



Your CANBERRA.
Your VOICE.

REPORT ON THE ACT LEGISLATIVE ASSEMBLY ELECTION 2016

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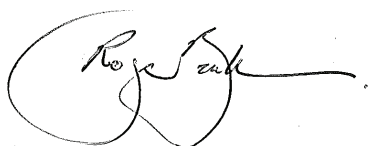
Dear Madam Speaker

This report on the conduct of the 2016 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 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 3 months after the day the report was presented to the Legislative Assembly.

Yours sincerely



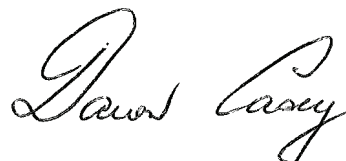
Roger Beale AO
Chairperson

3 March 2017



Phillip Green
Electoral Commissioner

3 March 2017



Dawn Casey
Member

3 March 2017

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Glossary

Term	Description
ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
ACT Self-Government Act	<i>Australian Capital Territory (Self-Government) Act 1988</i> (Commonwealth)
AEC	Australian Electoral Commission
AMC	Alexander Maconochie Centre
Commission	ACT Electoral Commission
Commissioner	ACT Electoral Commissioner
Commonwealth Electoral Act	<i>Commonwealth Electoral Act 1918</i> (Commonwealth)
EEP	Eligible elector population (an estimate of the number of persons who are eligible to be enrolled at a particular point in time)
eLAPPS	electronic Legislative Assembly Polling Place System
Elections ACT	The office of the Electoral Commissioner and the staff appointed to assist the Commissioner
Electoral Act	<i>Electoral Act 1992</i>
Hare-Clark	The proportional representation electoral system used in the ACT
JACS	ACT Justice and Community Safety Directorate
joint roll	The common ACT and Commonwealth electoral roll maintained under a formal government-to-government arrangement
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
OIC	Officer in charge of a polling place or pre-poll centre
party	A political party registered under the Electoral Act
PATOCs	Public Authorities and Territory Owned Corporations
redistribution	A redistribution of electoral boundaries
SSICT	The ACT Government information technology management agency
2IC	Second in charge of a polling place or pre-poll centre
TCCS	Transport Canberra and City Services

Introduction

This report examines the conduct of the ACT Legislative Assembly election held on 15 October 2016 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 2016 election, the Commission built upon the achievements of the 2012 election. Of particular note was the upgrade of the electronic polling place management system, incorporating the networked marking of names of voters on electronic electoral rolls across all polling places and electronic transmission of results on polling night, and the provision of electronic voting to around 1 in 3 of all ACT voters.

The 2016 election was the first election conducted by the ACT Electoral Commission following the establishment of the Members of the Commission as officers of the Legislative Assembly on 1 July 2014.

The 2016 election was also noteworthy for the impact of the increase in the size of the Legislative Assembly. For the first time, the ACT was divided into 5 electorates, each returning 5 Members to the Assembly. The information campaign conducted by the Commission focussed in particular on this increase in the size of the Assembly, as well as on the means of casting formal votes

These efforts combined to provide electoral services to the highest ever number of ACT electors and the lowest ever rate of informal voting.

This report examines the conduct of the 2016 election and the operation of the Electoral Act, focussing on recommending areas for improvement.

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

- *Election Statistics: ACT Legislative Assembly election 2016* ; and
- *The Commission's Annual Report 2016/2017*.

The Commission's Annual Report for 2016/2017 will also necessarily contain information on the conduct of the election, but will not contain the detail of this report. The Annual Report will refer readers seeking more detail to this report.

In addition to reporting on the conduct of the 2016 election, this report makes recommendations for changes to the electoral legislation with a view to preparations for and the conduct of the 2020 ACT Legislative Assembly election.

Notable features of the 2016 election

Notable features of the 2016 ACT Legislative Assembly election included:

- Implementing the increase in the size of the Assembly from 17 MLAs to 25 MLAs, elected from 5 electorates each returning 5 MLAs;
- Facilitating the election of the first parliament in Australian history with a majority of female members, with 13 female MLAs elected.
- The nomination of the highest number of candidates ever to contest an ACT election, with 141 candidates contesting the election – the previous highest number was 117 at the first election held in 1989;
- Recording the highest number of votes in an ACT election – 250,460 (compared to 229,125 in 2012);
- Successful expansion of electronic voting facilities to 81,538 voters – over 32.5% of all voters (compared to 59,200 voters in 2012– over 25% of all voters);
- Having the highest number of eligible voters for any ACT election – 283,162 (compared to 256,702 in 2012);
- Having the most complete electoral roll for an ACT election, with 99.8% of the estimated eligible population enrolled, including very high levels of enrolment of 18-24-year-olds;
- Achieving the highest level of voter turnout of the last 4 elections, when measuring voter participation as a proportion of the estimated eligible population, with over 88% of the eligible population casting a vote;
- Recording the lowest ever rate of informal voting at an ACT election, with only 2.5% of votes counted as informal;
- The conduct of the first general election by the Commission following the establishment of the Members of the Commission as officers of the Legislative Assembly on 1 July 2014;
- The conduct of a performance audit of the conduct of the 2016 ACT Legislative Assembly election by the ACT Auditor General's Office, indicating that the election was conducted effectively;
- Continued use of networked computers to provide electronic electoral rolls in all polling places, enabling the transmission of marked-off voter names to all rolls across the ACT, leading to efficiencies and environmental savings and reducing the likelihood of voting fraud;
- Continued provision of secret voting facilities for blind and sight-impaired people using electronic voting;
- Conducting an extensive public information campaign, combining traditional media advertising and online advertising with public relations activities and social media platforms;
- The use of SMS messages as a medium to inform electors of their enrolment in new ACT electorates;
- High voter satisfaction with electoral services, with 96% of surveyed voters expressing satisfaction with their overall voting experience;
- Using the intelligent character recognition scanning system (first used in Australia for the 2008 ACT election) for capturing and counting preferences marked on paper ballots;

- Finalising the election result in record time, with the count concluding 7 days after polling day as a result of combining the scanning of paper ballots with electronic voting and the eVACS® counting system;
- Updating the interactive on-line training system for polling staff, building on the success of the system first used in the ACT in 2008 and again in 2012;
- Continued use of an electronic display for the draw for positions on ballot papers;
- Maintaining the simplified processes for applying for a postal vote, including on-line and phone applications, contributing to a record number of postal votes counted – 13,114 (compared to 9,859 in 2012);
- Continuing to provide early voting facilities at 6 pre-poll voting centres and 7 interstate electoral offices, serving a record number of voters using pre-poll voting: 84,273 (compared to 61,660 in 2012);
- Discontinuing the provision of a Tally Room on election night, in line with developments in other Australian jurisdictions;
- Use of an improved display of election results on the internet on and after election night, noting that the results website experienced some difficulty on election night with handling the load of inquiries;
- Implementing the funding, expenditure and financial disclosure provisions, including caps on the amount of expenditure that could be incurred on ACT elections, frequent disclosure of gifts received, and payment to political parties with Assembly representatives for administrative purposes; and
- Payment of a record amount in public funding to parties and candidates: \$1,716,784, following an increase in the rate of funding from \$2 per vote to \$8 per vote (compared to \$409,402 in 2012).

Another noteworthy feature of the 2016 election was the lodgement of the first application disputing an election result in the history of ACT Legislative Assembly elections. A person lodged an application with the Court of Disputed Elections in December 2016 disputing the election result in Yerrabi on the basis of the rejection of his nomination by the Commissioner. At the time of writing this report, the case was still before the court. The Commission will report on this matter after the case has been determined in the relevant annual report.

Recommendations

The Commission has made the following recommendations in this report.

Recommendation 1

The Commission **recommends** that the Assembly notes that the Commission will investigate a limited electronic voting option for electors who are overseas and will report back to the Legislative Assembly at a later date. (See "Postal voting" on page 36.)

Recommendation 2

The Commission **recommends** that the Electoral Act be amended to provide that any elector may vote at a pre-poll voting centre, without the need to declare that they are unable to attend a polling place on polling day. (See "Removing restrictions on pre-poll voting" on page 44.)

Recommendation 3

The Commission **recommends** that the Electoral Act be amended to require the full given name and surname of a person be shown in an authorisation statement. (See "Authorisation of electoral advertisements" on page 48.)

Recommendation 4

The Commission **recommends** that the Electoral Act be amended to require the name of an entity to be shown in an authorisation statement, where electoral matter is published on behalf of an entity. (See "Authorisation of electoral advertisements" on page 48.)

Recommendation 5

The Commission **recommends** that, subject to consultation with Transport Canberra and City Services, the moveable signs code of practice be amended to provide that electoral signs displayed on public land may not be placed on suburban streets and may only be placed on specified stretches of major arterial roads, outside designated areas that have the special characteristics of the national capital. (See "Political party and candidate posters in public places" on page 51.)

Recommendation 6

The Commission **recommends** 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 6 decimal places, rather than the nearest whole number. The Commission further **recommends** that this amendment should apply to elections for the ACT Legislative Assembly and the Aboriginal and Torres Strait Islander Elected Body. (See "Enhancement of the ACT's Hare-Clark counting system" on page 56.)

Recommendation 7

The Commission **recommends** that the Assembly consider whether it should amend the Electoral Act to increase the expenditure cap applied to ungrouped candidates to avoid the risk of impermissibly burdening the freedom of political communication implied by the Commonwealth Constitution. (See "Limits on election campaign expenditure" on page 64.)

Recommendation 8

The Commission **recommends** that the Assembly consider whether it should amend the Electoral Act to increase the expenditure cap applied to third-party campaigners to avoid the risk of impermissibly burdening the freedom of political communication implied by the Commonwealth Constitution. (See "Limits on election campaign expenditure" on page 64.)

Recommendation 9

The Commission **recommends** that section 243(5) of the Electoral Act should be amended to alter the reference to “information about a gift made by an individual” to “information about an amount received from an individual”. (See “Publication of personal information in disclosure returns” on page 67.)

Recommendation 10

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 $\frac{1}{4}$ of a penalty unit, rounded down to the nearest \$5. (See “Compulsory voting” on page 68.)

Key facts about the 2016 election

The ninth general election for the ACT Legislative Assembly was held on 15 October 2016. For the first time, 25 MLAs were elected to the Assembly.

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*, 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.

Key dates for the 2016 election are shown in the following table.

Table 1 – Key election dates

Event	Date
Last day to lodge applications for party registration	30 June 2016
Close of register of political parties	8 September 2016
Pre-election period commenced and nominations opened	9 September 2016
Rolls closed	16 September 2016 (8 pm)
Nominations closed	21 September 2016 (12 noon)
Nominations declared and ballot paper order determined	22 September 2016 (12 noon)
Pre-poll voting commenced	27 September 2016
Pre-poll voting concluded	14 October 2016 (8 pm)
Polling day	15 October 2016 (8 am – 6 pm)
Last day for receipt of postal votes	21 October 2016
Election result announced	22 October 2016
Declaration of the poll	26 October 2016
Legislative Assembly formed	31 October 2016

The Register of Political Parties closed on 8 September 2016. Twelve parties were registered as of that date. Ten of these parties contested the election. Two parties, The Flux Party (ACT) and VoteCanberra, did not contest the election. The following table shows the registered parties eligible to contest the election.

Table 2 – Registered political parties eligible to contest the 2016 election

Registered party	Registered abbreviation	Abbreviation used in this report
Animal Justice Party	AJP	AJP
Australian Labor Party (ACT Branch)	ACT Labor	ALP
Australian Sex Party ACT	Sex Party ACT	ASP
Canberra Community Voters	CCV	CCV
Liberal Democratic Party	Liberal Democrats	LDP
Liberal Party of Australia (A.C.T. Division)	Canberra Liberals	CL
Like Canberra		LIKE
Sustainable Australia (ACT)	Sustainable Australia	SUST
The ACT Greens	The Greens	GREEN
The Community Alliance Party (ACT)	Community Alliance	CAP
The Flux Party (ACT)	The Flux Party (Flux the System)	(no candidates)
VoteCanberra		(no candidates)

A total of 141 candidates contested the 2016 election. The following table sets out the numbers of candidates nominated for each party for each electorate and the ACT.

Table 3 – Candidates nominated by party and electorate

Group	Brindabella	Ginninderra	Kurrajong	Murrumbidgee	Yerrabi	Total
AJP	2	1	1	2	1	7
ALP	5	5	5	5	5	25
ASP	2	0	0	1	2	5
CAP	0	0	0	2	0	2
CCV	0	5	3	0	0	8
GREEN	3	3	3	3	3	15
LDP	5	2	3	5	2	17
LIB	5	5	5	5	5	25
LIKE	2	2	2	2	2	10
SUST	2	2	2	2	2	10
Other	2	8	3	2	2	17
Total	28	33	27	29	24	141

Table 4 – Candidates elected by party and electorate

Group	Brindabella	Ginninderra	Kurrajong	Murrumbidgee	Yerrabi	Total
AJP						
ALP	2	3	2	2	3	12
ASP						
CAP						
CCV						
GREEN			1	1		2
LDP						
LIB	3	2	2	2	2	11
LIKE						
SUST						
Other						
Total	5	5	5	5	5	25

The following 5 tables 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/ Group	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
AJP	1106	2.36%	444	0.94%	602	1.23%	1071	2.14%	458	0.89%	3681	1.51%
ALP	15744	33.62%	19494	41.35%	18796	38.48%	17265	34.49%	22512	43.92%	93811	38.43%
ASP	3694	7.89%	0	0.00%	0	0.00%	1746	3.49%	2034	3.97%	7474	3.06%
CAP	0	0.00%	0	0.00%	0	0.00%	413	0.83%	0	0.00%	413	0.17%
CCV	0	0.00%	814	1.73%	889	1.82%	0	0.00%	0	0.00%	1703	0.70%
GREEN	2399	5.12%	4573	9.70%	9165	18.76%	5325	10.64%	3634	7.09%	25096	10.28%
LDP	1175	2.51%	587	1.25%	1057	2.16%	813	1.62%	1396	2.72%	5028	2.06%
LIB	19606	41.87%	15095	32.02%	15140	30.99%	21425	42.80%	18366	35.83%	89632	36.72%
LIKE	442	0.94%	450	0.95%	419	0.86%	658	1.31%	655	1.28%	2624	1.07%
SUST	697	1.49%	1105	2.34%	645	1.32%	652	1.30%	732	1.43%	3831	1.57%
UNG	1967	4.20%	4580	9.72%	2135	4.37%	687	1.37%	1466	2.86%	10835	4.44%
Formal	46830	97.08%	47142	97.15%	48848	97.89%	50055	97.58%	51253	97.62%	244128	97.47%
Informal	1408	2.92%	1384	2.85%	1052	2.11%	1241	2.42%	1247	2.38%	6332	2.53%
Total	48238		48526		49900		51296		52500		250460	

Table 6 – Summary of first preference votes by party/vote type: ACT total

Party/ Group	Candidates nominated	Candidates elected	Ordinary votes		Postal votes		Pre-poll votes		Declaration votes		Total	
AJP	7		2285	1.54%	254	1.97%	1134	1.37%	8	2.81%	3681	1.51%
ALP	25	12	57783	38.98%	4460	34.62%	31465	38.04%	103	36.14%	93811	38.43%
ASP	5		5144	3.47%	254	1.97%	2059	2.49%	17	5.96%	7474	3.06%
CAP	2		234	0.16%	23	0.18%	156	0.19%	0	0.00%	413	0.17%
CCV	8		999	0.67%	106	0.82%	598	0.72%	0	0.00%	1703	0.70%
GREEN	15	2	16547	11.16%	1207	9.37%	7308	8.84%	34	11.93%	25096	10.28%
LDP	17		2879	1.94%	214	1.66%	1926	2.33%	9	3.16%	5028	2.06%
LIB	25	11	51628	34.82%	5506	42.75%	32400	39.17%	98	34.39%	89632	36.72%
LIKE	10		1544	1.04%	151	1.17%	926	1.12%	3	1.05%	2624	1.07%
SUST	10		2190	1.48%	233	1.81%	1403	1.70%	5	1.75%	3831	1.57%
UNG	17		7021	4.74%	473	3.67%	3333	4.03%	8	2.81%	10835	4.44%
Formal			148254	97.04%	12881	98.22%	82708	98.14%	285	95.96%	244128	97.47%
Informal			4522	2.96%	233	1.78%	1565	1.86%	12	4.04%	6332	2.53%
Total		25	152776	61.00%	13114	5.24%	84273	33.65%	297	0.12%	250460	

Table 7 – Summary of first preference votes by party/vote type: Brindabella

Party/ Group	Candidates nominated	Candidates elected	Ordinary votes		Postal votes		Pre-poll votes		Declaration votes		Total	
AJP	2		709	2.48%	45	2.37%	352	2.16%	0	0.00%	1106	2.36%
ALP	5	2	9723	33.97%	631	33.28%	5378	33.07%	12	25.53%	15744	33.62%
ASP	2		2643	9.23%	92	4.85%	951	5.85%	8	17.02%	3694	7.89%
GREEN	3		1565	5.47%	97	5.12%	735	4.52%	2	4.26%	2399	5.12%
LDP	5		720	2.52%	36	1.90%	417	2.56%	2	4.26%	1175	2.51%
LIB	5	3	11379	39.75%	861	45.41%	7345	45.16%	21	44.68%	19606	41.87%
LIKE	2		257	0.90%	25	1.32%	159	0.98%	1	2.13%	442	0.94%
SUST	2		373	1.30%	32	1.69%	292	1.80%	0	0.00%	697	1.49%
UNG	2		1254	4.38%	77	4.06%	635	3.90%	1	2.13%	1967	4.20%
Formal			28623	96.71%	1896	98.29%	16264	97.61%	47	95.92%	46830	97.08%
Informal			974	3.29%	33	1.71%	399	2.39%	2	4.08%	1408	2.92%
Total		5	29597	61.36%	1929	4.00%	16663	34.54%	49	0.10%	48238	

Table 8 – Summary of first preference votes by party/vote type: Ginninderra

Party/ Group	Candidates nominated	Candidates elected	Ordinary votes		Postal votes		Pre-poll votes		Declaration votes		Total	
AJP	1		268	0.96%	35	1.47%	138	0.82%	3	6.52%	444	0.94%
ALP	5	3	11814	42.22%	878	36.84%	6781	40.54%	21	45.65%	19494	41.35%
CCV	5		440	1.57%	45	1.89%	329	1.97%	0	0.00%	814	1.73%
GREEN	3		2946	10.53%	204	8.56%	1419	8.48%	4	8.70%	4573	9.70%
LDP	2		355	1.27%	22	0.92%	210	1.26%	0	0.00%	587	1.25%
LIB	5	2	8306	29.68%	962	40.37%	5813	34.75%	14	30.43%	15095	32.02%
LIKE	2		274	0.98%	17	0.71%	159	0.95%	0	0.00%	450	0.95%
SUST	2		608	2.17%	64	2.69%	431	2.58%	2	4.35%	1105	2.34%
UNG	8		2974	10.63%	156	6.55%	1448	8.66%	2	4.35%	4580	9.72%
Formal			27985	96.60%	2383	98.03%	16728	97.94%	46	97.87%	47142	97.15%
Informal			984	3.40%	48	1.97%	351	2.06%	1	2.13%	1384	2.85%
Total		5	28969	59.70%	2431	5.01%	17079	35.20%	47	0.10%	48526	

Table 9 – Summary of first preference votes by party/vote type: Kurrajong

Party/ Group	Candidates nominated	Candidates elected	Ordinary votes		Postal votes		Pre-poll votes		Declaration votes		Total	
AJP	1		377	1.22%	58	1.65%	166	1.15%	1	2.04%	602	1.23%
ALP	5	2	12083	39.10%	1243	35.38%	5457	37.95%	13	26.53%	18796	38.48%
CCV	3		559	1.81%	61	1.74%	269	1.87%	0	0.00%	889	1.82%
GREEN	3	1	6155	19.92%	487	13.86%	2504	17.41%	19	38.78%	9165	18.76%
LDP	3		642	2.08%	67	1.91%	347	2.41%	1	2.04%	1057	2.16%
LIB	5	2	9004	29.13%	1362	38.77%	4763	33.12%	11	22.45%	15140	30.99%
LIKE	2		255	0.83%	42	1.20%	122	0.85%	0	0.00%	419	0.86%
SUST	2		401	1.30%	56	1.59%	186	1.29%	2	4.08%	645	1.32%
UNG	3		1430	4.63%	137	3.90%	566	3.94%	2	4.08%	2135	4.37%
Formal			30906	97.61%	3513	98.05%	14380	98.47%	49	94.23%	48848	97.89%
Informal			756	2.39%	70	1.95%	223	1.53%	3	5.77%	1052	2.11%
Total		5	31662	63.45%	3583	7.18%	14603	29.26%	52	0.10%	49900	

Table 10 – Summary of first preference votes by party/vote type: Murrumbidgee

Party/ Group	Candidates nominated	Candidates elected	Ordinary votes		Postal votes		Pre-poll votes		Declaration votes		Total	
AJP	2		675	2.10%	71	2.64%	322	2.12%	3	4.62%	1071	2.14%
ALP	5	2	11385	35.43%	800	29.74%	5057	33.34%	23	35.38%	17265	34.49%
ASP	1		1257	3.91%	67	2.49%	415	2.74%	7	10.77%	1746	3.49%
CAP	2		234	0.73%	23	0.86%	156	1.03%	0	0.00%	413	0.83%
GREEN	3	1	3599	11.20%	236	8.77%	1485	9.79%	5	7.69%	5325	10.64%
LDP	5		491	1.53%	32	1.19%	288	1.90%	2	3.08%	813	1.62%
LIB	5	2	13228	41.17%	1358	50.48%	6817	44.95%	22	33.85%	21425	42.80%
LIKE	2		399	1.24%	28	1.04%	229	1.51%	2	3.08%	658	1.31%
SUST	2		402	1.25%	39	1.45%	211	1.39%	0	0.00%	652	1.30%
UNG	2		463	1.44%	36	1.34%	187	1.23%	1	1.54%	687	1.37%
Formal			32133	97.23%	2690	98.43%	15167	98.20%	65	95.59%	50055	97.58%
Informal			917	2.77%	43	1.57%	278	1.80%	3	4.41%	1241	2.42%
Total		5	33050	64.43%	2733	5.33%	15445	30.11%	68	0.13%	51296	

Table 11 – Summary of first preference votes by party/vote type: Yerrabi

Party/ Group	Candidates nominated	Candidates elected	Ordinary votes		Postal votes		Pre-poll votes		Declaration votes		Total	
AJP	1		256	0.89%	45	1.88%	156	0.77%	1	1.28%	458	0.89%
ALP	5	3	12778	44.67%	908	37.85%	8792	43.59%	34	43.59%	22512	43.92%
ASP	2		1244	4.35%	95	3.96%	693	3.44%	2	2.56%	2034	3.97%
GREEN	3		2282	7.98%	183	7.63%	1165	5.78%	4	5.13%	3634	7.09%
LDP	2		671	2.35%	57	2.38%	664	3.29%	4	5.13%	1396	2.72%
LIB	5	2	9711	33.95%	963	40.14%	7662	37.99%	30	38.46%	18366	35.83%
LIKE	2		359	1.25%	39	1.63%	257	1.27%	0	0.00%	655	1.28%
SUST	2		406	1.42%	42	1.75%	283	1.40%	1	1.28%	732	1.43%
UNG	2		900	3.15%	67	2.79%	497	2.46%	2	2.56%	1466	2.86%
Formal			28607	96.98%	2399	98.40%	20169	98.47%	78	96.30%	51253	97.62%
Informal			891	3.02%	39	1.60%	314	1.53%	3	3.70%	1247	2.38%
Total		5	29498	56.19%	2438	4.64%	20483	39.02%	81	0.15%	52500	

Legislative changes made since the 2012 election

Several changes were made to the electoral legislation after the 2012 ACT election. These included amendments to establish the Members of the ACT Electoral Commission as Officers of the Assembly, amendments to facilitate the increase in the size of the Legislative Assembly from 17 to 25 MLAs, and changes to the funding and disclosure provisions. This section describes these changes.

The *Officers of the Assembly Legislation Amendment Act 2013* was passed by the ACT Legislative Assembly on 24 October 2013. This Act amended the *Electoral Act 1992* and other machinery of government legislation to establish the Members of the ACT Electoral Commission as Officers of the Assembly. It also made amendments to relevant legislation to establish the ACT Auditor-General and the ACT Ombudsman as Officers of the Assembly. This Act commenced on 1 July 2014.

On 5 August 2014, the ACT Legislative Assembly voted to increase the size of the Assembly to 25 Members from the 2016 election, consisting of 5 electorates each returning 5 Members. This change was the first increase in the size of the Assembly, which had consisted of 17 Members since its establishment in 1989.

The Assembly passed two enactments on 5 August 2014 to give effect to this increase in the size of the Assembly. The *Australian Capital Territory (Legislative Assembly) Act 2014* provides that the Legislative Assembly will consist of 25 Members to be elected at the next general election held after commencement of the Act. This Act was supported unanimously by all 17 Members of the Assembly.

The *Electoral Amendment Act 2014* amended the *Electoral Act 1992* to provide that the ACT must be divided into 5 electorates, with 5 members to be elected from each electorate. This Act also made consequential amendments to the Electoral Act to remove references to 7 member electorates. This Act was supported by 16 of the 17 Members of the Assembly, with support from all ACT Labor and Canberra Liberals MLAs, and with The ACT Greens MLA Mr Shane Rattenbury voting against.

The *Electoral Amendment Act 2015* was passed by the ACT Legislative Assembly on 19 February 2015. The Act provided for a range of amendments to the election funding and disclosure provisions in the *Electoral Act 1992*, including:

- The removal of the \$10,000 cap on donations for ACT election purposes;
- The removal of the restriction on receiving donations for ACT election purposes from organisations and persons not enrolled in the ACT;
- An increase in election funding for parties and non-party candidates from \$2 per vote to \$8 per vote at the 2016 ACT Assembly election;
- A decrease in the electoral expenditure cap to \$40,000 per candidate and third-party campaigner for an election held in 2016, compared to a \$60,000 cap at the 2012 election;
- Changes to the timing for the regular reporting of gifts; and
- An extension to the deadline for submission of annual returns by political participants, so that annual returns must be provided to the Electoral Commissioner no later than 31 August each year, increasing the timeframe by a month.

