

**Division 6: Western Australian Electoral Commission, \$10 885 000 —**

Ms L.L. Baker, Chair.

Mr R.R. Whitby, Parliamentary Secretary representing the Minister for Electoral Affairs.

Mr D.A. Kerslake, Electoral Commissioner.

Ms C. Efendi, Acting Director, Finance.

Mr L.P. Gargan, Manager, Legislation, Communications and Human Resources.

Mr D. Forster, Principal Policy Adviser.

[Witnesses introduced.]

**The CHAIR:** This estimates committee will be reported by Hansard. The daily proof *Hansard* will be available the following day. It is the intention of the Chair to ensure that as many questions as possible are asked and answered and that both questions and answers are short and to the point. The estimates committee's consideration of the estimates will be restricted to discussion of those items for which a vote of money is proposed in the consolidated account. Questions must be clearly related to a page number, item, program or amount in the current division. Members should give these details in preface to their question. If a division or service is the responsibility of more than one minister, a minister shall be examined only in relation to their portfolio responsibilities.

The parliamentary secretary may agree to provide supplementary information to the committee rather than asking that the question be put on notice for the next sitting week. I ask the parliamentary secretary to clearly indicate what supplementary information he agrees to provide and I will then allocate a reference number. If supplementary information is to be provided, I seek the parliamentary secretary's cooperation in ensuring that it is delivered to the principal clerk by Friday, 31 May 2019. I caution members that if the parliamentary secretary asks that a matter be put on notice, it is up to the member to lodge the question on notice through the online questions system.

I give the call to the member for Moore.

**Mr R.S. LOVE:** I refer to page 93 of budget paper No 2, volume 1, and the table on the provision of independent, impartial and efficient electoral services to electors. In 2018–19, the estimated actual cost per elector for conducting local government ordinary or extraordinary elections was \$2.88. In 2019–20 there is a substantial increase in the budgeted figure to \$3.48. Why is that figure so different between one year and the next?

**Mr R.R. WHITBY:** I will ask the Electoral Commissioner to respond.

**Mr D.A. Kerslake:** Local government elections are conducted on a full cost-recovery basis. They are also run mainly as postal ballots, and the significant cost in that regard is the significant increase in postal costs now charged by Australia Post.

**Mr R.S. LOVE:** The number of staff members remains constant at 44 FTE in the budget. How does the commission cope in those periodic election years with a constant staff number? Why does that figure never vary, even though presumably the intensity of the workload would vary from time to time?

**Mr R.R. WHITBY:** I will refer to the commissioner, but I understand that we are talking about full-time staff there and, of course, there would be a lot of casual and part-time people employed when elections are conducted.

**Mr D.A. Kerslake:** That is correct. The workload does vary, and it goes up exceptionally in intensity in the middle of an election. That largely accounts for the large number of casual staff that we bring in during that event. A lot of constant work occurs in planning for state and local government elections, and we also run elections for non-government organisations on a fee-for-service basis.

**Mr R.S. LOVE:** Are those full-time employees the same employees who would monitor the conduct of the election and investigate any complaints surrounding the conduct of the election, either by persons not filling in their reports properly or transgressing regulations?

**Mr D.A. Kerslake:** It depends on the definition of the complaints to which the member refers. Most of the complaints we receive are from candidates or parties against other candidates or parties in the course of an election. Many of those result from a misunderstanding of electoral laws; for example, allegations that statements may be misleading. Clear court cases demonstrate that. The misleading of electors occurs in the act of filling out a ballot paper, not in terms of policies that might be presented. My example is chosen to illustrate that there are many instances in which we can provide simple and reassuring answers to complaints. We have dedicated staff to deal with complaints during elections, but very few outside of the election period.

**Mr R.S. LOVE:** A number of times we have seen non-traditional activities in election periods, such as the rise of social media and the rise of big spending campaigns from individuals et cetera. Does that throw more issues at the

Electoral Commission? Does the commissioner feel confident that he has enough resources to properly deal with those evolving issues over time?

**Mr D.A. Kerslake:** Yes, I do feel that we have enough resources. As indicated, many of these complaints are simply without substance and based on misunderstanding. One of our main roles during an election is to ensure that material that is put out in the public domain is properly authorised, but not to vet the content of that material. It is a relatively straightforward matter to ensure that the material is authorised.

**Mr C.J. TALLENTIRE:** My question concerns the welfare of booth workers. I am referring not to WAEC employees, but to booth workers. I refer to the first item under “Service Summary” on page 92 of budget paper No 2. When the Electoral Commission is selecting early voting booths, and is negotiating with schools to use them as polling booths, what consideration is given to ensure that things as simple as toilets and shade are provided for booth workers?

