



## Electoral Commissioner

Our Ref: 13/997

Inquiry Secretary  
Joint Standing Committee on Electoral Matters  
PO Box 6021  
PARLIAMENT HOUSE ACT 2600

Dear Inquiry Secretary,

### **Inquiry into the 2013 federal election – Responses to Questions taken on Notice (QoNs) at the 4 March 2015 Joint Standing Committee on Electoral Matters’ (JSC EM) hearing**

This submission contains responses to three questions taken on notice at the 4 March 2015 JSC EM hearing held in Canberra:

- 1 Ballot paper logistics at commercial printing sites and subsequent transportation
- 2 Ballot paper storage and [end of life] destruction
- 3 Introduction of Voter Identification at the Queensland election

Given the ongoing focus and discussion addressing ballot paper logistics and storage over the course of the Inquiry, the AEC wishes to provide the Committee with a number of photos which illustrate the AEC’s improved ballot paper parcelling, packaging and storage procedures during the Griffith by-election and 2014 Western Australian half-Senate election. These attached photos reflect enhanced policies and procedures implemented following the 2013 federal election. An index of the photos is provided at **Attachment A**.

#### **Ballot paper logistics at commercial printing sites and subsequent transportation**

1. On page eight of the transcript discussion centred on the interaction of AEC personnel and logistic providers at the printing and transportation of ballot papers.

**Senator RHIANNON:** In talking about the third-party logistics providers, at the end of the day, somebody has to do the job. The printers are on the floor, printing off the ballot papers. They go and they are stored. The truck comes along. The forklift goes out, and all the rest. Where, in all those stages, do you have your people interacting with that? It is such an important stage when we are getting all these ballot papers done. Can you describe those



## Electoral Commissioner

interactions between AEC people and these private companies? If it is too complex—although I think it is worth us knowing—maybe you could set it out in one of these

documents, which I am quite happy to read. 'Logistical providers' sounds impressive—and I am not reflecting on the workers, obviously—but, at the end of the day, they are probably paid a pretty bad wage, they come in, they pick it up and off they go. How do we sort all that out?

**Mr Rogers:** I might answer this in two ways. I am probably happy to do this as a table for you and provide that information later on, but I will explain it, if I can. We do not get into a relationship with a provider unless we are sure that, contractually, they have got a quality process in place that we have signed off on, and that is the critical thing.

### *AEC Response:*

- 1.1. In preparation of the anticipated 2016 federal election, the AEC is implementing nationally consistent minimum standards to be used in all contracts pertaining to the printing and transportation of ballot papers. At previous election events there were instances of commercial printing sites undertaking both the printing and transportation of ballot papers to AEC divisional, state and national offices. At the 2016 federal election, it is proposed that separate contracts (and subsequently different contactors) will be used for the two distinct activities of printing ballot papers and transporting ballot papers to AEC sites. These two contracts will encompass enhanced, nationally consistent security and political neutrality requirements, with mandatory consignment noting at package level, ensuring compliance with recommendations contained within Mr Keelty's inquiry into the 2013 WA Senate Election report (the Keelty Report).
- 1.2. At the commercial printing sites, a quality assurance role is performed by AEC staff during and after the printing of ballot papers. These quality assurance activities will be standardised in all ballot paper printing contracts for the 2016 federal election with a view to establishing national consistency and ensuring compliance with recommendations contained within the Keelty Report.
- 1.3. The security and destruction of ballot papers at commercial printing sites due to the misprinting of ballot papers, the printing of too many ballot papers (overruns) and the destruction of the original ballot paper images provided by the AEC, are terms built into the contracts to ensure the security of ballot material. Historically however, there has been some divergence in the content of contracts with printing contractors. For example, requirements were outlined differently across state-based contracts in regards to printing contractors providing the AEC with a certificate of destruction for misprinted



## Electoral Commissioner

ballot papers, overruns of ballot papers and original ballot paper images provided by the AEC. Contracts for the 2016 federal election will be enhanced with a view to national consistency and ensuring compliance with recommendations in the Keelty Report. The contractor will be required to undertake regular reporting on print quantities and adherence to print schedules contained in the contract.

