	0	5	
LIB	Hillman, Jackson	146	0	0	1	0	95	9	7	1	7	5	5	3	3	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0	7	
	Veenstra, Peter	167	2	0	2	1	90	8	7	5	3	15	5	5	5	0	1	0	3	1	1	0	0	2	1	0	0	1	0	0	9	
	Group total	671	3	0	5	2	412	31	26	14	16	39	12	17	15	4	7	2	7	4	1	1	3	4	1	0	0	3	1	0	41	
	Cocks, Ed	2,658	7	4	6	8	2,181	104	73	42	11	46	19	14	9	2	3	2	2	1	4	3	3	2	1	5	1	0	1	2	102	
PROG	Hanson, Jeremy	8,209	19	17	11	20	6,741	274	240	148	69	142	28	51	15	15	19	8	8	7	5	3	1	0	1	9	2	5	10	6	335	
	Jones, Giulia	3,535	6	10	6	11	2,919	124	89	75	26	70	13	20	24	3	6	3	4	3	2	2	2	0	2	4	0	1	2	3	105	
	Singh, Amardeep	3,226	25	8	6	8	2,568	108	99	78	26	95	15	18	11	12	5	6	6	1	2	1	4	3	1	7	1	2	0	2	108	
	Suine, Sarah	1,494	7	1	5	5	1,199	55	45	25	18	35	8	8	2	7	5	1	2	2	0	1	0	1	0	3	0	1	0	0	58	
SFF	Group total	19,122	64	40	34	52	15,608	665	546	368	150	388	83	111	61	39	38	20	22	14	13	10	10	6	5	28	4	9	13	13	708	
	Knight, Robert	837	0	3	0	2	381	39	28	26	23	55	27	25	13	4	16	6	7	4	8	9	2	3	3	3	4	1	1	4	140	
	Lin, Stephen	614	0	6	1	0	279	25	30	23	16	37	27	15	13	5	14	8	2	2	6	4	2	1	1	3	0	0	4	3	87	
	Group total	1,451	0	9	1	2	660	64	58	49	39	92	54	40	26	9	30	14	9	6	14	13	4	4	4	6	4	1	5	7	227	
SUST	Gilmayer, Mark	422	2	9	2	3	282	14	39	5	11	7	2	7	1	2	1	2	1	0	2	0	0	0	0	0	0	0	1	1	2	26
	Yearman, Gordon	339	2	4	3	0	211	14	31	10	10	10	2	5	2	3	1	0	3	1	1	0	0	0	0	1	0	0	3	0	22	
	Group total	761	4	13	5	3	493	28	70	15	21	17	4	12	3	5	2	2	4	1	3	0	0	0	0	1	0	1	4	2	48	
	Buckmaster, Geoff	461	1	2	2	1	229	31	30	12	19	20	8	8	6	7	7	4	2	2	1	1	1	3	1	3	0	2	2	0	56	
GREEN	Mall, Jill	374	2	6	2	2	191	17	22	12	15	11	10	7	2	5	6	0	2	0	1	4	0	2	1	0	0	1	1	1	51	
	Group total	835	3	8	4	3	420	48	52	24	34	31	18	15	8	12	13	4	4	2	2	5	1	5	2	3	0	3	3	1	107	
	Baker, Terry	982	4	1	8	2	498	33	23	130	26	40	12	16	25	11	19	0	9	2	7	6	2	3	0	0	0	3	3	3	96	
	Davidson, Emma	3,677	3	3	13	4	1,574	125	100	464	256	194	73	53	70	30	69	23	33	28	15	18	4	17	2	7	1	2	10	9	477	
Ungrouped	Goreng Goreng, Tjanara	1,644	3	3	7	5	740	64	54	187	57	97	47	20	40	9	30	6	15	11	6	5	4	6	1	4	4	1	6	3	209	
	Group total	6,303	10	7	28	11	2,812	222	177	781	339	331	132	89	135	50	118	29	57	41	28	29	10	26	3	11	5	6	19	15	782	
	Carrick, Fiona	3,783	17	4	5	8	1,969	301	149	164	152	130	94	51	42	43	43	23	13	22	18	12	6	11	6	8	5	0	21	13	453	
	Perren-Leveridge, Lee	126	0	0	2	0	85	3	4	3	1	3	1	1	2	1	0	0	0	0	1	2	0	0	0	0	0	0	0	0	17	
