



## **Electoral Commissioner**

Our Ref: 16/469

Ms Lynley Ducker  
Committee Secretary  
Joint Standing Committee on Electoral Matters  
PO Box 6021  
Parliament House  
CANBERRA ACT 2600

Dear Ms Ducker

### **Joint Standing Committee on Electoral Matters: Review of the AEC's Annual Report 2016-17**

Thank you for the invitation to provide a second submission to the Committee's review of the AEC's Annual Report 2016-17. The submission is attached.

Yours sincerely

Tom Rogers

17 March 2018



20 March 2018

# Submission to the Joint Standing Committee on Electoral Matters

**Review of the AEC's annual report 2016-17**

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# Overview

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## Current electoral environment

Since the release of the Australian Electoral Commission's (AEC) first submission to this inquiry on 20 November 2017, the AEC has continued to progress its preparations for the next federal election.

The AEC operates against an election ready road map (ERRM) consisting of *Phase 1: Evaluate and Learn*, *Phase 2: Implement Change* and *Phase 3: Mobilisation*, which are designed to support the AEC's readiness to successfully deliver the next electoral event.

The AEC is currently in *Phase 2: Implement Change*. One aspect of this election readiness phase is the development and implementation of targeted work program priorities designed to support the outcomes of the AEC's post-election 2016 federal election evaluation. The 13 agency work program priorities identified in *Phase 1: Evaluate and Learn* now operate as business as usual activities within the AEC.

In addition to its election readiness activities, the AEC has also been responsible for the delivery of by-elections in the divisions of New England, Bennelong and Batman and for the conduct of special counts for Senate vacancies in New South Wales, Tasmania and South Australia as ordered by the Court of Disputed Returns due to challenges under section 44 of the Constitution. In addition, redistributions have been progressed in Tasmania, Queensland, Victoria, the Australian Capital Territory and South Australia.

The *Commonwealth Electoral Act 1918* (Electoral Act) has recently changed affecting the AEC's administration of elections and referendums. On 15 March 2018, new rules came into effect relating to the authorisation of federal electoral advertisements and other communications defined under the amending legislation, the *Electoral and Other Legislation Amendment Act 2017*, including broadcasting of political matter. The AEC has released a new Electoral Backgrounder entitled 'Election communications and authorisation requirements' which provides a consolidated summary of the changes in question and answer format.

## Recent modernisation initiatives

### Systems

As part of the Mid-Year Economic and Fiscal Outlook (MYEFO), the AEC received funding to complete a business case to cost the modernisation of the AEC's main election and roll management systems. The AEC's information technology systems form a critical part of the organisation's ability to conduct federal elections and fulfil its important and essential role supporting our democracy. Once completed, this business case will be used to seek further funds as part of a New Policy Proposal to modernise our systems.

Also as part of MYEFO, the AEC has been allocated funding over four years to implement and administer new measures contained in the Electoral Legislation Amendment (Electoral Funding and Disclosure Reform) Bill 2017. In reviewing its implementation approach, the AEC is actively considering approaches adopted by other electoral management bodies. For

instance, the Electoral Commission of Queensland (ECQ) is currently in the process of replacing its Election Management System (EMS). The experience of the ECQ has shown there are vendors in the marketplace that can deliver an EMS with a high degree of customisation, removing the need for bespoke development work and ongoing support and maintenance. Similarly, the New Zealand Electoral Commission successfully delivered the 2017 New Zealand election event using a new vendor supplied solution.

### **Processes**

In preparation for the next federal election, the AEC, with the support of external logistical expertise, has redesigned its election supply chain management process into a nationally consistent and coordinated model. Key changes include the engagement of external suppliers to pick and pack major election material categories (including cardboard polling equipment, stationary and office supplies and printed materials).

In order to further streamline processes and to improve the voter and staff experience on polling day, the AEC is using a data driven approach to better forecast polling place resources. The AEC has engaged Deakin University to assist with capturing and modelling baseline metrics of polling place operations. At the December 2017 Bennelong by-election the AEC worked with Deakin University to collect data which included the arrival rates of electors, sampling of ballot paper issuing timeframes, as well as timeframes for elector use of voting screens and the House of Representatives count process. The data is being used to inform resourcing decisions for polling place processes and staffing levels at the next federal election.

