

## **Administration of the Roll**

### **Introduction**

- 3.1 The Audit Report stated that by the mid-1990s, problems with the Australian Electoral Commission's administration of the Electoral Roll through its habitation reviews prompted the AEC to consider alternative Roll review processes.<sup>1</sup>
- 3.2 This chapter considers the resulting Continuous Roll Update (CRU) process. In examining the Audit Report, the Committee was interested in the way in which this process has been implemented by the AEC, and any problems encountered in accessing a nationally consistent data-set to use for CRU.

### **Maintenance of the Electoral Roll - Continuous Roll Update**

- 3.3 Up until 1998, the Australian Electoral Commission (AEC) used habitation reviews as a means of ensuring the accuracy and completeness of the Electoral Roll. Habitation reviews involved a nation-wide doorknock

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1 Audit Report, p. 38.

about every 18 months to check that people were correctly enrolled.<sup>2, 3</sup> The Audit Report listed a number of deficiencies in the use of habitation reviews, including the following:

- The AEC's main objective was to have an accurate roll for Federal events, and although attempts were made to fit the timing of State and local government elections as well, rolls were often not updated in time for State and local government elections.
- Changes occurring between a habitation review and an election were not captured.
- The electoral roll quickly became out-of-date because of the gap between habitation reviews.<sup>4</sup>

3.4 According to the ANAO report, the Australian Joint Roll Council (now the Electoral Council of Australia) reviewed methods of maintaining an up-to-date Roll and concluded that, for future Roll management, greater use should be made of available technology by moving to CRU, and this has occurred.<sup>5</sup>

3.5 In conducting CRU:

... the AEC, using data sourced from within the AEC and [data] obtained from external sources, undertakes data-matching and data-mining activities to identify addresses on the roll where residents have moved. The AEC identifies new electors (youth coming of age and new citizens), and those to be removed from the roll (for example, deceased electors), by the same process.<sup>6</sup>

3.6 Data-matching is the matching of AEC records to data records of external sources. Data-mining is the analysis of the AEC's data.<sup>7</sup>

Using the results from data-matching and data-mining, the AEC sends letters and enrolment forms to individuals inviting them to enrol or update their details. As individuals respond to AEC letters the roll is updated.<sup>8</sup>

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2 Audit Report, pp. 38, 41. The Audit Report refers to a Joint Roll Council reference to habitation reviews being conducted every two years.

3 Mr A Moyes, *Transcript*, p. 15.

4 Audit Report, p. 38.

5 Audit Report, p. 39.

6 Audit Report, p. 39.

7 Audit Report, p. 39.

8 Audit Report, p. 39.

3.7 Since the inception of CRU, the AEC has improved its ability to periodically review the Electoral Roll. For example, it has increased the frequency of its reviews, conducting:

... a monthly mailing following data-matching of external data that indicates that an elector has changed their address or has recently become eligible for enrolment, and not updated their enrolment.<sup>9</sup>

3.8 The Committee questioned the AEC on why the levels of enrolment by 18 year olds dropped between the issue of writs and the close of rolls for the 2001 Federal Election, compared to the 1998 Federal Election. In response the AEC suggested that targeting this enrolment group using CRU activities had successfully reduced the enrolment numbers of 18 year olds.<sup>10</sup> Specifically:

Since the 1998 Federal Election the AEC has increased its Continuous Roll Update activities with the aim of improving the quality of the electoral roll at any point in time ... The activities undertaken to encourage greater enrolment of 17 and 18 year olds include:

- paying a bounty to schools in WA, SA, TAS and the ACT for the collection of completed enrolment forms;
- sending an enrolment form with the Year 12 examination results in QLD – this is a cooperative venture between the AEC and the QLD Electoral Commission;
- the Victorian Electoral Commission (VEC) sending a birthday card to 17 year olds with an enrolment card enclosed. The VEC obtains data from the Victoria Board of Studies and the Tertiary Admissions Centre;
- writing to 18 year olds identified from transport authority data obtained in QLD, SA and the ACT. Data in QLD was first obtained in 1997, and for SA and the ACT since the 1998 election; and
- writing to 17 and 18 year olds identified from Centrelink change of address data, and 17 and 18 year old client data, obtained for all States and Territories. Centrelink data was first obtained after the 1998 election.<sup>11</sup>

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9 Australian Electoral Commission 8 July 2002. *Electoral Roll Review*, [http://www.aec.gov.au/\\_content/what/enrolment/roll\\_review.htm](http://www.aec.gov.au/_content/what/enrolment/roll_review.htm).

10 AEC, *Submission* No. 4, p. S26.

11 AEC, *Submission* No. 3, p. S24.

3.9 In other words:

The AEC was able to enrol a sufficient number of 17 and 18 year olds between the 1998 and 2001 Federal Elections to result in a decline in the number of 18 year olds who needed to enrol during the close of roll period for the 2001 Federal Election.<sup>12</sup>

3.10 The Committee notes the Audit Report finding that:

The ANAO considers that the CRU methodology is an effective means of managing the electoral roll and is capable of providing a roll that is highly accurate, complete and valid.<sup>13</sup>

3.11 It also notes the Audit Report's conclusion that CRU had developed in an 'ad hoc' manner, without strategic planning for a consistent national approach. As a result, the Report concluded that, after two years, CRU was not fully implemented and different data is used for different States and Territories.<sup>14</sup>

3.12 The Committee examined the following aspects of the implementation of CRU:

- implementation of a consistent national CRU program; and
- issues affecting the use of CRU.

## **Implementation of a consistent national CRU program**

3.13 Recommendation 1 of the ANAO Audit Report states:

To achieve a consistent approach across all States and Territories in managing the electoral roll, the ANAO recommends that the AEC develop a strategic plan for the CRU that:

- sets out national standards for updating the electoral roll;
- identifies and addresses gaps in the existing CRU program; and
- sets a timetable for implementation of a consistent national CRU program.<sup>15</sup>

3.14 The AEC agreed with this recommendation and identified relevant strategic priorities.

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12 AEC, *Submission* No. 4, p. S26.

13 Audit Report, p. 13.

14 Audit Report, p. 13.

15 Audit Report, p. 42.

- 3.15 However, the Committee is concerned that the AEC did not specifically address the recommendation that its national plan include national standards for updating the Electoral Roll.<sup>16</sup> The Committee considers that national standards for updating the Electoral Roll would assist the AEC to implement a consistent national CRU program.
- 3.16 The Committee notes the AEC's status report on the implementation of Recommendation 1 from the Audit Report, in particular that:
- The AEC has identified enrolment and CRU as strategic priorities in the current AEC strategic plan. The first priority is to develop a CRU strategic plan in consultation with the Electoral Council of Australia (ECA). Work on this plan will commence in August/September with an aim to complete it by the end of 2002 subject to agreement by the ECA.<sup>17</sup>
- 3.17 At the public hearing, the AEC suggested that it was addressing the Recommendation's second element ('identifies and addresses gaps in the existing CRU program').<sup>18</sup> While the Committee notes this, it is still concerned that the AEC's response does not address directly the first and third points of Audit Report Recommendation 1.

## Recommendation 6

- 3.18 **The Committee recommends that the Australian Electoral Commission provide the Committee with regular 12-monthly progress reports on its development and implementation of:**
- **national standards for updating the Electoral Roll; and**
  - **a timetable for the implementation of a consistent national Continuous Roll Update program.**

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16 Audit Report, p. 42.