Total	Whyte, Brendan	243	0	1	0	0	133	13	18	9	5	9	6	0	1	0	1	0	1	0	0	1	2	0	0	1	0	0	0	3	39	
	Group total	4,152	17	5	7	8	2,187	317	171	176	158	142	101	52	45	44	44	23	14	22	19	15	8	11	6	9	5	0	21	16	509	
	Total	53,754	163	114	124	125	36,220	2,202	1,662	3,260	1,184	1,658	597	487	513	240	393	152	198	142	114	112	44	92	26	85	26	33	118	75	3,595	
	%		0.30	0.21	0.23	0.23	67.38	4.10	3.09	6.06	2.20	3.08	1.11	0.91	0.95	0.45	0.73	0.28	0.37	0.26	0.21	0.21	0.08	0.17	0.05	0.16	0.05	0.06	0.22	0.14	6.69	
Progressive totals		53,754	53,591	53,477	53,353	53,228	17,008	14,806	13,144	9,884	8,700	7,042	6,445	5,958	5,445	5,205	4,812	4,660	4,462	4,320	4,206	4,094	4,050	3,958	3,932	3,847	3,821	3,788	3,670	3,595		
	Progressive %		100.00	99.70	99.48	99.25	99.02	31.64	27.54	24.45	18.39	16.18	13.10	11.99	11.08	10.13	9.68	8.95	8.67	8.30	8.04	7.82	7.62	7.53	7.36	7.31	7.16	7.11	7.05	6.83	6.69	

**Table 74.** Length of sequence — Yerrabi

Group	Total	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	
ALP	Fischer, Tom	1,796	6	4	2	4	1,321	67	139	34	54	33	16	8	6	2	4	1	0	1	0	3	1	0	5	0	85
	Gupta, Deepak-Raj	3,763	27	11	12	11	2,669	146	330	90	91	93	44	22	13	6	7	2	2	3	2	7	0	1	11	5	158
	Orr, Suzanne	4,344	19	7	5	8	2,973	152	481	93	127	73	49	37	25	16	6	2	5	3	3	4	2	1	3	3	247
	Pettersson, Michael	5,086	25	1	10	13	3,661	175	477	81	158	78	58	28	24	14	9	3	4	5	3	6	0	4	8	3	238
	Phillips, Georgia	3,273	8	6	6	13	2,388	109	316	58	87	48	35	17	14	2	5	5	0	5	1	1	1	0	7	4	137
	Group total	18,262	85	29	35	49	13,012	649	1,743	356	517	325	202	112	82	40	31	13	11	17	9	21	4	6	34	15	865
AJP	Brennan, Bernie	310	2	8	1	4	210	16	12	9	7	5	7	1	1	3	1	0	0	0	1	0	0	0	1	21	
	Horne, Francine	391	3	10	2	4	261	25	9	6	9	7	7	3	0	1	1	2	1	0	1	0	0	1	0	38	
	Group total	701	5	18	3	8	471	41	21	15	16	12	14	4	1	4	2	2	1	0	1	1	0	1	1	59	
	Castley, Leanne	4,601	27	9	10	9	3,922	127	131	50	41	50	12	16	10	7	7	10	2	1	1	2	1	1	4	5	146
LIB	Coe, Alistair	8,685	33	10	24	19	7,407	247	241	89	96	110	38	31	15	22	10	13	3	3	0	3	3	2	5	4	257
	Milligan, James	3,834	23	13	7	13	3,284	109	87	34	38	40	18	20	8	10	4	2	2	1	0	1	1	2	3	113	
	Nadimpalli, Krishna	1,899	23	4	11	9	1,537	88	53	26	28	48	10	9	1	1	3	2	0	0	0	2	0	0	3	1	40
	Vadakkedathu, Jacob	2,680	19	5	12	9	2,232	108	77	31	28	38	8	5	6	7	5	5	5	2	1	1	1	1	4	3	67
	Group total	21,699	125	41	64	59	18,382	679	589	230	231	286	86	81	40	47	29	32	12	7	2	9	6	5	18	16	623
