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JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

**Reference: Conduct of the 2004 federal election and matters related thereto**

WEDNESDAY, 27 APRIL 2005

DALBY

BY AUTHORITY OF THE PARLIAMENT



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**JOINT STANDING COMMITTEE ON**

**ELECTORAL MATTERS**

**Wednesday, 27 April 2005**

**Members:** Mr Anthony Smith (*Chair*), Mr Danby (*Deputy Chair*), Senators Brandis, Carr, Forshaw, Mason, Murray and Mr Ciobo, Mr Melham and Ms Panopoulos

**Members in attendance:** Senators Brandis, Mason, Murray and Mr Ciobo, Mr Danby and Mr Anthony Smith

**Terms of reference for the inquiry:**

To inquire into and report on:

Conduct of the 2004 federal election and matters related thereto

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**Committee met at 9.15 a.m.****SCOTT, Mr Bruce, Federal Member for Maranoa**

**CHAIR**—I declare open the public hearing of this Joint Standing Committee on Electoral Matters into the conduct of the 2004 federal election. Since 1984, after each election, successive Commonwealth governments have referred similar inquiries to this committee's predecessors, with a view to improving the operation of the Australian electoral system. These committees have a long and successful history of recommending improvements to Australia's electoral processes and have played a central role in developing the electoral system we now enjoy.

The current inquiry into the 2004 election was referred by the Special Minister of State on 2 December 2004. To date, the inquiry has received over 135 submissions from across Australia, demonstrating the community's keen interest in the electoral system. Copies of these submissions will be available from the committee's web site early next week.

Today and tomorrow we will be hearing from a diverse range of organisations and private citizens who have an interest in the electoral system, the integrity of the electoral roll, postal voting and other matters. These include representatives from shire councils, private citizens and local members of parliament. Following this morning's hearing the committee will hear evidence from people in Longreach, and on Thursday the committee will take further evidence from people in Ingham.

I remind witnesses that, although the committee does not require you to give evidence under oath, this hearing is a legal proceeding of parliament and warrants the same respect as proceedings of the House itself. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. The evidence given today will be recorded by Hansard and will attract parliamentary privilege.

At the conclusion of the formal part of our program, I will invite people from the floor to come forward and make any statements they wish to about the electoral issues relating to the 2004 federal election and how people were affected. When called to make a statement, I ask you simply to identify yourself and to speak for no more than five minutes. This is the first hearing of the Electoral Matters Committee. It is a pleasure to be here in Dalby, Queensland, where there were some well-publicised problems in the last federal election—that is why the committee is here.

I welcome Mr Bruce Scott, federal member for Maranoa. The committee has received your submission. It has been marked for identification—in my view, appropriately—No. 1 and authorised for publication. Are there any corrections or amendments you would like to make to it?

**Mr Scott**—No, thank you. I will let it stand as it is.

**CHAIR**—I invite you to make a brief opening statement before we move to questions.

**Mr Scott**—Firstly, I thank the committee's newest chairman and its members for coming to Maranoa and showing an interest in electoral matters pertaining to large rural electorates. I think

your coming here is essential and I congratulate you on making that decision. I know it was not easy, but it might demonstrate to you the difficulties that people have in voting. Tyranny of distance is a huge factor in a seat like Maranoa, which covers almost 50 per cent of the landmass of Queensland. I stand to be corrected, but I think the electorate has 180-odd polling booths, which is not the case in all small communities. On that point alone, I thank you for coming here.

The centralisation of the distribution of ballot papers has caused huge confusion and disenfranchised many voters in Maranoa and, I would suspect, other parts of Australia. I assume that the Electoral Commission in Canberra took that decision, but it failed to recognise that, once you centralise the process, you lose contact with the divisional returning officers. The office of the division of Maranoa is here in Dalby. In centralising the distribution of postal ballot papers, given the obvious magnitude of the electorate, local contact and local understanding of the geography were lost.

I will outline how people in Maranoa who apply for a postal vote get their ballot papers. Those papers come by mail services that emanate nearly always in Queensland but often outside of the electorate. Distribution of some of the ballot papers is done by remote air service, which sets out from Port Augusta, South Australia. I am sure that those contracted to distribute postal ballot papers would not have been aware of that. It may be a minor factor, but it makes the point that, when you centralise distribution, you lose local understanding of a task that must be conducted for the successful running of an election.

Many of our constituents who were obviously very keen to exercise their democratic right of voting and making their views known through the ballot box alerted us to the fact that they had not received their postal ballot papers. We advised the local divisional returning officer and were then advised to record that concern with the Brisbane office. It was by following this trail that we found the process was being controlled out of Sydney. But, in the early phase of the election, no-one seemed to be listening to us when we put before them the problem that constituents had identified. Putting aside the political interests of any political party, people were disenfranchised of their democratic right; they had applied for a ballot paper and it had not arrived. That was a major concern of mine and obviously I wanted it rectified. I was the sitting member and my office was getting complaints. No-one seemed to be listening. Everyone said, 'It's in hand; the ballot papers are being processed and will be in the mail.' As events unfolded, many of the ballot papers from the central agency in Sydney were never distributed in time. On some occasions we would get calls from people saying that the postal ballot had arrived for their wife or for their husband, but not for their son or daughter.

Our other complaint is about access to pre-polling. Once again, this demonstrates the tyranny of distance and lack of understanding of those who receive calls of complaint in Brisbane or, in some cases, at the Electoral Commission in Canberra. People thought, as is generally the case at a state level, they could go to the local courthouse in places like Longreach, Winton and Emerald and pre-poll there. No such facility was provided in the electorate of Maranoa. When these people rang those they had been told to contact, they were told, 'Oh, you can pre-poll in Maranoa.' The constituents then asked, 'Where is the nearest pre-polling?' and were told, 'You can pre-poll in Dalby.' One of my constituents said, 'Do you realise that is a 12-hour drive just to pre-poll, to register my vote, because I will be interstate on polling day, and then I will have to drive 12 hours back home?'



My office received many calls like that. However, once again, I think it demonstrates that, when you centralise distribution and much of the other work to do with planning for election day, you lose that local understanding of the tyranny of distance. The postal ballot paper and the pre-polling are two clear examples of why it is so important to maintain a divisional returning office in rural constituencies, because they have the best understanding of the geography, the circumstances and the weather conditions that prevail in these areas.

**CHAIR**—Thank you very much. Your remarks are very helpful. We are on a tight schedule this morning because we want to hear from as many people as possible.

**Mr DANBY**—I entirely sympathise with you about the issue of postal votes not being received by the Electoral Commission. I notice that your electorate received 11,917 applications for postal votes. I must say that my electorate in inner suburban Melbourne is rated the next highest in Australia, with 9,200. Do you encourage people in remote areas of the electorate to apply for a postal vote? Do you know how many of the 11,900 were general postal voters—that is, people who permanently apply for postal votes?

**Mr Scott**—Working from memory, something like 7,000 to 8,000 are permanently registered. That is my recollection. However, there is another point. Whilst we encourage people to exercise their democratic right to claim their vote, in Maranoa ramifications have arisen from many small polling booths having been closed over time. With some of the smaller communities of 50, 60 or 100, of which there are many in Maranoa, it seems that the Electoral Commission over time has progressively closed down their polling booths. That has necessitated people driving significant distances on polling day to exercise their right. Others have opted to register as full-time postal voters. I think it is a combination of factors. Part of this situation is driven by the fact that the AEC have been closing down many of those smaller election booths and they themselves have been encouraging people to register as postal voters.

**Mr DANBY**—So it is your strong feeling that the local Electoral Commission supports and encourages your constituents, particularly in smaller areas where booths have been closed down, to register as GPVs—permanent postal voters?

**Mr Scott**—Yes. It is my understanding that my constituents have been encouraged to do so or been given it as an alternative—particularly relevant for older people who do not want to drive long distances—when being told, ‘The booth has closed in that small community.’ There might have been up to 100 people voting at that booth on ballot day and, as an alternative, they have been encouraged to register as postal voters. I think that has driven a significant number of people to register as postal voters, which is why we have a very large number of them. I thought we had more who were registered or had applied for a postal vote for the last federal election than the numbers you have just quoted.

**Senator BRANDIS**—How would you rate the problems experienced in the 2004 election, compared with those in the 2001 election? Was the 2004 election worse or better than the 2001 election? How does the 2004 election compare with the 2001 election or, indeed, other elections in which you have been a candidate?

**Mr Scott**—I am already on the public record during and after the federal election as calling it a monumental stuff-up. I do not use that sort of language lightly; I believe it was.

**Senator BRANDIS**—Over the time you have been a candidate, is this the worst you can remember?

**Mr Scott**—Absolutely.

**Senator BRANDIS**—In your written submission, there are a couple of particular comments. You say:

To further exacerbate an already deplorable situation, nearly 100 voters whose original ballot papers had been spoiled received New South Wales senate ballot papers with the correct House of Representatives ballot papers.