The *Justice and Community Safety Amendment Act 2015* was passed by the ACT Legislative Assembly on 5 May 2015, with amendments commencing on 21 May 2015. This Act amended section 243(3) of the Electoral Act to provide that annual disclosure returns submitted under division 14.6 must be made available for public inspection by 7 September after the end of the

financial year to which the return relates. Before this amendment was made, annual returns were required to be published from the beginning of September.

This amendment was consequential on amendments to the Electoral Act contained in the *Electoral Amendment Act 2015*, which extended the deadline for annual disclosure return lodgement from 31 July to 31 August in each year, commencing in 2015. The amendment to section 243(3) requires the Electoral Commissioner to publish details included in annual returns 7 days after the due date for the submission of returns.

A range of technical amendments were also made to the Electoral Act after the 2012 election. These amendments were made by the following acts:

- Statute Law Amendment Act 2013 (No 2);
- Statute Law Amendment Act 2014 (No 2);
- Crimes (Sentencing and Restorative Justice) Amendment Act 2014;
- Red Tape Reduction Legislation Amendment Act 2015;
- Statute Law Amendment Act 2015 (No 2);
- Crimes (Sentencing and Restorative Justice) Amendment Act 2016;
- Red Tape Reduction Legislation Amendment Act 2016; and
- Public Sector Management Amendment Act 2016.

Innovative use of information and communications technology

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

Elections ACT again built upon the successful range of ICT systems used at the preceding election, redeveloping and adding to systems used at the 2012 election. In preparation for the 2016 election, the Commission received capital funding of \$0.444 million over the 3 years from 2014/2015 to 2016/2017 to enable the upgrade of existing ICT systems.

These upgrades included updating the electronic scanning of handwritten preferences on paper ballots to cater for the 5 new electorates, improvements to the polling place management system for electronic ballot paper reconciliation, transmission of election results direct from polling places to the virtual tally room and whole of jurisdiction electoral roll mark-off, involving transmission of marks across a network to a central database and back out to all units in all polling places.

The 2016 election also saw a continuation in the take up of electronic voting to around 1 in 3 of all ACT voters, the continued use of on-line applications for postal votes; casual work applications including an on-line form for recording salary and tax information; and web-based polling place training. As has been the case in all past ACT Legislative Assembly elections, ICT was also used extensively in back-office applications.

Elections ACT also introduced a number of brand new ICT initiatives for the 2016 ACT election including the introduction of a formal voting video displayed continuously within each polling place and the use of the Education and Training Directorate Wi-Fi network infrastructure to provide for Wi-Fi connectivity in many ACT polling places.

These various innovations are discussed further in this report under the appropriate subject area.

In October 2015, the Electoral Commissioner reconvened the Elections ACT ICT Steering Committee in preparation for the 2016 ACT Legislative Assembly election. The Committee consisted of:

- The Electoral Commissioner;
- The Deputy Electoral Commissioner;
- The Elections ACT Operations Manager;
- The SSICT Manager of Directorate ICT Operations;
- The SSICT Director of Business Application and Management; and
- The CMTEDD and PATOCS ICT Manager.

This 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; advising the Commission on whether the Committee supported the use of the proposed ICT systems; and providing tangible assistance wherever appropriate. The Committee met regularly from 2015 until December 2016.

The Committee was satisfied that the systems being used for the election were fit for purpose and that they should be deployed for use.

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 assistance during the lead-up to the 2016 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 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 using a variety of strategies, including encouraging eligible citizens to enrol or update their enrolment details by providing for online enrolment and making electoral enrolment forms widely available at post offices and electoral offices. In June 2012 amendments to the Commonwealth Electoral Act were passed providing 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 electoral authorities strive to maintain an accurate electoral roll at all times, 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 the close of the roll for a general election.

The following enrolment stimulation activities helped to improve the ACT electoral roll for the 15 October 2016 ACT election:

- The 23 May 2016 federal election close of rolls and the 2 July 2016 federal election, including the accompanying information campaign;
- The Elections ACT 2016 election information and advertising campaign;
- Establishing a joint stall with the Australian Electoral Commission during the 2016 ACT Multicultural festival in Civic; and
- Ongoing AEC roll maintenance procedures including mail review and direct enrolment.

Close of rolls

By the close of the rolls on 16 September 2016 there were 283,162 electors enrolled to vote for the 2016 election. The following table compares the number of electors enrolled at the last 5 elections.

Table 12 – Close of rolls enrolment by electorate

Electorate	2001	2004	2008	2012	2016
Brindabella	64,020	65,279	71,394	72,368	53,614
Ginninderra	63,267	65,271	68,358	76,140	54,585
Kurrajong	N/A	N/A	N/A	N/A	59,010
Murrumbidgee	N/A	N/A	N/A	N/A	57,058
Yerrabi	N/A	N/A	N/A	N/A	58,895
Molonglo¹	91,328	95,548	103,719	108,194	N/A
Total	218,615	226,098	243,471	256,702	283,162

Note 1: Molonglo no longer features as an electorate for ACT Legislative Assembly elections following the redistribution conducted prior to the 2016 ACT election.

The redistribution process completed in May 2015 saw, for the first time, the ACT divided into 5 electorates each returning 5 Members to the Legislative Assembly. In their final determination, the Augmented Electoral Commission maintained the electorate names of Brindabella and Ginninderra, abolished the electorate of Molonglo and formed 3 new electorates, Kurrajong, Murrumbidgee and Yerrabi. The introduction of two additional electorates had the effect of dividing the eligible voting population of the ACT into 5 electorates for the first time; reducing the quota of electors for each electorate. As a result, it is not meaningful to compare the 2012 and 2016 enrolments in Brindabella and Ginninderra.

Measuring participation on the electoral roll

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 2016.

The following table shows the numbers of electors enrolled by age group at the past three elections in 2008, 2012 and 2016 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 and 2016 elections

Age	2008 Number enrolled	2008 % of estimated entitled to enrol ¹	2012 Number enrolled	2012 % of estimated entitled to enrol ¹	2016 Number enrolled	2016 % of estimated entitled to enrol ¹
18 ²	3850	79.9%	3,435	67.3%	4,160	96.7%
19	4,453	85.4%	3,165	56.0%	4,685	103.7%
20-24	24,078	91.1%	23,499	79.8%	25,082	100.5%
25-29	24,844	94.3%	26,102	88.7%	27,479	93.7%
30-34	23,249	97.4%	25,456	96.1%	29,370	97.5%
35-39	25,030	98.4%	24,393	93.6%	27,477	101.3%
40-44	22,829	98.4%	25,062	98.4%	26,504	101.8%
45-49	23,618	98.3%	22,920	93.3%	25,305	100.0%
50-54	21,819	100.0%	23,273	97.8%	23,550	100.8%
55-59	20,418	101.2%	20,497	98.2%	21,898	99.5%
60-64	16,647	100.7%	18,619	99.1%	18,882	101.0%
65-69	10,716	100.3%	14,229	110.4%	17,253	102.8%
70+	21,920	99.6%	26,052	104.6%	31,517	101.2%
Total	243,471	97.1%	256,702	93.9%	283,162	99.8%

Note 1: The percentages in the above table need to be treated with caution as they are based on various assumptions about residency and eligibility. The estimates shown are post-censal estimates based on 2006 and 2011 census data updated by birth and death registrations, and estimated interstate and overseas migration. The fact that some age groups show participation rates greater than 100% 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.

Note 2: This row includes 173 17-year-old electors who turned 18 after the close of rolls and on or before polling day in 2016 (266 in 2008 and 267 in 2012), and were therefore entitled to vote.

The estimated number of electors on the roll compared to the estimated number entitled was 99.81% at the close of rolls for the 2016 election. This compares to an estimate of 93.9% at the 2012 election. Significant improvements are evident in the age groups up to age 29 and in particular 18 and 19 year olds, who have historically displayed as significantly under-enrolled.

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 2016 continue this trend. Looking at the 2016 September quarter enrolment report figures, the ACT again had the highest enrolment participation rate of all the States and Territories. At that time, it is estimated that the enrolment participation rate in the ACT was 99.7%, compared to a national average of 95.4%. The next highest participation rate was 97.3% in New South Wales, while the lowest was 83.7% in the Northern Territory.

The traditional method of measuring voter participation has been to express voter turnout as a percentage of enrolment. However, the result thereby obtained can be influenced by the completeness and accuracy of the electoral roll. There are 2 further 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 2016. Each provides another perspective on the state of the roll and the level of voter turnout, and all 3 measures are now taken together.

The 2 additional measures use as a base the eligible elector population (EEP). 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 updated by birth and death registrations, and estimated interstate and overseas migration.

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 polling day. This measure provides an assessment of the effectiveness of the Commission at encouraging electors to vote, regardless of the state 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 point in time when the ACT election falls in the federal election cycle.

These 2 measures are used in conjunction with the traditional measure, expressing voter turnout as a percentage of enrolment (electors eligible to vote) at polling day.

The following table provides the calculation of the 3 measures at the 2004, 2008, 2012 and 2016 elections.

Table 14 – Measures of enrolment and voter turnout at 2004, 2008, 2012 and 2016 elections

Election	Estimated eligible population (EEP) ¹	Number enrolled	% number enrolled to EEP	Voter turnout	% voter turnout to EEP	% voter turnout to number 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%

Note 1: The estimates of the eligible population (EEP) may alter following the rebasing of the estimates by the Australian Bureau of Statistics. 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 as voter turnout as a proportion of estimated eligible population) improved between the 2004 and 2008 elections, declined in 2012 and improved significantly again in 2016 following the introduction of direct enrolment and update.

The 2016 election saw a sharp increase in the absolute number of voters turning out to vote. In comparison to the previous two elections, which experienced an increase of 10,270 voters (4.9%) between the 2004 and 2008 elections and an increase of 9,106 voters (4.1%) between the 2008 and 2012 elections, the 2016 election witnessed a significant increase of 21,335 voters (9.3%). While voter turnout as a percentage of enrolment remained relatively constant between the 2012 (89.3%) and 2016 (88.5%) elections, turnout as a percentage of the eligible

elector population saw a significant rise in 2016. This indicates that the electoral roll in 2016 was more complete in comparison to the roll in 2012 and that the absolute proportion of eligible voters turning out to vote in 2016 increased.

The reasons for the increase in voter participation in 2016 are likely to be complex, and may warrant further investigation. It is possible that the increase was due at least in part to the Elections ACT information and education campaign. Feedback received during the non-voter process (that commenced in December 2016 and will conclude in mid 2017) will provide further information on the accuracy of the electoral roll and on reasons for failure to vote.

As the direct enrolment process introduced by the AEC in 2012 has led to increases in the proportion of eligible electors enrolled on the ACT electoral roll to the point where close to 100% of eligible electors are enrolled, the Commission considers it appropriate to update its performance targets for the 2020 election to reflect the higher participation rates routinely being achieved.

The Commission proposes to remove the performance target related to voter turnout expressed as a percentage of enrolment. With enrolment levels close to 100%, this measure is effectively little different to expressing voter turnout as a percentage of eligible population. However, as enrolment levels have fluctuated over time, measuring voter turnout as a percentage of enrolment over a series of past elections can give a misleading impression that turnout has not improved when measured in this way. 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 4 ACT elections has been the 88.3% achieved at the 2016 election. This outcome met the target adopted by the Commission of 88%. Given that it would be desirable to aim for an increase in participation rates, the Commission proposes to increase this target to 90% for the 2020 election.

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 2015.

Detailed information on the redistribution can be found in the Augmented Commission's *Redistribution Report: ACT Legislative Assembly Electoral Boundaries Redistribution 2015*, available on the Elections ACT website. As a result of the passage by the Assembly in August 2014 of legislation to increase the size of the Legislative Assembly to 25 Members, consisting of 5 electorates each returning 5 Members, the 2015 redistribution of electoral boundaries was a more complex exercise than usual, attracting a significant amount of public and political interest.

The Commission's 2014/2015 annual report contains a detailed summary of the redistribution process.

The following table shows the projected 2016 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 2016 election.

This table indicates that the redistribution achieved the desired aim of ensuring that the enrolment in each electorate was within +/-5% at the time of the election in 4 of the 5 electorates. However, the actual enrolment in Brindabella was -5.33% below the quota. It is apparent from these results that the enrolment projections used at the 2015 redistribution overestimated the expected growth in Brindabella and Ginninderra and underestimated the growth in the other electorates.

Table 15 – 2016 election actual enrolment compared to redistribution projected enrolment

Estimated enrolment for polling day 2016 used during 2015 redistribution				Actual results for polling day 2016		
Electorate	Projected enrolment at redistribution	Projected quota	Projected variation from quota	Actual enrolment at election	Actual quota	Actual variation from quota
Brindabella	54,576	55,969	-2.49%	53,614	56,632	-5.33%
Ginninderra	56,637	55,969	1.19%	54,585	56,632	-3.61%
Kurrajong	57,937	55,969	3.52%	59,010	56,632	4.20%
Murrumbidgee	55,587	55,969	-0.68%	57,058	56,632	0.75%
Yerrabi	55,108	55,969	-1.54%	58,895	56,632	4.00%
Total	279,845			283,162		

Party registration

There were 12 political parties registered for the 2016 election. Of these, all but 2 (The Flux Party – ACT and VoteCanberra) 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 2016 election.

Table 16 – Parties registered for the 2016 election

Party name	Party abbreviation
Animal Justice Party	AJP
Australian Labor Party (ACT Branch)	ACT Labor
Australian Sex Party ACT	Sex Party ACT
Canberra Community Voters	CCV
Liberal Democratic Party	Liberal Democrats
Liberal Party of Australia (A.C.T. Division)	Canberra Liberals
Like Canberra	
Sustainable Australia (ACT)	Sustainable Australia
The ACT Greens	The Greens
The Community Alliance Party (ACT)	Community Alliance
The Flux Party – ACT	The Flux Party (Flux the System)
VoteCanberra	

New party registrations between the 2012 and 2016 elections

Seven political parties were added to the Register of Political Parties between the 2012 and 2016 elections. The Australian Sex Party ACT was registered in December 2015. The other 6 new parties applied for registration in May and June 2016, on or before the 30 June 2016 deadline for applications. They were VoteCanberra, Like Canberra, Sustainable Australia (ACT), Animal Justice Party, The Flux Party – ACT and Canberra Community Voters.

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.

Changes to existing party names between the 2012 and 2016 elections

There were no changes to the registered abbreviation or registered party name of any of the existing registered parties between the 2012 and 2016 elections.

Party registrations cancelled between the 2012 and 2016 elections

Nine parties were registered to contest the 2012 election. Of these, only 7 parties ran candidates. During the period between the 2012 and 2016 elections the registration of 4 parties was cancelled: Bullet Train for Canberra, Pangallo Independents Party, Australian Motorist Party and the Marion Lê Social Justice Party.

All de-registrations were made at the request of the party.

The registration of Bullet Train for Canberra was cancelled with effect from 13 August 2013.

The registration of the Pangallo Independents Party was cancelled with effect from 21 March 2014.

The registration of the Australian Motorist Party was cancelled with effect from 10 July 2015.

The registration of the Marion Lê Social Justice Party was cancelled with effect from 25 August 2015.

Nomination of candidates

There were 141 candidates nominated for the 2016 election, compared to 74 in 2012 and 86 in 2008. The increase in 2016 is largely attributable to the increase in the size of the Assembly from 17 to 25 MLAs.

This was the largest number of candidates ever nominated for an ACT election. The previous highest number was experienced at the first election held in 1989, when 117 candidates contested the election.

The following table provides a breakdown by gender and electorate for the 2016 election, together with a total comparison with the 2012 and 2008 elections.

Table 17 – Candidates by gender and electorate

Brindabella	Male	Female	Total
2016	19	9	28
Ginninderra	Male	Female	Total
2016	22	11	33
Kurrajong	Male	Female	Total
2016	17	10	27
Murrumbidgee	Male	Female	Total
2016	16	13	29
Yerrabi	Male	Female	Total
2016	16	8	24
ACT Total	Male	Female	Total
2016	90	51	141
2012	50	24	74
2008	60	26	86

Rejection of a nomination referred to the Court of Disputed Elections

One nomination of a non-party candidate for the electorate of Yerrabi was rejected by the Electoral Commissioner on the basis that he was not satisfied that the nomination had been correctly made by 20 electors entitled to vote at the election. This person subsequently lodged an application with the Court of Disputed Elections disputing the election result in Yerrabi on the basis of the rejection of his nomination.

At the time of writing this report, the case was still before the court. The Commission will report on this matter after the case has been determined in the relevant annual report.

This is the first occasion on which an application disputing an ACT Legislative Assembly election has been lodged with the Court of Disputed Elections.

2016 election information / education campaign

The Commission undertook an extensive communication campaign leading up to the 2016 election. The campaign communicated several messages to ACT electors, including:

- Informing ACT electors that there would be an election for the ACT Legislative Assembly on 15 October 2016;
- Informing potential electors when and how to enrol before the electoral roll closed;
- Informing electors which electorate they were enrolled in (emphasising the 2015 major redistribution of electorate boundaries which established 5 new electorates in the ACT for the first time);
- Ensuring the public was aware that voting is compulsory;
- Providing information about 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);
- Providing information about the physical requirements of the election, like where to vote, when to vote, what to do in special circumstances (including information on pre-poll voting, postal voting and voting at polling places on polling day);
- Informing voters of the 100-metre ban on political canvassing outside polling places; and
- Informing voters that electronic voting was available at pre-poll voting centres and equipping voters to use this method of voting.

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. As an alternative to printing handbooks and manuals, the Commission issued “e-lector” USB sticks to potential candidates, political parties and the media. These electronic information packs included a wide range of information including candidate and scrutineer manuals and electoral factsheets. This way of distributing electoral information and advice, introduced at the 2012 election, was efficient, cost effective and well received by recipients.

The Commission worked closely with ACT Publishing Services to modernise the look and feel of the election information campaign by updating artwork and incorporating new branding and formatting for the 2016 election, introducing a new key message – ‘Your Canberra. Your Voice’ – and a new logo and colour scheme based on the colours allocated to the 5 new electorates.

The information campaign included the following methods for engaging electors:

- Television, radio, newspaper and online advertising;
- Access Canberra screens in shopfronts;
- Media releases;
- Mail-outs of 2 information booklets to every household in the ACT;
- SMS phone messages using phone numbers entered by electors on their enrolment forms;
- Bus shelter advertising;
- Establishing a contact centre with Access Canberra;
- Elections ACT website;

- Social Media – Facebook, Twitter, YouTube;
- 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; and
- School and community group programs.

The television, radio, newspaper and online advertising campaign focused on 4 phases. These phases were: the new electorates; enrolment; postal and pre-poll voting; and voting formally. 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 month leading up to the election.

The TV advertisements were also screened in Access Canberra shopfronts. This was in operation for approximately 6 weeks before the election.

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 new electorates, enrolment and voting formally.

The earliest election related media release was issued in May 2016, setting out the deadline for applying to register new political parties. Over the following months the Commission 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. The Commission recognises the important role played by the general media in assisting the Commission to provide factual information about the election such as: key dates, encouraging engagement, and correcting misconceptions. Elections ACT noted an increase in public interactions through its social media channels rather than phone calls, emails, or searching online.

The Commission's formal advertising campaign commenced with TV advertisements in late August 2016. The first mail-out was an information pamphlet delivered to all households in September 2016. The core messages of this pamphlet were alerting electors to the need to update address details on the roll, or to enrol, before the close of rolls; highlighting the 5 new electorates; indicating how to mark the ballot paper correctly; arrangements for alternatives to voting on polling day; and reminding electors of the availability of electronic voting and the application of the 100-metre ban on canvassing. These pamphlets were also placed in Access Canberra shopfronts at Dickson and Woden.

The second household delivery, in the form of an election guide booklet, took place in the week commencing 4 October 2016. This corresponded to the second week of pre-poll voting and included the key messages of arrangements for voting for those who could not vote at a polling place on polling day; how-to-vote using the electronic voting option; how to correctly mark a ballot paper; the location of pre-poll and polling day polling places; maps of the 5 new electorates; an explanation of Robson rotation of names on ballot papers; and the distribution of preferences. These booklets were also placed in Access Canberra shopfronts at Dickson and Woden.

The campaign concluded on polling day with a dedicated election insert in *The Canberra Times* featuring a lift-out brochure carrying key messages, electorate maps and lists of polling places.

Social Media and Mobiles

The Commission made regular use of social media in the lead-up to the 2016 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 26% of respondents recalled seeing Elections ACT social media material.

Online ads were also geotargeted to ACT phone numbers.

Public relations activities

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

Public relations activities included:

- Issuing 17 media releases in September/October 2016;
- Radio, television and newspaper interviews conducted by the Electoral Commissioner and Deputy Electoral Commissioner;
- Arranging photo and television opportunities in order to draw attention to aspects of the election, particularly voting by computer and pre-poll voting; and
- Holding 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 contracted Access Canberra to establish a contact centre team to answer simple enquiries related to the election. More complex enquiries were managed by Commission staff.

The dedicated contact centre team operated for 7 weeks prior to the election and for the initial half of the week following. The Commission provided information in relation to a variety of inquiry areas which was incorporated into the Access Canberra Knowledge Base. Training in customer contact skills was provided by Access Canberra while the Commission provided training in 2016 election content.

5,500 calls were answered with the assistance of the Access Canberra team. This is approximately 1,000 calls less than those received during the 2012 election. This reduction in calls could be a result of increased accessing of the Elections ACT website, email contact and dissemination of information using social media.

An in-house team of Elections ACT staff, employed from 10 weeks before the election and for the week following, responded to more complex phone inquiries and also to email inquiries.

Activities aimed at people with special needs

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

The Commission undertook a range of activities to encourage participation of members of the multicultural community. It:

- 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 Immigration and Border Protection data on citizenship, the Commission identified 11 languages to be used in addition to English: Arabic, Croatian, Simplified Chinese (Mandarin), Greek, Italian, Korean, Lao, Persian (Farsi), Serbian, Spanish and Vietnamese);
- Employed and trained bilingual speakers in all targeted languages, where possible, to work in their language community in the 6 weeks prior to the election, educating voters on important aspects of the Legislative Assembly election;
- Provided printed electoral information in the targeted languages to be disseminated by the bilingual educators and through community clubs and organisations and the Elections ACT website with a copy also made available in each polling place;
- Inserted short articles targeting specific aspects of the election, such as the close of the electoral roll, in the ACT Multicultural Community eNews Bulletin published by the Office of Multicultural and Aboriginal and Torres Strait Islander Affairs (OMATSIA);
- 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, encouraging electors with limited English to make use of the service to assist with understanding electoral information; and
- Maintained a register of language capacity of all casual staff to assist with the recruitment of the bilingual educators.

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

- Provided election information to community groups in the homelessness and disability sectors for inclusion in their newsletters and dissemination to their members;
- Made alternative formats for printed publications available on request; and
- Arranged for a Radio 1RPH (radio for the print-handicapped) interview with the Deputy Electoral Commissioner and for the Elections ACT election guides to be read on Radio 1RPH. Guides and other election relevant information was also disseminated to Radio 1RPH network members. This information was also made accessible 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 communal venues of the Aboriginal and Torres Strait Islander community.

Elections ACT website

In the lead-up to and during the election period, the Commission continued to make extensive use of its website **www.elections.act.gov.au** as a means of providing election information and services. Large numbers of users accessed specific 2016 election web-pages which included information on the list of pre-poll voting centres and election day polling places, electronic voting, the election timetable, electoral boundaries, and candidate contact details. The website also included web-pages 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 39% of voters used the Elections ACT website to access election and voting related information.

On and after polling day, users accessed the on-line election results systems displaying election results in tabular and graphical forms. Users could 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 6:00 pm on election day, an interim distribution of preferences including all electronically cast pre-poll votes was published on the website at around 6:45 pm. A further interim distribution of preference including all electronically cast pre-poll votes and all electronically cast election day votes was published on the website at around 10:45 pm.

Similar to the 2008 and 2012 election results system, the 2016 virtual tally room allowed the media (particularly ABC news) to regularly download up to date election results through an automatically generated media file.

Market Research

Market Attitude Research Services (MARS) was engaged to undertake an evaluation of voter satisfaction with the 2016 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 were conducted by MARS for all elections from 1995-2012.

Random intercept exit interviews were conducted on polling day with voters as they departed the polling place. Interviews were conducted with 571 voters across a random selection of 26 polling places, of which 6 were electronic voting places.

The key findings of the research were:

- When asked to rate their overall voting experience, 98% of voters expressed satisfaction, with 63% claiming to be very satisfied;
- Around 9 in 10 voters (89%) could recall seeing, hearing or reading material from the Elections ACT public information campaign and 79% of these voters advised that this information was useful;
- The strongest information campaign "reach" was achieved by the Elections ACT letterbox delivered material (with 76% of voters recalling receiving the material and 82% of voters reading it), followed by television advertisements (reaching 46% of voters);
- Of the other forms of publicity, radio advertisements reached 23% of voters, *Canberra Times* advertisements reached 13% of voters, bus stop posters reached 17% of voters and online ads reached 9% of voters;

- Around 4 in 10 (39%) voters accessed the Elections ACT website and most (91%) found it useful or very useful and successfully found the information they were seeking;
- Almost 5 in 10 (47%) voters were aware of the "Robson rotation" method of printing ballot papers;
- Around 7 in 10 (71%) voters were aware that "how-to-vote" cards were unavailable within 100-metres of a polling place, while 11% of voters found it a problem that how-to-vote cards were not available, mostly because they either disagreed with the ban or did not know who to vote for;
- Voter awareness of the name of their electorate was strong (86%), but voter awareness of the number of members to be elected in their electorate was lower (54%);
- For the 2016 ACT election over 98 in 100 voters surveyed expressed satisfaction with:
 - polling place staff helpfulness;
 - polling place staff efficiency; and
 - polling place staff friendliness;
- With regard to queuing at polling places, there were marked differences between pre-poll voters and polling day voters:
 - at polling places, 92% of voters did not experience any problem, 6% stated the queue was not very long and acceptable, 2% found the queue long but acceptable, with no voters stating that their queue was unacceptably long;
 - whereas at pre-poll centres, 58% of voters did not experience any problem, 17% stated the queue was not very long and acceptable, 23% found the queue long but acceptable, with 2% stating that their queue was unacceptably long; and
- Around 9 in 10 voters surveyed at an electronic voting polling place actually voted using electronic voting and of these voters, over 90% rated this system easy to use, fast and efficient, with easy to scan barcodes and clear instructions.