## **Focus area updates**

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### **AEC information technology systems**

#### **AEC App**

The AEC recently approached the Digital Transformation Agency's Digital Marketplace with a request for a mobile application solution. Design and construction of the mobile application solution is now underway and the first round of usability testing has commenced. The proposed AEC mobile app will bring existing election systems on to a more modern platform, and allow the AEC to personalise engagement with the voter.

The solution utilises modern cloud-native technologies and will offer a range of personalised voter services including the ability to check enrolment, search for polling places, receive targeted communications, and link to AEC online services.

#### **Electronic Certified Lists (ECLs)**

The AEC is also exploring the potential for a pilot of an "ECL-LITE" solution which, once deployed, would provide look-up and mark-off capabilities on a range of low-cost devices which may allow ECL functionality to be deployed to a significant proportion of static polling places across the country.

If implemented, the ECL-LITE searchable certified list for the event would not be held on the device, but would be accessed remotely via a mobile network connection.

A full national (or large scale) deployment of low-cost ECL-LITE devices to all issuing points would still involve additional election resources in terms of staff and budget. The AEC is not currently funded for this level of investment.

The integrity of the ECL-LITE mobile network solution remains a critical key requirement and a range of technical, physical and personnel security controls would be required to satisfy the Australian Government's Protective Security Policy Framework.

## AEC temporary election workforce

To further support staff at the next federal election, the AEC will provide additional learning support material for its temporary election workforce. One aspect of this will be the distribution of a series of videos. It is intended that the videos will be short, task focused and will work with the other types of training being developed to give a comprehensive learning package. The videos will:

- leverage contemporary and existing technology for the distribution and viewing of the videos;
- be used, as relevant, in online training, instructor led training (also known as face-to-face training) and will be available as stand-alone resources for 'just in time training';
- contribute to providing accurate and nationally consistent training on critical key election tasks; and
- contribute to the modernisation of the AEC's election delivery in further professionalising the training of its polling and non-polling staff around critical electoral processes.

The Officer-in-Charge (OIC) return is a critical component of the suite of products provided to OICs at election time to assist them to effectively undertake their role during the election. The OIC return for static polling places has been reviewed and redesigned to improve its usability for a temporary election workforce.

The final design will include a preparation guide for OICs outlining the tasks and responsibilities that are required in preparation for the commencement of polling. It will also contain a separate, reduced version of the OIC return consisting of a set of mandatory forms and checklists that prepare and support the OIC for polling and the management of their allocated polling place. The design concept is being progressively rolled out to update all OIC and other relevant polling official returns.

The redesigned documents were trialled at the 2017 by-elections by OICs at static polling places. Feedback from this trial will be used to inform any further enhancements required to the documents prior to the next federal electoral event.

## Internet voting and electronic cyber security

### **Council of Australian Governments (COAG)**

On Friday 9 February 2018, COAG considered proposals from the Electoral Council of Australia and New Zealand (ECANZ) to modernise state and federal electoral systems. COAG noted the importance of cooperation to mitigate cyber security risks, and the Australian Cyber Security Centre's proposed cyber-security health checks of our electoral processes.

The members of ECANZ are currently working with the Australian Cyber Security Centre in the conduct of a cyber security review of electoral processes. ECANZ is continuing to develop modernisation proposals to take back to COAG for consideration.

### **The ECANZ conference on Electoral Innovation**

The 'Electoral Innovation' conference held in March 2018 and organised by the AEC on behalf of ECANZ, provided attendees the opportunity to discuss contemporary innovations in electoral administration, barriers to meaningful innovation, and a chance to showcase key agency processes and practices. Attendees included representatives from the Indian and Canadian Electoral Commissions as well as members of ECANZ. Attendees were able to share information about issues relating to electoral administration and technological innovation, including internet voting and security.

## **Implementation of technical amendments**

The AEC is continuing to progress the technical amendments endorsed by JSCEM with the Department of Finance.

## **Summary**

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The AEC is continuing to work within its resource constraints to modernise its systems and processes to ensure it is able to deliver electoral events characterised by efficiency, timeliness and trust. To that end, the AEC is continuing to engage with key stakeholders, assisting to progress proposed amendments to the Electoral Act and assessing key process requirements to deliver high quality electoral management systems.

This modernisation task is being undertaken in an ongoing complex operational environment, where the need to modernise systems and processes competes with both business as usual activities and unforeseen external demands on the AEC's resources. The AEC's prime focus remains on being ready to successfully deliver the next federal election, whenever it may be called.