17 See Appendix A.

18 Mr T Pickering, *Transcript*, p. 3.

## Issues affecting use of CRU

- 3.19 The Committee considered several aspects of CRU which the ANAO's Report suggested affected the AEC's capacity to maximise the accuracy, validity and completeness of the Electoral Roll, and which required further action. Two issues were:
- identification of data sources; and
  - access to State and Territory data.
- 3.20 In addition, two matters were specifically identified by the ANAO as affecting the effectiveness of CRU, namely AEC correspondence, and Australia Post mail delivery. In relation to AEC correspondence, the ANAO recommended that the AEC:
- review and revise, as appropriate, CRU correspondence with electors; and
  - include in future correspondence reference to a citizen's legal obligation to enrol to vote and the penalties that apply for non-compliance.<sup>19</sup>
- 3.21 The AEC agreed with this recommendation. The Audit Report did not make a recommendation on the issue of Australia Post mail delivery.

## Identification of data sources

- 3.22 The CRU process is heavily dependent on the quality, comprehensiveness and timeliness of external data sources. In its analysis of the implementation of the CRU process, the Audit Report referred to limitations in coverage by Commonwealth data sources creating a need to use State and Territory data sources.<sup>20</sup> It stated that:

data from State and Territory agencies used by the AEC for CRU are supplied on the basis of available data State electoral authorities can obtain from State agencies, rather than whether it will best facilitate an effective CRU program.<sup>21</sup>

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19 Audit Report, pp. 50-1.

20 Audit Report, p. 43.

21 Audit Report, p. 45.

- 3.23 Recommendation 2 of the ANAO Audit Report recommended that the AEC maximise the benefits of data-matching by identifying and monitoring optimal data sources.<sup>22</sup>
- 3.24 The Committee supports this recommendation.
- 3.25 The Committee also notes that the ANAO identified an optimal suite of data sources for data-matching, to which the ANAO considered the AEC should gain access. The suite comprised:
- Australia Post;
  - Centrelink;
  - the Commonwealth Department of Immigration and Multicultural and Indigenous Affairs;
  - State and Territory rental bond boards;
  - State and Territory motor transport agencies;
  - State and Territory fact of death files;
  - State and Territory public housing authorities; and
  - State and Territory revenue and/or land titles offices.<sup>23</sup>
- 3.26 The Committee notes that it may also be advantageous to have access to the Medicare database for verification purposes. This is discussed further below (see paragraphs 3.64 and 3.65).

## Access to State and Territory data

- 3.27 The Committee noted the Audit Report's finding that:
- Most data for CRU comes from Commonwealth sources. However, State data sources have proved to be most effective for early identification of electors who change address.... However, provision of State data has been uneven.<sup>24</sup>
- 3.28 The State and Territory electoral authorities collect data from State and Territory agencies and provide it to the AEC. Joint Roll Arrangements outline the financial arrangements between the AEC Central Office and State and Territory electoral authorities. The Audit Report states that most of the Joint Roll Arrangements 'do not take account of recent

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22 Audit Report, p. 46.

23 Audit Report, p. 46, Table 3.

24 Audit Report, pp. 42-3.

developments of CRU and of AEC use of data from various State agencies for CRU.<sup>25</sup>

3.29 At the hearing on 17 June, the Committee questioned the ANAO and the AEC on:

- negotiations between the AEC and State and Territory agencies on accessing CRU data sources;<sup>26</sup> and
- the AEC's powers, based on section 92 of the Electoral Act, to demand relevant information from State and Territory agencies.<sup>27</sup>

### **Negotiations between the AEC and State and Territory agencies**

3.30 The Audit Report stated that, '[t]he AEC does not have access to State agency data in New South Wales and Victoria'.<sup>28</sup> This has been attributed to privacy legislation in New South Wales.<sup>29</sup> The ANAO, however, considered that there was 'no obvious impediment to accessing relevant State data sets for the purpose of maintaining the electoral roll.'<sup>30</sup>

3.31 The Victorian Electoral Commission does have access to State agencies' data for data-matching. It uses electors' responses to update the Victorian State Roll and then passes the cards it receives to the AEC for updating of the Commonwealth Electoral Roll, but it does not provide the AEC with the actual data.<sup>31</sup>

3.32 The Committee is concerned with the limitations in the AEC's access to data sources in the two most populous States, New South Wales and Victoria.