	Stelzig, Mike	318	3	3	0	1	162	22	14	5	22	12	5	9	4	3	1	0	1	5	1	0	0	0	0	45	0
PROG	Williams, Bethany	1128	2	3	0	4	503	73	52	51	70	61	47	28	31	2	12	4	8	11	1	5	2	0	2	4	152
	Group total	1446	5	6	0	5	665	95	66	56	92	73	52	37	35	5	13	4	9	16	2	5	2	0	2	4	197
	Pollard, David	1,410	12	16	5	3	872	74	76	38	43	32	34	13	15	10	11	2	2	3	1	3	0	1	0	7	137
	Pollard, Stephanie	319	2	3	3	1	181	18	12	11	12	12	10	3	1	4	2	2	2	3	0	1	0	0	1	0	35
DLP	Group total	1,729	14	19	8	4	1,053	92	88	49	55	44	44	16	16	14	13	4	4	6	1	4	0	1	1	7	172
	Helmore, Olivia	1,478	22	25	3	9	1,034	93	84	33	81	18	15	8	3	2	2	1	1	1	0	2	0	2	0	2	37
	Strang, Bernie	1039	16	23	6	5	740	63	55	21	52	11	4	2	4	3	0	0	2	0	0	1	1	0	1	2	27
	Group total	2,517	38	48	9	14	1,774	156	139	54	133	29	19	10	7	5	2	1	3	1	0	3	1	2	1	4	64
SUST	Kearsley, John	331	1	5	0	2	185	21	14	18	10	9	12	3	4	2	3	2	2	3	0	1	0	0	3	3	28
	Young, Scott	363	3	5	0	1	240	23	12	7	9	9	3	2	2	5	9	0	2	0	0	0	0	1	1	4	25
GREEN	Group total	694	4	10	0	3	425	44	26	25	19	18	15	5	6	7	12	2	4	3	0	1	0	1	4	7	53
	Braddock, Andrew	3,431	8	19	9	9	1,731	180	391	97	303	77	91	38	47	20	26	12	4	8	2	10	0	2	11	10	326
	Haque, Mainul	2,009	10	10	4	8	1,186	105	231	43	95	43	59	20	18	6	7	1	1	4	2	2	0	4	9	141	
	Group total	5,440	18	29	13	17	2,917	285	622	140	398	120	150	58	65	26	33	13	5	12	4	12	0	2	15	19	467
Ungrouped	Cross, Helen	199	1	0	0	0	152	4	11	3	5	0	2	2	0	1	4	0	0	0	0	0	0	2	1	1	11
	Hussain, Mohammad Munir	116	3	2	2	1	66	5	7	4	5	1	2	0	1	0	0	2	0	0	1	0	0	0	0	14	
	Li, Fuxin	656	10	4	6	2	502	47	9	24	9	7	2	1	5	0	1	0	0	1	0	0	0	0	2	24	
	Group total	971	14	6	8	3	720	56	27	31	19	8	6	3	6	1	5	2	0	1	1	0	0	2	3	49	
	Total	53,459	308	206	140	162	39,419	2,097	3,321	956	1,480	915	588	326	258	149	140	73	49	63	20	56	13	17	78	76	2,549
	%		0.58	0.39	0.26	0.30	73.74	3.92	6.21	1.79	2.77	1.71	1.10	0.61	0.48	0.28	0.26	0.14	0.09	0.12	0.04	0.10	0.02	0.03	0.15	0.14	4.77
	Progressive totals		53,459	53,151	52,945	52,805	52,643	13,224	11,127	7,806	6,850	5,370	4,455	3,867	3,541	3,283	3,134	2,994	2,921	2,872	2,809	2,789	2,733	2,720	2,703	2,625	2,549
	Progressive %		100.00	99.42	99.04	98.78	98.47	24.74	20.81	14.60	12.81	10.05	8.33	7.23	6.62	6.14	5.86	5.60	5.46	5.37	5.25	5.22	5.11	5.09	5.06	4.91	4.77





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IMAGE: AUSTRALIAN NATIONAL UNIVERSITY