I take it that they were not postal vote problems but problems on election day, after an elector had returned an originally correctly issued Queensland Senate ballot paper because it had been spoiled and asked for a new one. Is that right?

**Mr Scott**—No.

**Senator BRANDIS**—Can you tell us what the story is?

**Mr Scott**—When the Electoral Commission finally decided there were some ‘spoilt’—as they call them—ballot papers that had not been distributed and that the time had run out for these postal votes to be received by the voters prior to polling day, special provisions were made by order of the Governor-General to allow people to receive them after polling day and to allow them as valid votes on their return. This was at the end of a long campaign.

**CHAIR**—Just to clarify: was this after the problem, when everything had been realised?

**Mr Scott**—Yes.

**CHAIR**—And there was a high alert?

**Mr Scott**—A very high alert. These ballots were posted within days of the poll.

**Senator BRANDIS**—They were the Order in Council ballots, if we can call them that?

**Mr Scott**—Order in Council, yes. We received the news that some had received them perhaps in Friday’s or Saturday’s mail and that, certainly on the Monday and Tuesday after polling day, they had received the House of Representatives ballot paper, but some had received a New South Wales Senate ballot paper and not a Queensland ballot paper.

**Mr DANBY**—Just to get this clear: they had received your House of Reps ballot paper?

**Mr Scott**—For the seat of Maranoa, yes.

**Mr DANBY**—But they had received a New South Wales Senate paper in the same mail?

**Mr Scott**—In the same mail.

**Mr DANBY**—Do you know where this came from? Did it come from Brisbane?

**Mr Scott**—I understood that some of them had come from here in Dalby, but they could have come from Brisbane. I do not know; I cannot be sure about that.

**CHAIR**—We can pursue that with the AEC.

**Senator BRANDIS**—So the problem with the New South Wales Senate ballot paper was not a problem in the pre-polling or on polling day?

**Mr Scott**—No.

**Senator BRANDIS**—It was a feature of the special arrangements made under the Order in Council?

**Mr Scott**—That is right.

**Senator BRANDIS**—What did those people do? Did they eventually get the right ballot paper?

**Mr Scott**—It added to everyone's confusion. Some people were so desperate to exercise their democratic right that, although they knew the papers might be coming or they had just received them in the mail on Saturday, they still went to town and voted.

**Senator BRANDIS**—So they went and voted for Bill Heffernan in Dalby?

**Mr Scott**—No. I think they voted for Senator elect Barnaby Joyce.

**Senator BRANDIS**—Are you satisfied though—this is a serious point—that some people who were recipients of the New South Wales Senate ballot paper, through sheer frustration if for no other reason, ultimately did not cast a Senate vote in Queensland?

**Mr Scott**—I cannot say how many there were, but there were certainly people who said, 'Look, we just kind of gave up.' A fairly large majority, under the special provisions, went to town. They drove significant distances.

**CHAIR**—They threw their hands in the air and said—

**Mr Scott**—Yes. They had been on to my office three and four times. We had delivered the message back to them that the ballots were in the mail. We did not believe it, but we had to pass on that message from the Electoral Commission. Finally, of course, it became quite a significant story. During the election we contacted the Special Minister of State, who certainly started to act, but it was all happening too late.

**Senator BRANDIS**—I have one other question on a different topic. You say that the service provided by the Brisbane AEC was 'inefficient with inconsistent rulings made in an ad hoc manner'. What do you mean by 'rulings'? Can you give us some examples, please?

**Mr Scott**—We were told that these ballot papers had been distributed. We asked, ‘Is there any tracking system indicating that they have been processed by a computer, with a record that they have been sent out and, therefore, checked off the roll?’ The reply was always, ‘No, they have been sent.’ But we could never identify that they had been sent, because there was no checking system.

**Senator BRANDIS**—So you are talking about inconsistent advice to electors rather than rulings in the sense of determinations about people’s entitlements?

**Mr Scott**—Yes, I think that would be correct. However, obviously my staff were more involved at the coalface in the office than I was. A lot of this information I was getting second-hand. On some days my office staff would report to me almost hourly, ‘We’ve just been told such and such by the Electoral Commission and we don’t believe them; we know from the feedback we are getting from the electors that it’s incorrect.’

**CHAIR**—You knew quite early on that these were not ordinary problems. You were getting such an avalanche of inquiries that you knew there was something systemically and structurally wrong in a very big way?

**Mr Scott**—Within a few days of the first postal ballot papers being mailed out we knew there was a problem.

**CHAIR**—Something had gone terribly wrong?

**Mr Scott**—The first calls were, ‘My husband has received them but I haven’t and my son hasn’t, although we’re all at the same address.’ Then we received two or three more calls, and that is when we were first alerted to the problem.

**CHAIR**—We have had submissions to that effect.

**Senator MURRAY**—With the normal postal service, how long does it take for a letter to get to Bedourie, Middleton, Jundah, Thargomindah and the more remote areas and towns on your electorate map and to come back again?

**Mr Scott**—For people living just outside of those smaller communities—for example, Thargomindah—turnaround time could often be at least a week to 10 days. If they are on a mail run, they have two mail services per week. The mail has to get to the post office at, say, Thargomindah. It may wait there for two or three days before going out on the next mail run. It does not pick up on the same day. It delivers that day and then returns about three to four days later, delivering another lot of mail and picking up the mail that was delivered two or three days earlier. So a turnaround can take anything from 10 days up to two weeks.

**Senator MURRAY**—That accounts for the need for a very long extension in case there is a problem?

**Mr Scott**—Yes.

**Senator MURRAY**—Not picking up the problem in the first two weeks meant—

**Mr Scott**—In the early part of the campaign, when we identified this problem as a very real one, my major concern was that, no matter how you looked at it, people were not going to get their ballot papers in time. Some mail into the western regions of Maranoa comes from Port Augusta on the remote aerial service.

**Senator MURRAY**—So the slowest mail is once a week. You have a two-week turnaround—it will get there and then it has to come back?

**Mr Scott**—Yes.

**Senator MURRAY**—In fact, it could be three weeks because it obviously needs time to be processed by the households?

**Mr Scott**—Even express post from Dalby to Canberra will take two days. The service guarantees overnight delivery, but it usually takes two days and often can go into a third.

**Senator MURRAY**—Even if there are no hitches with a postal ballot process, there is potential for real delays.

**Mr Scott**—Absolutely, because you are using the postal system. If you were using other forms, such as electronic transfer or email, obviously the time could be shortened dramatically. However, when you use the postal system to distribute ballot papers or applications for postal votes physically, by the time they go out, come back and then go out again it can take several weeks because of the remoteness of the locations and the fact that they are delivered physically.

**Senator MURRAY**—You have told us that in your electorate postal voting has increased because of the closure of remote polling stations.

**Mr Scott**—Yes.

**Senator MURRAY**—Do you know what percentage or number of polling stations have been closed?

**Mr Scott**—No, I do not. I think there was a general rule of thumb that, if fewer than 100 people—and that number could be incorrect—had voted at the previous election, the polling station would be closed automatically. It was determined, I think arbitrarily, that there were other options and that they might be within reasonable driving distance of a reasonably sized town that had polling booths.

**Senator MURRAY**—Is electronic voting a possible solution to this problem of distance and time? You would be aware that around the world experimentation is occurring with electronic voting, which includes such things as having your own pin number, so that access and security are ensured and so on. If telecommunications improve sufficiently, is there any potential for addressing this issue with electronic voting?

**Mr Scott**—I am sure that it should be explored. Many people in the locations that have been disenfranchised would be banking remotely, using their home based computer. With the security

that is allowed now with remote banking, they can do so from where they live, rather than visiting a bank. I am sure that it could be and should be explored.

**Senator MURRAY**—If at a federal election the committee decides to recommend the trialling of electronic voting, just to see how it improves access and immediacy and so on, do you think it should be trialled in a large and remote constituency such as a Maranoa, Kalgoorlie or Eyre rather than in an urban location?

**Mr Scott**—Certainly you should trial it in a large rural electorate. I would not say that you should not do it also in an urban constituency, because many people living in urban situations are disabled and have difficulty getting to polling booths on polling day—or perhaps are going to be away. Society is very mobile today, with school holidays and with people travelling. I think electronic voting is something that would benefit not only people in rural communities but also, if it could be established as safe and secure, a vast number of the population.

**Senator MURRAY**—I have a prejudice in favour of voting in person. When I read the international literature, Australia is known for accessibility—for making it very easy to vote in your neighbourhood. That might be true of urban or peri-urban areas, but it has never been and never will be true of rural areas. It would seem that there is a real case for electronic voting by the rural constituency rather than by the urban constituency.

**Mr Scott**—I certainly agree that the advantage would be much greater in the rural situation.

**Mr CIOBO**—Senator Murray has touched on some of the issues I wanted to raise. Without necessarily delving into actual electronic voting, I want to pick up specifically on some of the recommendations you make in your submission. You talk about providing an opportunity for people to log on to the internet and perhaps look at how their postal vote application is being processed. What benefits would there be in a system like that?