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25 Audit Report, p. 65. Joint Roll Arrangements vary between the States and Territories. AEC Central Office either has responsibility for collecting and processing Roll data (in Victoria and Western Australia) or maintaining a joint Roll with input from various State and Territory agencies. Under these Arrangements, the States and Territories pay the Central Office for maintenance services of the Electoral Roll.

26 *Transcript*, pp. 4-8.

27 *Transcript*, pp. 20-1.

28 Audit Report, p. 44.

29 Audit Report, p. 48.

30 Audit Report, p. 49.

31 Audit Report, p. 44.



- 3.33 In relation to the overall inconsistency between States, the Audit Report stated that:
- ... there has been an inconsistent approach across States and Territories due in part to their differing levels of cooperation with the AEC.<sup>32</sup>
- 3.34 At the public hearing, the Committee endeavoured to clarify the AEC's practices in relation to negotiating with State electoral commissioners for access to State and Territory databases.<sup>33</sup> The Committee is concerned that the responsibilities for negotiating access to State and Territory data sources are not clearly defined, and that this results in sub-optimal access to those sources.
- 3.35 The Committee considers that the AEC Central Office should be pro-active in negotiating access to CRU data sources with State and Territory agencies, and not rely on AEC State and Territory Head Offices or the State and Territory electoral commissions. This should result in improved access to data sources, and assist in the development of a more coherent national standard.
- 3.36 The Committee notes and endorses the Audit Report's Recommendation 3 that the AEC identify more effective arrangements for negotiating access to State and Territory data, and pursue all data essential for Roll management.<sup>34</sup>

## Recommendation 7

- 3.37 **The Committee recommends that the Australian Electoral Commission's Central Office conduct the negotiations with State and Territory agencies to ensure it has optimal access to relevant Continuous Roll Update data sources in all States and Territories.**
- 3.38 As noted above, the Audit Report states that most of the Joint Roll Arrangements 'do not take account of recent developments of CRU and of AEC use of data from various State agencies for CRU', particularly in relation to access arrangements and cost recovery.<sup>35</sup>

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32 Audit Report, p. 42.

33 *Transcript*, pp. 4-6.

34 Audit Report, p. 48.

35 Audit Report, p. 65.

**Recommendation 8**

- 3.39 The Committee recommends that the Australian Electoral Commission consider whether the Joint Roll Arrangements should be modernised to take into account recent changes in the of Continuous Roll Update process.**

**AEC demand powers**

- 3.40 Section 92 of the Electoral Act provides that the AEC can demand:

... all such information as the Electoral Commission requires in connection with the preparation, maintenance or revision of the Electoral Rolls.

- 3.41 The Audit Report noted that the AEC had not fully tested its demand powers when seeking information from State agencies, either through its Central Office or through its State and Territory officers.<sup>36</sup>

- 3.42 The ANAO suggested:

that the AEC should fully test the use of its demand powers. If in testing these powers the AEC finds them inadequate, the matter should be brought to the attention of the Government.<sup>37, 38</sup>

- 3.43 At the 17 June hearing, the ANAO expanded on this point:

We do not have the same data sets being collected by the AEC from each State and Territory – and there is a risk that the Commonwealth roll will go out of sync across States and Territories .... What we were suggesting was that the AEC might need to use its demand powers to get data where it cannot go into cooperative arrangements with states and territories, at either an electoral office level or a state agency level. We are aware that the demand powers are limited. It appears they do not allow the AEC to go directly to state agencies for data, but our concern is that they have not been sufficiently tested at this stage.<sup>39</sup>

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36 Audit Report, pp. 48-9.