Detailed findings from the research can be found at Appendix 2 from page 84.

Voting

250,460 electors cast votes that were admitted to the scrutiny at the 2016 election. This represents a turnout of 88.3 % of estimated eligible citizens. This turnout was 4.4% higher than for the 2012 election (83.0%), and the highest turnout of the last 4 ACT elections. 2016 also continued the trend for taking the highest absolute number of votes in an ACT Legislative Assembly election (compared to 229,125 in 2012 and 220,019 in 2008). The turnout of voters is discussed above in the context of the state of the electoral roll under **Electoral roll** on page 15.

38.9% of all votes cast at the 2016 election were cast by voters who voted before polling day (31.2% in 2012). Votes cast at a pre-poll voting centre accounted for 33.7% of all votes (26.9% in 2012) and postal votes accounted for 5.2% (4.3% in 2012). At the 2008 election 20.3% of votes were cast at a pre-poll voting centre and 4.4% were postal votes. The following table shows the percentage of ordinary, pre-poll and postal votes for each ACT election since 1995.

Table 18 – Percentage of votes cast by vote type

	Ordinary %	Postal %	Pre-poll %	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

This table shows that the 2016 election was particularly noteworthy in a number of respects. The 2016 election saw the highest ever proportion of postal votes and pre-poll votes, and the lowest ever proportion of ordinary votes and declaration votes.

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

Electronic Legislative Assembly Polling Place System – eLAPPS

Electronic rolls for polling

In 2016, Elections ACT built upon the success of Electronic Legislative Assembly Polling Place System (eLAPPS) first introduced at the 2012 election by updating the system to increase functionality and improve system processes and efficiencies. The aim of eLAPPS 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.

In 2012, Elections ACT installed eLAPPS on netbook computers provided on loan from the Tasmanian Electoral Commission. In 2016, as the Tasmanian netbooks were aging, Elections ACT decided to obtain more up to date equipment. Elections ACT worked with the Northern Territory Electoral Commission to jointly purchase hardware to be shared by both Commissions. The Northern Territory Electoral Commission licensed eLAPPS from the system's vendor, F1 Solutions, for use at the Northern Territory Assembly election in August 2016. Both Commissions agreed to purchase 300 10 inch laptops each. Elections ACT later purchased a further 85 units to ensure a suitable number of spare units were available for polling day at the ACT election.

At the 2016 ACT election, each polling place received one laptop computer designated as the Officer in Charge's (OIC's) machine. This unit allowed the polling place manager to manage all administrative aspects of their role within the polling place, including staffing, accident and incident reporting, communications with Elections Headquarters, electronic ballot paper reconciliation and direct transmission of election results to the online virtual tally room. In each polling place one laptop computer was also allocated to each ballot paper issuing point. These units served as an electronic certified list (connected to the OIC's machine via Wi-Fi) used to search for elector names or addresses and mark electors as having voted at the point where they were allocated with the appropriate ballot paper or barcode. eLAPPS also included functionality for the transmission of those roll marks to all other eLAPPS units across the ACT. Each polling place was also allocated a number of spare computers to cover for potential hardware failure and to provide replacement units when the original laptops ran low on battery. In total 685 laptops were in use on election day.

In 2012 a Wi-Fi network was created within each polling place through the use of a travel router and a USB dongle to house the 3G SIM card. Issuing point computers were connected to the OIC unit via Wi-Fi and the OIC computer was connected to the internet through the 3G network. In 2016 a combination of technologies was used to create the required connectivity. In polling places where the premises were owned by the ACT government such as ACT government schools, libraries and community centres and an existing ACT government network was already in existence, Elections ACT, with the assistance of Shared Services ICT, arranged to use the existing infrastructure and created a specific Elections ACT network. For polling places where the premises were either not owned by the ACT government such as non-government schools, or where existing network infrastructure did not already exist, a secure network was created through the use of a 3G/4G network router.

Each laptop computer contained an encrypted local copy of the electoral roll, which served as a safeguard against network failure. Centrally the main database was housed in a server environment with redundancy and security maintained and supported by the vendors of eLAPPS, F1 Solutions.

As was experienced in 2012 when eLAPPS was first introduced to ACT elections, eLAPPS again proved highly effective in speeding up the transaction time when searching and marking electors on the electoral roll. Electors who presented at the polling place with members of their family or others enrolled at the same residence were able to be served efficiently though functionality that presented the issuing officer with the option of returning to search results that only displayed electors who resided at the same residence as the elector previously served. This allowed for a very efficient means of marking off 2 or more electors at the same residence without the need to repeat a name search.

The active search function and the additional search functionalities of eLAPPS again proved to be extremely efficient in processing electors through a polling place. Results from Elections ACT's post election polling official staff survey demonstrate that staff found the operation fast and efficient. 82.9% of the 273 polling official respondents rated their satisfaction with the system as 'very satisfied' and a further 16.7% gave a rating of 'satisfied'.

eLAPPS 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 retransmitted them across the ACT so that all roll mark transactions appeared on all eLAPPS computers across the jurisdiction in near real time. The transmission of electoral roll marks in 2016 was highly successful. By the end of voting on election day over 246,000 names had been successfully marked on a laptop and then successfully transmitted, collated and dispersed to all units across the ACT. Only 2 issuing point units were found to have not successfully transmitted to the central database. Post election syncing was required for these roll marks. A further 3,626 electors had their postal vote arrive at Elections ACT after polling day. These electors were uploaded into eLAPPS in order to achieve a single central record of voters and non-voters.

Polling place management tasks

In 2016 eLAPPS again allowed for the majority of polling place managerial paperwork to be replaced by electronic systems. The specific polling place staff lists and contact details were available for viewing, via eLAPPS, by the OIC and were centrally updated as staff withdrew and were replaced, allowing for the most accurate list available for the OIC on election day morning. The OIC could then record staff ratings and comments on eLAPPS, replacing the traditional paper record and allowing for direct import into Elections ACT's election management system, TIGER. The OIC also had the ability to record any polling place issues, accidents or incidents via the eLAPPS notification centre built into the OIC's eLAPPS component with each notification sent directly to the Elections HQ component of eLAPPS. In an improvement from the 2012 system, where accident and incident notifications were only able to be generated by the OIC, requiring Elections HQ to respond by phone, eLAPPS was upgraded in preparation for the 2016 election to allow for Elections HQ to issue notifications direct to an OIC, a group of OICs or all OICs. Elections ACT staff could also reply to eLAPPS notifications allowing for 2-way real time communication between polling place managers and Elections HQ. This allowed for immediate and appropriate action to be taken by Elections ACT or the OIC where and when appropriate.

eLAPPS in 2016 continued to electronically keep track 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. In 2016, 73% of polling places had finalised and transmitted their results by 9:00 pm, a significant improvement on all previous elections.

The polling place management functions of eLAPPS again proved to be extremely efficient in administering the required processes within a polling place. Results from Elections ACT's post election OIC staff survey demonstrate that staff found the system user friendly and efficient. 97.6% of the 57 OIC respondents rated the efficiency of the electronic reconciliation compared with paper reconciliation as either 'efficient' (26.2%) or 'very efficient' (71.4%).

eLAPPS also enables the automatic capture and central presentation of statistical information such as the number of voters who have cast their vote at any one particular time, the means in which they have voted (postal, pre-poll, electronic etc), the number of electors yet to cast a vote, the number of voters to have voted at each polling place by electorate, the number of ballot papers remaining at each polling place and many other statistical pieces of data that are used by Elections ACT to keep track of the activities in polling places as they occur. Elections ACT was able to use this information to provide the media and public with interesting statistical information and to guide Elections ACT in the central management of polling place material levels.

Transmission of results on polling night

Once a polling place had completed the sorting and counting of votes to candidates, the OIC entered the figures into eLAPPS and transmitted the figures back to the central eLAPPS database. These figures were then automatically posted (see **Election night and the virtual tally room** on page 52) onto the Elections ACT results website which featured as the virtual tally room for the election.

In contrast to 2012 where a number of polling places experienced delays in achieving a successful transmission of their final election results, 2016 experienced no issues with the transmission of election results.

Improvements for eLAPPS in 2020

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

Pre-poll voting

Pre-poll voting centres were located in Belconnen, Civic, Gungahlin, Tuggeranong and Woden in the 3 weeks before polling day, commencing on Tuesday 27 September 2016 (Monday 26 September was public holiday). A second pre-poll voting centre in Civic (City East) was established in 2016 to reduce the load on the City pre-poll voting centre held in Pilgrim House which has historically experienced long queues during weekday lunch periods.

Electronic voting was provided at all pre-poll voting centres. A total of 83,722 pre-poll votes were cast at the pre-poll voting centres, or 33.4% of all votes. In 2012 and 2008, pre-poll votes accounted for 26.9% and 20.3% of all votes respectively.

Of the pre-poll votes cast in 2016, 72,203, or 86.2%, were cast electronically. This is an increase in both absolute numbers (50,767 in 2012) and percentage terms (82.3%) when compared to electronic votes cast in 2012.

The pre-poll centres were also used as polling places on polling day, with electronic voting available at those locations.

Details of the numbers of pre-poll votes cast at the 2016 election are at Tables 5-11 from page 8.

Electronic voting

Elections ACT's electronic voting and counting system, eVACS®, used previously at the 2001, 2004, 2008 and 2012 elections, again proved very successful. Nearly 1 in 3 voters (81,538) used the ACT's electronic voting system at the 2016 election, an increase from 1 in 4 voters (59,200 voters) at the 2012 election.

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 polling night and a faster completion of the final election results one week after polling day.

Changes made to address issues arising at the 2012 election

Some changes were made to the electronic voting system before the 2016 election to address issues that arose at the 2012 election.

Capital funding of \$0.444 million over the 3 years from 2014/2015 to 2016/2017 was provided for an upgrade program of the Elections ACT computer systems in preparation for the 2016 election. The upgrade of the electronic voting and counting system, eVACS®, was a component of that program.

Changes were made to the eVACS® software to address some usability and hardware issues as well as changes in preparation for the change in the size of the Assembly.

Changes implemented in preparation for the 2016 election include:

- Providing for flexibility in the number and potential names of electorates to be contested;
- Providing for flexibility in the number to be elected in an electorate;
- Providing support for new barcode readers;
- Including more confirmation/warning screens for informal votes to reduce the likelihood that electors might inadvertently cast a blank ballot paper; and
- Fixing a number of minor defects identified in 2012.

Deployment of electronic voting at the 2016 election

Electronic voting was deployed in the 6 pre-poll voting centres located in each of the main town centres (Belconnen, Civic (two locations), Gungahlin, Tuggeranong and Woden). These same locations also had electronic voting on polling day. Normal paper ballots were also available at each electronic voting centre.

Staff of Elections ACT set-up the pre-poll centres with a voting server and 22 ordinary electronic voting terminals, 1 electronic voting terminal specifically for vision impaired people and disabled people, as well as voting facilities for paper ballot voting.

Each electronic voting booth was equipped with a 23-inch voting display screen, barcode reader, keypad and instruction poster.

The electronic voting booths configured to suit vision impaired people included headphones and a telephone style keypad to assist a blind or vision impaired elector navigate through the system. Each of these booths were positioned to allow for suitable wheelchair access.

At each election since the introduction of electronic voting, the number of voters using electronic voting has increased.

In total the number of electronic votes increased from 43,820 in 2008, representing 81.7% of all votes cast at electronic voting centres (and 19.9% of all votes cast) to 59,200 votes in 2012, or 82.4% of votes cast at electronic voting centres (and 25.8% of all votes cast). In 2016 the rate of electronic voting further increased to 81,538 electronic votes or 87.2% of votes cast at electronic voting centres (and 32.6% of all votes cast).

Table 19 – Votes cast electronically

	2004	2008	2012	2016
Total number of votes cast at pre-poll voting centres	30,391	44,635	61,660	83,807
Number of votes cast electronically at pre-poll voting centres	20,722	36,323	50,767	72,203
Percentage of electronic votes cast at pre-poll voting centres	68.2%	81.4%	82.3%	86.2%
Total number of votes cast electronically	28,169	43,820	59,200	81,538
Percentage of electronic votes cast in the election	13.4%	19.9%	25.8%	32.6%
Total votes issued at electronic voting centres on polling day ¹	11,710	9,312	10,163	9,849
Electronic votes issued at electronic voting centres on polling day	7,447	7,497	8,433	9,335
Percentage of electronic votes cast on polling day at electronic voting centres	63.6%	80.5%	83.0%	94.8%

Note 1: The number of electronic voting centres issuing electronic votes on polling day has differed since electronic voting was introduced in 2004. 8 electronic voting centres issued electronic votes on polling day in 2004. 5 centres issued electronic votes in 2008 and 6 centres issued electronic votes on polling day in 2012 and 2016.

Tables at Appendix 1 on page 81 show the number and percentage of paper ballots and electronic votes by electorate cast at the 6 electronic polling places in 2016; 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 paper votes counted under the Central Scrutiny category in 2016, where fewer than 20 paper votes were taken at some electronic voting centres. This includes 85 votes cast at pre-poll centres and 72 votes cast on polling day.

Useability issues arising at the 2016 election

While software and procedural changes implemented following the 2008 and 2012 elections to address usability issues appeared to reduce the number of usability issues that arose in 2016, it was apparent that some issues still existed in a small number of cases. These included:

- A continuation of the issue from previous elections where voters did not scan the barcode to end the voting session with the consequence that a vote was not recorded and the barcode was effectively “discarded” (such votes are counted as blank informal votes in the official elections statistics); and
- An issue surrounding the second scanning of a barcode to complete the voting process where some electors experienced difficulty in getting the barcode reader to register the final required scan.

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.

A number of scenarios explain these apparently “discarded” votes. As was the case in 2012, polling officials at electronic voting centres reported seeing a small number of electronic votes that had been started but not correctly finished with a second barcode scan. The exact number of these incomplete votes is not known. Additional training was provided to electronic voting staff acting in the role of eVoting officer to ensure that attention was being paid as electors vacated their electronic voting booth to ensure that their voting process had been completed. Ballot box guards in these centres were also instructed to ask exiting voters whether they had seen the ‘vote accepted’ screen before leaving their booth. This is in addition to comprehensive instructions being provided at the time of barcode issue and step-by-step instruction posters displayed in every electronic voting booth.

Consideration will be given to this issue in preparation for the 2020 election with potential to alter the system to provide eVoting officers with a more obvious indication when a voter has successfully completed their voting process.

It is also likely that a proportion of apparently “discarded” electronic votes were deliberately unused. In these cases, voters issued with barcodes may have deliberately placed their unused barcodes 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.

The second usability issue that arose in 2016 related to intermittent occurrences where electors scanned their barcode without incident to begin the voting process, but experienced difficulties in scanning the same barcode for a second time in order to finalise their vote. Trial and error within electronic voting centres during the 2016 voting period indicated that the second scan was more effective when the barcode was placed under the barcode reader with the bottom of the barcode pointing towards the back of the voting screen. While this was effective in helping polling staff assist electors who were experiencing this difficulty, it could not prevent the issue from occurring. Preliminary investigations by Elections ACT were unable to uncover any suitable explanation as to why this occurred.

Further investigation into this matter will be undertaken in preparation for 2020.

Changes implemented prior to the 2016 election to address a 2012 usability issue relating to electors inadvertently committing their electronic votes before completing their intended order of preferences, appear to have had the desired effect of reducing accidental electronic vote informality. It was reported in the 2012 election report that it was possible that some of these voters inadvertently cast informal electronic votes by scanning their barcodes to start their votes, pressing the "finish" key without selecting any preferences, bringing up a warning screen stating that to continue would result in an informal ballot, and then scanning their barcode a second time to effectively cast an informal vote.

Software alterations prior to the 2016 election placed additional screens in the voting process for voters who had not allocated preferences to any candidates on their ballot paper. A series of screens informing the voter that a blank ballot paper had currently been selected and asking the voter to perform a series of particular key strokes in order to confirm that it was their intention to cast a blank ballot paper, seem to have had the effect of reducing electronically cast informal votes from 2.4% of all electronic votes cast in 2012 to 1.4% in 2016.

Interstate voting

Interstate voters could vote in person at the capital city office of each State and Territory electoral commission during the pre-election period. There were 557 votes issued at the offices of the State and Territory electoral commissions at the 2016 election compared to 559 in 2012 and 412 in 2008 (note interstate votes were also issued at the AEC divisional offices in Goulburn, Narrandera and Nowra in 2008). Of those votes issued, 551 were admitted to the count, compared to 534 in 2012 and 408 in 2008. The following table shows the detailed returns from each interstate voting venue. The interstate pre-poll votes are included in the total pre-poll votes in Tables 5-11.

Table 20 – Interstate voting at the 2016 election

Interstate Venue	Brindabella	Ginninderra	Kurrajong	Murrumbidgee	Yerrabi	Total
NSW Electoral Commission	19	25	72	39	46	201
NT Electoral Commission	2	9	9	2	5	27
QLD Electoral Commission	6	14	25	9	8	62
SA Electoral Commission	3	6	16	6	11	42
TAS Electoral Commission	4	5	2	1	6	18
VIC Electoral Commission	11	21	62	44	21	159
WA Electoral Commission	4	11	18	2	13	48
TOTAL	49	91	204	103	110	557

Postal voting

A total of 16,925 postal votes were dispatched in 2016. Of these, 13,114 were returned prior to the last date for receipt of postal votes (21 October 2016) and admitted to the count following a preliminary scrutiny.

The 2016 election saw a 33% increase on the number of postal votes admitted to the count compared to the 9,859 admitted in 2012. This is in comparison to an increase of 2.7% between the 2008 (9,599) and 2012 (9,859) elections.

This reflects the significant increase witnessed at pre-poll voting centres in 2016 which experienced an increase of 37% on 2012 pre-poll voting numbers. Such rises replicate the trend experienced in other jurisdictions which have also reported continual and sometimes significant growth in early voting.

The following table 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 2001, 2004, 2008, 2012 and 2016 elections.

Table 21 – Postal vote outcomes

Category	2001	2004	2008	2012	2016
Postal votes issued	8,194	8,325	11,833	12,209	16,925
Postal vote ballot papers admitted to the count	6,410	6,532	9,599	9,859	13,114
Postal vote envelopes admitted that did not contain ballot papers	30	2	12	15	5
Applied for a postal vote but voted at a polling place or pre-poll centre	399	605	339	607	750
Postal votes received but not admitted because voter not correctly enrolled	62	22	68	56	70
Postal votes received but not admitted because voter claimed a vote for the wrong electorate	14	20	0	4	4
Postal votes received but not admitted because voter was issued with a ballot paper for the wrong electorate ¹	0	0	0	16	0
Postal votes received but not admitted because the voter did not sign the declaration ²	129	150	249	52	334
Postal votes received but not admitted because the witness did not sign the declaration ³	15	73	45	n/a	n/a
Postal votes received but not admitted because the voter's signature did not match the signature on the application/enrolment	34	9	2	28	91
Postal votes received but not admitted because the voter marked his or her vote after polling day	121	78	95	152	200
Postal votes received too late	264	211	291	318	701
Postal vote returned to sender unclaimed	58	52	63	93	245
Postal vote cancelled and ordinary vote not issued	5	0	35	21	3
Total postal votes returned to Elections ACT or postal voters who voted at a polling place or pre-poll centre	7,541	7,754	10,798	11,221	15,517
Total postal votes not returned to Elections ACT	651	571	1,035	988	1,408

Note 1: For 2012, this relates to 16 incorrect ballot papers issued to Ginninderra voters. See the Report on the ACT Legislative Assembly Election 2012 for further information.

Note 2: In 2016, this figure includes 57 declaration envelopes returned without the declaration attached, and 133 ballot papers returned without a declaration envelope.

Note 2: From 2012 onwards, a postal vote does not require a witness signature.

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 22 – Applications for postal votes

	2012	2016
General postal voters	3,265	4,306
Access Canberra (by elector) ¹	1,342	1,129
Access Canberra (by representative of elector) ¹	490	492
In person at Elections ACT	33	4
Over the phone at Elections ACT (by elector)	102	77
Over the phone at Elections ACT (by representative of elector)	33	27
Email (by elector)	123	131
Email (by representative of elector)	23	20
Faxed (by elector)	30	3
Faxed (by representative of elector)	2	0
Handed in at a pre-poll centre	1	1
On a printed official postal vote application form (by elector)	1,282	1,238
On a printed official postal vote application form (by representative of elector)	99	27
Web application (by elector)	4,868	8,302
Web application (by representative of elector)	1,112	1,805
Total ²	12,805	17,562

Note 1: Includes applications by telephone and in person at shopfronts.

Note 2: 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 polling 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.

Of significant note is the increase in the number of postal votes returned after the last date for receipt of postal votes in 2016. A total of 701 postal votes could not be admitted to the count in 2016 as they were received after 5pm on the Friday following polling day. This represents a 120% increase on 2012 figures (318). This can, at least in part, be explained through a perceived decline in postal services since 2012 with Australia Post reporting that "some delivery times for 'standard' services have increased in the last couple of years often due to increased delivery times at the destination country". 560 (80%) of the 701 postal votes that were rejected because they were received too late were postal votes sent to and received from an address overseas. This is a strong indication that the current postal service is not meeting the requirements for long distance postal voting. A significant number of electors were disenfranchised in 2016 as a result of their residency in an overseas location.

In March 2015 Australia Post introduced a 2-tier delivery system which saw mail marked 'priority mail', at an additional cost of \$0.04 per item, receive preferential delivery times against articles marked as 'regular' mail. In discussions held with Australia Post prior to the 2016 election, it was indicated that this reflected a winding back of service delivery times across the country by Australia Post. Australia Post also indicated via their website that express post services for next day delivery was limited to "80% of Australian business addresses, private addresses and post office boxes. Outside metropolitan areas guaranteed service is to and from townships only."

There is genuine concern across Australian electoral jurisdictions that recent alterations to Australia Post's business model is resulting in increased delivery times for postal items and in turn is potentially increasing the likelihood that a postal vote may be rejected due to it reaching the Electoral Commission after the legislated cut off. The current maximum time limit for a postal vote process is 24 days from the start of the pre-poll period to the final day for the return of postal votes. It can be seen from the rejected rate of overseas postal votes that it is increasingly likely that a postal vote requested for an overseas address will not have sufficient time to travel to the location, be completed by the elector on or before polling day and then be returned to the Electoral Commission in time to be admitted to the count.

There are a number of potential options available to address this issue of the time constraints applying to postal voting. One option would be to commence the pre-poll period a week or 2 earlier in the election timetable to allow for earlier printing and postage of ballot papers. The Commission does not support this option as it would lead to significantly increased time and cost to both Elections ACT and election participants of servicing a longer pre-poll period. The Commission would not support increasing the postal vote period only while leaving the in-person pre-poll period at the current 3 weeks, as it can be expected that electors would expect to be able to vote in person from the commencement of the postal voting period. Another outcome of this option could be an increase in the number of people postal voting who might otherwise cast an electronic pre-poll vote, which would be contrary to the proposal discussed elsewhere to increase electronic voting.

Another option could be to extend the period for receipt of postal votes after polling day to, say, the second Friday after polling day rather than the first Friday. This would have the effect of a corresponding increase in the time during which the government was in caretaker mode while the election result was being finalised. While this is a matter of judgement for the Assembly to decide, the Commission suggests that the value of deciding election results within one week of polling day would outweigh the benefits of admitting a relatively small number of additional postal votes to the scrutiny.

A further option could be to introduce some form of remote electronic voting. While noting that other Australian jurisdictions have moved to adopt internet voting for overseas and other electors, the Commission remains cautious regarding the introduction of internet voting for ACT elections. As recent developments have demonstrated, online transactional databases are at high risk of technical failure and interference by unauthorised persons or organisations. The Commission notes that any failure of an internet voting system could result in election results being overturned in the courts.

The Commission suggests that the ACT maintains a watching brief on internet voting developments in other jurisdictions to assess their effectiveness, and that no action be taken until the ACT is satisfied that all risks have been overcome.

That said, it may be possible to develop electronic options that are of an equivalent low level of risk as traditional paper-based postal voting. Electoral authorities in Tasmania and New Zealand have developed email-based electronic voting options that replicate the postal voting method, without recourse to online voting using a transactional database. It is suggested that this option should only be made available to electors who are overseas. The Commission suggests that this option is worth further consideration for ACT elections. The Commission proposes to investigate this option further and to provide a recommendation to the Legislative Assembly regarding this issue at a later date.

The Commission **recommends** that the Assembly notes that the Commission will investigate a limited electronic voting option for electors who are overseas and will report back to the Legislative Assembly at a later date.

Voting at polling places

At ACT elections, electors are able to cast an ordinary vote at any polling place within the ACT. 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 2016 election included accommodation provided by public schools, private schools, hospitals, community facilities and the ACT government.

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 in 2012 or 2016), polling place closures by the AEC or the emergence of new suburbs, there were 14 instances where the polling place venue differed from those used at the 2012 ACT election.

