

Division 6: Western Australian Electoral Commission, \$8 754 000 —

Ms A.E. Kent, Chair.

Mr J.R. Quigley, Minister for Electoral Affairs.

Mr R. Kennedy, Electoral Commissioner.

Ms C. Barron, Deputy Electoral Commissioner.

Ms M. Buchanan, Principal Policy Adviser.

Mr J. Lee, Principal Policy Adviser.

Mr D. Emerson, Senior Policy Adviser.

[Witnesses introduced.]

The CHAIR: The estimates committee will be reported by Hansard. The daily proof *Hansard* will be available online as soon as possible within two business days. I will allow as many questions as possible. Questions and answers should be short and to the point. Consideration is restricted to items for which a vote of money is proposed in the consolidated account. Questions must relate to a page number, item or amount related to the current division, and members should preface their questions with these details. Some divisions are the responsibility of more than one minister. Ministers should only be examined in relation to their portfolio responsibilities.

A minister may agree to provide supplementary information to the committee. I will ask the minister to clearly indicate what information they agree to provide and will then allocate a reference number. Supplementary information should be provided to the principal clerk by close of business Friday, 3 June 2022. If a minister suggests that a matter be put on notice, members should use the online questions on notice system.

I give the call to the Leader of the Opposition.

Ms M.J. DAVIES: Attorney General, I am on page 94 of budget paper No 2, volume 1, under “Significant Issues Impacting the Agency”. I wonder whether the Attorney General could give us an understanding of the time line that the Electoral Commission is anticipating in terms of the boundary review as a result of the legislation passing through the house last year, and also in preparation for the 2025 state election. I am looking for the time line of when it will commence and what those key dates will be.

[10.20 am]

Mr J.R. QUIGLEY: As the executive do not take any part in setting out that time line, I will ask the Electoral Commissioner to answer that question.

Mr R. Kennedy: Thank you. Yes; I might just point out at the beginning that the distribution, which is likely to commence around March 2023, is not as a result of the recent legislative changes; it is the standard redistribution that occurs every four years, immediately after a general election. Our process will probably begin around March. I have had some preliminary discussions with the rest of the distribution commissioners. Then, as in the previous parliamentary period, we would aim to have the final results out by November in that year.

Mr C.J. TALLENTIRE: I refer to page 93 of budget paper No 2, under “Spending Changes”, line item “2021 State Government Election” and the sum of \$346 000. I am interested to know what the commission’s efforts are towards ensuring that at state elections there are facilities for booth workers and party volunteers, particularly party volunteers. It is my observation over a number of elections that the commission has no regard for the comfort and wellbeing of party booth workers. We had booths where there were no toilet facilities for booth workers and party volunteers, and that is of grave concern.

Ms M.J. DAVIES: Also, safety for workers.

Mr J.R. QUIGLEY: And the member’s question is?

Mr C.J. TALLENTIRE: What is the commission doing about ensuring that at future elections, party workers and booth workers—those who are in paid positions with the Western Australia Electoral Commission and those people who are there in a volunteer capacity—are given adequate comfort facilities?

Mr J.R. QUIGLEY: I have heard this concern expressed across the political spectrum and —

Ms M.J. DAVIES: We are very interested in the answer as well.

Mr J.R. QUIGLEY: That is what I am saying. I have heard it across the political spectrum and I have stood there at pre-poll as well and heard it from volunteers, and I want to be reasonably circumspect. I will be addressing this issue. That is all I can say at this stage. Before the next election, I promise members that I intend to put my mind to this issue.

Mr C.J. TALLENTIRE: By way of a question, I forewarn the Attorney General that in the past, the response has been that it is down to the individual primary school whether they provide access to toilets. I do not think that is good enough. I ask for the Attorney General's reassurance here. The Electoral Commission negotiates with those schools and other polling facilities, so in that negotiation, can the Attorney General assure us that the Electoral Commission will make an effort to ensure that facilities are available for volunteers?

Mr J.R. QUIGLEY: I do not want to reveal my hand at this stage, but I will refer to what the Leader of the Opposition said. She was acutely interested in the member's question and the answer I give. It is a concern across the board that the volunteers we recruit should have toilet facilities.