**Mr Scott**—It would give people confidence that their postal vote application has been received. Given the difficulties in applying for another postal ballot if it has been spoiled, as obviously happened during this last election, they can log on and apply again. In addition, importantly, it helps people to understand that their application is not just ‘in the mail’ but being processed.

**Mr CIOBO**—You would see most people in regional and rural Australia with the ability to log on and check and make use of a database like that to determine whether their application (1) had been received (2) processed and (3) mailed out?

**Mr Scott**—Absolutely. Today, even in the most remote locations, many households have children connected to the School of Distance Education, doing some of their lessons over the internet. The technology is there in most, if not all, of those communities; certainly it is there in the majority of communities. That technology can be used in other ways.

**Mr CIOBO**—I am interested in your comments about conducting pre-polling in all major centres for two or three days prior to polling day. For the committee’s benefit, can you outline how your pre-poll currently works and why in particular you would see these changes as beneficial?

**Mr Scott**—Pre-polling occurs in Dalby and I think in Warwick and Goondiwindi—I stand to be corrected on that. Confusion arises in people’s minds when they consider: ‘At a state level I was able to pre-poll at the Longreach Post Office; however, no such circumstance existed in the federal election.’ Often in Queensland the state election is held close to but preceding the federal election—that has been the case with the last two or three elections—and people automatically assume, ‘As we’re going away for the weekend we will not be here, so we’ll vote in the week leading up to polling day, before we go.’

I give the example of Winton. During the last federal election campaign, a large number of artists and actors from Sydney were in Winton making a movie. They thought, ‘Well, we’ll be able to pre-poll here in Winton.’ But they had no such luck. They could not even get a ballot paper in Winton, so they were totally disenfranchised. In addition, those who work away from home in, say, jobs in the mining community are not taken into consideration. In this case, the acting fraternity making a very significant movie in Winton were not able to pre-poll or vote provisionally.

**Mr CIOBO**—So, at a state level, the Electoral Commission of Queensland allows pre-poll voting in your electorate at post offices. Is that right?

**Mr Scott**—Yes; not at every post office, but at a significant number of them.

**Mr CIOBO**—In your experience and anecdotally, does that system work fairly well?

**Mr Scott**—Yes, it has worked fairly well.

**Mr CIOBO**—Do you think it could have application federally?

**Mr Scott**—Yes, I do. A comment about pre-polling that I made to the Brisbane office of the Electoral Commission was, ‘We are getting all these calls. You’—when I said ‘you’ I meant the Electoral Commission—are saying that these people can pre-poll in Dalby and these people are replying, “But that is a 12-hour drive”.’ I then said, ‘Surely, in the last few days of the election you could establish some pre-polling centres in some of the more major centres like Longreach, Charleville’—

**Mr CIOBO**—Blackall.

**Mr Scott**—Blackall or Roma. I said, ‘Electoral Commission workers will be working on Saturday. They won’t need training, as they are trained already. Surely they could be there to open up some pre-polling and assist with the whole debacle that has occurred?’ That just seemed too difficult, albeit that it was very late in the cycle. The other issue is that pre-polling is not conducted at all of our aged care facilities.

**Mr CIOBO**—With respect to some of the concerns you raise, I notice that the AEC comments that, from its perspective, part of the problem was the increase of approximately 25 per cent in the number of postal vote applications they received. Do you have a view on the merit or otherwise of closing the electoral roll at the time an election is announced and of that having an impact on people’s ability to receive a postal vote application in a timely manner, given that

presumably there would be a lower workload for the AEC, meaning that they could process PVAs in a more timely fashion?

**Mr Scott**—Moving to some electronic form of application may be an option. However, if you are not permanently registered, are claiming a postal vote and do not have the ability to apply and get it mailed out electronically, you still have to rely on the system as it is today. Certainly you can fax your application in, but it has to be got out there in the first instance. Unless you move to some electronic form of transfer, you disenfranchise people by shortening that period.

**Mr DANBY**—Do you know how many people in Maranoa would be disenfranchised by closing the electoral roll on the day that the election is announced?

**Mr Scott**—You would have to go to the numbers of permanently registered postal voters and those who claim postal votes. About 7,000 I think are permanently registered for postal votes and in that period I think 3,000 to 4,000 at least claimed them, although not all received them.

**Mr DANBY**—I think you misunderstand me. After the election is announced, I think there is a period of a week when people can change their address and are then able to go to the normal polling booth. Do you know how many people in Maranoa do that?

**Mr Scott**—No, I do not.

**Senator MASON**—I have two issues, the first of which is pre-polling. I think our next witness, Mr Parker from the Warroo Shire Council, and Mrs Doyle, one of your constituents near Blackall, both argue that there should be greater access to pre-polling sites. I think Mr Parker suggests they be schools within the shire and Mrs Doyle says they should be courthouses so she could pre-poll in, for example, Blackall. Do you think that is a good idea?

**Mr Scott**—I certainly do, because in the case of Mrs Doyle I know she lives an hour and a half to two hours out of Blackall on an unsealed road. If there is a threat of flooding—which is not very often—or rain and she has to go to town, she would like to do it at her convenience, and she is unable to do that. We are also on a national highway, with feeds from Brisbane and Sydney right through to Darwin.

**Senator MASON**—As Mr Ciobo said or alluded to, that would be congruent with the experience in state elections and so forth.

**Mr Scott**—Exactly.

**Senator MASON**—Secondly, perhaps the principal argument you make in your submission is that there are advantages in the local distribution of ballot papers. What are those advantages?

**Mr Scott**—From our experience at the last federal election, when the papers were centralised and distributed out of Sydney, we had, as I said earlier, the most monumental stuff-up I have ever witnessed in my time as the federal member for Maranoa. The other thing is that the local divisional returning officer should be able to respond to the concerns that were being raised with us. They could respond more directly than when they have to wait for the central agency to respond, because the agency gets questions from all over Australia. The officer's responsibility is



for the division of Maranoa, whereas the central agency is responsible for the whole of Australia and, by the time it gets to the concern, days have passed and the circumstances around the disadvantage are mounting. I think local knowledge is important. Knowing the geography, the mail services and where they emanate from is a big advantage, whereas the central agency just has no idea at all.

**Senator MASON**—And with local responsibility I suppose you can argue that you could far more effectively follow the entire process, whereas if the papers are distributed from Sydney it is far more difficult to work out if there is a problem as there is a huge timelag. There would be a much shorter timelag if it were run from Maranoa itself.

**Mr Scott**—Exactly. I think my office did ask the divisional returning officer here in Dalby whether they could tell us whether those ballot papers had been distributed, and they said, ‘No, because we do not have a record here.’ I think that underpins the point. They had no record of what was actually happening in Maranoa, yet we were getting the calls and could not answer them effectively. They had to pass them on to Brisbane and, ultimately, probably to Canberra and Sydney. That exacerbated the whole circumstance.

**CHAIR**—Thank you very much. I again thank you for coming along. On behalf of the committee, I commend you and your office for your persistence—which ensured that those people were not disenfranchised during the election—for your evidence and for making us feel welcome here in Dalby.

**Mr Scott**—I have to thank the RSL for their very enjoyable hospitality today.

[9.54 a.m.]

**PARKER, Mr Michael Dermot, Chief Executive Officer, Warroo Shire Council**

**CHAIR**—Welcome. The committee have received your submission, which we have before us. We have numbered the submission 51. It has already been authorised for publication. Are there any corrections or amendments you would like to make to it?

**Mr Parker**—No.

**CHAIR**—Would you like to make a brief opening statement before we proceed to questions?

**Mr Parker**—When the councils discussed the opportunity to make a submission—we have 10 representative councillors in various parts of Warroo shire—the majority did speak of the difficulties experienced by neighbours and people they knew with the postal voting system during the federal election. The issue of pre-polling was discussed in general, and I have a map which shows the locations of some four schools within the shire. It is a shire of some 13½ thousand square kilometres, with a population of about 1,110 according to the last ABS data, and we have about 650 voters, so people are widely spread. Just the location of the schools throughout the area gave the suggestion that maybe some pre-polling, if it were feasible, could be conducted in these areas, which might eliminate any problems with the postal voting system.

**Mr DANBY**—Do you feel that people would prefer to vote in person at a pre-poll centre, or do they think postal voting is more efficient?

**Mr Parker**—I think postal voting is more efficient. Not everyone has a kid going to one of those schools. There are only 10 to 15 pupils—maybe 18—at one of the schools, so most people are not going to visit there every day—and some of the schools are serviced by school buses. The postal voting system is efficient, but perhaps it could be enhanced. The shire now conducts its electoral ballots every four years through a full postal ballot, and the response is very high, so I think people have become used to that procedure over time.

**Senator MURRAY**—Along the same lines on which I was questioning Mr Scott, do those schools in Warroo shire—Dunkeld, Wycombe, Begonia and Teelba—all have internet access?

**Mr Parker**—Yes, they all have the satellite system that is now available in remote areas. The take-up in the shire has been quite significant and the schools do have that capability.