Table 23 – Polling place venue changes

Polling place name	Previous venue	2016 venue
Dickson	Daramalan College, Cowper St, Dickson (last used in 2008; unavailable in 2012)	Northside Community Centre, 2 Rosevear Place, Dickson
Downer	Downer Business Park, 2 Bradfield St, Downer	Downer Community Centre, Frencham Place, Downer
Hall	Hall Pavilion, Gladstone St, Hall	Hall Primary School Museum, Palmer St, Hall
Kambah North	St Stephens Anglican Church, Cnr of Kett St & Marconi Cres, Kambah	Taylor Primary School, Marconi Cres, Kambah
Scullin	Scullin Salvation Army Hall, Ross Smith Cres, Scullin	Southern Cross Early Childhood School, Wirraway Cres, Scullin
Woden	Woden Smith Family, Corner of Easty St & Launceston St, Woden	Callam Offices, Easty St, Woden
Yarralumla	Yarralumla Uniting Church, 6 Denman St, Yarralumla	Yarralumla Primary School, 24 Loftus St, Yarralumla

Table 24 – New polling places

Polling place name	2016 venue
Bonner	Neville Bonner Primary School, 7 Mabo Boulevard, Bonner
Coombs	Charles Weston School, 80 Woodberry Avenue, Coombs
Franklin	Franklin Early Childhood School, 135 Oodgeroo Avenue, Franklin

In preparation for the 2016 election, Elections ACT closed 4 venues used as polling places at previous ACT elections. Ngunnawal South, Reid and Stirling were all closed due to the premises no longer being offered by the premise owners while O'Connor was closed due to the historically small number of votes issued at the venue and the proximity of the polling place to two much larger venues. In these 4 cases the closure for the ACT election matched closures by the AEC at the 2 July 2016 federal election.

In addition, Elections ACT retained 5 polling places used at previous elections that were closed by the AEC at the 2016 federal election. These were Bruce (Calvary Hospital), Downer, Evatt South, Hall and Oaks Estate.

Table 25 – Closed polling places

Polling place name	2012 venue
Ngunnawal South	Ngunnawal Neighbourhood Centre, Yarrowonga St, Ngunnawal
O'Connor	St Joseph's Primary School, 62 Boronia Dr, O'Connor
Reid	Korean Canberra Uniting Church, 54 Coranderrk St, Reid
Stirling	Canberra College Weston Campus, 71 Fremantle Dr, Stirling

Mobile polling

Three teams of polling officials consisting of an officer in charge and a mobile voting issuing officer visited 29 institutions to offer mobile voting services to residents. Mobile voting institutions visited included nursing/retirement homes/villages, public and private hospitals and the Alexander Maconochie Centre. The Electoral Act provides that all mobile polling will be conducted in the week leading up to and including polling day.

The mobile teams took a total of 1,462 votes from patients, residents and inmates of those institutions. This compares to 1,476 mobile votes in 2012 and 1,105 in 2008.

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 3 years or longer are not eligible to vote.

As was the case in 2012, all ACT remandees and prisoners eligible to enrol and vote at the 2016 election were located in the Alexander Maconochie Centre (AMC). Elections ACT liaised with ACT Corrective Services on arrangements for the enrolment and voting by these remandees and prisoners.

A list of prisoners was provided by ACT Corrective Services and checked against the electoral roll. Enrolment applications and information explaining prisoner enrolment and voting entitlements were provided through ACT Corrective Services 2 weeks before the close of rolls to enable those not enrolled to do so. 32 new enrolments were received during this process.

Arrangements were made with Corrective Services for mobile polling at the AMC on Tuesday 11 October from 9 am to 5 pm. Corrective Services officers escorted inmates to the mobile polling team in a secure location. A total of 34 votes were taken at the AMC by the mobile polling team. Postal vote applications were also made available for those who would not be able to vote when the mobile polling team attended the centre. It is not possible to determine how many remandees and prisoners voted by post.

Declaration voting

A declaration vote is issued to a voter in a polling place or pre-poll centre where:

- The elector's name cannot be found on the roll for any of the 5 electorates;
- The elector's name appears on the electoral roll 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 (557 in 2016).

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 experienced staff, some of whom were provided by the AEC.

The number of declaration votes issued saw a dramatic decrease in 2016 compared to that of 2012. Only 1,936 declaration votes were issued in 2016 compared to 4,294 in 2012, 2,413 in 2008 and 3,757 in 2004. 557 of these were issued at interstate voting offices (559 in 2012) where it is permissible only to issue declaration votes regardless of the enrolled status of the elector.

In 2016, 87 declaration votes were issued because the elector's name was already marked as having voted. Of these, 73 were admitted to the count after a preliminary scrutiny was able to match the occurrence to a polling official error. 14 of these declaration votes were rejected; 3 because the elector was issued with the wrong electorate ballot paper as a result of the elector claiming an incorrect address; 4 were rejected because the elector had already submitted a postal vote; 1 was issued by a mobile polling team to an elector at a nursing home who had previously voted through the same mobile team; and a further 6 were rejected as they indicated an apparent multiple vote had been cast. Elections ACT wrote to these 6 declaration voters requesting further explanation in relation to the apparent multiple votes.

At the 2012 election, 123 'Already marked as having voted' declaration votes were issued with 118 admitted and 5 rejected.

The 2016 election also saw a further 1,243 declaration votes issued to voters whose name could not be found on the electoral roll at a polling place. 96 of these were later found on the roll by an experienced Elections ACT officer and admitted to the count. A further 100, while not on the roll at the time of the close of rolls, were admitted to the count after a preliminary scrutiny into the elector's electoral roll history found that the voter had been removed from the electoral roll in error. The remaining 1,047 'elector not found on roll' declaration votes were rejected and not admitted to the count as the elector was not enrolled nor had the elector's name been removed from the roll in error.

By comparison, at the 2012 election 3,392 declaration votes were issued to electors not found on roll, with 760 admitted and 2,647 rejected.

The following table shows the outcome of the preliminary scrutiny of declaration votes at the 2012 and 2016 elections.

Table 26 – Preliminary scrutiny of declaration votes

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

Note 1: 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 2016, 28 out of the 29 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.

Note 2: 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. See the 2012 election report for discussion of this issue in relation to the relatively high number of votes in this category in 2012.

It is likely that the significant drop in the number of declaration votes issued in 2016 in comparison to 2012, of which the majority were categorised as 'elector not found on roll', is due to improvements in the accuracy of the electoral roll following the introduction of direct enrolment by the Australian Electoral Commission in June 2012 (see the discussion at **Electoral roll** at page 15). Recent increases in the proportion of eligible electors enrolled in the ACT to levels close to 100% appear to have had the effect of significantly decreasing the number of electors presenting to vote under the assumption that they are enrolled but after a search are unable to be found on the electoral roll. This analysis is further supported by the sharp decrease in the number of this category of declaration vote being admitted because it was found that the elector was incorrectly removed from the electoral roll prior to the election. This number dropped from 546 admitted in 2012 to 100 admitted in 2016. This suggests an improvement in the accuracy of the electoral roll in 2016.

The decline in the number of declaration votes in 2016 may also be attributable in part to new procedures introduced for this election. In 2016 Elections ACT introduced a change to issuing procedures where issuing officers were instructed to turn the eLAPPS laptop around so that the elector being served could verify that the polling official had selected the correct name on the roll. It appears that this had the effect of reducing polling official error; ensuring the correct elector was selected and marked and consequently reducing the number of 'already marked as having voted' declaration votes to only 87 (a 30% decrease in comparison to 2012 figures).

Removing restrictions on pre-poll voting

As shown in Table 18 on page 30, the percentage of voters who voted before polling day amounted to 39% of all votes cast at the 2016 election. Pre-poll votes accounted for 33.7% of all votes and postal votes accounted for 5.2%.

The percentage of pre-poll voters has increased markedly at every ACT election held since 1995. Where 1 in 10 electors cast a pre-poll vote in 1995, over 1 in 3 electors cast a pre-poll vote in 2016.

While the percentage of postal votes has steadily increased since 1995, the amount of increase has been smaller, with 2.4% of votes in 1995 being postal votes, compared to 5.2% in 2016. This in part reflects section 136A of the Electoral Act, which provides that electors are only able to apply for a postal vote if they have silent enrolment or are unable to attend a pre-poll voting centre or a polling place on polling day.

Conversely, the percentage of ordinary voters has declined continuously since 1995, from 86.1% in 1995 to 61.0% in 2016.

It is clear that many electors are attracted to the option of voting early, particularly at a pre-poll voting centre. The reasons for this may include a range of factors, such as:

- An increasing emphasis on family and leisure time;
- ACT elections are held in late spring – often a time when families travel to the coast or elsewhere for the weekend;
- Changing work patterns, with more people working weekends;
- Increasing public demand for flexible service delivery; and
- Convenience.

The trend towards an increase in early voting is likely to continue given the history of previous elections. Noting the large number of pre-poll votes cast in 2016, it can be expected that the number of pre-poll votes cast in 2020 will again increase, possibly to as many as half of all votes cast.

Increasing the number of pre-poll votes, from an operational point of view, has several advantages. As the great majority of pre-poll votes are electronic, any increase in the number of electronic votes will help to speed the count, with a greater number of indicative preferences counted on election night, and fewer paper ballots to scan and add to the count after polling day. As demonstrated elsewhere in this report, increased numbers of electronic votes results in a decrease in the number of inadvertent informal votes, compared to votes cast on paper.

The Commission considers that the trend to early voting is an inevitable result of the expectations of the electorate, and suggests that there should be no move to restrict the trend continuing. The Commission recognises that this may require political parties to further adapt

the way that they conduct their campaigns to attract the early vote of electors.

Three other Australian jurisdictions – Queensland, Western Australia and the Northern Territory – have decided to wholly embrace the trend to early voting by removing the eligibility requirement for a pre-poll vote by allowing any elector to have an early vote.

The Commission suggests that the ACT should also remove the eligibility requirement for a pre-poll vote by allowing any elector to have an early vote at a pre-poll voting centre. This proposal recognises that voting on polling day is effectively no longer the accepted practice for a significant proportion of the population, and that voting is now conducted over a polling period of several weeks. This proposal also recognises the convenience of service demanded by the electorate, and in any case may be occurring by default.

Should this change be made, Elections ACT would consider increasing the number of pre-poll voting centres to other regional hubs, such as Kippax, Weston Creek and Lanyon, for example. This would depend on suitable accommodation being available, which has proven to be problematic in the past. While this would result in increased costs, Elections ACT expects these costs could be offset to an extent by reducing the number of polling places open on polling day, by consolidating those polling places that are currently located in close proximity to others.

A significant advantage of this approach would be to significantly increase the proportion of electors with access to electronic voting facilities.

The Commission notes that the Auditor General's performance audit report on the 2016 ACT election recommends both allowing any elector to cast a pre-poll vote and facilitating increases in electronic voting.

The Commission **recommends** that the Electoral Act be amended to provide that any elector may vote at a pre-poll voting centre, without the need to declare that they are unable to attend a polling place on polling day.

The Commission does not support any change to eligibility for postal votes, which would mean that only those voters who are unable to attend a pre-poll voting centre or a polling place on polling day, or a silent elector, would be eligible to apply for a postal vote. The Commission does not support increasing the eligibility to postal vote as this continues to be the method of voting 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 169 complaints made to the Electoral Commissioner relating to the 2016 election, each of which was seriously considered and investigated.

Most of the complaints were of a similar nature to those received in 2008 and 2012, although the overall number increased from 154 in 2008 to 204 in 2012, then decreased to 169 in 2016.

In 2016, 132 of the complaints related to activities of parties and candidates, 29 related to activities of Elections ACT and a further 8 related to other matters.

The complaints fell into the broad categories shown in the table below, comparing the 2008, 2012 and 2016 elections.

Table 27 – Complaints relating to the 2008, 2012 and 2016 elections

Complaint category	2008	2012	2016
Complaints relating to party and candidate activity			
Matters regulated under the Electoral Act			
■ Canvassing within 100-metres on a polling place	30	18	33
■ Authorisation of advertisements ¹	17	24	35
■ Miscellaneous ²	5	16	12
Matters not regulated under the Electoral Act			
■ Placement of signs in public or commercial places ³	12	28	13
■ Miscellaneous ⁴	39	24	39
Sub total - Complaints relating to party and candidate activity	105	110	132
Complaints relating to Elections ACT services			
Voting			
■ Locations/signage	10	13	2
■ Electronic voting facilities/systems	0	14	1
■ Electronic voting staff assistance	9	10	6
■ Other voting facilities/systems/postal voting	0	123	4
■ Other voting staff assistance	10	15	2
Elections ACT advertising	11	8	7
Miscellaneous	5	10	7
Sub total - Complaints relating to Elections ACT services	45	79	29
Complaints unrelated to Party, candidate or Elections ACT activity ⁵	4	15	8
Total complaints	154	204	169

Note 1: 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** on page 48.

Note 2: 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.

Note 3: 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.

Note 4: These covered a range of activity including the quality of messages in advertising, acceptable canvassing, junk mail, and use of material without permission.

Note 5: 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 was apparently effective in preventing continuing minor or technical breaches of the Act.

Of some note is the decrease in complaints categorised as relating to Elections ACT services from 79 in 2012 to 29 in 2016. The relatively high number of complaints received in 2012 were almost entirely in the context of complaints about voting facilities. The decrease in complaints in 2016 would indicate that Elections ACT was effective in addressing the issues that arose in 2012.

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 particular interest in the election.

Changes made in May 2008 to simplify the authorisation requirements reduced the number of complaints received at the 2008 election regarding non-compliance with authorisation requirements. The number of complaints received at the 2012 election was also at a low level, with 24 complaints received in 2012, compared to 17 complaints received in 2008.

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. While this amendment succeeded in exempting this class of publication, the number of complaints received relating to the authorisation provisions increased in 2016 to 35.

Of these 35 complaints, 23 related to printed material and 12 related to internet publications. A further 9 cases of incorrectly authorised internet material were identified by Elections ACT and followed up with the responsible entities.

In the majority of these cases, the failure to correctly authorise material was inadvertent – particularly in relation to social media websites. In some cases, the material complained of was not deemed to be incorrectly authorised.

One issue that arose was whether the authorisation requirements applied to images/infographics posted on social media on the internet. The Commissioner took the view that provided the social media page of original posting of an image carried the appropriate authorisation, then an authorisation statement was not required within the image itself, so long as the name of the originator remained with the image.

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 the Australian Federal Police for prosecution in 2016.

In reviewing material to ensure that the authorisation provisions were being complied with, two issues were identified by Elections ACT that had the potential to conflict with the “irresponsibility through anonymity” principle.

In several cases, the name of the person authorising the material was identified simply with an initial and a surname. This arguably makes it difficult for readers to satisfy themselves of the identity of the person responsible for publishing electoral matter. In order to ensure that this practice does not lead to “irresponsibility through anonymity”, the Commission considers that it would be preferable to require the full given name and surname of the authoriser to be published.

The Commission **recommends** that the Electoral Act be amended to require the full given name and surname of a person be shown in an authorisation statement.

The second issue relates to material published on behalf of an entity. (Section 198 of the Electoral Act defines “entity” to mean an incorporated or unincorporated body or a trustee of a trust.) While the Electoral Act provides that electoral matter published by or on behalf of a registered party or a candidate must name the party or candidate, there is no requirement to name an entity that is responsible for publishing electoral matter. Several instances were evident where material that was authorised by an individual person was matter that was published on behalf of an entity; however, the material did not name the entity responsible.

It is arguable that, where electoral material is being published by an entity, electors should have the right to be informed of the entity responsible for its publication. This would better equip electors to judge the veracity of the information being published, in the context where material is being published by an entity rather than just an individual. Requiring authorisation statements to name the entity in these cases would address this issue.

Adopting this change would also have the benefit of assisting with ensuring compliance with the expenditure cap and other disclosure provisions by third-party campaigners. A third-party campaigner is a person or entity that incurs \$1,000 or more in electoral expenditure during the disclosure period for an election (excluding various specified election participants). In ensuring compliance with the expenditure cap and disclosure obligations of third-party campaigners, Elections ACT uses published electoral material to identify and contact potential third-party campaigners. As the authorisation provisions do not require entities to be named in authorisation statements, this means that it is not always possible to identify entities responsible for publishing electoral matter. Requiring entities to be named in authorisation statements would address this issue.

The Commission **recommends** that the Electoral Act be amended to require the name of an entity to be shown in an authorisation statement, where electoral matter is published on behalf of an entity.

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 a pre-poll centre or a polling place on polling day, within the hours of polling. This prohibition includes the handing out of how-to-vote cards.

In 2014 the Legislative Assembly Select Committee on Amendments to the Electoral Act 1992 published its *Voting matters* report. One recommendation in this report was to increase the limit on canvassing around polling places from 100-metres to 250 metres. The Committee report’s recommendation was aimed at minimising disruption around polling places caused by canvassers stationed at the 100-metre limit.

The Government did not accept this recommendation and the Electoral Act was not amended to alter the 100-metre limit. The Government response indicated that increasing the limit to 250 metres would be “likely to add to the confusion rather than alleviate any existing problems. For example, if the limit is extended to 250 meters, the perimeter of the exclusion zone would capture an additional 20 shopping areas, either completely or partially, including Belconnen Mall, Tuggeranong Hyperdome and Gungahlin Marketplace.”

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

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

At the 2012 election and previous elections, the Commissioner had not made use of this provision. However, given the concerns raised by the Committee in the *Voting Matters* report, the Commissioner decided to make use of this provision at the 2016 election. The Commissioner determined that the 100-metre limit would be measured from the grounds within the enclosure around 46 polling places (out of a total of 80 polling places in use on polling day). These polling places were all schools surrounded by fences. These locations did not include any pre-poll voting centres and did not encroach on the major town centres that were indicated as areas of concern in the Government's response to the *Voting Matters* report recommendation.

The effect of this determination in these 46 cases was to extend the 100-metre limit on canvassing to well outside the grounds of the listed schools.

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

At the 2016 election, 33 allegations of breaches of the 100-metre ban were received, compared to around 18 complaints received at the 2008 election. The increase in the number of allegations of breaches largely arose through the efforts of one political party that systematically toured polling places on polling day and reported 19 apparent breaches. The majority of these breaches involved campaigning within a few metres of the 100-metre limit.

These complaints were dealt with by electoral staff – primarily polling area managers – asking campaigners to move outside the 100-metre limit and by asking party workers to remove signs within the 100-metre limit.

It is noted that the placement of the 100-metre limit measured from the boundaries of the enclosure around 46 of the polling places had the effect of moving canvassers further away from polling places compared to previous elections, even in the cases where canvassers were reported as being inside the 100-metre limit.

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 the laws relating to the placement of signs in public places in the ACT. TCCS has produced a pamphlet titled *Public Unleased Land (Movable Signs) Code of Practice 2013*. The code applies, among other things, to 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 a number of areas where signs may not be placed, including on median strips and designated areas that have the special characteristics of the national capital and are identified in both the National Capital Plan and the Territory Plan.

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.

During the 2016 election campaign, the Commission received a number of complaints about the placement of campaign posters. These complaints were referred to the City Rangers.

The number of formal complaints related to placement of signs decreased from 28 in 2012 to 13 in 2016. However, anecdotal references in social media and letters to the editor of the Canberra Times indicated a relatively widespread 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.

At the declaration of the poll for the 2016 election, the Chief Minister Mr Andrew Barr MLA addressed this issue, and suggested that steps be taken to reduce the number of signs able to be placed by candidates, political parties and others.

The Commission is wary of imposing further restrictions on signs that could lead to time consuming and/or cumbersome methods of regulating signs, such as placing limits on the number of signs that can be displayed. The Commission considers that, if signs are to be further regulated, then any restrictions should be clearly expressed, and straightforward to comply with and to enforce.

The Commission suggests that an appropriate limitation on signage could be to further restrict where signs may be placed. The Commission suggests that the moveable signs code of practice could be amended to provide that signs may not be placed on suburban streets and may only be placed on specified stretches of major arterial roads (to be nominated by Transport Canberra and City Services). This would be relatively straightforward to regulate, as any signs placed outside the specified routes would automatically be confiscated by City Rangers. This would be a significant incentive to deter parties and candidates from placing signs illegally, as the cost of any confiscated signs would be deducted from their expenditure cap amounts.

The Commission **recommends** that, subject to consultation with Transport Canberra and City Services, the moveable signs code of practice be amended to provide that electoral signs displayed on public land may not be placed on suburban streets and may only be placed on specified stretches of major arterial roads, outside designated areas that have the special characteristics of the national capital.

Election night and the virtual tally room

The Electoral Commission's 2014/2015 annual report flagged that the Commission would conduct a review of the election night results process, including an evaluation of the risks and benefits of providing a tally room at the 2016 election in the context of most other Australian jurisdictions discontinuing the provision of a tally room.

Following an internal review, in June 2016 Elections ACT wrote to all relevant stakeholders including media representatives, MLAs and registered political parties to inform them that 2016 would be the first Legislative Assembly election where a physical tally room would not be established.

The decision to discontinue the physical tally room was driven by a number of factors, including technological developments, the rise of the internet as a source of up to date information, security concerns, risk, cost pressures and TV and radio broadcasters opting to use sets in their own studios for their election night broadcasts rather than establishing a temporary set within the CIT gymnasium.

The ACT Electoral Commission carefully considered the need for a physical tally room at the October 2016 election. It noted that one of the big factors that gave the ACT tally room "life" was the TV and radio studios set up in the tally room by broadcasters, particularly the ABC, and observed by members of the public. However, a meeting held with senior representatives of the ABC in Canberra indicated that, due to cost considerations, they intended to set up their 2016 election night TV and radio sets in the ABC studios on Northbourne Avenue. This decision by the ABC contributed heavily to the decision by Elections ACT to discontinue the provision of a physical tally room.

The Commission also noted that the establishment of a physical tally room carried a number of risks, both for the Commission logistically and for attendees at the event. In particular, the Commission judged that the provision of a high-profile public event raised significant security risks that would be difficult to mitigate.

The gradual maturing of internet-based election results systems used by electoral authorities and broadcasters have effectively made physical tally rooms redundant. In times past, a physical tally room served as a manual backup in case of internet failure. However, electoral authorities have become increasingly confident that modern electronic results systems can be relied upon to communicate election results on election night through "virtual" tally rooms on the internet, without the need for a physical presence.

In place of the physical tally room Elections ACT provided a revamped election results display system via its election results website from 6:00 pm on election night, 15 October 2016, until the conclusion of the distribution of preferences and the announcement of the final results.

This 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 polling day as paper ballots were electronically scanned and added to the count.

While the media and the Electoral Commissioner were no longer located within the same premises on election night, the Commissioner continued to make himself available to answer inquiries from the media, candidates, political parties and the public where required.

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.

As is typical for an ACT election, the count of votes on election night in 2016 began after the close of each polling place at 6 pm. 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 5 electorates were counted and sorted to candidates in each polling place; however, where the total number of votes counted in an electorate was less than 20, these ballot papers were not sorted to candidates to preserve the secrecy of the ballot. These “under 20” votes were transferred unsorted to the Elections ACT counting centre for inclusion in an amalgamated count under the central scrutiny category. Any ballot papers that were ruled as informal, or for which formality was not clear, were categorised as informal and reserved for further checking after polling day.

Once the count of first preferences was complete, the OIC of the polling place entered the result into Election Results Display System (ERDS) module incorporated in the eLAPPS system using the laptop computer provided to each Officer in Charge to manage their polling place. The results were transmitted 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, to a central database. 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 updated every three minutes to accommodate new data as each polling place finalised and transmitted their final election result.

New aspects of the election results display included a dashboard graphical display which presented up to the minute data on voter turnout, the current top 5 parties by electorate, the current top 5 candidates by electorate, swing results data and total votes 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 was the case at recent past ACT elections, the transmission of results directly from ERDS via the network to the virtual tally room 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.

Where a small number of polling places experienced delays in the transmission of their results in 2012, no such issues were experienced in 2016. This resulted in a record completion of results transmission, with 75% of all polling places finalised by 9:00 pm and all polling places finalised by 10:00 pm. Historically, it was not uncommon for the larger polling places to still be finalising their results at 11:30 pm or later.

In addition to first preference results, Elections ACT also published on the results website an interim distribution of preferences for each electorate using electronic votes cast at pre-poll voting centres throughout the 3-week pre-poll period. The results from the distribution of 72,203 electronic votes cast at the 6 pre-poll voting centres were available on the website at around 6:45 pm. Given the large number of electronic pre-poll votes (28.8% of all votes cast) these results gave an early indication of the possible outcome of the election. In fact, the initial interim distribution of preferences published at 6:45 pm on election night correctly identified all 25 members eventually declared elected. A second interim distribution of preferences which included all the electronic pre-poll votes and all electronic polling day votes was published on the website at 10:45 pm.

Election result website load and 404 issues

Shortly after polls closed on election night web users started to report slow page load times when attempting to access the election results website www.electionresults.act.gov.au.

Following contact with the hosting provider F1 Solutions, the risk mitigation plan was rapidly enacted. This involved the hosting provider:

- Increasing the web server CPU count;
- Deploying two additional web servers and implementing load balancing;
- Repurposing a web server; and
- Increasing web server memory from 16GB to 64GB.

Following an analysis of the issues experienced on election night and consultation with the hosting provider it was determined that the primary cause for the slow response rates was a considerably higher than expected load on the hosting service. The system serviced up to a peak of 80 requests per second and an average of approximately 40 requests per second. This equated to approximately 8 to 16 times more than was anticipated.

It is believed that the issue was magnified due to users manually attempting to refresh the website when no data was displayed soon after the close of polls. The results website was designed to auto-refresh for users, however when users accessed the results site soon after the polls closed (when no results data was yet available) and were presented with blank results tables, it is believed that large numbers of users regularly requested a page refresh. This, it is believed, magnified the number of web page requests causing the website load to significantly increase beyond anticipated levels.

Logging indicates that the total number of connections over election night was 345,954.

It was also reported that some users experienced intermittent '404 File not found' errors during this period of slow performance. It was found that this issue was a result of the mitigation activities employed to address the slow performance. The hosting provider reported that:

Due to the emergency nature of introducing and repurposing an existing web server to serve [election results website] requests, a host header entry was missed from the configuration. This resulted in some users receiving a 404 response when attempting to access **www.electionresults.act.gov.au**. As traffic was load balanced between 3 servers, users only intermittently received this issue which was [often] resolved by refreshing their page.

In preparation for the 2020 elections, Elections ACT will undertake a review of likely load levels and will consult with Shared Services ICT on the appropriate infrastructure required to underlie the election results system.