Mr P.J. RUNDLE: My question is on the same page but at the bottom line. I refer to page 93 and the last line item, "Technology Assisted Voting Project". Firstly, given that the New South Wales Electoral Commission has decided to pull its iVote software, does the Western Australian Electoral Commission still see electronic voting as part of the future fabric of voting in WA?

Mr J.R. QUIGLEY: At this stage, we are talking about an electronic voting system for people who have registered early. We have looked at the programs so that the visually impaired, the illiterate and people who have a disability have assisted voting and can vote electronically. That is all that is happening.

Mr P.J. RUNDLE: That is all that is on the agenda?

Mr J.R. QUIGLEY: Yes.

Mr P.J. RUNDLE: Further to that, Attorney General, we saw the situation over the previous weekend when we had the COVID scenario, the confusion around telephone voting and the like. Has the Electoral Commission considered how that will play out at the next election if COVID is still an issue at that time?

Mr J.R. QUIGLEY: I defer to the Electoral Commissioner.

Mr R. Kennedy: Yes. It is one of the issues that is at the forefront of our mind at the moment. We are learning as much as we can from the recent federal experience. At the moment, an online solution is not available to the cohort that has been identified in the legislation as able to use technology-assisted voting. No online solution is available in Australia yet that we have been able to identify that we could use here. We have recently done a request for information to the market asking for what is available, and my team are currently looking at that. Any development of that would focus just on those categories of electors that the minister referred to because, legislatively, we are not allowed to offer that service to others. In 2025, if we were in a similar situation again whereby a pandemic of some nature made it difficult for people to get to the static polling situation, then I would approach the government and encourage it to let us extend that, even if it were on a temporary basis, to allow those sort of people that access. The commonwealth solution was a telephone voting service. That figure in the papers that the member referred to is actually part of the cost that carried over from our telephone voting service in 2021.

Ms M.J. DAVIES: I refer to the preparation for elections and pre-poll and when decisions are made around how long pre-poll will be held for and how the cost for the Electoral Commission gets wound into the decision-making process—if we have three weeks of pre-poll, two weeks of pre-poll. We had the threat at this recent federal election whereby booths potentially could not have been open because they could not access workers. I am not talking about volunteers; I am talking about Electoral Commission staff. Are we looking at that and trying to pull back from three weeks of pre-poll to two weeks at least?

Mr J.R. QUIGLEY: Does the member have a preference?

Ms M.J. DAVIES: I do, yes.

Mr J.R. QUIGLEY: What would it be?

Ms M.J. DAVIES: Everyone should vote on the same day. It is election day.

Mr J.R. QUIGLEY: No pre-poll?

Ms M.J. DAVIES: I know that is not possible but —

The CHAIR: A shorter pre-poll would be nice, would it not?

Ms M.J. DAVIES: There should be a shorter pre-poll. It seems an extraordinary expense to me. I understand that we have to provide opportunity for people who cannot vote on the day, but surely, with the technology available and some of the challenges we have faced, we could come up with a solution on that front. It does seem extraordinary that at booths where we could barely sit down 10 years ago, we have a trickle of people coming through, yet we have a fully staffed Electoral Commission cohort for the day that is election day and for the three weeks beforehand.

[10.30 am]

Mr J.R. QUIGLEY: At the last state election, there were three weeks of pre-poll.

Ms M.J. DAVIES: It is too long. There is universal agreement, except for the Electoral Commissioner.

Mr J.R. QUIGLEY: I will take that on board.

The CHAIR: I have to say that I agree, too.

Mr J.R. QUIGLEY: Sorry?

The CHAIR: I agree that three weeks is too long.

Mr J.R. QUIGLEY: The chair is even getting a vote on this one! The commonwealth election pre-polling period was shorter.

Ms M.J. DAVIES: It was two weeks, yes.

Mr J.R. QUIGLEY: I will take that on board.

Ms M.J. DAVIES: It is difficult in regional areas in particular to access those staff and so we do not have the same access, regardless. I think that a three-week pre-polling period is too long.