**Senator MURRAY**—Would it be possible for folk without internet access to electronically vote from those sorts of locations where they could get overall internet access?

**Mr Parker**—Certainly.

**Senator BRANDIS**—Following up on the point Mr Danby made, would your concern about the greater availability of pre-polling locations be relieved if the postal voting system worked properly?

**Mr Parker**—Yes, it would.

**Senator BRANDIS**—Ultimately this does come down—I think you would agree—to a cost and security issue. There must be a minimum level of electors in a particular vicinity below which it is just not feasible, particularly if we are thinking right across the entire country, to have pre-polling arrangements. Would you agree with that?

**Mr Parker**—Yes, I would agree with that. I have been involved in the government and local government system for over 30 years. I have lived in places such as Boulia and Cape York Peninsula and conducted elections there, and you do have logistic problems. I can certainly appreciate the difficulties that would face the Electoral Commission, so it would be good if postal voting were effective. In my opinion, that is probably the best means of obtaining that vote.

**Senator MASON**—So you are saying that, if there were adequate pre-polling, that could take pressure off postal voting.

**Mr Parker**—Yes. The facilities are there. That is what the council has looked at. The community points are there. There are skilled people who work at those places who probably have been involved and may be involved with electoral systems. Generally a lot of teachers work in the state election systems. Even the local government officers in the area have generally got experience in the electoral system. So the expertise is in the area, were pre-polling to be the preferred option.

**Senator MASON**—For state elections, how many pre-polling locations does your shire have?

**Mr Parker**—None.

**Senator MASON**—How many polling places are there in the elections for Warroo shire?

**Mr Parker**—One.

**Senator MASON**—In the entire shire?

**Mr Parker**—Yes.

**CHAIR**—It is principally a postal vote?

**Mr Parker**—Yes, it is an entire postal vote.

**CHAIR**—So it is almost the reverse—the postal vote is the norm for the shire council but you can go and vote in person if you wish. Is that right?

**Mr Parker**—Yes.

**Senator MASON**—But you do believe that, if pre-polling were available, that would take pressure off postal voting. Is that your view?

**Mr Parker**—Yes.

**Senator BRANDIS**—The reverse is true too, isn't it? If the postal vote system worked, you would not need the pre-polling? I dare say you are really looking here to the pre-polling as a default mechanism, because the postal vote distribution at the last election was, as Mr Scott said, such a monumental catastrophe.

**Mr Parker**—True.

**Mr CIOBO**—Can I ask the question that both the senators are discussing: which is your preference? As a council, which is your preference out of the two, and why?

**Mr Parker**—Council as a whole raised the issue of pre-polling. They saw it as a preference that would enhance the whole electoral system and eliminate those areas where postal voting failed in, as Mr Scott said, the last process.

**Mr CIOBO**—It is more of a safeguard though. That is the impression that I am getting from your testimony.

**Mr Parker**—It is a fall-back position.

**Mr CIOBO**—So if there were adequate safeguards built into the postal vote application process, I take it that council's position would be that it would not be as necessary to have a roll-out of pre-poll centres?

**Mr Parker**—Certainly, if the individual councillors had not had the feedback about missed votes, pre-polling would not have been an issue.

**CHAIR**—I am interested in the postal votes you conduct as a council. I know that in other parts of Australia other councils do that, but it seems you are more specialised at it and have probably been doing it for a longer period of time. How long have you been doing it?

**Mr Parker**—The shire is 102 years old, and I have only been there for three years. But you would find that the majority of rural Queensland local governments conduct full postal ballots.

**CHAIR**—And have for a considerable period of time?

**Mr Parker**—Yes.

**CHAIR**—I wanted to draw you out on that because we have encountered—and it is one of the reasons we are here in Dalby today for the very first hearing of this inquiry—what I think Mr Scott called 'a monumental stuff-up' with postal voting. The submissions, much of the public comment and the AEC themselves, without putting words in their mouths, have said that that occurred because of a processing error where spoilt ballot papers through the mail house were not forwarded on. I am interested in whether you have had any problems in the past, how you have rectified them, what control mechanisms the council has in place—to make sure that everybody gets a postal vote and that any errors along the way are picked up and rectified in real-time—how you go about that process, where it is processed and who does it.

**Mr Parker**—I am the returning officer for the local government elections. We process the ballots. They all go out on one day. We take them to the Surat post office. The postal system goes either direct from Surat or through St George, Roma or Mitchell, and the mail runs that way.

**CHAIR**—Just taking you back a step, you process them all in one day—that is, you print them all and put them in envelopes. Is that done at a mail house?

**Mr Parker**—No, it is done at the shire office.

**CHAIR**—So, because you are doing it regularly, it is all done on big machines at the shire office?

**Mr Parker**—No. You can process 600 to 700 votes over a couple of days and set, say, Thursday as your issue date. You then would expect all votes to be in place by the following Wednesday. Normally the feedback starts straight away. If one family member receives one and another family member does not, we know within 10 days.

**CHAIR**—Do you have an officer there the whole time checking that there is an addressed envelope for every entry on your list?

**Mr Parker**—Yes, there is a full process with fail-safe mechanisms; we can eliminate any errors.

**CHAIR**—Are you aware of any difficulties experienced with postal voting in elections prior to that of last October?

**Mr Parker**—No. As I say, I was not at Warroo prior to that. When previous state elections were held, I was at Broadsound shire. Some of that area is rural remote, but I am not aware of any problems associated with that process at that time.

**CHAIR**—There being no further questions, we thank you very much for your submission and for giving evidence today. It helps us greatly.

**Proceedings suspended from 10.07 a.m. to 10.23 a.m.**

**BOYD, Mr Robin Thomas, Divisional Returning Officer, Division of Fairfax, Australian Electoral Commission**

**WOOLCOCK, Mr William Richard, Divisional Returning Officer, Division of Groom, Australian Electoral Commission**

**CHAIR**—Welcome. The committee has received a submission from the Australian Electoral Commission. It has been numbered 74 and has been authorised for publication, with the exception of attachments A and B that are confidential. Are there any other corrections or amendments you would like to make to the submission?

**Mr Woolcock**—I have not seen it.

**CHAIR**—The Australian Electoral Commission has made a submission to the inquiry; it is a public document. Clearly, if you have not seen it, you will not want to add to or subtract from it. I might ask each of you to make a brief opening statement and confine it to your particular regions. We will then open the session up for questioning, as you will have seen us do this morning.

**Mr Woolcock**—On 13 October last year, I was asked by my head office to come out to Dalby. They told me that they wanted me to assist in the proclamation of ballot papers recovery process. We were aware that a number of New South Wales Senate ballot papers had been despatched. I was asked to come here and I came straight away. I worked here for seven days. I started on 13 October and finished on 20 October.

**CHAIR**—Would that be the Wednesday to the Wednesday?

**Mr Woolcock**—Yes. We did not work on the Sunday. My job was to oversee the process. We were aware that 577 electors had received the repackaged proclamation votes. In those ballot papers that had been dispatched there were 100 New South Wales Senate ballot papers. We contacted the electors on the list. We were able to use the phones that had been set up for the election night results. We engaged up to 11 casual staff—not all at the one time—on this process. Some staff were making phone calls while others were accessing telephone numbers. The staff on the telephones worked to a script. Basically, they were asked to contact the elector concerned who was on the list, ask them whether they had already voted in the election—in other words, because their ballot papers had not turned up, they may have made other arrangements—

**CHAIR**—They may have got in the car—

**Mr Woolcock**—And had an ordinary vote, and that was the case with most electors. If they had not voted and the repackaged proclamation ballot papers had turned up and they had not already filled them out, we asked them to see which Senate ballot paper was there, to see whether the correct ballot paper had been included. Where an incorrect Senate ballot paper had been received and these people had not already voted, we made arrangements for a replacement Senate ballot paper to be sent to those electors. As I said, we needed to contact 577 electors. From the figures I have, 563 could be contacted. Of those 563, 528 had voted, most of those by

an ordinary vote. In other words, they had hopped in the car. They had realised that their ballot papers were not going to turn up, so they had gone and voted. Ten electors needed replacement ballot papers. We then used an AEC courier in about seven of those cases and went out and gave them the replacement ballot paper. The person voted and our officer brought those papers back. I think in three cases, because of the distance involved, we faxed a replacement ballot paper direct to the elector.

**CHAIR**—Those statistics are useful. Thank you for that. Were there any instances—and you might have mentioned this and I misunderstood it—where one of those 563 electors had received the incorrect ballot paper for the Senate, did not realise which ballot paper it was and simply filled it out and sent it off?

**Mr Woolcock**—I am not aware of any electors who knowingly voted on the incorrect Senate ballot paper.

**CHAIR**—What about those who said: ‘I could not tell you. I have filled it out and posted it back already’?

**Mr Woolcock**—There would have been some cases like that. There would have been some among the 528 who did vote.

**CHAIR**—What did you do in that circumstance? There was nothing you could do, so it is conceivable that for the first time in Federation Queenslanders have managed to vote in a New South Wales Senate election.