The count of preferences

Scanning scrutiny system

A ballot paper scanning system that records the preferences on each handwritten ballot paper has been used at the last 3 ACT elections.

This system was first used at the 2008 election, the first time such a scanning system was used for a parliamentary election in Australia. This system was used at the 2012 election with some minor modifications (described in the Commission's 2012 election report). The system was used again at the 2016 election, with further minor modifications.

The scanning system was developed for the Commission by the SEMA Group using a combination of available scanning, imaging and Intelligent Character Recognition software and specific to purpose software to cater for the ACT election scrutiny rules.

The scanning scrutiny system replaced the system used in 2001 and 2004 that required a team of up to 30 data operators twice keying the preferences on ballot papers, with a further team of 10 error-correction supervisors. The Commission's report on the 2008 election gives more detail about this system.

The computerised scrutiny was completed in 2008 on the Saturday afternoon following polling day. The final result was made public that evening. This was the earliest that the final result had been made known in any ACT election up to that time.

In the 2012 election, the scrutiny was completed even earlier, at about midday on the Saturday after polling day, with the final result made public by a media release email sent at 3:53 pm. At the 2016 election, even with the additional requirement to count 5 electorates as opposed to the 3 electorates of earlier elections, the result was publicised earlier still, with the media release emailed at 3:39 pm on the Saturday after polling day. These achievements were a direct result of the ballot paper scanning scrutiny system.

The scanning system was modified after the 2012 election to enable the scanning of all the informal ballots counted at the election. At the 2008 and 2012 election, those ballots that were deemed to be informal after being manually rechecked by the Commissioner and/or the Deputy Electoral Commissioner were not entered into the scanning system, and the vote totals of these ballots were manually entered into the election results system. At the 2016 election, all of these ballots were scanned, with modifications to the scanning system introduced to enable these ballots to bypass the verification system, as they had already been determined to be informal by the Commissioner and/or the Deputy Electoral Commissioner. This change had the effect of ensuring that a scanned image was retained of every formal and informal ballot paper, and allowing vote totals, including all informal ballots, to be exported from the scanning system for incorporation in eVACS® and in the election results display system.

In other respects, the process followed in 2016 was essentially the same as the process adopted in 2012. This process is described in more detail in the Commission's report on the 2012 election.

As in 2012, the bulk of the scanning was complete by the Friday after polling day, which was the last day on which postal votes could be received and included in the count. The scanning of the last postal ballot paper batches and final verification of the remaining unverified scanned ballots was completed in the morning of the Saturday after polling day. Time was then taken to verify that the final output of the counting system matched the records of votes issued and counted in the polling places and the central scrutiny centre. This process was used as a final quality control check to ensure that all ballots had been correctly scanned and input.

The final distribution of preference result sheets were posted on the Elections ACT website at around 3:30 pm on Saturday 22 October 2016, just under 7 days after the close of the poll at 6.00 pm on 15 October 2016.

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% accuracy as possible, given the limitations of interpreting handwritten numbers on ballots.

The Commission intends to conduct an audit of the images of the scanned ballot papers from the 2016 election to verify the accuracy of the system. After the 2012 election, a random sample of 1,000 ballot papers from each electorate was checked to ensure the ballots were scanned correctly. This audit found no cases where the electronically recorded preferences differed from the handwritten preferences on the paper ballots. The results of the 2016 audit will be published in the Commission's 2016/2017 annual report.

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. At the 2016 election eVACS® worked faultlessly, providing timely results and reports each day of the count.

Following the 2012 election, enhancements were made to the electronic counting component of eVACS® to ensure that the system was capable of counting results in the 5 new electorates introduced before the 2016 election.

Enhancement of the ACT's Hare-Clark counting system

A feature of the current ACT Hare-Clark counting system is the rounding down of all vote values during the distribution of preferences. It is arguable that this practice can in some circumstances unfairly influence election outcomes, particularly where 2 or more candidates have very close numbers of votes at the point where one of those candidates is to be elected or excluded.

Rounding down of vote values is applied when surplus votes from an elected candidate are being distributed to continuing candidates. At the point where a candidate is elected with more votes than the quota needed for election (surplus votes), the "last parcel" of votes received by the elected candidate is allocated to continuing candidates and a fractional transfer value is applied to each ballot paper showing preferences for continuing candidates. Where the application of this fractional transfer value results in a continuing candidate being allocated a fraction of a vote, the fraction is ignored, effectively rounding down all vote value calculations to the nearest whole number.

For example, say Candidate A is at a point in the scrutiny where the candidate is 100 votes short of a quota. Candidate A then receives a parcel of 200 votes from an excluded candidate, thereby giving Candidate A a quota of votes, with a surplus of 100 votes. To allocate the surplus votes to continuing candidates, the 200 votes in the last parcel are distributed to continuing candidates, with each vote being given the value of $100/200$, or 0.5.

Say that Candidate B receives 25 ballot papers from Candidate A's surplus, and Candidate C receives 24 ballot papers from Candidate A's surplus. Both ballot paper totals are multiplied by 0.5, with the result rounded down to the nearest whole number. As a result, both Candidate B and Candidate C receive 12 votes from the surplus.

Say further that Candidate B and Candidate C are now tied with the same number of votes, and one of these candidates needs to be excluded. If a random draw is required to decide which candidate is to be excluded, there is a 50% chance that Candidate B will be excluded. However, if the vote totals calculated following Candidate A's surplus had not been rounded down to the nearest whole number, Candidate B would have been 0.5 votes ahead of Candidate C.

It can be seen from this example that Candidate B had received more preferences from electors than did Candidate C, and yet the application of the round down rule could have resulted in Candidate B being excluded before Candidate C – arguably an unfair outcome.

Another impact of the round down rule is that, during the scrutiny, vote totals that are rounded down in the way described above can lead to votes being “lost by fraction” and recorded in a separate column on the scrutiny sheet in order to ensure that the total number of votes being counted remains constant. Conversely, when a candidate is excluded during the count, votes that have been “lost by fraction” by rounding down can become a “gain by fraction” when ballot papers received over several counts are amalgamated and distributed over one count.

For example, say Candidate D has received 5 ballot papers worth 0.5 votes over 5 counts during the scrutiny, with 1 vote received per count. Each of these vote values would have been rounded down to zero. However, when Candidate D is excluded, those 5 ballot papers are amalgamated and, if they are transferred to Candidate E, Candidate E would receive ballot papers worth 2.5 votes, rounded down to 2. It can be seen that this can lead to anomalous results.

In ACT Legislative Assembly elections, where the total number of votes is relatively large, the possibility that the issues relating to rounding down described above will lead to unfair and/or anomalous results is relatively small. Nevertheless, the fact that the possibility remains is unfair, and it may be possible to find actual examples of ACT elections where this issue has been a factor in deciding election outcomes.

A relevant issue is the fact that the Hare-Clark rules set out in the Electoral Act are also used to count preferences cast in elections held under the *Aboriginal and Torres Strait Islander Elected Body Act 2008*. In these elections, the numbers of votes counted are considerably smaller than in Legislative Assembly elections. This increases the possibility that unfair and/or anomalous results might occur. In particular, elections such as these with small numbers of votes more often result in tied votes needing to be broken where 2 or more candidates have the same number of votes. If votes are not rounded down to whole numbers, this would reduce the possibility of unfair results occurring.

The Commission notes that the ANU Students Association uses the ACT's Hare-Clark election rules for its multi-member elections, but that it rounds its vote transfers down to 6 decimal places. This practice effectively eliminates the distortions identified above that can occur when vote values are rounded down to the nearest whole number.

The Commission is of the view that it would be appropriate to adopt this same practice for Legislative Assembly and Aboriginal and Torres Strait Islander Elected Body elections. For clarity, the Commission does not support altering the value of the quota for ACT elections, which it considers should remain at one-sixth of the total vote plus 1 vote.

The Commission **recommends** 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 6 decimal places, rather than the nearest whole number. The Commission further **recommends** that this amendment should apply to elections for the ACT Legislative Assembly and the Aboriginal and Torres Strait Islander Elected Body.

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, through and following the election. Elections ACT also employ staff under the Electoral Act to work as polling officials at pre-poll voting centres and the many polling places on polling day.

The *Report on the ACT Legislative Assembly Election 2012* identified a need in 2016 to employ a number of additional temporary staff earlier than at previous elections, when most additional contract staff commenced in July.

In 2016 key staff were engaged from April 2016 and continued until the completion of the bulk of the election tasks in November. Key staff that commenced in April included the materials manager, Elections ICT officer, media and complaints manager and the elections operations officer. The staffing manager, postal vote manager and database manager all commenced in July 2016. It is envisaged that a similar engagement timetable will be employed in preparation for the 2020 election.

A recruitment process was also initiated in 2016 to identify a training manager. However, the recruitment process was ultimately unsuccessful in identifying a suitable candidate.

While the elections ICT officer commenced in April, the officer left Elections ACT before polling day after securing longer-term employment elsewhere. This officer was not replaced in this role given the timing of the departure. The workload of both the training manager and ICT officer was absorbed by other Elections ACT employees.

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

In 2016, 646 staff were employed to work within polling places on polling day. Additional casual staff were also employed to work within the office of Elections ACT during the day and at materials collection points across the ACT following the close of polls. Additional staff who had undergone online training were on standby in case of late withdrawals by other polling officials.

A decision was made in 2012 to remove the position of queue controller from the designated roles within a polling place. It was assumed that as eLAPPS could search the entire ACT electoral roll and as a consequence any elector could be served at any issuing point regardless of the electorate in which they were enrolled, it would render the position of queue controller, who traditionally pointed electors to the correct issuing table, unnecessary. However, in practice the absence of queue controllers in 2012 placed additional burdens on polling staff as it removed the ability for the Officer in Charge to rotate staff through this position, making the scheduling of meal breaks difficult. It was also found to have reduced the level of service being provided to electors. As identified in the 2012 election report, Elections ACT reinstated the position of queue controller for the 2016 election.

Exit polling conducted on behalf of Elections ACT indicated that 98% of voters in 2016 (up from 96% in 2012) felt polling staff were helpful, efficient and friendly. (See Table 52 – ***Voter satisfaction with service delivery provided by ACT polling places*** on page 90.)

ACT Shared Services Human Resources was again engaged under contract for the election to facilitate the payment of election casuels. 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.

The following table sets out the staff employed by Elections ACT to conduct the 2016 election. As some employees worked in more than one capacity, these employees may be listed in more than one category in this table.

Table 28 – Staff employed during the 2016 election

Position	Number employed
Statutory office holders	3
Permanent Public Sector Management Act staff	8
Contract Public Sector Management Act staff	9
Senior casual staff – election HQ	4
Casual staff – election HQ	93
Polling area managers	7
Officers in charge of polling places (including pre-polls)	81
Seconds in charge of polling places	82
Other polling day polling officials	476
Mobile polling officials	6
Pre-poll voting officials	100
Bilingual educators	10
Total	879

Training

Detailed polling official training is undertaken before every election. Eight different categories of polling place staff are provided with specific tailored training information: officers in charge (OICs); seconds in charge (2ICs); issuing officers; mobile polling OICs; mobile polling issuing officers; pre-poll OICs; pre-poll 2ICs and pre-poll issuing officers. Pre-poll 2ICs were a new staffing category introduced for the 2016 election. It is envisaged that this position will remain for future ACT elections.

The online training system for polling staff introduced for the 2012 election was again engaged for the training of 2016 polling officials. All polling place staff categories were catered for through the online system and all staff employed to work within a pre-poll voting centre or polling place were required to complete the online training. The content was reviewed and updated by Elections ACT permanent staff.

The training system integrated with the new online casual work application and payment details system, sharing logon and password details to minimise system complexity for the casual staff. The login details for each staff member were linked to the staffing category for which they were to be employed, ensuring a seamless delivery of the specific information relevant to each staff member.

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 and video content.

2016 also saw the introduction of a web-based training portal for the eLAPPS ballot paper issuing component. The portal was integrated within the online training system so that staff

could train on a fully functional online version of eLAPPS after completing the training module on *issuing votes*. Feedback received from polling staff confirmed the success of the eLAPPS training portal with requests made to expand the portal to include a training environment for the Officer in Charge component of eLAPPS. Elections ACT will investigate the viability of this suggestion prior to the 2020 election.

Hardcopy training manuals were able to be printed by polling staff as part of the online training system and a single hardcopy manual for each of the OIC and issuing officer positions was made available within the polling place for staff referral, if required. Results from the polling official surveys conducted directly after election day indicated that 14% of OICs, 25% of 2ICs and 20% of issuing officers printed a copy of the manual out as part of their online training. 91% of OICs, 59% of 2ICS and only 12% of issuing officers referred to the hardcopy manual within the polling place.

The system was again received well by staff; 88% of OICs, 96% of 2ICs and 89% of issuing officers reporting that they felt that the training either made them very prepared or highly prepared for their work on the election.

Senior polling staff such as OICs, 2ICs and mobile polling staff also received face-to-face training in the weeks before polling day. The 3 hour-long sessions were conducted by Elections ACT permanent or contract staff. Sessions were tailored to the roles the polling staff would undertake, with an emphasis on practical exercises. The sessions were regarded highly by participants with 81% of respondents reporting that they felt the sessions were either very effective or highly effective at preparing them for their work on election day.

A recruitment process was initiated in early 2016 to identify a training manager to review all training materials prior to the election and manage the face-to-face training sessions. However, the recruitment process was ultimately unsuccessful in identifying a suitable candidate. It is envisaged that Elections ACT will recruit an officer to conduct a full and detailed review into the training package in the years prior to the 2020 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 pre-poll voting, a period of 3½ days, including a weekend, a number of vital tasks are undertaken that are critical to the commencement of pre-poll voting.

Included in this category is the final professional audio recording 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 the audio into the electronic voting system and the installation of that system in the 6 pre-poll centres must also be completed in the short period between the declaration of nominations and the opening of pre-poll voting.

During this 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 2016 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.

The following table 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 29 – Materials required for the 2016 ACT election

Item	Number
Polling places hired	81
Voting screens and other cardboard equipment	2,302
Ballot boxes of various sizes	327
Ballot papers printed	270,850
Barcodes printed	222,500
Electronic voting computers	138
Barcode readers	138
Polling place issuing point and OIC laptops	685
4G routers	23
Powerboards	300
Extension cords	294
Declaration vote envelopes	9,360
Containers for the return of election material	583
Electoral enrolment forms issued	6,710
Polling official and scrutineer badges	1,327
Pencils	2,414

Some significant savings on election equipment were achieved by the Elections ACT in the following areas:

- Polling place cardboard equipment. The Australian Electoral Commission (AEC) is a significant consumer of cardboard polling equipment and maintains a large stock of equipment in preparation for federal election events. In preparation for the conduct of the ACT Legislative Assembly election, Elections ACT negotiated with the AEC to supply, from their current stores, the required quantities of cardboard equipment for the cost of manufacture and freight. Previous experience has indicated that cardboard manufacturers are either unwilling to conduct a production run for the relatively small numbers required by Elections ACT or the cost of doing so is unviable for Elections ACT. Purchasing the cardboard polling equipment from within the current stocks of the AEC allowed Elections ACT to benefit from the economies of scale achieved by the AEC when producing the cardboard equipment on a national scale.
- Hire of ICT equipment. 2016 continued the ICT hardware arrangements originally established for the 2012 election. The computers used for electronic voting were again borrowed from the AEC, while monitors used for electronic voting and scanning and computers used for scanning were hired from within the Shared Services ICT hardware leasing arrangements. These arrangements resulted in significant cost savings. Due to the age of the units used for electronic voting borrowed from the AEC, it may not be possible to continue this loan arrangement for the 2020 election.

Election funding, expenditure and financial disclosure

The ACT's election funding, expenditure and financial disclosure scheme consists of 3 components:

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

The *Electoral Amendment Act 2015*, passed by the ACT Legislative Assembly on 19 February 2015, made a range of changes to the ACT election funding, expenditure and financial disclosure scheme. The changes took effect from 3 March 2015. The changes included:

- The removal of the \$10,000 cap on donations for ACT election purposes;
- The removal of the restriction on receiving donations for ACT election purposes from organisations and persons not enrolled in the ACT;
- An increase in election funding for parties and non-party candidates from \$2 per vote to \$8 per vote at the 2016 ACT Assembly election;
- A decrease in the electoral expenditure cap to \$40,000 per candidate and third-party campaigner for an election held in 2016, compared to a \$60,000 cap at the 2012 election;
- Changes to the timing for the regular reporting of gifts; and
- An extension to the deadline for submission of annual returns by political participants, so that annual returns must be provided to the Electoral Commissioner no later than 31 August each year, increasing the timeframe by a month.

The Commission held several briefing sessions for party administrators and other election participants between March 2015 to September 2016, drawing their attention to the amended funding and disclosure provisions, and reinforcing the importance of complying with these 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% 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% 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 to \$8 per eligible vote, compared to \$2 per vote paid at the 2012 election. For future elections, the prescribed amount will be adjusted each 6 months by the all groups consumer price index issued by the Australian Bureau of Statistics.

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

Table 30 – Public funding at the 2012 and 2016 elections

Political party/candidate	2012 election	2016 election
Australian Labor Party (ACT Branch)	\$171,982	\$750,488
Liberal Party of Australia (A.C.T. Division)	\$172,064	\$717,056
The ACT Greens	\$47,546	\$200,768
Australian Sex Party ACT		\$29,552
Kim Huynh		\$18,920
Australian Motorist Party	\$9,588	
Bullet Train for Canberra	\$8,222	
TOTAL	\$409,402	\$1,716,784

Limits on election campaign expenditure

Limits on ACT election campaign expenditure were imposed on political entities for the first time at the 2012 election. At that election, the expenditure cap amount was set at \$60,000 per candidate, up to a maximum of \$1,020,000 for a party fielding 17 candidates. The capped expenditure period for the 2012 election commenced on 1 July 2012.

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 to \$40,000 per candidate, resulting in a maximum cap of \$1,000,000 for a party fielding 25 candidates.

For the 2016 election, the capped expenditure period commenced on 1 January 2016 and concluded on polling day, 15 October 2016. The expenditure caps that applied were:

- \$40,000 per candidate to a maximum of 25 candidates for party groupings (with a maximum of 5 candidates in each of the 5 electorates);
- \$40,000 per non-party MLA or non-party candidate;
- \$40,000 per associated entity; and
- \$40,000 per third-party campaigner.

For future elections, the expenditure cap amount will be indexed to increase with the Consumer Price Index.

Three cases arose during the election where it appeared that the expenditure cap had been breached. According to election disclosure returns submitted by 2 third-party campaigners and made public on the Elections ACT website on 1 February 2017, with a 3rd third party campaigner submitting an amended return which included changes that indicated a breach of the expenditure cap, it appeared that the United Firefighters Union of Australia A.C.T Branch had spent \$40,697.40, the Trades Hall Building Ltd had spent \$41,720.78 and the Licensed Clubs Association of the ACT (trading as ClubsACT) had spent \$56,190.20 on election expenditure.

Under section 205G of the Electoral Act, where a third-party campaigner exceeds the expenditure cap for an election, the expender is liable to pay a penalty to the ACT equal to twice the amount by which the expenditure exceeds the expenditure cap for the election.

At the time of writing this report, the Electoral Commissioner was commencing investigations into the apparent breach of the expenditure cap by the above 3 third-party campaigners. These investigations will take into account audits of these entities conducted on behalf of the Commissioner. The result of these investigations, including any action taken to impose penalties, will be published on the Elections ACT website.

The Commission notes that it discussed the issue of the level of the expenditure cap applied to non-party candidates and third-party campaigners in its report to the Legislative Assembly on its response to the Voting Matters report and other issues. (See www.elections.act.gov.au/__data/assets/pdf_file/0004/838300/2014Report_to_the_Assembly_proposed_changes_to_Electoral_Act_-_accessible.pdf)

In that report, in relation to the then Committee recommendation to reduce the expenditure cap level to \$40,000, the Commission stated:

The Commission notes that this recommendation is aimed at ensuring that the cap applying to parties fielding as many candidates as there are vacancies (proposed to increase to 25 at the 2016 election) remains at around the \$1 million mark (compared to the cap at the 2012 election: \$60,000 per candidate up to 17 candidates per party, totalling \$1.02 million). However, the Commission also notes that one effect of this change would be to reduce the amount an independent candidate can spend from over \$62,530 indexed currently to \$40,000 at the 2016 election.

It could be argued that this amount is so low as to unreasonably disadvantage an independent candidate, as it could prevent such a candidate from effectively campaigning for an election. It may be possible to argue that such a restriction might be said to impermissibly burden the freedom of political communication implied by the Commonwealth Constitution.

One way to address this might be to apply a lower cap to party candidates and a larger cap to ungrouped/independent candidates.

The Commission **recommends** that the Assembly consider whether it should amend the Electoral Act to increase the expenditure cap applied to ungrouped candidates to avoid the risk of impermissibly burdening the freedom of political communication implied by the Commonwealth Constitution.

A further consideration is the expenditure cap applied to third-party campaigners. The Committee stated at 3.50 that "The Committee does not see any compelling reason to change the expenditure cap for third-party campaigners". This amount is currently set at \$62,530 and is indexed annually. It is assumed that the Committee intends the expenditure cap for third-party campaigners to remain at this higher level.

The Commission notes that the expenditure cap for third-party campaigners is currently tied to the expenditure cap for candidates. Consequently, if the Electoral Act is to be amended to lower the expenditure cap for candidates, a further amendment will be required to provide for a separate cap for third-party campaigners set at the current higher level.

Even if the expenditure cap for third-party campaigners remains at the \$62,530 level (indexed), it could be argued that this amount is still so low as to unreasonably disadvantage a third-party campaigner from participating in an election campaign. The Commission notes that two third-party campaigners inadvertently breached the expenditure cap at the 2012 election with a relatively small amount of newspaper advertising. Again, it may be possible to argue that such a restriction might be said to impermissibly burden the freedom of political communication implied by the Commonwealth Constitution.

The Commission **recommends** that the Assembly consider whether it should amend the Electoral Act to increase the expenditure cap applied to third-party campaigners to avoid the risk of impermissibly burdening the freedom of political communication implied by the Commonwealth Constitution.

The Commission considers that these observations are still valid, and notes that, as was the case in 2012, a number of third-party campaigners in 2016 appear to have overspent the expenditure cap. Accordingly, the Commission considers it appropriate to restate the above recommendations in this report, for consideration by the current Assembly.

The Commission **recommends** that the Assembly consider whether it should amend the Electoral Act to increase the expenditure cap applied to ungrouped candidates to avoid the risk of impermissibly burdening the freedom of political communication implied by the Commonwealth Constitution.

The Commission **recommends** that the Assembly consider whether it should amend the Electoral Act to increase the expenditure cap applied to third-party campaigners to avoid the risk of impermissibly burdening the freedom of political communication implied by the Commonwealth Constitution.

Limits on anonymous gifts

Under the changes to the Electoral Act that came into force on 3 March 2015, political entities are not permitted to:

- Accept single anonymous gifts in excess of \$1,000 or more (if such a gift is received, it is payable by the recipient to the Territory; if it is not paid to the Territory, it may be recovered as a debt to the Territory); or
- Accept anonymous gifts totalling in excess of \$25,000 in a financial year (if this occurs, the entity must pay to the Territory an amount equal to the amount received in excess of \$25,000).

As at the time of writing this report, no evidence of any breaches of these provisions had been obtained. The Commissioner will conduct a series of audits of political entities with disclosure obligations to monitor compliance with these provisions. Investigations into transactions that occurred in relation to the 2016 election will not be completed until around June 2017.

Disclosure of financial transactions

Following the changes to the disclosure scheme made in 2015, 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. This timeline was met in 2016.

Further changes were made in 2015 to the timing for the regular reporting of gifts:

- 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 7 days after the total amount received from the person reaches \$1,000; and
- 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.

The Electoral Commissioner must then publish these returns as soon as practicable after receiving them. In practice, this was usually achieved within a day or so. From July 2016 up to polling day, being the 7 days reporting period for the disclosure of gifts totalling \$1,000 or more in the lead-up to the 2016 election, 611 separate gifts, totalling over \$1,770,000, had been disclosed and published on the Elections ACT website.

Following the 2016 election, election returns outlining donations received and expenditure on electoral matter were received from non-party candidates and third-party campaigners, and election returns outlining details of electoral expenditure were also received from all registered political parties that contested the election. Election disclosure returns outlining details of those who bought electoral advertising were received from 5 publishers and 7 broadcasters.

All election returns received before the due publication date were made available for public inspection on 1 February 2017. Returns were made available at the office of the Electoral Commissioner and on the Elections ACT website.

Publication of personal information in disclosure returns

Section 243(5) of the Electoral Act was amended by the *Electoral Amendment Act 2015*, to provide that, where the Commissioner publishes a disclosure return (on the Elections ACT website, for example), and the return includes information about a gift made by an individual, the Commissioner must not publish the individual's full home address.

Elections ACT has taken this provision to apply to all the information published on the Elections ACT website from all disclosure returns, including past returns back to 1993/1994.

However, while section 243(5) refers only to gifts made by an individual, the various disclosure return requirements (both current and historical) in many cases refer to amounts received of all kinds, not just gifts. Therefore many returns do not require submitters to distinguish between amounts that are gifts and amounts that are other receipts (rent payments, for example).

In order to ensure that section 243(5) has been complied with, Elections ACT has taken this provision to relate to all receipts from individuals, and has removed these address details from all disclosure returns published online on the Elections ACT website.

Elections ACT considers that the policy intent of this provision is to prevent the online disclosure of address details of individuals paying money to political entities, in order to protect privacy. The reference to "gift" in section 243(5) is arguably a drafting error, as various returns require disclosure of all receipts, and are not required to separately identify gifts. Further, it would be appropriate to extend this provision to cover all those who have paid money to political entities, whether gifts or other payments, in order to protect the privacy of those who have made such payments.

The Commission **recommends** that section 243(5) of the Electoral Act should be amended to alter the reference to "information about a gift made by an individual" to "information about an amount received from an individual".

