



WESTERN AUSTRALIAN  
Electoral Commission

Mr P Katsambanis MLA  
Chairman  
Community Development & Justice Standing Committee  
Parliament House  
4 Harvest Terrace  
West Perth WA 6005

By email: [lacdjsc@parliament.wa.gov.au](mailto:lacdjsc@parliament.wa.gov.au)

Dear Mr Katsambanis

**2017 Community Development and Justice Standing Committee  
Inquiry into the Administration and Management of the 2017  
State General Election**

With reference to your correspondence dated 11 December 2017 I  
provide the following additional information.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Kerslake'.

David Kerslake  
**ELECTORAL COMMISSIONER**

23 January 2018

Att

## Community Development and Justice Standing Committee Inquiry into the Administration and Management of the 2017 State General Election - 11 December 2017 request for further clarification

### (Questions 1-7)

#### 1. Did the number of early voting centres decrease from the 2013 to 2017 election?

- Mr Avent and Mr Kerslake indicated that the number of early voting centres did not decrease from the 2013 election, and possibly increased (transcript of evidence, 21 June 2017, p14).
- According to the WAEC *Election 2013: Election Report* (p38), there were 79 early voting 'issuing offices' in 2013.
- According to the WAEC *2017 State General Election: Election Report* (p11), there were 66 early voting centres in 2017.

**Answer:** Section 109 of the Electoral Act authorises the Commission to make use of Government (including local government) premises for polling purposes, free of charge.

To minimise costs, the Commission has in the past used magistrates courts and some local government premises as early voting centres where they were fit for purpose; ensuring adequate access to early voting facilities across the State by otherwise renting the most suitable premises that are available on a temporary basis. The advice provided on 21 June 2017 was intended to convey that the Commission made no conscious decision itself to reduce the availability of such early voting centres throughout Western Australia and dedicated the same amount of time and resources as at previous elections to the provision of early voting facilities.

At State elections in 2013 and before, the Commission was able to supplement early voting locations through an agreement with the Australian Electoral Commission (AEC) that they would make voting facilities available at their divisional offices. More recently, the number of AEC divisional offices has been reduced, consequently the Commission did not include AEC offices in its advertised list of early voting centres. When the non-availability of AEC offices is factored in, there was in fact a small reduction in the number of early voting locations. There was also one less regional airline terminal offering FIFO flights at the 2017 election and an overseas office used previously as an early voting centre was not available.

## 2. How many early votes were cast in person at the 2017 election?

- The *WAEC State General Election Overview* provided to CDJSC on 12 June 2017 states that a 'total of 222,828 electors voted in person at early voting centres' (p1).
- However, a different number was provided in Mr Kerslake's response to questions on notice, dated 17 July 2017. Page 4 indicates that 224,220 people cast votes at early voting centres.

**Answer:** Votes cast in person at early voting centres: The figure of 222,828 is correct and relates to formal and informal *Legislative Council* ballot papers admitted to the count. A total of 222,218 formal and informal *Legislative Assembly* ballot papers were admitted to the count.

The figure provided as part of the Commission's response to follow-up questions (dated 17 July 2017) was unfortunately drawn from unverified working spreadsheets.

## 3. How many people voted by post at the 2017 election?

- The *WAEC State General Election Overview* document states that 'approximately 116,729 electors voted by post' (p1).
- In the 2017 Election Report (p19) only provides the number of formal votes: 'A total of 111,761 postal votes received were admitted to the count'.
- Can we confirm whether the 'approximate' number is correct?

**Answer:** The overview was provided at a time when approximate figures could be provided but (as indicated above), when final numbers were not yet verified, as they were in the 2017 Election Report. The final postal vote figures for the two houses (LA and LC) are listed below.

- Postal vote ballot papers received for the LA count prior to determination of validity (formal and informal): 116, 760.
- Postal vote ballot papers (LA) received that were determined valid (formal) and admitted to the count: 111,761.
- Postal vote ballot papers received for the LC count prior to determination of validity (formal and informal): 116, 907.
- Postal vote ballot papers (LC) received that were determined valid (formal) and admitted to the count: 115,331.

The number of postal vote packages returned as opposed to ballot papers actually counted will vary due to numerous factors such as an elector neglecting to sign the declaration or not including a ballot paper in the return envelope. There will be

differences between numbers quoted in the LA and LC, due to the differing voting systems and informality rates for the two houses.

Therefore, the approximate number of postal votes quoted in the *WAEC General Election Overview* (116,729) was correct as an early estimation, but the actual verified number received (including formal and informal) for the two houses was 116,760 (LA) and 116,907 (LC).