**Mr Woolcock**—Yes, that is the case. Under our system, it is a secret ballot and we do not know how a particular person voted.

**CHAIR**—We might hear from Mr Boyd now.

**Mr Boyd**—On 14 October I was asked by the AEC in Brisbane to come to Dalby to assist the office with managing the post-election timetable.

**CHAIR**—You were asked to come and assist with—

**Mr Boyd**—Partly with that but mainly with the aspects of the ongoing AEC post-election timetable, which involved the declaration of scrutines, the distribution of preferences and the counting of Senate ballot papers. In the main part, my role was to assist the office to maintain the deadlines that we had imposed on us as well as this other project that was going on.

**Mr DANBY**—You came from the Fairfax office?

**Mr Boyd**—It was the Fairfax division. In a nutshell, my role here was mainly to assist with the post-election timetable. While the other process was happening, I was aware, through dialogue with Mr Woolcock, of what was involved in that.

**CHAIR**—Thank you for outlining that process where you were called in after the secondary problem had arisen. In terms of the 100 or so Senate ballot papers, did you know which voters had been sent them? I appreciate that you were not there at the time.

**Mr Boyd**—No, I was not there. We asked that question later. When they were repackaged—I think on the Friday or Saturday when we found out about this error—I do not think there was a set way that the first 100 got this bundle.

**CHAIR**—So there was no way—

**Mr Boyd**—There was no easy way.

**CHAIR**—So when you were ringing those 563 people, you were not able to say, ‘We know these people would have got a Senate ballot paper’?

**Mr Boyd**—No. They did not go in any logical sequence.

**CHAIR**—Did you discover it first, or had the problem arisen some weeks earlier and voters had informed the Australian Electoral Commission?

**Mr Woolcock**—The process was that these 577 electors were general postal voters. They should have received their ballot papers in the initial dispatch. The AEC or the divisional office found out on the Friday before the election that these ballot papers had been destroyed during the production process and that a local print had to be done. So that was done. I was not here, but it was probably done on the Friday afternoon before the election and on the Saturday of the election. That local print run was then posted.

**CHAIR**—My question is: did the AEC itself find out first that it had incorrectly sent some New South Wales ballot papers, or did it find out the same way it found out earlier on that people had not received their original postal votes—that is, by electors saying, ‘I’ve now got my package but it has the wrong Senate ballot paper in it’?

**Mr Woolcock**—Remembering that I am in a different divisional office, my understanding is that it was an elector who contacted the AEC office in Dalby and said, ‘I have the wrong Senate ballot paper.’

**Mr DANBY**—I appreciate you both being here. There is one thing that does occur to me. Is there any colleague of yours here from the Maranoa divisional office?

**Mr Woolcock**—No. I understand the person is absent from the office on some type of leave.

**Mr DANBY**—When you came to deal with these problems did they advise you of the kinds of reactions they had received from Mr Scott’s constituents in the period before all of this was being dealt with by you two?

**Mr Boyd**—Do you mean the AEC?



**Mr DANBY**—Yes, the local AEC office. What happened in the weeks when, especially, the general postal voters' votes did not show up?

**Mr Woolcock**—I am not aware of Mr Scott's direct comments to the local AEC office here in Dalby, but there are divisional returning officers—

**Mr DANBY**—In the divisional returning officer's comments to you when you arrived, did they say, 'We've had lots of phone calls and people have been really annoyed, and it seems that the general postal voters who are most conscious of getting themselves on the roll haven't got them'?

**Mr Woolcock**—We are aware of what generally happened—problems in the production process—because we read the information bulletins and that sort of thing, so we are aware of the general sorts of comments and the problems that occurred with a batch of general postal votes. When I came out to the office here, the divisional returning officer certainly let me know what lots of people had said, and I spoke to some of the electors concerned and they certainly let me know what their views were.

**Mr DANBY**—Where were the Governor-General authorised late postal votes dispatched from?

**Mr Woolcock**—They were packaged in Dalby and posted in Toowoomba—those arrangements were not made by me—because, as I understand it, the Dalby mail automatically goes to Toowoomba for sorting.

**Mr DANBY**—Do you know how many general postal voters there are among the 11,000-plus voters in this electorate?

**Mr Woolcock**—I cannot tell you the number of general postal voters for the election, but I have some figures as at last week.

**Mr DANBY**—It would be approximately the same though, wouldn't it?

**Mr Woolcock**—There are just over 6,000 general postal voters in Maranoa.

**Mr DANBY**—The rest would be people who apply for postal votes like they do across the rest of Australia—at the last minute?

**Mr Woolcock**—As I understand it, yes.

**Mr DANBY**—Just to clarify things, were the 577 replacement ballots all general postal voters?

**Mr Woolcock**—They were all general postal voters. As I understand it, their votes had been destroyed in the production process.

**Mr DANBY**—We are aware of that. It was raised with us in a private hearing with your colleagues in Canberra, but the chair may want to ask further questions about that.

**Senator MURRAY**—Is Toowoomba in the electorate of Bowman?

**Mr Woolcock**—It is in the division of Groom.

**Senator MURRAY**—According to the AEC list, Groom had 5,644 postal votes and Fairfax had 4,262. I have always been concerned about postal votes, simply because the process of applying for them, sending them out, having them returned and so on adds all those extra processes when compared to turning up for an ordinary vote. Therefore, to my mind the chances of things going wrong are increased. Here we have a prime example in this electorate of that happening. Do you two have any concerns with respect to your own electorates about postal vote processes in general? Have you concerns from previous elections or from this last election with respect to your own areas?

**Mr Boyd**—I do not have any concerns with the processes we have had in place in Fairfax. I have also been returning officer here in Maranoa in previous elections. But it is geographically much smaller.

**Senator MURRAY**—Fairfax is?

**Mr Boyd**—It is much smaller. It is a coastal division. It takes in two local government areas. So the distance issues are not a concern for us in that particular electorate.

**Senator MURRAY**—You heard my earlier questions on electronic voting. Do you think it has something to recommend it in an electorate like this?

**Mr Boyd**—In the division of Maranoa anything that will help electors exercise their franchise needs to be investigated.

**Senator MURRAY**—What about you, Mr Woolcock, with respect to Groom?

**Mr Woolcock**—I was also the returning officer in Maranoa in the 1980s. I note that our postal voting system is referred to as APVIS. It has been in place since 1999. It worked well then, and it worked well in 2001. It is not just a system that generates our postal votes; it is a whole management system which I think assists us to maintain the whole process. The major concern for me is the continuing increase in the number of postal vote applications that we receive. I cannot give you the exact figure, but 5,000 were issued last year, and that was an increase of, say, 20 per cent from 2001.

**Senator MURRAY**—Why is that a concern though if it is just a management process? I am concerned for different reasons, but I want to know why you are concerned.

**Mr Woolcock**—I think it was mentioned earlier that federal elections are basically designed to be an attendance ballot on the Saturday. The more people there are that cast an ordinary vote, the faster and cheaper the results that we get are. Postal voting costs a lot more. The process can be flawed, as you have seen, and the chances of that increase the more people use our postal voting system.

**Senator MURRAY**—What are your views on electronic voting in a rural area like this? It would give you immediacy, obviously, as it is done on the day.

**Mr Woolcock**—It would be great. We need to investigate it. However, the security issues need to be addressed—we need to know it is that person voting.

**CHAIR**—To clarify the record, you mentioned at the start that you had not seen the Electoral Commission's submission from Canberra. I take it that applies to both of you. By that, I take it that you were not aware that they had made a submission and that they did not forward one to you.

**Mr Boyd**—They certainly did not forward me one.

**Senator MURRAY**—That also indicates that they were not asked for their opinion to put into it.

**CHAIR**—So you are aware that the committee's secretariat received the Electoral Commission's submission on 31 March and that became a public document at our hearing today. However, we would have thought—not casting any aspersions on you, which is why I wanted to clarify this—that they would have forwarded that to you, given that that submission deals with all the issues you are talking about. That submission is now publicly available and the committee is in a position to make a copy available to you. However, we would have thought that, given that you are appearing here on behalf of the commission and also given that they suggested you as the witnesses for the hearing, you would have got a copy of that submission. I wanted to clarify that, because I did not want anyone to misinterpret the record and assume that you had not taken the time to look at it. In fact, you have not been provided with it.

**Mr Woolcock**—I checked the JSCEM web site yesterday. It was not on there yesterday.

**CHAIR**—No, it could not be put on until today. The only one who could have given it to you was your own organisation, and it would have been in keeping with the regular course of events for them to do it. Their submissions are not public to the community until they are accepted by this committee, but that does not mean they are confidential to you when you are appearing here on their behalf. That is the point I wanted to clarify. I wanted to be aware of that, because we will follow that up later.

**Senator BRANDIS**—I want to clear up one issue. Neither Mr Woolcock nor Mr Boyd is currently or was at the time of the 2004 election the divisional returning officer for Maranoa—is that right?