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.

There were 33,113 electors who apparently did not vote at the 2016 election.

By subtracting the number of votes counted from the total enrolment, a total of 32,702 electors had apparently failed to vote at the 2016 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 of declaration voters whose names were not included on the roll but whose votes were admitted to the count.

The 2016 election again saw an increase in the number and percentage of apparent non-voters compared to the previous election in 2012. This represents the highest percentage of apparent non-voters of any ACT Assembly election.

This increase may be due in large part to the success of the AEC's federal direct enrolment and update program, which, together with the 1 July 2016 federal election, saw the ACT electoral roll achieve close to 100% enrolment of eligible citizens. This increase in the proportion of eligible citizens enrolled presumably included the enrolment of people who had in the past avoided both enrolment and voting. It is noteworthy that the increase in the percentage of non-voters coincided with the highest proportion of voters participating in 2016 of the last 4 elections, when turnout is measured as a proportion of eligible citizens.

Another significant factor impacting on the ACT's relatively poor turnout is the fact, observed at all previous ACT elections, that Territory elections do not achieve the same level of turnout achieved at federal elections. A comparison with State, Territory and federal elections indicates that State and Territory elections simply do not attract the same level of participation from electors. This could be the result of a number of factors, including greater engagement with federal politics and the greater national and international media coverage devoted to federal elections.

The following table show the percentage of apparent non-voters for ACT elections since 1995.

Table 31 - Percentage of non-voters at ACT elections

1995	1998	2001	2004	2008	2012	2016
10.5%	8.1%	9.1%	7.2%	9.6%	10.7%	11.7%

The following table shows the percentage of non-voters at each of the most recent State/Territory and federal elections.

Table 32 - Percentage of non-voters at federal/State elections

	2013	2014	2015	2016
NSW			9.5%	
Vic		7.0%		
Qld			10.1%	
WA	10.8%			
SA		8.0%		
Tas		6.5%		
ACT				11.7%
NT				26.0%
Federal				9.0%

A total of 11,741 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.

On 9 December 2016, 21,372 electors were sent an apparent non-voter notice.

On 9 February 2017 Elections ACT sent reminder 'second notices' to the 10,738 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.

The following table outlines the replies received up to 6 February 2017, compared with the total replies for the 2008 and 2012 elections. Non-voter processes will continue into the 2016/2017 year.

Table 33 – Non-voter statistics for the 2008, 2012 and 2016 elections

Details	2008	2012	2016 ³
Total enrolment	243,471	256,702	283,162
Votes counted	220,019	229,125	250,460
Number of apparent non-voters	23,452	27,577	33,113
Valid reason for not voting provided before notices sent ¹	8,119	9,623	11,741
Number of electors sent non-voters notice ²	16,673	19,097	21,372
Elector claimed to have voted	307	801	254
Elector unable to vote due to mental incapacity or being infirm	120	45	49
Elector deceased	15	12	23
Other valid and sufficient reason provided	5,291	4,533	3867
\$20 penalty paid	3,422	4,250	3931
Elector moved permanently interstate or overseas	1,518	2,238	1483
Letter returned undelivered	5,481	6,048	1280
No valid and sufficient reason provided and penalty not paid	23	17	19
No reply	496	1,153	10,460

Note 1: 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.

Note 2: 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.

Note 3: At the time of preparing this report the non-voter process was yet to be finalised. 2016 figures are not final.

These statistics indicate some notable results. After the 2012 election, 801 electors who were sent non-voter notices claimed to have voted, compared to 254 such electors so far responding in 2016/2017. This appears to indicate that the procedural change introduced for the 2016 election, requiring issuing officers to rotate the screen of the laptop around so that the elector being served could confirm that they were indeed the elector selected on the roll, appears to have reduced the number of occurrences where an elector was incorrectly selected from the roll.

While the 2016 non-voter process is yet to be finalised at the time of preparing this report, the fact that only 1,280 non-voter notices have so far been returned undelivered, compared to 6,048 in total at the 2012 election, would appear to indicate that the electoral roll in 2016 was more complete in comparison to the roll in 2012, due largely to the direct enrolment and update system introduced by the AEC and the proximity of the federal election in July 2016. The completeness of the electoral has been discussed in more detail under **Electoral Roll** on page 15.

After the completion of the 2012 non-voter process, a total of 4,250 electors paid the \$20 fine for failure to vote. For the 2016 election, 3,931 electors have paid the fine at the time of preparing the report, shortly after the second notices had been 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 2017.

As argued in the 2012 election report, 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 and the marked increase in the number of electors failing to respond to non-voter notices 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. This in turn may have contributed to the record high number of non-voters in 2016.

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 Australia 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 \$77.73 in Victoria. The penalty in Tasmania is \$31.40, \$70 in South Australia, \$55 in New South Wales, and \$60.95 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 $\frac{1}{2}$ a penalty unit (plus court costs). With one penalty unit currently set at \$150, this penalty is \$75. 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 $\frac{1}{4}$ 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 \$35.

Given the above considerations, 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 $\frac{1}{4}$ of a penalty unit, rounded down to the nearest \$5.

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 (\$7,500 at the time of the 2016 election), or imprisonment for 6 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, 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 polling day. In ACT elections, no elector has ever been prosecuted for deliberate and systematic multiple voting.

The introduction of networked electoral rolls (eLAPPS) in 2012, used again in 2016, limited the opportunity for people to fraudulently vote more than once. The eLAPPS 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 eLAPPS 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.

A change to issuing procedure introduced for the 2016 election, requiring issuing officers to rotate the screen of the laptop around so that the elector being served could confirm that they were indeed the elector selected on the roll, appears to have reduced the number of occurrences where an elector was incorrectly selected from the roll.

In 2016 there were 87 cases (123 cases in 2012) 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, 73 of these declaration votes were admitted to the count, 14 were rejected, only 7 of which required further investigation for potential deliberate multiple voting.

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 10 names had been marked more than once without an obvious and apparent explanation. Of these 8 were in relation to electors from the electorate of Yerrabi, 1 from Brindabella and 1 from Kurrajong. There were no cases of apparent multiple voting requiring further investigation from the electorates of Ginninderra and Murrumbidgee.

At the time of preparing this report, of the 10 electors sent further investigation notices, 9 had replied with responses deemed to be acceptable explanations for the apparent multiple votes and 1 had not yet replied. The Commission considers that these multiple voting investigations do not 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 2016 election was 2.5%, the lowest ever rate of informal voting at an ACT Legislative Assembly election.

Table 34 - Informal voting in the ACT

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

The following table provides the results of a survey of all informal paper ballots, categorised by the reason for their informality.

Table 35 – Breakdown of informal paper ballots by reason for informality

Informal type	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
Electronic informal	168	11.9%	167	12.1%	107	10.2%	91	7.3%	187	15.0%	720	11.4%
Electronic barcodes issued - no vote recorded	118	8.4%	99	7.2%	54	5.1%	96	7.7%	63	5.1%	430	6.8%
Identify the voter	3	0.2%	3	0.2%	5	0.5%	2	0.2%	0	0.0%	13	0.2%
Totally blank	379	26.9%	338	24.4%	287	27.3%	319	25.7%	319	25.6%	1642	25.9%
Ticket vote – a preference for one or more parties	2	0.1%	6	0.4%	11	1.0%	11	0.9%	6	0.5%	36	0.6%
Numbers but no number 1	46	3.3%	42	3.0%	22	2.1%	34	2.7%	36	2.9%	180	2.8%
A single tick	3	0.2%	6	0.4%	3	0.3%	8	0.6%	6	0.5%	26	0.4%
A single cross	1	0.1%	3	0.2%	4	0.4%	5	0.4%	7	0.6%	20	0.3%
Consecutive numbering from 1 in every column	35	2.5%	51	3.7%	46	4.4%	35	2.8%	43	3.4%	210	3.3%
Consecutive numbering from 1 in 2 or more columns but not all	124	8.8%	131	9.5%	89	8.5%	102	8.2%	67	5.4%	513	8.1%
A first preference in every column only	3	0.2%	6	0.4%	10	1.0%	9	0.7%	5	0.4%	33	0.5%
A first preference for all candidates in one column only	44	3.1%	35	2.5%	37	3.5%	58	4.7%	39	3.1%	213	3.4%
A first preference in every box	19	1.3%	13	0.9%	17	1.6%	10	0.8%	13	1.0%	72	1.1%
More first preferences than number of columns	16	1.1%	12	0.9%	13	1.2%	16	1.3%	11	0.9%	68	1.1%
With 9 first preferences	4	0.3%	4	0.3%		0.0%	7	0.6%	2	0.2%	17	0.3%
With 8 first preferences	3	0.2%	4	0.3%	4	0.4%	8	0.6%	4	0.3%	23	0.4%
With 7 first preferences	7	0.5%	8	0.6%	7	0.7%	4	0.3%	9	0.7%	35	0.6%
With 6 first preferences	11	0.8%	10	0.7%	8	0.8%	8	0.6%	7	0.6%	44	0.7%
With 5 first preferences	34	2.4%	38	2.7%	53	5.0%	44	3.5%	56	4.5%	225	3.6%
With 4 first preferences	9	0.6%	12	0.9%	11	1.0%	11	0.9%	14	1.1%	57	0.9%
With 3 first preferences	13	0.9%	22	1.6%	6	0.6%	19	1.5%	28	2.2%	88	1.4%
With 2 first preferences	45	3.2%	49	3.5%	39	3.7%	57	4.6%	46	3.7%	236	3.7%
Voter has "written in" a candidate	20	1.4%	20	1.4%	20	1.9%	33	2.7%	32	2.6%	125	2.0%
Marks/writing/lines/scrabbles/slogans/stickers only	299	21.2%	299	21.6%	195	18.5%	251	20.2%	244	19.6%	1288	20.3%
Not enclosed in a declaration envelope	2	0.1%	5	0.4%	2	0.2%	3	0.2%	1	0.1%	13	0.2%
Other	0	0.0%	1	0.1%	2	0.2%	0	0.0%	2	0.2%	5	0.1%
Total	1408		1384		1052		1241		1247		6332	

The following table 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 36 – Comparison of rate of informal voting – paper v electronic ballots

	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		ACT Total	
	Votes	%	Votes	%	Votes	%	Votes	%	Votes	%	Votes	%
Informal paper ballots	1122	3.3%	1118	3.5%	891	2.5%	1054	2.8%	997	3.2%	5182	3.1%
Total paper ballots	33672		31615		35128		37316		31191		168922	
Informal electronic ballots ¹	286	2.0%	266	1.6%	161	1.1%	187	1.3%	250	1.2%	1150	1.4%
Total electronic ballots	14566		16911		14772		13980		21309		81538	
Total Informal ballots	1408	2.9%	1384	2.9%	1052	2.1%	1241	2.4%	1247	2.4%	6332	2.5%
Total ballots	48238		48526		49900		51296		52500		250460	

Note 1: this table includes 430 discarded barcodes issued to electors but not used to cast a vote in the informal electronic ballots category.

This table indicates a marked difference between the informal rates of electors using electronic voting (a total of 1.4%) compared to those using paper ballots (3.1%). 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 2.5% in 2016.

By comparison, in 2012, 2.4% of electronic votes were informal and 3.8% of paper ballots were informal, leading to an ACT total informal rate of 3.5%. This indicates that informal voting rates fell between 2012 and 2016 in both the electronic and the paper vote categories.

One contributing factor to the reduction in the number of electronic informal votes was a change made to the eVACS[®] voting screen that it made it more difficult for voters to inadvertently cast an informal vote. At elections up to 2012, electors were presented with one warning screen if they attempted to finish their vote without selecting any candidates. If they scanned their barcode at the warning screen, the ballot would be counted as informal. Reports from 2012 election indicated that a significant number of voters were inadvertently casting informal votes in this way. As a response to this issue, the eVACS[®] voting screens were amended to present voters with a series of warning screens that made it more difficult for voters to inadvertently cast an informal vote. This appears to have resulted in significantly fewer informal electronic votes.

While it is not possible to know with any certainty what was in the minds of the electors whose votes were counted as informal, the above two tables give some indication that the number of informal voters who were attempting to vote formally was particularly low in 2016.

Current and previous informal vote surveys show clearly that many informal votes are deliberately cast. 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 results of the 2016 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 at a level equivalent to those who routinely cast deliberate informal votes.

Of the 720 electors who correctly recorded an informal vote on eVACS®, they all had to navigate several computer screens that warned that, if they proceeded, they would cast an informal vote. It is reasonable to assume that the great majority of these electors deliberately cast informal votes. Of the 430 electors who were issued with a barcode but did not use them to cast an electronic vote, it is likely that many of them deliberately placed their unused barcodes directly in a ballot box, in the same way that 1642 electors cast a totally blank paper ballot.

It is also possible that some of those electors who did not correctly complete an electronic vote using their barcode may have inadvertently cast what was effectively a blank informal 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 barcode a second time to finish their vote. However, each electronic polling place employed “e-vote helpers”, who were responsible for monitoring electors as they voted, to ensure in particular that voters did not leave the voting screens without correctly completing their votes. Ballot box guards were also instructed to ask voters if they had seen the confirmation screen before they deposited their barcodes in the ballot box.

While polling places did not systematically report numbers of electronic votes that were started but not correctly completed, Elections ACT senior staff were not made aware of any large numbers of unfinished electronic votes being detected in the polling places.

In order to minimise inadvertent electronic voting at the 2020 election, Elections ACT will consider amending the eVACS® program to enable the number of votes started with a first scan but not completed with a second scan to be counted and reported in statistics output from eVACS®. Elections ACT will also look at altering the format of the confirmation screen to see whether unfinished votes can be made to stand out so that they will be more easily seen by e-vote helpers.

It is noteworthy that the proportion of informal votes cast by electronic voters were significantly less than the proportion of informal votes cast by voters using paper ballots. This followed the trend evident at the 2001, 2004, 2008 and 2012 elections. This outcome continues to show that voters using the electronic voting system are less likely to cast an informal vote. This in turn is an argument for extending the electronic voting system to as many voters as possible.

Of the 5182 electors who cast informal votes using paper ballots, it is likely that the majority of these were cast deliberately.

In particular, the paper ballots that were left blank, as well as those with only writing, lines and scribbles, or “written in” candidates could be considered to be intentionally informal – these categories account for 3,055 or 59.0% of informal paper ballots (compared to 57.6% in 2012 and 49.8% in 2008). In addition, it is arguable that the majority of the informal ballots that have numbers but no first preference or a first preference in every box are intentional - these categories account for a further 252 or 4.9% of informal paper ballots (compared to 3.6% in 2012 and 4.1% in 2008).

A total of 1,808 or 34.9% of informal paper voters used ticks or crosses or some numbers but no unique first preference (compared to 37.7% in 2012 and 45.7% in 2008). Although it is likely that the majority of these were intentionally informal, it is possible that some are not, particularly those that have numbers 1 to n, in each column, where n is the number of candidates in the column. It is possible that these voters believed that they needed to vote for candidates starting with 1 in each column. However, there were only 210 informal votes in this category. The number of voters using single ticks or crosses – 46 – was very low.

This was an area identified for improvement in both the 2012 and the 2008 election reports. As a result, added emphasis on correctly numbering ballot papers was included

in 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 pre-poll centre highlighting the correct method of numbering ballot papers. The brochures delivered to all households and some of the signs placed in bus shelters also stressed correct numbering. It would appear from the drop in the total number and proportion of informal votes in 2016 compared to 2012 that this strategy had 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 61-66 – Length of sequence shows for each electorate in 2016 the length of sequence of each ballot paper, recording how far each elector indicated preferences in an unbroken sequence.

Around 98.8% of all formal voters in 2016 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 63.8% of formal voters indicated exactly as many preferences as there were vacancies in the electorate (down from around 72% in 2012).

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

Around 7.8% of formal voters marked preferences for every candidate, compared to 7.2% in 2012. On an electorate basis, the highest number of formal voters marking preferences for every candidate was 9.2% in Kurrajong.

The formality rules 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. Around 1.2% of electors who cast a formal ballot failed to number at least as many preferences as there were vacancies in the electorate (compared to 1.7% of electors in Brindabella, 1.6 % in Ginninderra and 2.5% of formal voters in Molonglo 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 reduction in the proportion of these ballots compared to 2012 may indicate that the additional effort expended by Elections ACT to inform electors of the correct numbering instructions had an impact on reducing this occurrence.

Table 61 – 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 1,068 ballot papers contained a repeated number (compared to 780 in 2012 and 1,142 in 2008), and a total of 719 ballot papers missed a number in the sequence (compared to 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.

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 64% of all formal voters only showed the recommended minimum number of preferences.

There is no readily apparent reason for the 2016 increases in the numbers of ballots with breaks in the sequence and repeated numbers compared to 2012. As electronic voting does not permit voters to make mistakes in their numbering of candidates, all of these mistakes were made on paper ballots. The number of formal paper ballots cast in 2016 (163,740) was in the same order as the number of formal paper ballots cast in 2012 (163,407).

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

2016 election budget

The Commission's total expenditure for the 2016 ACT Legislative Assembly election is estimated to be around \$4.854 mil. This includes around \$1.7 mil for public funding for parties and candidates. The Commission was also allocated capital funding of \$0.444 mil for the upgrade of electoral ICT projects over the 3 years from 2014/2015 to 2016/2017.

The Commission had sought and received budget funding for the 2016 election and future elections to cover increasing cost pressures. These included salary increases for polling officials; the rising cost of advertising, general materials and postage rates; hire of polling places and ICT services, together with increases related to population growth.

Additional funding was also provided to the Commission for the employment of temporary Public Sector Management Act staff commencing earlier than July 2016. This change in staffing arrangements enabled the Commission to spread its critical workload, provide back-up for key permanent staff, and allow sufficient time for temporary staff to gain sufficient knowledge and confidence to manage their projects independently and with minimal supervision.

As the Commission's permanent accommodation in North Building, Civic Square is only large enough to house its permanent core staff, additional accommodation was required during the 2016 election. The Commission moved to Level 9 Eclipse House from November 2015 to accommodate the increase in staffing and used the North Building space as its election materials hub. The Commission also leased Level 5 Eclipse House from September 2016 as a pre-poll centre and election scrutiny centre. Although temporary accommodation costs for 2016 were significantly higher than expected, Eclipse House was an ideal choice for this purpose due to its location, size and inherent building security system. This was offset by the Commission's use of North Building as materials hub which allowed easy accessibility to materials storage and reduced costs compared with renting an alternative commercial storage space.

The *Electoral Amendment Act 2015* legislated for an increase in election funding for parties and non-party candidates from \$2 per vote to \$8 per vote at the 2016 election. The Commission received additional funding to cover the increase of \$6 per vote not included in the Commission's original 2016 election budget.

Expenditure on the 2016 election and the election ICT projects was within the budget allocations. The Commission's 2016/2017 Annual Report will provide more detail on the Commission's budget outcomes for the financial year.

The following table shows the Commission's 2016 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 37 – 2016 election expenditure

Expenditure	Cost \$ (GST excl)
Information campaign	449,676
Materials and general printing	100,920
Other ICT systems hosting, hardware purchase and support	280,376
Scrutiny	124,181
Shared Services ICT project management costs & hardware hire costs	47,142
Staff	1,479,474
Election visitor program	4,959
Temporary office accommodation	241,126
Venue hire	193,784
Voting (including electronic voting, postal voting, general voting and non-voters)	215,119
Total not including public funding	3,136,757
Public funding of parties and candidates	1,716,784
Total including public funding	4,853,541

Performance audit conducted by the ACT Auditor General's Office

The ACT Auditor General's *Performance Audit Program 2016-17* was published on 17 June 2016. The program included a proposed performance audit of the conduct of the 2016 ACT Legislative Assembly election.

This audit commenced during the lead-up to the October 2016 ACT election. A team of auditors from the ACT Auditor General's Office closely observed the conduct of the election and consulted with a wide range of Elections ACT staff and with the Members of the Commission.

The audit report was published by the ACT Auditor General and tabled in the Legislative Assembly on 16 February 2017. A copy of the report can be found at **www.audit.act.gov.au/reports2017.htm**.

The report concluded:

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.

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

The Commission's response to the audit report is included in the audit report.

Officers of the Legislative Assembly status

From 1 July 2014, the members of the ACT Electoral Commission became officers of the Legislative Assembly, following the commencement of the *Officers of the Assembly Legislation Amendment Act 2013*. This change in the status of the Commission reinforced the Commission's statutory independence from the Executive. In particular, it altered the reporting lines set out in the Electoral Act.

In accordance with the changes made by the Amendment Act, the Commission's annual reports from 2013/2014 and its special reports such as this election report are now presented to the Speaker of the ACT Legislative Assembly. Previous annual reports and special reports were submitted to the Minister responsible for the Electoral Act.

A key change resulting from the establishment of the Commission Members as officers of the Assembly is the allocation of the electoral services budget directly to the Commission, and the granting of director-general powers to the Electoral Commissioner under the *Financial Management Act 1996*.

Previously, the electoral services budget was allocated to the Commission's portfolio Directorate, the Justice and Community Safety Directorate (JACS), and the Commissioner exercised financial powers as a delegate of the director-general of that Directorate. Under this previous arrangement, the formal budget statement relating to the Electoral Commission was published in the JACS annual report.

As a result of the changes that took effect from 1 July 2014, the Commission for the first time became responsible for publishing its formal budget statement in its 2014/2015 annual report.

In 2016, the Speaker commenced negotiations with the Chief Minister on a draft *Budget protocols agreement for the Office of the Legislative Assembly and Officers of the Legislative Assembly*. The intent of this draft agreement is to codify the budget arrangements unique to the Office of the Legislative Assembly and the Officers of the Assembly, including the Electoral Commission. The Commission is supportive of this draft agreement. As at the time of writing this report, consultation at officer level on finalising this agreement was underway.

The Commission considers that the transition to officers of the Assembly status has been very successful. The Commission fully supports the changes made to establish the Commission Members as officers of the Legislative Assembly.

Appendix 1 – Votes cast at the 2016 ACT election

This Appendix shows details of the total votes cast at the 2016 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 38 – Summary of all first preference votes

Party/ Group	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
AJP	1106	2.36%	444	0.94%	602	1.23%	1071	2.14%	458	0.89%	3681	1.51%
ALP	15744	33.62%	19494	41.35%	18796	38.48%	17265	34.49%	22512	43.92%	93811	38.43%
ASP	3694	7.89%					1746	3.49%	2034	3.97%	7474	3.06%
CAP							413	0.83%			413	0.17%
CCV			814	1.73%	889	1.82%					1703	0.70%
GREEN	2399	5.12%	4573	9.70%	9165	18.76%	5325	10.64%	3634	7.09%	25096	10.28%
LDP	1175	2.51%	587		1057	2.16%	813	1.62%	1396	2.72%	5028	2.06%
LIB	19606	41.87%	15095	32.02%	15140	30.99%	21425	42.80%	18366	35.83%	89632	36.72%
LIKE	442	0.94%	450	0.95%	419	0.86%	658	1.31%	655	1.28%	2624	1.07%
SUST	697	1.49%	1105	2.34%	645	1.32%	652	1.30%	732	1.43%	3831	1.57%
UNG	1967	4.20%	4580	9.72%	2135	4.37%	687	1.37%	1466	2.86%	10835	4.44%
Formal	46830	97.08%	47142	97.15%	48848	97.89%	50055	97.58%	51253	97.62%	244128	97.47%
Informal	1408	2.92%	1384	2.85%	1052	2.11%	1241	2.42%	1247	2.38%	6332	2.53%
Total	48238		48526		49900		51296		52500		250460	
Enrolment	53614		54585		59010		57058		58895		283162	
Total votes as % of enrolment	89.97%		88.90%		84.56%		89.90%		89.14%		88.45%	

Table 39 – Summary of all first preference votes at e-voting polling places

Party/ Group	Brindabella		Ginninderra		Kurrajong		Murrumbidgee		Yerrabi		Total	
AJP	404	2.29%	160	0.84%	192	1.18%	350	2.19%	182	0.80%	1288	1.40%
ALP	5824	33.03%	7769	41.00%	6277	38.44%	5381	33.63%	10074	44.10%	35325	38.50%
ASP	1115	6.32%					480	3.00%	811	3.55%	2406	2.62%
CAP							161	1.01%			161	0.18%
CCV			356	1.88%	289	1.77%					645	0.70%
GREEN	835	4.74%	1781	9.40%	3009	18.43%	1602	10.01%	1389	6.08%	8616	9.39%
LDP	458	2.60%	257	1.36%	424	2.60%	304	1.90%	766	3.35%	2209	2.41%
LIB	7817	44.34%	6259	33.03%	5164	31.62%	7038	43.99%	8452	37.00%	34730	37.85%
LIKE	171	0.97%	183	0.97%	143	0.88%	250	1.56%	302	1.32%	1049	1.14%
SUST	321	1.82%	509	2.69%	214	1.31%	226	1.41%	314	1.37%	1584	1.73%
UNG	686	3.89%	1673	8.83%	618	3.78%	207	1.29%	555	2.43%	3739	4.08%
Formal	17631	97.55%	18947	97.96%	16330	98.46%	15999	98.18%	22845	98.46%	91752	97.47%
Informal	442	2.45%	395	2.04%	255	1.54%	297	1.82%	358	1.54%	1747	2.53%
Total	18073	100%	19342	100%	16585	100%	16296	100%	23203	100%	93499	100%
Total votes from all sources	48238		48526		49900		51296		52500		250460	
Total votes at e-voting centres as % of total votes	37.47%		39.89%		33.24%		31.77%		44.20%		37.33%	

Table 40 – Summary of electronic first preference votes at e-voting polling places

Party/ Group	Brindabella Electronic votes		Ginninderra Electronic votes		Kurrajong Electronic votes		Murrumbidgee Electronic votes		Yerrabi Electronic votes		ACT total Electronic votes	
AJP	344	2.41%	151	0.91%	173	1.18%	306	2.22%	166	0.79%	1140	1.42%
ALP	4837	33.87%	7005	42.08%	5750	39.35%	4795	34.76%	9341	44.36%	31728	39.47%
ASP	1014	7.10%					427	3.10%	751	3.57%	2192	2.73%
CAP							133	0.96%			133	0.17%
CCV			299	1.80%	221	1.51%					520	0.65%
GREEN	754	5.28%	1695	10.18%	2846	19.48%	1496	10.85%	1316	6.25%	8107	10.08%
LDP	391	2.74%	236	1.42%	366	2.50%	263	1.91%	716	3.40%	1972	2.45%
LIB	5970	41.81%	5174	31.08%	4418	30.24%	5788	41.96%	7670	36.42%	29020	36.10%
LIKE	142	0.99%	166	1.00%	137	0.94%	231	1.67%	290	1.38%	966	1.20%
SUST	281	1.97%	433	2.60%	188	1.29%	190	1.38%	289	1.37%	1381	1.72%
UNG	547	3.83%	1486	8.93%	512	3.50%	164	1.19%	520	2.47%	3229	4.02%
Formal	14280	98.04%	16645	98.43%	14611	98.91%	13793	98.66%	21059	98.83%	80388	98.59%
Informal	286	1.96%	266	1.57%	161	1.09%	187	1.34%	250	1.17%	1150	1.41%
Total	14566	30.20%	16911	34.85%	14772	29.60%	13980	27.25%	21309	40.59%	81538	32.56%

Table 41 – Summary of paper first preference votes at e-voting polling places

Party/ Group	Brindabella paper votes		Ginninderra paper votes		Kurrajong paper votes		Murrumbidgee paper votes		Yerrabi paper votes		ACT total paper votes	
AJP	60	1.79%	9	0.39%	19	1.11%	44	1.99%	16	0.90%	148	1.30%
ALP	987	29.45%	764	33.19%	527	30.66%	586	26.56%	733	41.04%	3597	31.65%
ASP	101	3.01%					53	2.40%	60	3.36%	214	1.88%
CAP							28	1.27%			28	0.25%
CCV			57	2.48%	68	3.96%					125	1.10%
GREEN	81	2.42%	86	3.74%	163	9.48%	106	4.81%	73	4.09%	509	4.48%
LDP	67	2.00%	21	0.91%	58	3.37%	41	1.86%	50	2.80%	237	2.09%
LIB	1847	55.12%	1085	47.13%	746	43.40%	1250	56.66%	782	43.78%	5710	50.25%
LIKE	29	0.87%	17	0.74%	6	0.35%	19	0.86%	12	0.67%	83	0.73%
SUST	40	1.19%	76	3.30%	26	1.51%	36	1.63%	25	1.40%	203	1.79%
UNG	139	4.15%	187	8.12%	106	6.17%	43	1.95%	35	1.96%	510	4.49%
Formal	3351	95.55%	2302	94.69%	1719	94.82%	2206	95.25%	1786	94.30%	11364	95.01%
Informal	156	4.45%	129	5.31%	94	5.18%	110	4.75%	108	5.70%	597	4.99%
Total	3507	19.40%	2431	12.57%	1813	10.93%	2316	14.21%	1894	8.16%	11961	12.79%

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 2016 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 42 – Information sources used to locate an ACT polling place

Q: In which of these ways did you find out about the location of this polling place?