**4. Could you please confirm that the participation rates cited as part of the 2017 and 2013 election performance reviews refer only to the percentage of eligible electors on the roll and not turnout?**

- The 'average state-wide elector participation rate' and 'elector participation rate for 18–24 year olds equals or betters the national target of 80%' were used as performance indicators for the 2013 and 2017 election (see 2013 election report, p58 and 2017 election report, p31).

**Answer:** Confirmed.

**5. Why did the WAEC not adopt the lowest electoral district voter turn-out figure as a performance indicator for the 2017 election?**

- The lowest electoral district voter turn-out figure was used to review the 2013 election (see *Election Report 2013*, p58) but not the 2017 election (*2017 State General Election: Election Report*, pp30–31).

**Answer:** The Commission adopted the same average State-wide voter turnout figure of 91% as the stretch target at both the 2013 and 2017 elections.

A minimum or lowest district turnout figure as a performance indicator was deliberately adopted at the 2013 election because at that stage the Commission was conscious of the exceedingly low turnout in some Mining and Pastoral districts at the 2008 election (i.e. the lowest being 62%). Moving forward, the Commission considered a State-wide or average target to be a more valid indicator of performance and to provide a more meaningful comparison of our overall performance over the longer term.



**6. Could you please confirm that there is no requirement for robocalls to be authorised?**

- Liberal Party Interim State Director Sam Calabrese told CDJSC: 'In terms of robocalls prior to the campaign, we met with the WAEC to clarify whether they were required to be authorised, and we were told it is the WAEC's preference; however, the legislation does not state that you need to authorise them' (transcript of evidence, 9 August 2017, p6).

**Answer:** There is a range of modern telecommunication methods and promotional strategies which would not have been contemplated when the current laws relating to authorisation of election material were drafted. Where any political communication is authorised it obviously reduces the likelihood of complaints being lodged with the Commission by other parties or candidates, but ultimately the regulation of such communications is a matter for the Western Australian or Federal Parliaments.

**7. Did the WAEC conduct a post-election survey of iVote users? If so, could we please be sent a copy of the survey findings/results.**

- The 2017 election report states: 'In the Commission's post-elections survey of iVote users a number of respondents commented on the desirability of expanding the system to include remote, overseas and general early voter electors at future elections' (p32).
- The report also says: 'the response from electors who accessed iVote to cast a secret ballot for the first time was extremely positive. Electors cited the convenience of being able to vote where and when they chose as one of the most important factors. A second common comment received was for the need to have the iVote eligibility criteria expanded, to include remote, overseas and general early voter electors at future elections' (p21).

**Answer:** Yes. The 2017 State Election iVote Users Survey was forwarded to the Committee on 22 December 2017.

#### **Addendum**

On another matter, I note that in the course of the Committee's meetings some misgivings were expressed by some stakeholders in relation to the Commission's 'Dark Lord' advertising campaign specifically targeting young electors during the 2017 State election. <http://marketforce.com.au/work/waec-the-dark-lord-campaign/>

The Committee may be interested in the campaign's recent award success.

The following awards were received at recent local prestigious PADC (Perth Advertising and Design Club) awards:

- Gold for The Dark Lord Integrated Campaign (all media – TV, radio, digital, outdoor etc.)
- Silver for The Dark Lord 'Inauguration' Digital Marketing
- Bronze for The Dark Lord 'Policy Announcement' Digital Marketing
- Bronze for The Dark Lord 'Policy Announcement' TVC
- Bronze for The Dark Lord 'Inauguration' TVC
- Bronze for The Dark Lord 'Radio Station' Radio.

The Dark Lord campaign, competing with international entries submitted from 57 countries, has also been listed as a Finalist at the New York Festivals Advertising Awards in the Radio Station category. We will find out early this year if it wins an award. <http://www.newyorkfestivals.com/entry/main.php?p=2017> .

The overall Dark Lord radio campaign has been shortlisted for The One Club For Creativity's global awards, The One Show, in New York. Winners of the final round of judging will be announced in May 2018 during Creative Week in New York.

<http://oneshow.org/downloads/2018OneShow-Shortlist-Q1Q2.pdf>

<http://www.oneshow.org/viewentries/?id=50100>

<http://www.campaignbrief.com/2017/11/three-radio-ads-from-perth-age.html>

<http://www.thestable.com.au/marketforce-flies-the-flag-for-australia-in-the-one-show-awards-shortlists-so-far/>