



Electoral Commissioner

Our Ref: 16/469

Ms Lynley Ducker
Committee Secretary
Joint Standing Committee on Electoral Matters
Parliament House
CANBERRA ACT 2614

Dear Ms Ducker

Joint Standing Committee on Electoral Matters Inquiry into the Australian Electoral Commission's 2016-17 annual report – Questions on Notice

At the Committee's public hearing on 6 December 2017 the AEC committed to providing responses to questions on notice. Please find below a response to a question from Mr Morton.

A detailed response to two questions on notice in relation to the use of Electronic Certified Lists (ECLs) is provided at [Attachment A](#).

The Acting Chair (Mr Morton) asked whether, prior to the return of the writs or the 40-day period, there should be a statement from the commission on known issues, to give candidates the ability to consider any preparation of their own Court of Disputed Returns matters. In response, the Electoral Commissioner offered to provide his general thoughts on the issue. [Proof Hansard page 8]

AEC response

The only legislative requirement for the AEC to notify candidates of an issue arising between polling day and the return of the writs is contained in section 238B(13) of the *Commonwealth Electoral Act 1918* (the Electoral Act). Under this section, the AEC must notify candidates if a ballot box was opened before the close of the poll other than in accordance with the Electoral Act, and of details of ballot papers examined, the number excluded from scrutiny, the number of envelopes examined; and the number of envelopes excluded from preliminary scrutiny.

The AEC does however provide candidates with a range of information on election delivery and related issues. This information is available online from the AEC's website and includes electoral backgrounders on issues such as ballot papers, voting, electoral advertising, scrutineers, and information specifically for candidates in the Candidates Handbook.

Most issues about election delivery that candidates raise can be resolved locally by the divisional office. More serious issues are addressed by the appropriate area. The AEC endeavours to resolve issues in a timely manner and, wherever possible, to the candidate's satisfaction.

I look forward to assisting the Committee in its future deliberations.

Yours sincerely

Tom Rogers

29 January 2018

Electronic Certified Lists and new functionality

Electronic Certified Lists (ECLs): proposed deployments

Extending the use of ECLs at federal electoral events would improve the voter experience and potentially reduce wait and queuing times, allow ballot paper stocks to be monitored in real time, and reduce the amount of partially admitted votes at elections.

ECLs offer significant benefits in supporting the conduct of a federal election, but the process and technology need to be scalable to a broader deployment. The AEC has previously expressed the view to the Committee that, without further resourcing and development, the AEC's current ECL system would not be scalable to a national rollout.

ECL deployment for the next federal election

Although a national rollout of the current ECL system is not feasible within current resource constraints, the AEC is planning an extended deployment of ECLs to further improve efficiency at polling places. As a result, the AEC will more than double the number of ECLs for the next federal election.

The current ECL deployment plan for the next federal election includes approximately 3,900 ECL devices and 2,300 printers in all:

- pre-poll voting centres
- mobile polling teams
- interstate voting centres, and
- static superbooths (large polling booths that can issue ordinary votes for all divisions within a state/territory).

In addition, where logistically possible, ECLs within a division will be redeployed from pre-poll voting centres and mobile teams into static polling places on election day. They will be used by declaration vote issuing points in reference roll mode, which allows a search only function of the national electronic certified list, to confirm the enrolled address of declaration voters.

In the current ECL system, ECLs are loaded with the national electronic certified list and all House of Representatives ballot papers. This allows ECLs to be redeployed between polling places as needed. Polling place and issuing type (ordinary or declaration or both) can be selected when the user logs on to the device, and this determines which parts of the electronic certified list can be searched.

The table below shows the number of ECLs deployed and the percentage of polling places covered by ECLs at the 2016 federal election and the estimated increases for the 2018/19 federal election.

Polling place	2016 ECL devices deployed	2016 % of polling places that used ECLs	2018/19 estimated ECL devices to be deployed	2018/19 % of polling places to use ECLs
Pre-poll voting centres	1,180	28%	3,067	100%
Mobile teams	269	34%	689	100%
Static superbooths	51	100%	80	100%
Interstate voting centres	0 ¹	20%	0 ²	100%
Total	1,500³		3,836	

Proposed deployment by polling place

Pre-poll voting centres: ECLs will be used at both ordinary and declaration vote issuing points in all pre-poll voting centres. Printers will be used to print House of Representatives ballot papers at all declaration vote issuing points. Printers will also be used at ordinary vote issuing points in pre-poll voting centres that are able to issue ordinary votes for more than one division.

Interstate voting centres: Interstate voting centres only issue declaration votes. ECLs with printers will be used at all declaration vote issuing points.

Mobile polling: ECLs will be used by all mobile polling teams to issue ordinary and declaration votes. Mobile polling teams do not generally use printers as it is logistically difficult to transport printers between locations.

Static superbooths: ECLs and printers will be used at both ordinary and declaration vote issuing points on election day.

Static polling places: The AEC is still undertaking deployment planning to estimate how many ECLs can be redeployed into static polling places on election day.

Proposed ECL Lite

Background

While the AEC plans to extend the deployment of the current ECL system at the next federal election as outlined above, it is unable to extend the rollout to all issuing points (both ordinary and declaration) in static polling places on election day.