	1998	2001	2004	2008	2012	2016
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
TV, radio and newspaper (news or advertisements)	34	14	12	14	9	6
Elections ACT brochure (letterbox or newspaper insert)	7	8	7	11	18	21
Through relatives/friends	8	11	10	15	6	7
Elections ACT website	-	1	3	4	12	26
Voted where always vote	65	57	55	57	33	36
Other (expected polling place to be at local school or hall)	-	15	15	8	34	1
Social media	-	-	-	-	0	3
Online advertisements	-	-	-	-	0	1
Bus stop advertisements	-	-	-	-	0	1
Miscellaneous	2	3	6	6	2	4

Note these results may sum to more than 100% as respondents could nominate more than one response.

The conclusion to draw from this data is that most people vote where they usually attend to vote, however the Elections ACT website continues to increase its important role in providing polling information to the ACT public. The media and the Elections ACT information brochures also continue to play a significant role in ensuring the public is provided with the information they require.

Table 43 – Usage and satisfaction with the Elections ACT website

Q: Did you access the elections ACT website to gain any information about the 2016 ACT election? If yes, how useful was this site in giving you information about the 2016 ACT election?

	2001	2004	2008	2012	2016
Sample size	500	500	545	505	571
	%	%	%	%	%
Yes	4	7	14	31	39
No	96	93	86	69	61
If Yes					
Very useful	26	35	32	54	43
Useful	37	54	57	36	48
Neither useful nor not useful	5	3	5	3	5
Not useful	16	3	3	3	4
Not useful at all	11	-	3	4	-
Unsure/don't know	5	5	-	-	-

Respondents were also asked what information they were seeking. Key information sought included the address of polling places (72%) and an explanation of electorates and the number of elected members (25%).

These findings show a strong level of voter satisfaction (91%) when using the Elections Act website and for most users the information sought was found (91%).

Table 44 – Awareness and use of the 2016 Elections ACT brochure

Q: 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
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Yes	69	70	81	69	71	76
No	22	22	12	23		21
Cannot remember	10	7	7	9	29	3
If Yes						
Yes, read it thoroughly	19	27	21	23	20	24
Yes, read parts needed to	19	15	17	21	33	34
Yes, read & talk to others about it	3	1	1	1	3	4
Yes, glanced at it quickly	23	27	30	23	26	20
No, did not look at it at all	34	27	30	23	15	15
No, lost it or threw it away	2	3	7	6	3	2
Don't know	-	-	-	1	-	1

The above findings show that seven in ten voters (76%) in 2016 could recall receiving the Elections ACT information brochure either delivered to the household or displayed as an insert in the Canberra Times. 82% of those respondents read the material.

Table 45 – Usage and usefulness of the 2016 Elections ACT social media network

Q: 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
Sample size	505	571
	%	%
Yes	28	26
No	72	74
Found to be useful?		
Yes, useful information	35	71
No, not useful	61	11
Unsure	4	18
Useful for future elections?		
Yes	37	48
No	51	45
Unsure	12	7

These measures show that the Elections ACT Social Media Network was accessed by 26% voters before the 2016 ACT Election. Over seven in ten (71%) 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 election.

Table 46 – Awareness of exclusion of handing out how-to-vote cards within 100-metres of polling places

Q: 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
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Yes	81	74	66	64	74	71
No	17	26	33	35	25	28
Unsure/don't know	1	-	1	1	1	1

These findings show that, while awareness of the 100-metre ban on canvassing has ebbed and flowed over time, a significant majority of ACT electors are aware of the ban.

Table 47 – Problems caused by lack of easy accessibility of how-to-vote cards

Q: 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
Sample size	500	500	545	505	571
	%	%	%	%	%
Yes	15	9	13	6	11
No	84	89	86	90	87
Unsure/don't know	1	1	1	4	2
Sample size	75	45	71	30	34
If Yes (multiple responses possible)	%	%	%	%	%
Disagree with ban on how-to-vote cards	40	49	29	50	31
Did not know who to vote for	41	62	52	30	49
New resident to the ACT & did not know what to do	NA	4	7	10	2
Other	37	2	15	10	36

Only around one in ten (11%) voters in 2016 found the ban on how to vote cards to be a problem. Of these, nearly half reported that they did not know who to vote for as a result of the ban. The number of people who disagreed with the ban as a principle declined in 2016 (31%).

Table 48 – Awareness of Robson rotation method

Q: 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
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Never heard of Robson rotation system	46	49	41	48	51	53
Have heard of Robson rotation but know nothing about it	13	14	10	7	7	5
Know some things about Robson rotation	23	26	22	20	25	25
Know all about Robson rotation	18	12	28	25	17	17

About 47% of voters claimed to have some knowledge of the Robson rotation system in 2016. This awareness continues to remain steady over time.

Table 49 – Voter awareness of the name of their electorate

Q: Can you tell me the name of your electorate?

	1998	2001	2004	2008	2012	2016
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Brindabella	27	24	27	31	22	11
Ginninderra	26	26	24	22	26	20
Kurrajong	-	-	-	-	-	21
Murrumbidgee	-	-	-	-	-	16
Yerrabi	-	-	-	-	-	18
Molonglo	40	39	38	35	36	-
Fenner	-	-	-	-	-	0
Canberra	-	1	-	-	1	1
Fraser	1	1	3	1	2	-
Other	-	-	1	1	1	0
Don't know	6	9	8	10	13	12

This shows that around 8 in 10 (86%) voters knew their electorate in 2016. While this has remained relatively consistent since 1998, the 2016 result is of considerable interest because it is the first time the electorates have changed since 1995. This indicates that Elections ACT's information campaign highlighting the change in electorate names and boundaries was successful.

Table 50 – Voter awareness of how many Members will be elected in their electorate

Q: Can you tell me how many Members are to be elected in your electorate?

	1998	2001	2004	2008	2012	2016
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
One	2	1	1	2	2	2
Five	39	31	33	36	35	54
Seven	28	28	28	24	23	1
Seventeen	-	-	-	1	1	1
Twenty five	-	-	-	-	-	1
Other	3	7	5	6	5	3
Don't know	28	33	33	34	36	38

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 5 or 7 depending on whether the elector was enrolled in Brindabella/Ginninderra or Molonglo respectively. In 2016 5 members were to be elected in each of the 5 electorates. Only 54% of voters in 2016 knew how many Members were elected in their electorate. This statistic has remained relatively consistent since 1998 however the 2016 figure is the lowest ever recorded in the ACT. 2016 however, also saw the greatest alteration to the configuration of the Assembly since 1995, indicating that the 2016 result is a positive reflection on the Elections ACT information campaign.

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 (47% awareness in 2016). Voter knowledge has remained high and stable (stable at 86% awareness in 2016) for voter awareness of the name of a voter's electorate. Awareness of the number of members to be elected in each electorate remained lower at 54% 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 51 – Voter perception of adequacy of instructions on ballot papers

Q: 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
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Very adequate	36	36	38	54	61	54
Adequate	51	54	55	36	32	41
Neither adequate nor inadequate	8	5	2	3	3	1
Inadequate	3	3	3	2	1	2
Very inadequate	1	1	1	2	1	-
Unsure/don't know	-	2	1	3	2	2

Voter satisfaction with the instructions given to explain how to fill out the ballot paper has been strongly positive since 1998, displaying around 90% satisfaction throughout. The 2016 election saw the highest number of voters considering the instructions to be very adequate or adequate at 95%.

Table 52 – Voter satisfaction with service delivery provided by ACT polling places

Q: 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
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Helpfulness						
Very helpful	51	49	48	63	71	84
Helpful	43	45	46	31	26	14
Neither helpful nor unhelpful	6	5	6	6	2	1
Unhelpful	-	1	-	-	1	1
Very unhelpful	-	-	-	-	-	-
Efficiency						
Very efficient	55	47	55	67	73	80
Efficient	38	47	42	30	24	18
Neither efficient nor inefficient	6	4	3	3	1	1
Inefficient	1	2	1	-	1	1
Very inefficient	-	-	-	-	1	-
Friendliness						
Very friendly	53	48	52	67	75	79
Friendly	42	48	44	30	21	19
Neither friendly nor rude	5	4	4	3	4	1
Rude	-	-	-	-	-	-
Very rude	-	-	-	-	-	1

These findings show clear outcomes for 2016 that voters felt Elections ACT polling place staff were helpful (98%), efficient (98%) and friendly (98%). While similar results occurred in all previous elections, the results for each of these ratings in 2016 are the highest ever achieved. Particularly notable is the proportion of voters rating polling staff as very helpful, very efficient and very friendly.

Table 53 – Voter inconvenience at the polling place

Q: When you voted today, what, if any, inconvenience did you experience?
[multiple response possible]

	1998	2001	2004	2008	2012	2016
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Queuing	1	1	2	1	5	8
Entrance to polling place was blocked	-	-	-	1	-	-
Staff inattentiveness	-	-	1	1	1	1
Booth layout	-	-	1	1	-	-
Instructions on ballot paper not clear	1	-	-	1	-	-
Instructions for electronic voting not clear	NA	1	-	1	1	1
Disabled access facilities	NA	-	-	1	-	2
Polling place location changed	NA	NA	NA	NA	4	1
Other	8	7	5	6	5	5
No inconvenience	89	91	91	90	86	86

Table 54 – Voter satisfaction with queuing

Q: looking at this card, which of these best describes how you found the queuing here today?

	1998	2001	2004	2008	2012	2016
Sample size	500	500	500	545	505	571
	%	%	%	%	%	%
Unacceptable long	-	-	-	1	2	1
Long but acceptable	2	4	2	2	4	9
Not very long and acceptable	9	11	3	6	4	10
Not a real problem	88	85	95	92	90	80

The findings from these questions show that most voters (over 9 in 10) in 2016 said they experienced no inconvenience with the voting process and 99% found there to be no inconvenience with the level of queuing.

Table 55 – Voter awareness and usage of ACT election electronic voting procedures

Q: the 2016 election allowed electronic voting. Were you aware of the possibility to undertake electronic voting?

	2001	2004	2008	2012	2016
Sample size	500	500	545	505	571
	%	%	%	%	%
Yes	69	64	65	62	67
No	30	34	33	36	32
Unsure/don't know	1	2	2	2	1

Table 56 – Voter usage of electronic voting

Q: 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
Sample size	unknown	74	74	133	571
	%	%	%	%	%
Yes, used electronic voting	59	73	81	79	89
No, used paper ballot method	41	27	19	21	11

Table 57 – Voter satisfaction with electronic voting

Q: If you used the electronic voting system, did you find it.....?

	2001	2004	2008	2012	2016
Sample size	unknown	54	60	105	571
	%	%	%	%	%
Easy to use	89	86	85	91	90
Fast and efficient	70	88	90	88	94
Had clear instructions	81	83	79	87	92
Easy in barcode scanning	NA	86	66	73	90
Queuing length was satisfactory	NA	91	97	91	97

These findings show over 6 in 10 voters (67%) were aware of electronic voting being available for the 2016 ACT Election. For the 2016 election at polling places where electronic voting was available there was strong growth in voters using electronic voting increasing from 59% in 2001, 73% in 2004, 81% in 2008, 79% in 2012 and now 89% in 2016.

Voters using electronic voting in 2016 advised it was 'easy to use' (90% satisfaction), fast and efficient (94%) and found the queuing length satisfactory (97%).

Table 58 – Reason why some voters at electronic voting polling places did not vote using the electronic method

	2004	2008	2012	2016
Sample size	20	14	28	27
	%	%	%	%
Don't trust electronic voting	5	14	7	26
Don't use or don't like computers	20	21	25	26
Too many people queuing for electronic voting	5	-	11	-
Prefer paper ballot	65	64	57	70
Other reasons	5	-	-	7

Note these results are based on small sample sizes.

Table 59 – Voter interest in electronic voting at polling places where it was not available

Q: 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
Sample size	unknown	426	471	372	571
	%	%	%	%	%
Electronic voting	55	50	49	59	66
Paper ballot method	32	38	42	31	22
Unsure/don't know	13	12	9	10	12
Sample size	unknown	162	198	153	127
	%	%	%	%	%
If paper ballot preferred or unsure/don't know:					
Don't trust this method	17	31	29	16	24
Don't use or like computers	25	30	27	18	11
Paper ballot is easier	NA	35	44	66	21
Other	58	5	-	-	46

At polling places in the 2016 ACT election where electronic voting was not provided as a voting option over 6 out of 10 voters (66%) expressed an interest in using it if it was made available. This is a historically high level. Voters without a desire to use electronic voting mostly advised that they either found voting using paper ballots to be easier or they reported distrust in electronic voting.

These measures demonstrate strong levels of interest and awareness in electronic voting.

Table 60 – 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.

Q: Do you think Elections ACT conducted this election impartially and without bias?

	2016
Sample size	571
	%
Yes	86
No	3
No opinion	11

Appendix 3 – Preference sequences on formal ballot papers

This Appendix shows details of preferences shown on formal ballot papers at the 2016 ACT election.

Table 61 – 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	19	10	9	16	9	63	33	32	31	38	27	161
2	15	10	8	12	11	56	21	33	25	24	19	122
3	10	15	8	11	15	59	17	17	18	18	15	85
4	11	5	7	10	13	46	19	17	15	27	15	93
5	32	26	22	24	30	134	10	14	15	17	8	64
6	1	4		4	6	15	20	22	19	26	19	106
7	5	7	4	7	8	31	16	22	21	17	11	87
8	5	4	4	4	5	22	6	6	11	8	3	34
9	5	8	3	3	6	25	5	9	10	7	5	36
10	5	10	8	6	6	35	9	3	10	1	3	26
11	6	6	1	6	4	23	4	7	12	7	4	34
12	1	1	1	2	5	10	2	4	10	5	3	24
13	3	1	5	3	6	18	3	4	7	4	4	22
14	7	4	3	2	6	22	5	5	4	3	3	20
15	1	3	4	5		13		7	4	2		13
16	1		3	2	2	8	5		5	4	3	17
17		13	1	2		16	3	2	5	2	1	13
18		1	1			2	1	3	3	4		11
19	3	3	4	8	12	30	4	3	3	3	2	15
20	1	3	3	1		8	3	5	5	8	4	25
21	4	8	5	6	3	26	3	2	3			8
22	3		5	4	4	16	1	3	4	2	2	12
23	3			1	4	8	2	3	4	6		15
24	2	2	3	3		10	2	2	2	1		7
25		3	4	2		9		2	1	3		6
26		4	2			6	1	1		2		4
27	4	2		5		11		2		1		3
28				4		4						0
29		2				2		1				1
30						0		1				1
31						0		3				3
32		1				1						
Totals	147	156	118	153	155	729	195	235	247	240	151	1068

Table 62 – Length of sequence – Brindabella

	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	
ACT LABOR																													
BURCH, Jon	3838	23	7	15	13	2693	134	125	234	47	179	31	59	17	21	14	6	4	17	3	1	1	2	13	1	0	3	3	172
DRAKE, Angie	2940	10	3	8	10	1883	99	102	207	62	151	17	46	21	23	15	15	3	12	2	2	6	2	7	3	0	5	4	222
GENTLEMAN, Mick	3964	22	13	9	20	2690	125	148	191	63	169	23	58	13	26	19	20	8	16	5	6	2	1	19	1	2	6	3	284
MARTOUP, Karl	1871	12	3	5	8	1235	46	70	104	33	85	18	32	16	8	7	16	1	11	3	2	2	1	5	0	2	4	2	143
WERNER-GIBBINGS, Taimus	3131	16	4	3	4	2030	117	118	188	49	161	37	38	19	23	25	15	2	19	3	4	3	0	7	0	2	4	7	233
Group total	15744	83	30	40	55	10531	521	563	924	254	745	126	233	88	101	80	72	18	75	13	15	14	6	51	5	6	22	19	1054
ANIMAL JUSTICE PARTY																													
OBRIEN, Sarah	632	5	11	3	6	406	43	22	10	17	17	9	12	3	4	5	2	1	3	0	0	2	0	1	0	0	3	1	46
SOSMITH, Robyn	474	4	8	3	5	314	33	16	7	13	12	6	9	0	5	1	1	1	1	0	0	0	0	0	0	0	2	3	33
Group total	1106	9	19	6	11	720	76	38	17	30	29	15	21	3	9	6	3	2	4	0	2	0	1	0	0	3	3	79	
AUSTRALIAN SEX PARTY ACT																													
BAILEY, Steven	2071	20	40	12	22	1268	122	77	41	47	79	22	31	18	12	11	11	4	8	1	3	0	0	6	2	0	1	4	209
SHEPHERD, Monique	1623	8	30	3	7	994	105	83	26	48	58	12	26	12	18	2	5	2	4	2	3	3	3	7	0	2	6	5	149
Group total	3694	28	70	15	29	2262	227	160	67	95	137	34	57	30	30	13	16	6	12	3	6	3	13	2	2	7	9	358	
CANBERRA LIBERALS																													
COOKS, Ed	3195	19	8	4	10	2320	91	140	43	60	94	26	48	14	21	11	7	6	8	5	10	1	1	5	3	3	5	2	230
FAZEY-SOUTHWELL, Annette	1669	7	1	0	6	1269	47	52	20	20	47	10	9	10	6	5	5	3	3	0	4	2	0	6	2	1	2	2	130
LAUNDER, Nicole	4166	20	13	3	8	3055	155	171	53	75	129	30	35	17	19	8	11	6	9	3	7	4	2	5	1	3	9	4	311
PARTON, Mark	4962	25	16	5	12	3761	144	178	55	84	115	42	50	15	20	12	15	6	9	3	17	5	4	3	3	4	6	7	346
WALL, Andrew	5614	30	10	5	17	4226	163	213	59	84	168	40	71	28	26	21	22	3	9	8	18	6	2	4	1	5	7	2	366
Group total	19066	101	48	17	53	14631	600	754	230	323	553	148	213	84	92	57	60	24	38	19	56	18	9	23	10	16	29	17	1383
LIBERAL DEMOCRATS																													
DONNELLY, Matt	284	2	1	0	2	196	8	6	6	5	12	0	9	1	1	0	2	2	2	0	1	2	0	1	0	2	0	23	
GOWOR, Jacob	256	2	2	0	1	175	11	9	8	6	10	4	2	0	1	2	0	1	0	0	0	0	0	0	0	0	0	20	
RENET, Greg	261	2	2	1	3	168	12	8	6	12	1	7	1	4	1	2	0	0	0	0	1	0	0	0	1	1	1	19	
SARAGIH, Vera	205	0	0	1	0	139	4	7	8	7	6	1	3	1	1	1	1	0	0	0	0	1	0	0	0	0	3	20	
STRASCHKO, Matt	169	4	0	1	0	122	6	4	1	1	8	3	2	0	2	1	0	1	1	1	0	0	0	0	1	1	0	1	8
Group total	1175	10	5	3	6	800	41	34	31	25	48	9	23	3	9	5	5	4	3	1	2	3	1	2	2	3	5	90	
LIKE CANBERRA																													
FRIEL, Timothy	211	4	2	1	5	97	13	4	8	11	5	4	3	5	2	1	3	0	2	0	1	0	0	1	0	0	0	39	
TUFFIN, Richard	231	2	4	2	1	125	20	10	1	5	3	12	5	3	1	2	3	0	2	0	0	0	3	0	0	0	0	27	
Group total	442	6	3	6	222	33	14	9	16	8	16	8	8	3	3	6	0	4	0	1	0	0	4	0	0	0	0	66	
SUSTAINABLE AUSTRALIA (ACT)																													
HASTIR, Claude	251	7	2	1	3	117	20	9	5	22	10	1	5	3	6	1	3	1	1	0	1	1	0	2	0	0	1	29	
KEMP, Melissa	446	3	2	2	1	244	23	13	17	27	14	9	7	5	2	7	4	0	0	2	0	1	1	2	0	0	2	58	
Group total	697	10	4	3	4	361	43	22	22	49	24	10	12	8	8	8	7	1	1	2	1	1	3	2	0	0	3	87	
THE GREENS																													
DAVIS, Jonathan	684	2	0	6	1	379	30	18	55	14	34	5	25	9	6	5	3	4	5	2	3	2	2	3	0	0	0	3	68
MAZENKAB, Michael	1125	2	2	5	1	492	47	36	104	27	82	21	51	21	21	15	14	5	8	5	1	3	0	9	2	0	4	1	146
MURPHY, Ben	590	0	2	3	1	318	25	21	52	13	43	8	18	3	7	6	5	4	3	1	1	0	0	1	0	1	1	53	
Group total	2399	4	4	14	3	1189	102	75	211	54	159	34	94	33	34	26	22	13	16	8	5	5	2	13	2	0	5	267	
UNGROUPED																													
HOLT, Andrew	767	3	7	6	5	409	41	36	18	23	25	14	16	8	3	6	5	1	1	1	1	4	0	3	0	1	1	7	122
NICKT, Joel	1200	0	8	4	3	650	94	55	36	35	50	20	13	10	9	6	6	4	6	5	3	2	0	2	0	3	0	4	183
Group total	1907	12	15	10	8	1059	135	91	54	58	55	34	29	18	12	12	11	5	7	6	4	6	0	4	1	11	305		
Percentage	46830	263	201	111	175	31775	1778	1751	1565	904	1758	426	690	275	298	210	202	73	160	52	90	52	22	115	23	30	70	72	3689
Progressive totals																													
Progressive percentage																													

