

## Introduction

- 1.1 The Electoral Matters Committee undertakes an inquiry into the previous federal election in every Parliament in order to review the conduct of the election and consider any improvements that may be made to this fundamentally important event in which all eligible Australian adult citizens participate.
- 1.2 The 2013 federal election was held on Saturday, 7 September 2013 at a total cost of just under \$191 million. It saw 1 188 candidates nominate for election to the House of Representatives, 529 candidates nominate for election to the Senate, and over 13 million Australians cast their vote.<sup>1</sup>
- 1.3 The most concerning aspect of the conduct of the 2013 federal election was the loss of 1 370 Senate ballot papers in Western Australia (WA). This resulted in the WA Senate election being declared void by the Court of Disputed Returns and this election being re-run at a cost of over \$21.7 million.
- 1.4 These events shook public confidence in an agency that had hitherto enjoyed the faith of the community and shed light on unacceptable management practices within the Australian Electoral Commission (AEC).
- 1.5 The events that occurred in WA are a matter of great concern – as is the fact that such events could have occurred at all. The fact that ballots were lost from two Divisions in Perth during a recount indicated that there are systemic failures in the management of the transport and storage of ballot papers.
- 1.6 Indeed, investigations into the failure, undertaken by Mr Mick Keelty AO and the Australian National Audit Office (ANAO), revealed a series of systemic failures that left the public and the Parliament with serious doubts about the AEC's competence.

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1 Australian Electoral Commission (AEC), *Submission 20.3*, pp. 133, 155, 5.

- 1.7 As part of the conduct of this inquiry, the Committee considered in detail all of the issues raised by Mr Keelty and the ANAO with witnesses, including the AEC national office and divisional offices across the country.
- 1.8 Despite a high degree of institutional knowledge and experience throughout the AEC, there are demonstrable areas of weakness in the organisation. Not only must the AEC improve its management of ballot papers and training of temporary staff, it must also introduce performance measurements and accountability standards at all levels from staff through to delivered activities.
- 1.9 The AEC must respond to the events of the 2013 federal election as an opportunity to embrace organisational renewal. This report makes concrete recommendations to achieve that end.
- 1.10 A range of other issues related to the conduct of the 2013 federal election, or issues relevant to associated electoral activity, were raised during the course of the inquiry and, where appropriate, these are addressed in this report. The Committee has chosen to adopt a targeted approach in this report, only examining issues that, in the Committee's view, demanded attention.
- 1.11 The Committee has conducted a comprehensive, open and transparent inquiry process and all evidence received, on all issues raised with the Committee, is available on its website with the exception of confidential submissions. The submissions from the AEC contain a range of statistics covering most aspects of the election.<sup>2</sup>

## Interim reports

- 1.12 In addition to the events that occurred in WA, the other issue of widespread community concern was the election of Senators in some states on a very low percentage of primary votes. The voting system that was responsible for this result was addressed early in the inquiry in an interim report on Senate voting issues.
- 1.13 This interim report was released on 9 May 2014. The interim report recommended that:
- the Senate voting system be changed to allow for optional preferential voting above the line and partial optional preferential voting below the line;
  - group voting tickets be abolished;
  - the AEC be adequately resourced to undertake a voter education campaign on these changes;

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2 The Committee's website is <[aph.gov.au/em](http://aph.gov.au/em)>.

- stronger requirements for party registration be put in place;
  - all new and existing political parties be subject to the new registration requirements; and
  - a mechanism to require state residency for Senate candidates be investigated.
- 1.14 In the wake of ballot paper security issues during the 2013 election, a number of inquiry participants and media commentators called for electronic voting to be introduced in a widespread manner federally.
- 1.15 The Committee sought to address these community calls for electronic voting through its second interim report on electronic voting options, released on 20 November 2014. The second interim report recommended that:
- electronic certified lists be progressively implemented with a view to eventual replacement of paper lists at all polling places;
  - electronic counting of ballots be implemented; and
  - the current telephone-assisted voting for blind and low-vision voters be extended to all people with a disability.
- 1.16 The Committee did not recommend the introduction of electronic voting at this point in time, as the threats to ballot secrecy, security and transparency of electoral processes far outweigh any benefit of a hastily developed and unsecure electronic voting process.
- 1.17 The recommendations from the Committee's two interim reports are set out at Appendix D.

## Conduct of the inquiry

- 1.18 On 5 December 2013, the Special Minister of State, Senator the Hon Michael Ronaldson, referred the inquiry into the 2013 federal election and matters related thereto. The Minister also asked the Committee to specifically address:
- Senate voting reform;
  - voter ID;
  - integrity of the electoral roll and public access to the roll;
  - the circumstances surrounding the lost WA Senate votes; and the
  - feasibility of, and options for electronic voting.<sup>3</sup>

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3 Correspondence from the Special Minister of State, received 2 December 2013.

- 1.19 The Committee received 216 submissions and 24 supplementary submissions. A list of submissions is at Appendix A and all public submissions are available on the Committee's website.
- 1.20 The Committee also received 14 exhibits which are listed at Appendix A.
- 1.21 The Committee held 21 public hearings across the country and conducted site inspections in most states, meeting with local election officials or relevant third parties to gain a full appreciation of the scope of issues that arise while conducting a federal election in a country as geographically diverse as Australia. Witnesses at public hearings and site inspections are listed at Appendix B.

### Structure of the report

- 1.22 The Committee has devoted significant attention in this final report to the events that occurred during the 2013 federal election, and the path forward for the AEC. Apart from this, as noted above the Committee has adopted a targeted approach, reporting on matters of significance that warranted consideration. For other information and statistics regarding the 2013 election, the Committee refers readers to the comprehensive submissions made to the Committee's inquiry by the AEC.<sup>4</sup>
- 1.23 Chapter 2 discusses ballot paper handling and storage in light of the events that occurred in WA in 2013 and the responses put in place for the 2014 Griffith by-election and WA Senate re-run election.
- 1.24 Election staffing capability is considered at length in Chapter 3. This Chapter considers the AEC's organisational structure and workforce planning and the role this played in the events that occurred in WA during the 2013 election. The current AEC organisational chart is included at Appendix C.
- 1.25 Chapters 4 and 5 consider other matters that arose during the 2013 federal election. Chapter 4 discusses the election preparation and pre-poll period, and Chapter 5 considers issues that arose on election day and during the vote count.
- 1.26 Chapter 6 considers broader electoral cycle issues, including election funding and disclosure, redistributions and other broader electoral matters.

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4 The AEC submission is No. 20 and includes 10 supplementary submissions, available at: [aph.gov.au/Parliamentary\\_Business/Committees/Joint/Electoral\\_Matters/2013\\_General\\_Election/Submissions](http://aph.gov.au/Parliamentary_Business/Committees/Joint/Electoral_Matters/2013_General_Election/Submissions).