**Mr Woolcock**—That is correct.

**Mr Boyd**—That is correct.

**Senator BRANDIS**—Am I right in understanding that the divisional returning officer for Maranoa at the 2004 election is unavailable to this committee because she is on sick leave or otherwise unwell?

**Mr Woolcock**—I think that is the case. I think the divisional returning officer may be on a graduated return to work.

**Senator BRANDIS**—It strikes me as unusual that the DRO for Maranoa is not here but, if—as I understand is the case—she is unwell then that entirely explains her absence, doesn't it?

**Mr Woolcock**—It does. I just add the point we made before: both Mr Boyd and I have been divisional returning officers previously.

**Senator BRANDIS**—You were the divisional returning officer for Maranoa from 1982 to 1988, weren't you?

**Mr Woolcock**—That is right.

**Senator BRANDIS**—Mr Boyd, you were the DRO from 1998 to 2000?

**Mr Boyd**—That is correct.

**Senator BRANDIS**—So you have both run elections in Maranoa, and from your ex post facto participation in the 2004 election you are in a position to speak on what occurred in Maranoa last year, aren't you?

**Mr Woolcock**—We both have some knowledge of the events.

**Senator BRANDIS**—But it is not just knowledge of the events; you are both in a position to compare it with previous elections?

**Mr Boyd**—That is correct.

**Senator BRANDIS**—How does it compare with previous elections? Mr Woolcock, I want a comparative judgment please. How does the conduct of the election here in 2004 compare with the ones you are familiar with?

**Mr Woolcock**—When I ran the elections in 1980 and 1983 we did not have this type of legislation for general postal votes. That came into effect with the 1984 election. Running elections in Maranoa at any time is a very tough process. It is a very large division. You have problems with distance, communication and the very large number of polling places.

**Senator BRANDIS**—And it is known to be difficult. So there were no problems that could not have been anticipated, because, as you have just recited, they are notorious facts.

**Mr Woolcock**—That is right. I do not know whether it is my role to pass a lot of judgment on the detail of what happened in Maranoa.

**Senator BRANDIS**—I am not asking you to pass judgment. We will ultimately arrive at our own conclusions. This is the first bracket of evidence in this series of hearings, and we will hear from the Electoral Commissioner and other senior officers of the AEC in due course. But I think, Mr Woolcock, that on the basis of your particular local knowledge you are in a position—as

indeed are you, Mr Boyd—to make a comparison between the conduct of this election in Maranoa and the conduct of previous elections in Maranoa, of which you have particular knowledge.

**Mr Woolcock**—I think there is far greater scrutiny and accountability in our election processes now compared to when I started running elections here in 1980. It is far more difficult now. We have a lot more processes in place which ensure far greater accountability now compared to the old days.

**Senator BRANDIS**—I understand that it must be an impressionistic judgment, but what do each of you have to say about your sense of the number of mistakes that were made in the 2004 election in Maranoa compared to your previous experience?

**Mr Boyd**—I feel I am in a position to judge on the post-election timetable, which was the part I was involved in in 2004, compared with my involvement here in 1998 and 1999. The office here met all the deadlines. All that needed to be done was done in a timely and efficient manner. So I think that part of the process compares favourably to what occurred when I was here. I do not feel I am in a position to judge what happened prior to polling day.

**Senator BRANDIS**—That is fair. I will not press you on that.

**Mr Woolcock**—I agree with what Mr Boyd said. Certainly, prior to the 1999 referendum postal votes were essentially prepared manually. We did not have this production problem—

**Senator MASON**—Were they prepared manually and locally?

**Mr Woolcock**—Yes.

**Senator BRANDIS**—So the real comparator for our purposes is going to be the 2001 election, with which neither of you had any experience in Maranoa. Is that right?

**Mr Boyd**—That is correct—if you are talking about the postal voting part of APVIS.

**Senator BRANDIS**—In particular postal voting.

**Mr Boyd**—As Mr Woolcock said, APVIS was first used in 1999, when I was here. I was also here for the election prior to that, when postal votes were manufactured locally. So there is a comparison there. The APVIS system of producing postal votes is far superior to the way we did it locally.

**Senator BRANDIS**—But because it is a more systematic method of doing this, if there is a system error I put it to you that it is all the more important that there be fail-safe mechanisms within that system to ensure that errors are picked up before the ballot papers are delivered to the electorate itself. Would you agree with that?

**Mr Boyd**—Yes.

**Senator BRANDIS**—So we are looking here, to the extent to which there have been the problems about which other witnesses have spoken, at a systems failure. Do you agree with that?

**Mr Woolcock**—That is right. I think that the Minter Ellison report made recommendations to overcome these problems.

**Mr Boyd**—I agree with that.

**Senator BRANDIS**—Was the person who was the DRO in Maranoa in 2001 the same person who was the DRO in 2004?

**Mr Boyd**—Yes.

**Senator BRANDIS**—And because of her unavailability through illness it seems we are not going to be able to hear the local comparison between 2001 and 2004. Is that right?

**Mr Woolcock**—That would probably be the case.

**Senator BRANDIS**—I am at pains to say that I do not think anybody in this committee—certainly not I—is pointing any finger of blame at the people on the ground. In a sense, you are the team that had to come in and fix up the mess—

**Senator MASON**—The troubleshooters.

**Senator BRANDIS**—You were the troubleshooters, as Senator Mason says. But would it be fair to say, from your observation as troubleshooters, that this was a problem which emerged much higher up the chain and a long way away, over which you had little or no control locally—on the ground?

**Mr Woolcock**—AEC staff in the divisional office, and the AEC in general, were not aware of the production problem until, as I understand it, the Thursday night before the election.

**Senator BRANDIS**—Mr Boyd?

**Mr Boyd**—That is my understanding. We in our divisional offices were unaware of that particular issue.

**Senator BRANDIS**—So that is one business day before the election—one clear day before the election?

**Mr Woolcock**—It was not just the divisional offices. The AEC in general was not aware of it. That is my understanding.

**Senator BRANDIS**—Okay. Gentlemen, I have spoken about fail-safe mechanisms or the absence of them where there is a more sophisticated system in which a systemic failure is going to produce graver consequences. But there is another issue, it seems to me, and it is this: when the problem eventually hits the deck here in downtown Dalby and there are 36 hours to go before the election starts, what systems, if any, do the AEC have in place to deal with an

emergency like that? Could you speak, please, to the question of the sufficiency in the event of an emergency of systems of communication between local AEC officers on the ground and the Brisbane office or the central office.

**Mr Woolcock**—As I said earlier, these 577 general postal votes should have gone out in the first despatch around 20 September. This is when I understand the production problem occurred. If we had the systems in place we should have been told very soon after that.

**Senator BRANDIS**—Where was that? In Sydney?

**Mr Boyd**—I am unaware. I believe it was in Sydney.

**Senator BRANDIS**—Okay. So a problem emerges in Sydney of which the local people here in Maranoa have no awareness of and no reason to be aware of. If that has not been picked up, then that is a problem for the AEC centrally or a problem for its subcontractor. What happens next? When is the next opportunity to pick up the problem and do something about it?

**Mr Woolcock**—Perhaps when electors start ringing us at the call centre. I do not know how the call centre records these sorts of issues or how they record numbers and that sort of thing.

**Senator BRANDIS**—But that is not a local thing, either. The call centre is a central institution, is it not?

**Mr Boyd**—It is centralised.

**Mr Woolcock**—It is centralised.

**Senator BRANDIS**—So a GPV voter in Maranoa gets a ballot paper which is in some respects spoiled—it is the wrong ballot paper. They ring the call centre or perhaps their local member. Can they ring the DRO as well?

**Mr Boyd**—What can happen if they ring the call centre is that issue would be logged. We get a daily record in our divisional office, via email, of issues and an issue might be spoiled ballot papers. There may be other issues.

**Senator BRANDIS**—But the call centre is only one of their options, isn't it?

**Mr Boyd**—That is correct.

**Senator BRANDIS**—They could also ring the DRO, could they not?

**Mr Boyd**—If they knew the number. The 13 number that is generally in use goes to the call centre.

**Senator BRANDIS**—I understand that. But they could ring the DRO?

**Mr Boyd**—They could if they had the number.

**Senator BRANDIS**—Do you know whether any complaints were made to the DRO in Maranoa directly?

**Mr Boyd**—I am personally unaware, through contact with the Maranoa office, of that.

**Senator BRANDIS**—But you are familiar with the office procedures of divisional returning officers.

**Mr Boyd**—I am.

**Senator BRANDIS**—So you would expect that if complaints were made they would be logged by the DRO and a file would be created to record those complaints: is that correct?

**Mr Boyd**—I received telephone calls in my office so I imagine other officers had the same thing. We would deal with them—

**Senator BRANDIS**—And you would make a file note of those complaints?

**Mr Boyd**—If people needed reissuing of ballot papers, we would deal with the complaint as it needed to be dealt with.

**Senator BRANDIS**—Is there an office procedure, though, that mandates that a file note be made when a complaint is received?