Mr J.R. QUIGLEY: Yes, we have to allow some pre-polling because of our huge fly-in, fly-out workforce.

The CHAIR: They could vote by postal vote.

Mr J.R. QUIGLEY: I will hand over to the Electoral Commissioner.

Mr R. Kennedy: Thank you. I sense the mood in the room, and I cannot say I agree with the mood in the room. My priority, which I have made known to the minister, is to provide the greatest opportunity for the electors of this state to cast their vote. Most of the feedback I get about the early voting period comes from members of Parliament. The overwhelming support for it comes from electors. The overwhelming feedback we had in 2021, despite the fact that I pushed early voting as a COVID-related matter, was the convenience of it, and I think that was reflected in the federal election as well. I heard some feedback from electors that they enjoyed the convenience of not having to focus on one day.

Ms J.J. SHAW: I am just wondering, in the period prior to having such a lengthy pre-poll period and subsequent to having a lengthy pre-poll period, whether the commissioner has any observations about turnout or the proportion of informal votes.

Mr J.R. QUIGLEY: I am sorry?

Ms J.J. SHAW: Does the commissioner have a bit of a sense?

Mr J.R. QUIGLEY: What was that?

Ms J.J. SHAW: If the case that the commissioner is advancing is that there is an overwhelming preference amongst voters to have long pre-poll periods, I just wondered whether the commissioner had any observations on the impact of that longer pre-poll period on voter turnout or the proportion of formal or informal votes. Has the commissioner noticed any changes in voter behaviour? It is just a general question on whether the longer period has had a difference on the franchise itself.

Mr J.R. QUIGLEY: Obviously, with the pre-poll period, the more convenient we make it, there has been a slight increase and arresting of the decline in turnout. There is always a balancing act. Even the Leader of the Opposition favoured a one-day vote, but said in a concession, I think, "But I realise there has to be some pre-poll". I am not misrepresenting the Leader of the Opposition there, am I?

Ms M.J. DAVIES: No. I do not think it is once every four years that we have a right and a responsibility as an individual to go and vote. I would question convenience over participating in something that is our democratic right and responsibility. I am happy to make it accessible, but I think thought needs to be given to making sure that we are getting an appropriate outcome. I think that three weeks of pre-poll is ridiculous.

Mr J.R. QUIGLEY: I understand the member's position and I take that on board.

Mr P.J. RUNDLE: With reference to my original question, my suggestion is to use the money, condensing it to the level of the commonwealth election, that would have been expended for staff in that first week of the three weeks for advertising so that people actually know what is happening. The biggest challenge is that it always takes the first week before people even realise that pre-poll voting is available. That time could be condensed to two weeks, with greater advertising prior to it.

Mr J.R. QUIGLEY: First of all, I respond to that by saying I take that on board seriously.

Mr P.J. RUNDLE: Who makes the final decision? Is it a recommendation to the Attorney General by the Electoral Commissioner or does the Electoral Commissioner make the decision? How does the decision-making go?

Mr J.R. QUIGLEY: It is in the legislation.

Mr P.J. RUNDLE: As far as the length of time for the pre-poll, is that a recommendation to the Attorney General by the commissioner and then the Attorney General decides or does the commissioner decide?

Extract from *Hansard*

[ASSEMBLY ESTIMATES COMMITTEE B — Thursday, 26 May 2022]

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Mr John Quigley; Mr Chris Tallentire; Ms Mia Davies

Mr J.R. QUIGLEY: It is in the act, but the act provides a discretion for the commissioner to have up to 17 days of actual voting.

Ms M.J. DAVIES: Do I understand that the Attorney General is looking to amend the Electoral Act on that position?

Mr J.R. QUIGLEY: I am taking on board what is being said here. I know what the Leader of the Opposition's position is. I know what the member for Roe's position is. I know what the member for Swan Hills' position is. I am taking all of this on board. I do not mouth this and say, "I am listening", and not do anything; that is not my style. The member knows that. I have taken on board what she is saying. But if there is to be a change, it will be introduced in the Legislative Assembly.

Ms M.J. DAVIES: We look forward to having the opportunity to contribute in a formal discussion on that.

The appropriation was recommended.