**Mr R.R. WHITBY:** Is the member talking about party volunteers?

**Mr C.J. TALLENTIRE:** I clearly said booth workers who are not employees of the WAEC, and I do mean party volunteers.

**Mr R.R. WHITBY:** That is a good question. On Saturday, I was made aware of a school where the toilets were not open. That does present a problem. I presume—the commissioner can elaborate on this—that facilities are available for WAEC staff working inside the booth, as there should be. However, it is a worthy issue to raise because it is important for our democracy that people volunteer their time and get involved with the process. It is a reasonable expectation, particularly when a public building has been provided, that there are public facilities for anyone to use. People waiting to vote could be included in that because sometimes they have to spend time in the line and they have young children. If we are going to encourage and make it easier for people, including party volunteers, booth workers and voters, to take part in the democratic process, perhaps it is an issue that a public convenience is there. I am not sure whether there is a standard approach to this matter, whether it is worked out on an ad hoc basis or whether it depends on the school. I guess the Western Australian Electoral Commission depends on the good graces of having those facilities provided, whether it be by a state government school, a private school, a church building or any other facility. Perhaps the Electoral Commissioner can elaborate, but I agree that it is a good point that a convenience should be available to people on the day.

[5.30 pm]

**Mr C.J. TALLENTIRE:** Especially with the advent of early voting and the time that people spend working and volunteering at booths. My observation is that no consideration has been given to those volunteers and their welfare.

**Mr R.R. WHITBY:** I will get the Electoral Commissioner to respond.

**Mr D.A. Kerslake:** I agree with everything the parliamentary secretary has said. I would also like to emphasise that we give considerable consideration to the issues that the member has raised. Sometimes we may get an overzealous school principal or staff member who, on the day, unbeknownst to us, places certain restrictions on the use of facilities. Occasionally, we get an overzealous polling place manager who, contrary to commonsense, restricts the usage of facilities. That is not the commission’s policy. I agree with the member about the use of toilets and also the six-metre rule of toilets needing to be six metres from a polling place. We emphasise to polling place managers to use their commonsense. If it is a very hot day and there is a tree five metres away—for goodness sake, let people stand under the tree. Our policy is that in certain situations these things need to be administered flexibly, but I cannot guarantee that every one of the several thousand polling officials that we employ on the day will apply the flexibility that they should. It is something that we are very conscious of and something upon which I entirely agree with the member.

**Mr W.R. MARMION:** My question is about information and communications technology upgrades. Will those upgrades prevent hacking into the system and can the parliamentary secretary comment on whether the system has been hacked? Does the commission monitor social networks for bad information and does it have an algorithm to analyse that?

**Mr R.R. WHITBY:** That issue is worth raising, given the experience internationally that we have heard about and the so-called cyber hacking at elections. I know that the WA Electoral Commission is very mindful of this. In fact, the Electoral Commissioner, who can elaborate in a moment, is a member of the national inter-jurisdictional working group on electoral integrity and security that has been established to look at this very issue. The WAEC recently did a stocktake on its systems to examine potential risk. It is certainly an issue that has had an impact overseas. We would like to think that we have one of the best and most reliable electoral systems in the world, and we do not want to see that compromised in any way. The commissioner might like to add to those comments.

**Mr D.A. Kerslake:** It is an issue nationally. The body of electoral commissioners from Australia and New Zealand is called the Electoral Council of Australia and New Zealand. At the moment we are working collaboratively on a project to strengthen cybersecurity across the board. It has been endorsed by the Council of Australian Governments

and the commissioners need to work together in that regard. Just prior to the federal election, I sent my director of information technology to Canberra for a briefing by the Australian Electoral Commission on how it is dealing with social media issues and the types of matters to which the member has referred. We are very conscious of that area. My final point is that the security of the electoral roll is a critical issue. In recent times I have had meetings with all the state-registered political parties because they get access to the roll. I have emphasised that not only do we need to have secure procedures, but also they need to. Once the federal election is out of the way, I have indicated that I will be sponsoring a forum for all political parties to which I will be inviting national security experts to talk to political parties on the security of their systems and the roll. I have had a very good response from political parties and I am very impressed that they have indicated they are prepared to work together and assist each other, which is a really good example of collaboration, to ensure that they are doing everything they can to maintain the privacy of electoral data.

**Dr D.J. HONEY:** I suggest to members that we move on. We have less than 25 minutes to consider the division for the Department of Water and Environmental Regulation.

**The CHAIR:** It is up to members.

**Mr R.S. LOVE:** I have one more question. I refer to page 91 and the table on spending changes. Under the line item “New initiative—Election commitment—Disclosure of Political donations” is an amount of \$250 000 for this year and going forward. What is that program about?

**Mr R.R. WHITBY:** The policy of the government at the last election was to increase timeliness and accountability associated with the disclosure of political donations. The government is looking at that in terms of policy.

**The appropriation was recommended.**