**Mr Boyd**—It would depend on the actual complaint. If it was just a reissue or someone who had not received a ballot paper, we would log that. By logging it we would take a note of it. It would then be handled that particular day. If it was a different sort of complaint and it needed further follow-up action, certainly a file note would have been made.

**Senator BRANDIS**—Do you agree, Mr Woolcock?

**Mr Woolcock**—I do. I just want to say that these problems that we encountered with the destruction of ballot papers have not happened before so far as I am aware. The other thing is, during an election a lot of things are happening.

**Senator BRANDIS**—Sure. I understand that.

**Mr Woolcock**—It is a period of intense activity.

**Senator BRANDIS**—Nobody doubts that. I am just trying to identify the earliest points at which this could have been picked up and what the AEC could and should have done about it from those points in the chain onward.

**Mr Woolcock**—A note would probably have been made that an elector had not received the ballot paper. Through our APVIS system we have the ability to see whether the person has submitted a postal vote and whether that postal vote application has been processed.



**Senator BRANDIS**—Does the Australian Electoral Commission have standard record-keeping and archival practices for all of its divisional returning offices?

**Mr Boyd**—In relation to this type of issue?

**Senator BRANDIS**—In relation to this issue in particular.

**Mr Boyd**—We generally each keep a journal within our office.

**Senator BRANDIS**—Is that a sort of guideline of the AEC, or is it a matter of practice from office to office?

**Mr Boyd**—I think there are guidelines there, but it is certainly developed at a local level.

**Senator BRANDIS**—So there are published guidelines?

**Mr Boyd**—I would not go so far as to say they are published, as in: ‘You will do this,’ or ‘You will do that.’

**Senator BRANDIS**—But is there a document, even if it is only an email?

**Mr Boyd**—There is an election journal.

**Senator BRANDIS**—So we should ask the AEC to have a look at that. Would you expect that there would be a file of some description maintained at the Maranoa divisional returning office germane to these issues?

**Mr Boyd**—As I said to you earlier, the nature of the complaint or the issue would dictate what was kept.

**Senator BRANDIS**—Yes, but you would expect that something would have been kept?

**Mr Boyd**—I would expect there would be some record.

**Senator BRANDIS**—Mr Woolcock, do you agree?

**Mr Woolcock**—I think there would be. The other thing is that the call centre also sends you emails about what is happening, so there could at least be an email record.

**Senator BRANDIS**—So we should ask the AEC for a copy of the Maranoa returning office file, including electronic records from the first point at which any complaints were received?

**Mr Boyd**—We would not necessarily keep the email advice we receive. I do not know whether they can actually access that record. But each day, from that call centre, inquiries would come through to us which we would access. How you would access that I do not know.

**Senator MASON**—Senator Brandis has put his finger on the nub of the problem. While you are quite right in saying that a lot of things happened at election time, Mr Woolcock, what worries us is that there were complaints made—and we have evidence taken in Longreach from constituents that they had rung the AEC, the call centre and Mr Scott—but that these complaints were not picked up as part of a systemic problem with the Maranoa postal votes. That really is the issue for us. We just do not know why it took so long. You gave the evidence that it was the Thursday before the election—7 October—before there was a realisation that there was a systemic problem. That is weeks after Mrs Doyle and Mrs MacDonald both complained about how, in their case, they had only received ballot papers for their husbands and not for themselves. That is the problem. We want to know why, with all these complaints, there was not a realisation that there were systemic problems with the postal votes in Maranoa. What is wrong with the process?

**Mr Woolcock**—Once again I can only say to you that, as I understand the process, if the contractor had told the AEC about the damaged postal votes on 20 or 21 September this would not have been an issue. I think there was a stage about 10 days before the election, if my memory serves me correctly, that the AEC became aware of problems with the delay in the production of postal votes. Our advice at our level, if I am correct, was: ‘These issues are being addressed. Yes, there have been delays. It has been caused by the volume of postal vote applications received this time.’ I think the AEC may have even published advertisements to say that postal votes were on the way.

**Senator MASON**—So you think that the fact there was a ‘deluge’ of postal vote applications—I think that was the evidence in one of the documents—masked the systemic problem with the issue in Sydney?

**Mr Woolcock**—That may have been the case.

**Mr Boyd**—Mr Woolcock and I are not in the position to adequately answer that part of your question.

**Senator MASON**—I accept that. It is frustrating, because I know that Senator Brandis wanted to ask these questions and I suspect that Mr Ciobo does as well. We want to find out what happened from the time the complaints went to the AEC, either through Mr Scott’s office or from people on stations and so forth, but we cannot ask those questions. We do not know how long it took for that realisation to surface, and we find it very frustrating.

**Mr CIOBO**—I take up Senator Mason’s point—although it may not be possible to ask about Maranoa specifically. You say that if someone calls and says, ‘I haven’t received my ballot papers,’ or ‘My husband and I have applied for our ballot papers but only my husband has received his,’ or something like that, that is tagged in APVIS. Is that correct?

**Mr Boyd**—If somebody rings with that particular complaint, we can interrogate the APVIS system, which will tell us: ‘Yes, that person’s postal vote has been issued,’ and when it was issued. If they are a registered general postal voter, as these particular 577 people are, the expectation is that they would be the first cab off the rank. That is the idea of it. Generally they are registered for distance reasons, and the system will place them first for the issuing of their ballot papers. If that were the case, we would say to them, ‘The application has been processed

and, if your partner has received them, we expect that you will receive them shortly.' At that time we did not know any differently.

**Mr CIOBO**—But if they say, 'Look, they received their papers two weeks ago and I still have not received mine,' what is the process then? What do you do? How do you get another paper distributed through the APVIS system?

**Mr Boyd**—We can reissue through APVIS.

**Mr CIOBO**—Would you log that? Is there a procedure whereby, after a particular number of days, you assume that the ballot paper has gone missing and you then relog it? Is there any standard benchmark?

**Mr Boyd**—I think generally it is left to the call to the local office, as to when you would reissue.

**Senator MASON**—Do you log all complaints? Do you log the number of complaints you receive about missing ballot papers and so forth?

**Mr Boyd**—If we had a reissue for, say, a spoilt ballot paper or that type of thing, I would certainly keep a record of that.

**Senator MASON**—Do you keep a note or a record of ballot papers that are not received?

**Mr Boyd**—I personally do not, as I recall.

**Senator MASON**—Does the office keep a record of the number of complaints concerning failure to receive postal ballots?

**Mr Boyd**—I am not aware that I have kept a log of that.

**Senator MASON**—Or your staff?

**Mr Boyd**—I am not aware that we have kept a log of that nature specifically—that so many people have not received their papers. We would certainly comment on it; we would discuss it. But, as far as keeping a formal log, I cannot say that I have.

**Mr CIOBO**—The call comes into the local electorate office, the detail is searched for on the APVIS system and then they are advised: 'It has been processed and you should receive it shortly.' That is the extent of the information that you have available?

**Mr Boyd**—That is correct. Obviously, their application for a postal vote would have been made for a reason; for example, they may be leaving the country or going on holidays. We would say to them: 'If it hasn't arrived tomorrow, maybe contact us again.'

**Mr CIOBO**—That is what I am interested in. You say 'contact us again,' and you say you then have the ability to reissue.

**Mr Boyd**—That is correct.

**Mr CIOBO**—I presume you feed that back into the APVIS system.

**Mr Boyd**—We would reissue.

**Mr CIOBO**—So that system should demonstrate clearly the number of instances where requests and reissues had been made.

**Mr Boyd**—I think you would be able to find out the number of reissues. Would that be correct?

**Mr Woolcock**—Yes. I think they are in a different number range. Each postal vote is given a unique number.

**Mr CIOBO**—Calls go to the call centre and you say that emails are then sent back to the local electorate offices in each of the divisions. Does the system identify who has called, what their specific issue was and that it has been sent back to you for actioning, or is it just an FYI and actioned centrally? How does that process work?

**Mr Boyd**—If it comes to our office—

**Mr CIOBO**—No, I am talking about a call into the call centre.

**Mr Boyd**—That is what I mean. If the emails from the bank of emails at the call centre were for my division, we would be actioning them. They would not be done centrally.

**Mr CIOBO**—Would they identify the elector who is experiencing an issue?

**Mr Boyd**—I believe so, yes. They would have to. Otherwise we would not be able to reissue.

**Mr CIOBO**—So it basically operates as a processing tool. Calls come into the call centre and they provide those back to the local division offices.

**Mr Boyd**—We have moved like other agencies: whereas once they would ring the local office we now have a call centre. Obviously people who are ringing the call centre could be from your electorate and they could be from my electorate. It needs to go back to the source where that can be fixed if there is a problem.

**Mr DANBY**—I have a question from left field and then I will come back to the main thrust of this questioning. How many voters in Groom, Fairfax and Maranoa used the first week to reorder their address so that they could participate in the election?