37 Audit Report, p. 49.

38 Mr S Delaney, *Transcript*, p. 20.

39 Mr S Delaney, *Transcript*, p. 20.

3.44 The AEC responded:

The commission has always held the view that the demand powers of section 92 of the Commonwealth Electoral Act do not allow us to go to state agencies to obtain data.<sup>40</sup>

3.45 The AEC foreshadowed that its submission to the Committee's current Inquiry into the conduct of the 2001 Federal Election would contain appropriate recommendations to amend the Electoral Act.<sup>41</sup>

3.46 The Committee notes that Attachment D of the AEC's submission to the Inquiry into the conduct of the 2001 Federal Election, dated 12 July 2002, is an AEC review of sections 89 to 92 of the Electoral Act. Recommendation 9 in Attachment D states:

The AEC recommends that section 92 of the Electoral Act be amended to expand the demand power of the AEC for information from any government or semi-government source at all levels (ie. Commonwealth, State, and local government authorities) for the purpose of preparation, maintenance and revision of the roll.<sup>42</sup>

3.47 The Committee will examine the proposal as part of the Inquiry.

### Australia Post mail delivery

3.48 The Audit Report specifically noted that Australia Post mail delivery was an issue having an impact on the effectiveness of CRU: 'CRU relies on an effective postal service.'<sup>43</sup>

3.49 In particular, the Report noted that a large number of letters sent by the AEC were not delivered but were returned to Divisional offices. The Report suggested that this issue needed to be addressed from two angles:

- the AEC may address CRU-generated correspondence 'to the Resident' where the AEC does not know who lives at a particular address. The ANAO noted that in some circumstances contractors to Australia Post did not deliver mail that was not addressed with the resident's name;<sup>44</sup> and

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40 Mr A Moyes, *Transcript*, p. 20.

41 Mr P Dacey, *Transcript*, pp. 20-1.

42 AEC, *Submission to the Inquiry into the 2001 Federal Election* No. 147D, pp. S632-S633.

43 Audit Report, p. 51.

44 Audit Report, p. 51.

- reasons for failure to deliver can be useful to the AEC, so it is important to obtain these reasons where possible.<sup>45</sup>
- 3.50 The ANAO found that resolution of these issues varied between States and noted that Australia Post had given undertakings to improve performance in these two areas.<sup>46</sup>
- 3.51 The ANAO considered ‘that communications between all levels of the AEC and Australia Post could be further strengthened by the development of a Memorandum of Understanding (MOU) between the two agencies.’<sup>47</sup> The Report listed items the MOU could include. However, the Audit Report did not contain a recommendation that the AEC pursue this.
- 3.52 The Committee believes that the AEC should explore the possibility of entering into a Memorandum of Understanding with Australia Post, covering the items specified in paragraph 2.73 of the Audit Report, namely:
- principles and expectations of each party to the Memorandum of Understanding;
  - services and products to be covered by the Memorandum of Understanding (this could include Change of Address data and postal services provided by Australia Post, and roll data provided by the Australian Electoral Commission);
  - standards of service and performance;
  - financial arrangements;
  - administrative arrangements;
  - procedures for problem resolution; and
  - mechanisms to investigate and address problems that might arise or persist in particular Divisions and/or States.
- 3.53 The Australian Electoral Commission should report to the Committee regarding the possible Memorandum of Understanding as soon as practicable.

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45 Audit Report, p. 51.