Table 63 – Length of sequence –Ginninderra

	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	33	
ACT LABOR																																			
BERRY, Yvette	4770	16	10	9	15	2560	265	111	488	139	187	52	42	33	25	29	12	19	12	6	11	6	3	2	4	2	6	1	4	0	1	9	7	284	
BOURKE, Chris	3551	11	8	7	12	2277	190	85	361	87	145	26	34	30	14	21	8	11	6	1	2	5	7	4	2	6	5	0	3	0	1	2	4	176	
CHRYNE, Tara	3875	25	11	9	9	2417	160	103	383	119	146	42	37	29	13	19	5	19	6	7	3	7	2	0	1	1	7	0	3	1	0	5	3	183	
FISHER, Kim	3164	11	14	11	16	2272	209	80	286	67	110	18	25	35	12	16	4	9	0	1	4	2	4	3	1	2	4	3	0	3	1	0	2	9	135
FRANKS, Simon	3576	11	14	11	16	2272	209	80	286	67	110	18	25	35	12	16	4	9	0	1	4	2	4	3	1	2	4	3	0	3	1	0	2	9	135
Group total	18494	86	56	43	61	13461	1147	488	1870	508	769	179	169	154	74	110	35	73	38	20	23	25	15	9	11	20	25	4	19	2	26	29	1003		
CANBERRA COMMUNITY VOTERS																																			
GOOCH, Beth	122	2	0	0	2	83	8	5	2	1	3	2	0	1	1	0	0	1	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	8	
KAYE, Mick	88	1	1	2	0	55	6	3	1	3	3	0	0	0	3	0	0	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	2	6	
KETTLE, Geoff	274	3	0	1	0	133	13	14	5	6	23	4	6	2	1	4	3	0	2	1	2	0	2	1	0	2	1	0	0	0	0	1	1	39	
REILLY, Gilbert	68	0	1	2	0	47	2	1	1	2	0	0	0	0	0	1	0	0	0	0	0	0	0	2	0	0	3	0	0	0	0	0	1	0	5
Group total	814	9	4	5	6	468	37	29	17	15	39	7	11	4	7	5	4	0	3	2	4	0	3	4	2	5	2	0	2	0	1	4	4	89	
CANBERRA LIBERALS																																			
DUNNE, Nick	4251	21	9	10	11	2915	184	179	91	55	275	28	54	22	19	28	17	3	3	7	6	6	3	3	0	21	2	1	4	3	0	4	11	256	
FISHER, Denise	2802	5	2	6	1839	115	101	59	46	220	30	48	19	9	7	3	7	3	3	9	3	3	9	3	0	10	3	0	4	2	4	3	9	178	
KIRKERT, Elizabeth	3158	19	7	4	4	2222	152	115	67	29	164	33	34	15	26	18	7	5	6	4	7	4	2	4	1	6	1	1	2	2	1	4	3	189	
ROZARIO, Ignatius	1882	6	1	5	5	1182	78	61	27	20	94	13	18	12	14	10	4	5	1	3	6	5	4	3	3	4	8	0	0	0	0	2	7	98	
WILLIAMS, David	3576	11	14	11	16	2272	209	80	286	67	110	18	25	35	12	16	4	9	0	1	4	2	4	3	1	2	4	3	0	3	1	0	2	9	135
Group total	15095	71	27	28	35	10378	661	576	307	186	974	134	182	68	100	93	51	25	23	31	18	12	21	10	49	9	3	14	7	10	20	37	892		
LIBERAL DEMOCRATS																																			
GOWOR, Naomi	309	5	6	2	0	192	19	30	2	10	6	2	5	0	0	1	2	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0	23
JAKEMAN, Guy	278	3	9	1	1	154	23	28	6	10	5	0	3	1	3	1	1	0	1	0	0	0	1	0	0	0	0	0	0	0	0	1	1	0	25
Group total	587	8	15	3	1	346	42	58	8	20	11	2	8	1	3	2	3	1	1	0	1	0	1	0	0	0	0	0	0	1	1	1	48		
LIKE CANBERRA																																			
CHAPMAN, Richard	222	0	3	2	0	122	15	8	3	5	12	3	3	2	1	4	3	1	1	1	2	1	0	1	0	1	0	0	0	0	0	0	0	0	30
HUGHES, Sam	228	0	2	2	0	141	10	5	6	4	10	7	1	1	1	4	0	2	1	1	1	1	2	1	1	1	0	0	0	0	0	0	0	1	21
Group total	450	0	5	4	2	263	25	13	9	9	22	10	4	3	5	3	2	3	2	2	3	2	2	2	1	1	0	0	0	1	0	0	1	51	
SUSTAINABLE AUSTRALIA (ACT)																																			
BUCKMASTER, Geoff	468	3	3	1	4	267	20	21	9	20	23	13	10	1	1	5	4	1	3	4	1	5	3	0	1	0	1	0	1	0	0	2	1	40	
TYE, Martin	637	3	3	0	2	332	28	36	15	33	33	17	10	10	6	9	6	2	2	2	2	1	0	1	1	0	0	0	0	0	0	2	1	2	78
Group total	1105	6	6	1	6	599	48	57	24	53	56	30	20	11	7	14	10	3	5	6	3	6	3	1	2	0	1	0	1	2	0	3	3	118	
THE GREENS																																			
CHAPMAN, Jason	818	10	0	9	1	442	38	21	106	27	44	14	7	4	1	5	4	10	0	3	3	2	1	0	2	1	0	1	0	1	1	0	1	1	59
ESGUERA, Indra	3036	5	5	12	3	1254	137	92	476	191	180	66	44	49	25	32	11	16	14	9	2	7	5	1	2	1	1	5	3	1	0	1	4	3	340
MERZIAN, Richard	719	1	1	9	0	375	42	18	103	32	28	15	12	5	0	4	4	5	2	3	1	3	0	0	1	1	2	0	0	0	0	1	0	0	51
Group total	4573	16	6	30	4	2071	217	131	685	250	252	115	83	58	26	41	19	31	16	15	6	12	6	1	5	3	7	4	2	0	2	5	4	450	
INGROUPED																																			
BRENNAN, Bernie	444	4	4	2	5	272	34	8	11	15	14	9	6	3	3	5	1	0	1	0	3	1	2	2	2	2	1	0	0	0	0	1	0	0	35
CHAPMAN, Jason	818	10	0	9	1	442	38	21	106	27	44	14	7	4	1	5	4	10	0	3	3	2	1	0	2	1	0	1	0	0	0	0	1	1	59
DUBBY, Yvonne	386	6	3	0	3	233	30	18	14	14	13	4	4	5	3	1	0	1	0	1	4	1	1	2	1	0	0	0	0	0	0	2	1	19	
EDWARDS, David	217	4	1	1	1	133	12	9	7	11	8	0	1	2	2	2	0	0	3	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	18
EZEKIEL-HART, Emmanuel	342	1	0	0	2	203	37	8	14	10	14	4	3	1	4	4	1	2	0	0	1	1	0	0	1	0	1	0	1	1	0	0	0	27	
HUTNH, Kim	2365	13	8	3	11	1236	184	74	81	125	77	50	39	23	28	15	12	19	8	10	14	13	3	6	2	3	3	1	1	7	1	3	6	15	272
JONES, Vanessa	242	2	1	0	1	147	16	6	3	11	9	4	3	1	1	0	1	0	1	0	1	0	0	0	0	0	1	0	1	0	1	0	1	28	1
WATSON, Leigh	770	10	4	1	2	430	43	17	25	37	9	7	15	6	7	2	0	2	1	1	1	1	1	1	0	1	2	0	0	0	0	1	5	75	10
WANGEL, Lea	136	5	2	0	1	80	13	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Group total	5024	46	24	7	26	27984	377	176	155	226	184	81	65	52	49	40	22	30	108	168	108	78	93	83	49	37	86	49	13	51	14	24	68	105	
Percentage	242	143	121	0	141	2904	2554	1528	3075	1267	247	558	424	371	271	207	308	166	168	108	78	93	83	49	37	86	49	13	51	14	24	68	105	352	
Percentage	4154	4606	4096	0	4154	9832	6636	4676	1701	1309	9934	6420	4520	4320	4320	4320	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	4556	
Progressive percentage	100.00%	99.49%	99.18%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%	98.93%

Table 64 – Length of sequence – Kurrajong

	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	
ACT LABOR																													
BARA, Andrew	10398	34	15	3	12	5918	660	267	1602	213	326	139	95	95	37	40	40	15	13	21	10	3	9	7	10	16	15	783	
CERAMIDAS, Josh	2249	11	4	7	9	1191	161	60	322	63	84	38	30	20	11	12	5	5	5	2	7	2	3	1	6	4	3	183	
DWYER, Leah	1895	6	3	3	5	1099	113	52	248	36	67	29	19	21	14	12	5	5	1	5	2	4	0	0	3	3	2	138	
NIJEN, Richard	1472	7	1	3	3	844	94	39	176	35	57	20	24	20	8	6	3	5	3	2	3	1	3	1	4	1	1	108	
STEPHEN-SMITH, Rachel	2782	4	9	4	8	1507	176	80	384	81	116	44	28	34	13	15	9	8	4	6	3	1	5	3	7	4	3	226	
Group total	18796	62	32	20	37	10559	1204	498	2732	428	650	270	196	190	83	85	62	38	26	36	25	11	20	12	30	28	24	1438	
CANBERRA COMMUNITY VOTERS																													
FARMER, Richard	373	1	0	3	1	191	25	9	18	9	13	15	3	4	4	7	3	0	2	4	0	0	1	1	0	1	3	55	
HETTINGER, Mike	299	1	0	3	0	147	13	16	18	7	17	10	4	1	2	4	1	0	1	2	2	0	2	0	0	0	3	45	
SPIER, Lucinda	217	2	0	4	0	128	13	6	10	2	10	7	2	2	1	2	0	0	0	0	1	0	0	0	0	0	0	25	
Group total	889	4	2	10	1	466	51	31	46	18	40	32	9	7	7	13	4	0	3	6	3	0	3	1	0	1	6	125	
CANBERRA LIBERALS																													
BURCH, Candice	2859	6	5	1	3	2060	97	55	186	41	57	15	23	18	9	6	8	6	4	7	1	0	2	1	2	4	5	237	
CURTIN, Brooke	2739	5	1	5	3	1910	97	52	168	50	67	30	23	13	14	11	7	3	7	3	3	3	6	3	5	8	4	236	
DOSZPOT, Steve	3834	10	4	5	4	2618	162	84	299	64	75	43	25	20	10	16	22	11	5	15	1	5	2	3	5	11	6	309	
LEE, Elizabeth	4429	17	6	6	7	3008	199	99	291	78	108	53	41	22	27	15	18	8	9	15	4	4	2	2	10	10	12	356	
McKAY, Peter	1279	3	1	0	3	977	39	10	84	17	26	7	1	5	2	7	3	2	1	3	1	1	0	0	1	4	1	80	
Group total	15140	41	17	20	10573	594	300	1028	250	333	148	113	78	62	55	54	34	22	49	10	13	14	9	23	37	28	1218		
LIBERAL DEMOCRATS																													
ELLIS, Mark	394	4	2	10	3	237	20	6	37	7	11	4	4	1	1	1	4	0	2	0	0	0	0	0	0	2	1	37	
OROURKE, Michael	395	1	0	10	2	242	31	10	39	2	7	7	4	0	2	4	0	3	1	1	0	0	0	1	1	0	0	1	29
UPTON, Hugh	268	0	1	7	0	169	19	5	26	4	9	1	2	2	1	1	3	1	1	0	0	0	0	0	0	0	1	15	
Group total	1057	5	3	27	5	648	70	21	102	13	27	12	10	3	4	6	7	4	4	0	0	0	1	1	0	2	3	79	
LIKE CANBERRA																													
BUCKNELL, Chris	210	2	4	1	1	98	11	10	5	5	14	6	0	4	4	1	2	1	1	1	1	0	1	0	0	1	0	1	36
MUSSAREE, Maryann	209	1	1	2	0	93	9	11	6	7	24	5	8	3	3	1	1	1	2	1	0	0	0	0	0	0	1	29	
Group total	419	3	5	3	1	191	20	21	11	12	38	11	8	7	7	2	3	2	3	2	0	1	0	0	1	0	2	65	
SUSTAINABLE AUSTRALIA (ACT)																													
HAYDON, John	356	2	3	0	0	148	14	24	14	9	32	7	7	6	6	6	4	3	0	2	2	0	2	0	2	1	1	61	
TYE, Oliver	289	2	0	1	1	150	17	17	10	6	14	6	2	1	1	7	2	1	1	0	1	0	2	0	0	1	1	44	
Group total	645	4	3	1	1	298	31	41	24	15	46	13	9	7	7	13	6	4	1	2	3	0	4	0	2	2	3	105	
THE GREENS																													
RATTENBURY, Shane	6307	17	11	17	6	2496	262	129	1388	307	320	148	95	77	50	46	29	25	11	22	9	4	12	6	17	14	11	778	
THOMPSON, Jill	1173	0	1	6	0	555	60	27	225	44	41	31	15	13	8	4	8	6	1	1	0	1	5	2	4	3	2	108	
VISSAROTTI, Rebecca	1685	1	5	9	0	757	71	47	300	82	84	31	26	31	11	15	8	8	6	1	3	2	3	1	2	1	1	179	
Group total	9165	18	17	32	6	3808	393	203	1913	433	445	210	136	121	69	65	45	41	18	24	12	7	20	9	23	18	14	1065	
UNGROUPED																													
FATSEAS, Parea	1597	13	3	3	4	617	113	79	75	96	78	50	43	20	26	16	19	11	12	12	9	2	7	3	4	4	13	265	
ISAACS, Jeff	602	6	1	2	1	346	40	20	18	41	14	12	12	5	1	2	5	3	0	2	1	1	0	2	1	1	1	65	
ROBINSON, Peter	388	0	0	0	1	181	33	20	15	23	14	10	11	2	4	1	2	5	2	3	1	0	5	0	0	1	3	51	
STRACHAN, Graeme	150	1	1	0	4	91	12	3	4	4	1	2	1	1	2	0	0	0	0	0	1	0	0	0	0	0	2	20	
Group total	2737	20	5	5	10	1235	198	122	112	164	167	74	67	28	33	19	26	19	14	15	13	3	13	3	6	6	19	401	
Percentage																													
Progressive totals	48848	48691	48607	48492	48411	20633	18072	16835	10867	9534	7848	7078	6530	6089	5817	5559	5352	5210	5119	4985	4919	4884	4809	4774	4689	4595	4496	9.20%	
Progressive Percentage	100.00%	99.68%	99.51%	99.27%	99.11%	42.24%	37.00%	34.46%	22.25%	19.52%	16.07%	14.49%	13.37%	12.47%	11.91%	11.38%	10.96%	10.67%	10.48%	10.21%	10.07%	10.00%	9.84%	9.77%	9.60%	9.41%	9.20%		

Table 65 – Length of sequence – Murrumbidgee

	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
ACT LABOR																														
CODY, Bec	4378	14	4	6	8	2675	216	96	460	122	158	71	41	55	22	34	11	19	9	11	2	3	0	4	6	3	3	9	1	310
KILASINGHAM, Mark	2378	11	3	3	4	1410	97	79	283	57	92	24	29	28	10	21	10	4	3	5	5	0	2	1	4	2	1	4	4	177
LONG, Brendan	2680	10	3	2	5	1654	148	69	272	54	110	24	38	37	14	9	13	2	6	1	2	3	0	7	2	6	3	4	173	
NEWMAN, Jennifer	3260	14	10	6	5	1949	157	99	366	77	128	40	39	34	15	18	7	12	7	12	3	2	3	1	3	1	0	4	2	246
STEEL, Chris	4574	28	7	7	8	2763	290	120	483	87	181	62	59	57	22	25	12	7	8	9	7	4	5	2	4	0	4	6	303	
Group total	17265	77	27	24	30	10451	908	463	1864	397	674	221	206	211	83	107	49	55	29	43	18	11	13	8	24	8	14	24	17	
ANIMAL JUSTICE PARTY																														
FIELD, Deborah	567	3	7	3	1	356	32	30	14	11	27	14	5	6	8	3	1	1	4	1	0	0	1	1	0	1	1	2	1	33
MONTAGNE, Jessica	504	4	5	0	1	335	14	31	7	8	18	10	7	7	9	5	2	2	1	0	0	1	1	0	0	0	0	0	0	36
Group total	1071	7	12	3	2	691	46	61	21	19	45	24	12	13	17	8	3	3	5	1	0	1	2	1	0	1	2	1	69	
CANBERRA LIBERALS																														
ADRIAN LANGFORD, Jessica	1340	7	3	1	3	979	40	36	35	18	49	8	22	10	7	8	7	2	0	2	0	2	0	0	1	2	0	3	4	90
HANSON, Jeremy	11224	40	19	11	23	8251	370	362	187	124	373	85	116	60	45	60	44	24	19	26	21	29	4	6	13	8	6	21	31	846
HOSKING, Peter	3530	13	5	5	8	2686	126	91	55	40	123	20	33	22	11	13	7	9	9	12	6	4	2	0	4	2	3	8	205	
HOUSE, Paul	1737	9	1	2	5	1260	66	54	28	18	71	18	22	7	4	10	7	2	3	5	3	7	2	0	0	1	3	4	1	124
JONES, Gaila	3594	10	10	7	8	2743	130	101	56	40	122	27	29	19	13	21	5	4	5	4	2	1	0	7	1	3	4	6	204	
Group total	21425	79	38	26	47	15919	732	644	361	240	732	258	222	118	80	112	70	46	38	50	34	44	9	7	25	14	15	40	50	
LIBERAL DEMOCRATS																														
ALLEN, Angus	141	1	0	0	0	103	7	2	5	1	4	2	1	1	0	1	1	0	0	0	1	0	0	0	1	0	0	0	0	10
CUMSTON, Brendan	153	0	1	0	1	108	8	4	6	2	4	3	2	0	0	0	1	1	1	0	1	0	0	0	0	0	0	1	0	6
GOWRIE, Ryan	215	0	1	1	1	135	10	10	3	1	11	3	2	5	0	0	1	1	0	0	0	0	1	0	1	0	1	0	0	27
HANER, Tom	166	1	2	0	1	120	7	3	3	2	5	3	0	0	0	1	2	0	0	0	2	0	1	0	0	0	0	0	0	13
KLINKON, Alexander	138	1	2	0	0	103	4	1	4	2	7	0	1	2	1	4	0	0	0	0	0	0	0	0	0	0	0	2	0	4
Group total	813	3	6	1	3	569	36	20	21	8	31	11	6	10	1	6	5	2	1	0	4	1	1	1	1	0	4	0	60	
LIKE CANBERRA																														
DICKERSON, Shelley	320	1	5	2	4	145	20	19	11	12	18	9	5	2	8	2	5	3	2	1	2	1	2	0	2	0	0	1	1	37
VICKERS, Rod	338	4	2	3	1	183	13	19	11	8	16	4	4	4	8	4	0	4	0	4	2	1	0	0	2	0	0	0	1	40
Group total	658	5	7	5	5	328	33	38	22	20	34	13	9	6	16	6	5	7	2	5	4	2	2	0	4	0	0	1	2	
SUSTAINABLE AUSTRALIA (ACT)																														
MILL, Jill	284	1	4	0	0	147	18	10	7	10	11	6	5	2	6	6	1	1	0	0	0	1	0	0	2	0	1	0	0	45
O'CONNOR, Mark	368	5	3	1	0	182	19	18	14	17	13	6	12	2	3	2	3	3	1	2	1	2	0	1	2	0	0	0	2	54
Group total	652	6	7	1	0	329	37	28	21	27	24	12	17	4	9	8	4	4	1	2	1	3	0	1	4	0	1	0	2	
THE COMMUNITY ALLIANCE PARTY (ACT)																														
LINDFIELD, Michael	235	0	1	0	0	111	15	13	6	6	9	8	9	1	7	4	5	4	0	1	0	1	2	0	0	0	1	0	0	31
SCHERGER, Nancy-Louise	178	2	0	1	1	102	11	14	1	6	1	5	3	2	2	3	1	0	0	1	0	1	0	0	0	0	0	0	0	20
Group total	413	2	1	1	1	213	26	27	7	12	10	13	12	3	9	7	6	4	0	2	0	2	0	0	0	0	1	1	0	
THE GREENS																														
LEWIS, Emma	1171	5	2	7	1	553	53	29	157	42	69	35	14	25	6	19	2	4	1	7	5	0	2	0	4	0	1	0	2	126
PARRER, David	906	2	2	5	3	434	34	27	134	25	52	18	15	21	8	12	4	4	2	2	3	1	3	0	0	1	0	2	3	89
LE COUËUR, Caroline	3248	3	0	22	6	1174	142	72	573	130	238	97	69	80	27	39	17	21	11	25	4	4	9	1	6	6	4	8	9	456
Group total	5325	10	4	34	10	2161	229	133	864	197	349	150	98	126	41	70	23	29	14	34	12	5	14	1	10	7	5	10	14	
UNGROUPED																														
SWAN, Robbie	1746	27	3	15	4	924	130	55	52	85	47	66	18	21	14	19	11	12	10	6	1	2	2	2	6	0	0	6	6	202
WEBBER, Margaret	372	3	1	2	1	181	17	24	12	5	18	7	10	7	3	4	1	2	1	3	3	1	0	1	1	0	0	1	3	60
WHYTE, Brendan	315	3	4	0	1	163	19	14	9	7	10	4	3	2	0	2	0	2	0	1	1	2	3	0	1	0	0	2	4	51
Group total	2433	33	8	17	6	1268	166	93	73	97	72	83	32	31	19	25	12	16	11	10	5	5	3	8	0	0	9	13	313	
Percentage	50055	222	110	112	104	31929	2213	1507	3254	1017	1977	685	614	522	275	349	177	166	101	147	78	74	48	22	76	31	37	91	99	
Progressive totals	50055	49833	49723	49611	49507	17578	15365	13858	10604	9587	7610	6925	6311	5789	5514	5165	4988	4822	4721	4574	4496	4422	4374	4352	4276	4245	4208	4117	4018	
Progressive percentage	100.00%	99.56%	99.34%	99.11%	98.91%	35.12%	30.70%	27.69%	21.18%	19.15%	15.20%	13.83%	12.61%	11.57%	11.02%	10.32%	9.97%	9.63%	9.43%	9.14%	8.98% </									

Table 66 – Length of sequence – Yerrabi

	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	
ACT LABOR	7790	29	9	10	9	5129	383	208	659	125	314	72	91	45	26	45	11	18	10	13	7	3	15	16	543	
	2973	13	6	12	8	2127	164	100	177	31	107	27	26	8	1	11	4	7	1	3	2	3	12	6	117	
	3206	20	10	7	7	2223	160	84	235	34	110	27	36	21	8	11	9	5	4	3	1	3	7	2	179	
	3726	12	9	6	11	2472	183	97	321	67	141	36	38	30	17	19	11	12	2	6	2	0	4	5	235	
	4817	16	15	13	16	3297	282	159	360	79	158	42	37	37	9	21	6	15	2	5	4	1	6	5	232	
AUSTRALIAN SEX PARTY ACT	22512	90	49	48	51	15248	1172	648	1752	336	830	204	228	141	61	107	31	57	19	30	16	10	44	34	1306	
DENSON, Andrew	1055	11	11	2	3	645	62	45	30	18	45	12	17	7	8	2	8	3	0	3	2	2	1	6	112	
KENNETT, Susie	979	5	18	2	5	611	42	47	20	17	32	16	18	8	3	5	3	3	0	1	2	4	2	3	112	
Group total	2034	16	29	4	8	1256	104	92	50	35	77	28	35	15	11	7	11	6	0	4	4	6	3	9	224	
CANBERRA LIBERALS	7259	12	7	4	10	5386	255	335	137	111	145	59	41	34	28	15	29	9	2	9	6	5	10	5	605	
	2658	8	3	4	5	2057	105	123	36	38	43	22	14	11	8	7	11	3	1	4	0	3	0	3	149	
	3872	17	9	6	5	2991	159	163	59	48	58	25	27	14	9	17	16	1	4	5	0	1	5	4	229	
	1431	7	4	7	4	1114	47	56	26	19	23	14	7	6	7	2	5	0	1	2	1	0	1	74	1	
	3146	15	8	5	9	2388	153	138	74	28	76	14	19	9	8	8	9	1	2	3	1	3	8	2	165	
Group total	18366	59	31	26	36	13936	719	815	332	244	345	134	108	74	60	49	70	14	10	23	8	13	23	15	1222	
LIBERAL DEMOCRATS	766	10	6	8	7	479	49	52	50	19	13	9	5	2	2	2	0	1	0	1	0	1	0	0	50	
	630	8	6	3	5	375	48	57	43	11	12	11	6	2	2	2	1	0	0	1	0	0	1	0	36	
	1396	18	12	11	12	854	97	109	93	30	25	20	11	6	4	4	1	1	0	2	0	1	1	0	86	
	Group total	409	3	3	2	1	225	19	17	14	7	11	2	12	6	3	5	1	0	2	2	0	2	0	2	70
	246	2	2	1	0	155	11	9	12	7	6	2	5	2	1	2	2	1	0	0	0	0	1	0	25	
Group total	655	5	5	3	1	380	30	26	26	14	17	4	17	8	4	7	3	1	2	2	0	2	1	2	95	
SUSTAINABLE AUSTRALIA (ACT)	262	1	4	0	2	172	17	12	8	3	6	3	4	0	1	0	1	1	0	0	1	0	1	2	23	
	470	5	7	1	1	262	36	27	10	8	17	4	11	1	5	4	2	4	0	2	0	1	3	1	58	
	732	6	11	1	3	434	53	39	18	11	23	7	15	1	6	4	3	5	0	2	1	1	4	3	81	
	Group total	747	4	3	6	1	413	44	16	66	12	44	11	14	7	5	9	0	0	0	1	0	1	1	4	85
	555	1	2	4	4	302	21	12	61	10	33	7	8	9	2	2	0	4	0	3	0	1	1	4	64	
Group total	2332	6	4	11	7	998	111	63	300	72	157	61	67	50	18	23	9	13	4	5	5	5	5	9	328	
Group total	3634	11	9	21	12	1713	176	91	427	94	234	79	89	67	25	34	9	17	4	9	5	7	7	17	477	
UNGROUPED	458	4	1	2	2	307	31	10	7	8	11	8	6	5	2	2	1	0	0	0	2	0	2	0	47	
	255	6	1	0	1	131	18	6	13	6	11	2	3	0	1	1	2	0	0	0	1	0	1	50		
	1211	12	6	4	1	648	87	41	34	34	33	28	17	16	7	10	8	0	2	4	3	1	4	7	204	
	1924	22	8	6	4	1086	136	57	54	48	55	38	26	21	10	13	11	0	2	4	6	1	7	8	301	
	51253	227	154	120	127	34907	2487	1877	2752	812	1606	514	529	331	181	225	139	101	37	76	40	41	90	88	3792	
Percentage	0.44%	0.30%	0.23%	0.25%	68.11%	4.85%	3.66%	5.37%	1.58%	3.13%	1.00%	1.03%	0.65%	0.35%	0.44%	0.27%	0.20%	0.07%	0.15%	0.08%	0.08%	0.18%	0.17%	7.40%		
Progressive totals	51253	51026	50872	50752	50625	15718	13231	11354	8602	7790	6184	5670	5141	4810	4629	4404	4365	4164	4127	4051	4011	3970	3880	3792	7.40%	
Progressive percentage	100.00%	99.56%	99.26%	99.02%	98.77%	30.67%	25.82%	22.15%	16.78%	15.20%	12.07%	11.06%	10.03%	9.38%	9.03%	8.59%	8.32%	8.12%	7.90%	7.83%	7.75%	7.57%	7.40%	7.40%		