**Mr Boyd**—Reorder their address?

**Mr DANBY**—Change their address, fix up their details.

**Mr Boyd**—I do not have those figures available, I am sorry.

**Mr DANBY**—You do not have them for Fairfax?

**Mr Boyd**—I do not have them with me.

**Mr DANBY**—Could you get them?

**Mr Woolcock**—Certainly we would be able to get them.

**Mr DANBY**—And presumably you do not have them for Groom?

**Mr Woolcock**—I do not have them with me, but we would certainly be able to see how many enrolment cards we processed in the week from the issue of writs to close of roll.

**CHAIR**—We might be able to get that from the AEC for each seat.

**Mr DANBY**—By day would be interesting too.

**CHAIR**—We will pursue that at our Canberra hearing.

**Mr DANBY**—Let me come back to the general thrust of this questioning. When people call the DRO or the call centre and say they have had a problem with their postal vote, even if they do not ask for a reissue wouldn't it come up from the moment people started making these complaints that these were all GPVs?

**Mr Boyd**—You would be aware when you interrogated that that the person was a registered general postal voter.

**Mr DANBY**—Did you have the same problem in Groom and Fairfax?

**Mr Woolcock**—I only have about 700 general postal voters. I cannot recall how many people rang up with problems but I suspect it would be very few, if any.

**Mr Boyd**—And it would be a similar situation in the division of Fairfax.

**Mr DANBY**—Because you have far fewer GPVs. But when these complaints were coming in it would have been obvious, from the large number of GPV votes that were not coming through, that somehow there was a system failure.

**CHAIR**—Had this occurred when you were the returning officer here at previous election.

**Mr Boyd**—That would be a hypothetical. I would assume we would react when we became aware that there was a trend, but as I say that is hypothetical.

**CHAIR**—Only in terms of the date of the election.

**Mr Boyd**—I beg your pardon?

**CHAIR**—The only thing that is hypothetical is the different date of the election.

**Mr Boyd**—I thought you were referring specifically to the last election.

**CHAIR**—The point Mr Danby makes is that, given they were general postal voters, the inclination for that to send off an alarm bell would have been rather prominent. I know you say it is hypothetical but it is not really a comparison with you being a returning officer in Uzbekistan or something. You actually were the returning officer here in Maranoa, where they do have a large number of postal voters. Had the circumstances of the last election occurred at any previous election and they were general postal voters, as Mr Danby correctly points out that would have sent off a big alarm bell, wouldn't it?

**Mr Boyd**—It certainly would have alerted us that there was an issue.

**Mr DANBY**—Do you know if any message was sent not just from this electorate but from other electorates that these were GPVs whose votes were not turning up and that something needed to be checked up the chain? Obviously this was not something that was a fault of the local electoral officers. There were complaints coming in and they had a pattern: they were all GPVs. As you say, they are the ones that are sent out first. If the AEC were getting complaints from all around Australia and they were all GPVs, wouldn't the AEC have said: 'These are our first-off people; what has happened with them?'

**Mr Woolcock**—I am not aware of the pattern of complaints or of what happened in Maranoa in the lead-up to the election, unfortunately.

**CHAIR**—Without labouring the point, just in terms of you not being provided with your head office's submission—you are appearing here on their behalf and we do not in any way cast any aspersions on you—can we take it from that that you were not consulted at all in the drafting of that submission?

**Mr Woolcock**—There was certainly no direct comment. I do not know about my supervisor. I would imagine my supervisor, who is the state director of the AEC, would have been consulted.

**CHAIR**—Thank you very much for appearing before us.

**Mr DANBY**—Just before the witnesses go, can I ask whether it is established now that, when the AEC appears, they will give us an electorate-by-electorate thing of how many people register in the week?

**CHAIR**—You can ask them that. That is fine. The returning officers are here in the capacity of the duties they performed post election in Maranoa. You have asked them and they have said that they can provide that to you for those two electorates, if that is the route you want to go down. What I said was that you can obviously ask that same question nationally when we have our hearings in Canberra. You can ask it for each seat if you want to. But these officers cannot provide it for each seat to you.

**Mr DANBY**—I appreciate that. Maybe we can have a discussion at the end of this about this committee requesting that for that first hearing with the AEC.

**CHAIR**—We can have lots of questions and lots of discussion. Thank you for coming along.

[11.12 a.m.]

**THOMPSON, Mr Alfred John, Private capacity**

**BAKER, Ms Shandra, Private capacity**

**CHAIR**—We have now concluded the formal part of the hearing, but we have advertised and made clear that we would like to hear from any member the public wishing to make a short statement relevant to any of the discussions today. We have gone a bit over time, but we have seven or eight minutes in which to do that. If anyone would like to make a statement of no more than one minute or two, if there is anything from the floor, we make that opportunity available.

**Mr Thompson**—I am a resident of Dalby. I am a working person. I have worked from Toowoomba to the other side of Wandoan and Goondiwindi. This is the first time I have ever been involved in a committee meeting like this. I would like to say firstly that information that has come through here today from Bruce and the gentlemen here is very important information. I am of the understanding that you, the committee, will pass this on to the government.

The other thing I wanted to say is that one time I wrote a letter to the Prime Minister of Australia, Mr Howard. The letter was about voting and systems and that. One of the suggestions I made was that the voting system would have to be changed to voting from one to five. I have been involved in voting for 47 years through the districts. I find a lot of people, young and old, are confused about the voting system today.

**CHAIR**—Do you mean the difference between the state and federal systems?

**Mr Thompson**—Yes. I have had conversations with people after they have voted. I have been in polling booths where this has happened: I have known the person and I have discussed the situation about why they are confused, and they said they would rather vote the system one to five. The other thing I have seen in voting booths is that after people walk in to collect their voting papers, they go over to their private little section to vote and they get confused and frustrated about how they should vote. I have seen situations where the person they went to get their voting papers off has hopped out from behind their area and gone over to help that person to vote. I understand that it is supposed to be a personal, private vote. No-one—not your wife or your partner or your father or your mother—is supposed to be involved in how you vote.

**CHAIR**—Sometimes particularly your wife, John!

**Mr Thompson**—Anyway, that is the situation. I wrote this letter and I suggested to the Prime Minister of Australia that we could have vote from one to five. At the bottom of the letter in reply it said, ‘We get hundreds and thousands of letters like yours,’ and that was it.

**CHAIR**—It is good that you came along today and made the time to talk to us. That is why we are here, so we can hear directly what you have to say. What we will do at the end of these hearings right across Australia is produce a report, and that report will go to the parliament. We



will send you a copy of that report if you leave your details with the secretariat. Thank you for coming. Are there any other statements from the floor?

**Ms Baker**—I am the office manager for Mr Scott, and I work in the Dalby office. As the hearing heard this morning, the GPV ballot papers—of which Maranoa has approximately 6,000—are the first papers to go out. Within a week our office became aware that there were problems. We had cases where one member of a family would receive their ballot paper while maybe two missed out, and this went on repeatedly. The AEC were aware within a week to 10 days that there was an issue with the GPV papers. People would ring the call centre; the call centre was misinformed. The call centre's standard response was, 'They're in the mail.' As Mr Scott said this morning, a lot of our people have one mail run a week or maybe two. The issue got worse by the day. We repeatedly got phone calls and our whole day was consumed dealing with people's inquiries.

It was hard to track down whether the ballot papers were sent. We did establish that they were sent from Sydney. Centralisation does not work in very large electorates. I understand that in previous elections they were either sent locally or were dispatched from each state's capital city. If there is an issue such as this, and no doubt in each election there are issues, then they can be dealt with before they become a nightmare. I believe the call centres need to be state based. They would understand each state and each state's problems. I do not know where the call centre was based but, as I said, the standard response was 'It's in the mail'. That went on until two days before the elections. Obviously, as these people were not going to receive their ballot papers—I am talking about the GPVs—they drove to polling booths. I heard that in some cases they drove for three hours because they did not trust the AEC to get their ballot papers to them.

**Senator MASON**—Did you understand the position to be worse than normal?

**Ms Baker**—Absolutely. I have been with Mr Scott for 15 years and I have never seen an election like the one we just went through.

**Senator MASON**—You knew it was bad from between seven to 10 days of 20 September?

**Ms Baker**—Absolutely.

**CHAIR**—Thank you very much for your statement and for your persistence through the election campaign.

**Mr DANBY**—I want to ask some follow-up questions. Did you speak to the local AEC office regularly?

**Ms Baker**—Yes, we did.

**Mr DANBY**—Were they frustrated too?

**Ms Baker**—My understanding was that, yes, they were.

**Mr DANBY**—And you had good relations with them when you were telling them about these types of things?

**Ms Baker**—Absolutely. The AEC local office was very good to work with. They tried to do the same as us: get people's ballot papers to them. But I understand they were running into the same brick walls as us.

**CHAIR**—There being no more statements, that concludes most of our agenda.

Resolved (on motion by **Mr Danby**):

That this committee authorises publication, including publication on the parliamentary database, of the proof transcript of the evidence given before it at public hearing this day.

**Committee adjourned at 11.20 a.m.**