46 Audit Report, p. 51.

47 Audit Report, p. 52.

## CRU Streamlining

- 3.54 The ANAO identified automatic roll updating (known as Direct Address Change) as a mechanism capable of increasing the efficiency of the CRU process.<sup>48</sup> The ANAO also suggested that automatic roll updating could be used to reduce enrolment fraud in the Australian electoral system.<sup>49</sup> Automatic roll updating involves the cross matching of the Electoral Roll to high quality data sources, where the authority originally receiving the change of address information has already verified the identity of the elector providing the information.<sup>50</sup>
- 3.55 Currently, the AEC sends a notification letter to an elector inviting them to change their address details, and if the notification letter is returned, the person's details are updated and the AEC then sends another letter to the elector confirming the change in address.<sup>51</sup> Automatic roll updating would allow the AEC to send one letter to the elector notifying them that their details had been changed automatically.
- 3.56 The ANAO noted 'that the current Commonwealth legislation would preclude automatic updating of the Electoral Roll.'<sup>52</sup>
- 3.57 At the 17 June hearing, the AEC expressed interest in the concept of automatic roll updating and 'direct address change', asserting that 'there is potential for significant savings if we adopt that sort of a system.' The AEC noted that it was a matter that would be followed up with the Committee.<sup>53</sup>
- 3.58 The Committee acknowledges that automatic roll updating provides a means of streamlining CRU. However, it sees potential for inaccurate outcomes if the elector is not directly involved in the process. In this context, as it indicated at the public hearing on 17 June, the Committee has reservations about automatic roll updating, and considers that the AEC should give this careful consideration.<sup>54</sup>

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48 Audit Report, p. 52.

49 Audit Report, p. 53.

50 Audit Report, p. 52.

51 Mr P Dacey, *Transcript*, p. 25.

52 Audit Report, p. 53.

53 Mr P Dacey, *Transcript*, p. 25.

54 Mr P Georgiou MP, *Transcript*, p. 25.

## CRU verification

- 3.59 The introduction of the CRU process in 1999 represented a fundamental change in the way the AEC maintains the Electoral Roll. Accordingly, the Committee considers that it is extremely important that the process be evaluated.
- 3.60 In its analysis of the integrity of the Electoral Roll, the ANAO suggested measures to check the effectiveness of the CRU process in maintaining an accurate Electoral Roll.<sup>55</sup> For example, the ANAO suggested that the AEC could measure and monitor the accuracy of address register data by conducting ‘periodic, independent verification of a sample of addresses and/or the records from targeted fieldwork.’<sup>56</sup>
- 3.61 Recommendation 9 of the ANAO Audit Report is:
- To measure the accuracy of the electoral roll, the ANAO recommends that the AEC consider introducing a periodic review of a sample of the electoral roll.<sup>57</sup>
- 3.62 The Committee questioned the AEC as to whether it conducts random habitation reviews to verify the CRU process. The AEC responded that it had not done so to date, but that it:
- ... is certainly one of the things we have in mind. One of the recommendations of the ANAO report is that we undertake regular checks of the roll, and that will be one of the options we will be looking at.<sup>58</sup>

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### Recommendation 9

- 3.63 The Committee recommends that the Australian Electoral Commission conduct periodic, random spot checks of enrolment details at a sample of addresses as a means of testing whether the Continuous Roll Update process is working effectively in maximising accuracy of enrolment details.**

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55 Audit Report, p. 74.

56 Audit Report, p. 74. In verifying completeness of the Electoral Roll, the AEC conducts ‘targeted reviews’ to follow-up on individuals who do not respond to enrolment letters.

57 Audit Report, p. 76.

58 Mr A Moyes, *Transcript*, p. 16.

3.64 As part of its analysis of the integrity of the Electoral Roll, the ANAO undertook independent testing of the Electoral Roll by data-matching Medicare records and electoral roll records. In the course of the discussion of this, the Audit Report noted that:

... the ANAO sees benefit in the AEC having periodic access to Medicare data ... Medicare data could provide the AEC with a benchmark against which to measure the completeness of the electoral roll ... [and] a cost-effective means to assist the AEC to confirm the accuracy of the roll, and to isolate potential instances of invalidity.<sup>59</sup>

3.65 On the basis of available evidence and its earlier comments (see Chapter 2), the Committee considers that careful consideration needs to be given to the use of the Medicare database.

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59 Audit Report, p. 73.