¹ ECLs used by interstate voting centres at the 2016 federal election were issued to pre-poll voting centres and then used on election day when the pre-poll voting centres operated as an interstate voting centre.

² ECLs for interstate voting centres on election day will generally have previously been used by pre-poll voting centres.

³ At the 2016 federal election an additional 44 ECLs were deployed to support other polling activity and to mitigate technical issues.

In order to deploy an ECL at all issuing points in all static polling places on election day, the AEC would need to deploy approximately 26,000 devices at ordinary vote issuing points and approximately 12,000 devices at declaration vote issuing points. The additional 38,000 devices would be extremely costly to deploy as each device would need to be loaded with the certified list and ballot paper images and appropriate security applications.

To address this issue, the AEC has started to scope a new version of ECL which would not be loaded with the certified list or ballot paper images and which could potentially be deployed to static polling places on election day as an alternative to the current ECL system. The AEC would require significant additional funding to develop this new ECL functionality.

As a first step in moving towards deploying ECLs to static polling places on polling day the AEC has commenced developing high-level requirements for a new ECL Lite solution with functionality limited to a searchable reference roll which could be used by declaration vote issuing points.

ECL Lite would be an online solution only with no mark-off capacity. The searchable reference roll for the event would not be on the ECL Lite device. Instead it would be accessed remotely, and would require an internet connection to function.

Not having any sensitive data (no certified list data or ballot paper images) loaded and stored on the ECL Lite device would significantly reduce the specifications and cost of the ECL Lite device. The AEC's current ECL device has multiple levels of security protections built into the hardware and security software to protect the certified list data and ballot paper images that are loaded and stored on each device.

Timeframe

In addition to the provision of adequate funding, the AEC would require at least six months to develop and procure the new ECL Lite system prior to the next federal election.

Costs

The development of the ECL Lite system is estimated to cost approximately \$3.5 million while deployment to declaration vote issuing points in all static polling places would cost approximately \$8 million. This is substantially less than the estimated cost of deploying the existing ECL system to declaration vote issuing points in all static polling places which would cost approximately \$24 million.

Benefits

Giving all declaration vote issuing points in static polling places access to an ECL Lite would allow the issuing officer to confirm the enrolled address of the voter to ensure the correct House of Representatives ballot paper is issued. This capability should reduce the number of partially admitted declaration votes.

At the 2016 federal election, 11.2 per cent of declaration votes (provisional, absent and pre-poll) that were issued without using an ECL were partially admitted while only 0.19 per cent of declaration votes that were issued using an ECL were partially admitted.

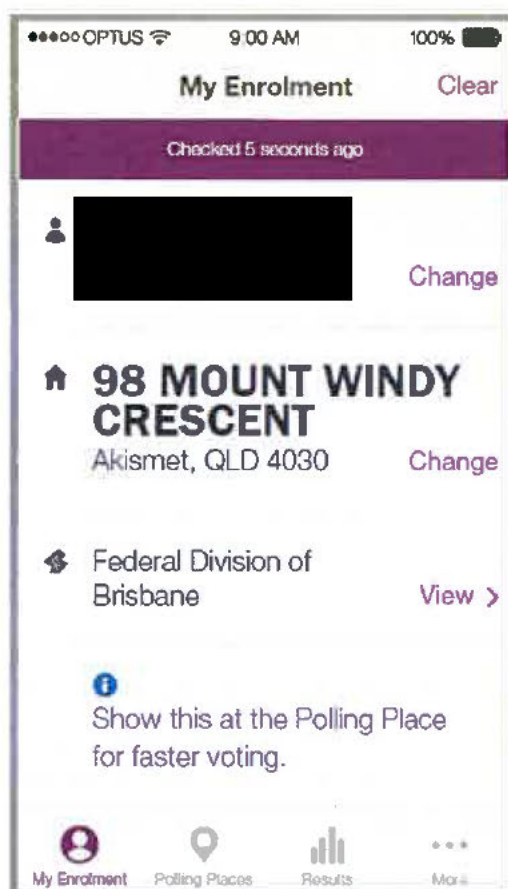
New functionality

New AEC Mobile Application – Electronic Voter Card

In addition to extending the deployment of ECLs and developing ECL Lite, the AEC is planning to further improve the voter experience at the next federal election through the use of an AEC mobile application which will be available on mobile devices.

To avoid the substantial expense associated with physical voter cards delivered by mail the AEC is investigating the feasibility of using the AEC Mobile Application as an electronic voter card. The “My Enrolment” screen displays the voter’s name, enrolled address and the associated federal electorate (if the enrolment can be confirmed electronically by the mobile application).

The voter’s details are displayed in clear, easy to read text that will assist a polling official to efficiently locate the voter on a certified list (either electronic or paper) and avoid the delays caused by the misinterpretation and/or misspelling of names and/or addresses.



The AEC is committed to driving innovation and modernisation in order to improve voter experience and ensure the long-term sustainability of the federal electoral system. As mentioned in several recent submissions to the Committee, further modernisation will require additional, and significant, financial investment to enable the AEC to invest in new systems and processes to meet community expectations.