### Ballot paper storage and security/destruction

2. On page ten of the transcript Mr Rogers undertook to provide the committee with an outline of the ballot paper storage and destruction process.

**Mr Rogers:** Just two things. First of all, I have given a direction, when we do this, that I do not want to just move everything we have without actually looking at it. I have said that I want to move the minimum necessary amount into storage, and I would be looking to offset that long-term storage cost through savings in our current warehousing. I would have to recall, but I think we have something like 1,100 pallets of ballot material stored in warehouses all over Australia at the moment. You and I would both know that the chance of a lot of that being required any time soon is virtually zero, so I want to try to reduce our holdings as much as we can in any case.

**Mr GRIFFIN:** I think that is very sensible. My point from that is: in the current environment, given what has happened, I can understand why the commission would be extremely cautious around the question of star-trekking anything and boldly going where no-one has gone before. However, having said that, I think we are also dealing with a culture that goes back over a long period of time in terms of how best to do things. It is not unusual to have a situation where you do things because that is how you do things, and that is what happened and therefore it continues to be. It would be a mistake in my view if, as part of this process, there was not an opportunity to look at some aspects of what currently is done, and at thoughts that there might be something worth looking at. I am not saying that I think the commission should jump off the bridge and do it themselves.

**Mr Rogers:** And suddenly shred all of our ballot papers.

**Mr GRIFFIN:** I do think that, if there are issues, it would certainly be worthwhile, and I think the committee would be keen to hear from you as to anything like that. Frankly, with issues like that, I would not have a problem with recommending that the committee actually holds hearings, considers those issues and, if the matters can be resolved in a clear, transparent and bipartisan fashion, if we are able to actually make changes which make sense and save money, we would be dumb if we did not do it.

**Mr Rogers:** Deputy Chair, I endorse that fully, and in fact I do so. I will write to the committee, Chair, if that is okay with you, and outline where we are heading and the current process, which might be worthwhile.

### *AEC Response:*

2.1 Under the current process, ballot Papers for the House of Representatives are generally held for six months and then destroyed, subject to a risk assessment on the need to hold them for longer due to any matters



## **Electoral Commissioner**

unresolved from the relevant election. The House of Representatives ballot papers from 2013 are still being held subject to the outcomes of the current JSCEM hearings.

2.2 Ballot papers for the Senate are generally held for the term of the relevant Senate. This is an internal records management and policy decision stemming from events in the 1980's, including the case *Sue v Hill* (1999) 199 CLR 462.

2.3 Until destruction, ballot papers have been kept in warehouses operated by the AEC and are the primary reason for the AEC operating warehouses.

2.4 The AEC has reviewed its storage management policies, and is the process of considering a new approach to managing long-term storage of completed ballot papers. Under the proposed new arrangements, completed ballot papers are to be treated the same as all other AEC records. This will result in Ballot Papers being stored in dedicated outsourced records management and storage facilities operated by specialised records management companies until being destroyed.

2.5 Transition to this new process is expected to be completed by the end of the 2014-15 financial year, subject to finalisation of contract amendments with our outsourced records management provider; agreement to destroy 2013 House of Representatives Ballot Papers; and review and confirmation of the continuing need to hold Senate Ballot Papers for the term of the Senate.

2.6 Following transition, it is expected that a staged divestment or scaling back of warehouses operated by the AEC will occur. There will still be a need to store materials, such as ballot boxes, queueing equipment, etc, for election events which can be met through a mix of more cost effective solutions.

2.7 The proposed process is expected to improve security and chain of custody over ballot papers (post-election) through the utilisation of a dedicated records management provider, as well as provide storage for completed ballot papers in appropriate environmental conditions.

### **Introduction of Voter Identification at the 2015 Queensland State Election**

3. On page 15 and 16 of the transcript the introduction of voter identification at the 2015 Queensland State Election was discussed broadly:

**Mr GRIFFIN:** One of the concerns that I have always held with this sort of activity is the situation where someone has not got ID in normal circumstances or has not got ID on them.



## Electoral Commissioner

What process is followed with respect to ensuring that people have the right to cast a vote and for that vote to be counted? Can you just walk us through what happened with respect to that?

**Mr Rogers:** From my understanding—

**Mr GRIFFIN:** I think it is useful to have a brief discussion about it. But, given Queensland is in the process of reviewing this, on behalf of the committee, we would be keen to get a report back when you feel that is appropriate.

**Mr Rogers:** Absolutely, and as soon as we have got information from Queensland I will pass that on to the committee.

**CHAIR:** Mr Griffin's question is: if you turn up without the card and you have not brought along any of the stuff, what then happens to your vote?

**Mr Rogers:** I think the overriding principle that they adopted in Queensland is that no-one is denied a vote. So if you turn up without ID you are given a declaration vote.

[...]

**Mr GRIFFIN:** On from that note—and I do not expect you to be able to answer this now—I would be very keen to see whatever information you can get when this is concluded around what the implications were for alleged multiple voting in that situation. As you are aware, the conspiracy theorists on this one normally point to those sorts of issues as being the real reason why you need to have this, and I would be very interested to see what impact, if anything, could be seen from that.

**Mr Rogers:** You are probably aware that other jurisdictions have applied evidence of identity at time of voting differently. The New Zealanders have evidence of identity at time of voting. They do it in Canada. It is a relatively recent thing in Canada, I think.

[...]

**Mr GRIFFIN:** The other thing is obviously the cost. If we are talking about a letter out to each member of the electorate, that is obviously a pretty significant cost, particularly the way Australia Post is going these days. And I imagine there were probably some savings, at least in terms of efficiency and time at polling booths, on the basis of the bar coding system as well.

**Mr Rogers:** I will certainly do that. I did speak to the Queensland electoral commissioner last week before my appearance at Senate estimates, and he said to me that he is okay with me saying this. They are going through their evaluation. It is not yet formal but, anecdotally, it went smoothly. The introduction of evidence of identity at time of voting went smoothly.

[...]

**CHAIR:** I am the first to admit that not every multiple mark is a multiple voter. A lot of them are errors. Nonetheless you have referred some to the AFP. My concern is the vulnerability. The criticism overseas is that a voter-ID requirement can affect turnout. But we have got a compulsory system, which is pretty rare, so that would obviate against some of the criticism you see in the United States.

**Mr Rogers:** I will provide you some separate information about this. To be clear, what I am not saying is there were not people who went to the polling place and complained. There may well have been—and that may come out of the Queensland evaluation.

### *AEC Response:*

- 3.1. A number of AEC staff visited polling stations during the conduct of polling for the 2015 Queensland State Election. They observed no major difficulties or significant opposition to the implementation of identity requirements, and it was the opinion of the AEC staff that the introduction of these measures



## Electoral Commissioner

occurred very smoothly. AEC staff were aware of reports of isolated incidents of individual discontent, however these reports appeared to indicate that the focus of these individuals' disagreement was the legislative requirement, not the Electoral Commission of Queensland's (ECQ's) implementation of the legislation.

3.2. The Queensland Electoral Commissioner Mr van der Merwe informally advised the Australian Electoral Commissioner Mr Tom Rogers (without commenting on the merits or otherwise of the legislative requirement) that he was not aware of any significant issues with the implementation of the legislative requirements. The Queensland Electoral Commission is continuing its evaluation of the election.

3.3. Evidence of identify is an ongoing topic of discussion within Queensland and the wider community. The requirement to produce identity documentation is a matter for Parliament. Electoral management bodies such as the Queensland Electoral Commission and the AEC are responsible for implementing requirements as set out in legislation.

Yours sincerely,

Tom Rogers

Electoral Commissioner

17 March 2015



## Electoral Commissioner

**Attachment A: Index of photos depicting parcelling, packaging and storage of ballot papers at the Griffith by-election and 2014 Western Australia half-Senate election.**

Number	Title	
1	Parcelling of House BPs	Griffith
2	Parcelling of Senate BPs & labelling	WA
3	Parcelled Senate BPs	WA
4	Parcelled and labelled Senate BPs	WA
5	Packaging Senate BPs	WA
6	Packaged and labelled Senate BPs	WA
7	Packaged Senate BPs	WA
8	Pallet of BPs final storage	WA
9	Transportation of pallet	WA
10	Warehouse final storage	WA