

MUNICIPAL ASSOCIATION OF VICTORIA

21 October 2021

Mr Lee Tarlamis OAM MP
Chair
Electoral Matters Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

Delivered by email: emc@parliament.vic.gov.au

Dear Mr Tarlamis

Inquiry into whether Victoria should participate in a national electoral roll platform

Thank you for the opportunity to make a submission regarding the inquiry which is being conducted by the Electoral Matters Committee about whether Victoria should participate in a national electoral roll platform.

The Municipal Association of Victoria (MAV) is a membership association and the legislated peak body for local government in Victoria.

The MAV understands the Committee is interested to hear about the potential benefits and risks of moving toward a national electoral roll platform (rather than the state of Victoria continuing to maintain its own electoral platform) and the issues the Committee will consider include:

- any implications for the independence of the Victorian Electoral Commission (VEC)
- any implications for the security and integrity of Victoria's electoral system
- mechanisms to ensure the security and integrity of electoral systems and events in other jurisdictions around Australia and internationally to determine best practice.

We also understand the Committee is open to any ideas about improving electoral roll management, such as the potential risks and benefits of Victoria no longer maintaining its own register of electors, but using the Commonwealth register to create electoral rolls for Victorian elections.



The MAV considers integrity of the election process including accuracy of the voters' roll is critical to the trust the community has in the democratic process. We note the information the Committee is seeking and consider moving toward a national electoral roll platform would be a significant change to the current process. However, to respond fully we consider it would be critical to understand more of the detail about what is proposed. In the absence of this detail, we make the comments below.

Electoral roll management is a critical issue for Victoria's 79 councils. The *Constitution Act 1975* (Constitution) provides local government is a distinct and essential tier of government consisting of democratically elected councils. The *Local Government Act 2020* (Act), the principal piece of legislation for local government, emphasises one of the objectives of this Act is that local government continues to be constituted as a democratically elected tier of Government in Victoria. The democratic process is therefore critical to the successful foundation upon which local government operates. Integral to this process is the voters' roll from which the representatives are drawn and the entitlement to vote is recorded.

Local government elections occur every four years. As highlighted in the VEC's 2021 report titled 'Report to Parliament on the 2020 Local Government elections'¹ at the 2020 local government elections there were 4.33 million voters enrolled at the close of the roll, 2,186 candidates and 298 simultaneous elections. From these figures alone it is clear conducting local government elections is a complicated, resource intensive and critical process.

In accordance with the requirements of the Act councils work with the VEC to deliver council elections. As a result, the VEC has a detailed understanding about the workings and electoral structure of local government. This means the VEC also has an excellent working knowledge about the legislative requirements and established relationships with officers from local government which are essential in conducting the election process successfully and is a significant advantage to the process which may be diluted if a national electoral roll platform is established.

The Act provides the VEC must compile a voters' roll containing the particulars of persons entitled to be enrolled as at the close of the roll which includes the electors for the Legislative Assembly and the voters' lists and information provided by councils from those who are entitled to be enrolled as owner ratepayers, owner/occupier of rateable property, occupier ratepayers or because of a corporation entitlement. The VEC must prepare the roll based on the electoral structure for that municipality, whether that be unsubdivided or divided into wards. The production of the roll takes many months and is undertaken as a joint task by the VEC and each council to ensure the final roll includes all who are entitled to be enrolled. Under the Act the roll is required to be certified by the VEC. The process includes the phases of data matching, preliminary roll production, primary roll production and update processing. Quality assurance is an essential part of this process and requires a close relationship between VEC staff and officers from each council.

¹ VEC [Report to Parliament on the 2020 Local Government elections](#).

The production of the roll requires specific skills in data analysis, legislative entitlements, extracting data from council systems and data matching against ward and council boundaries to ensure the overall integrity of each voters' roll. This process is complex, requires a level of familiarity with the systems and processes used by councils. The VEC with their detailed knowledge and understanding about the process is an appropriate partner for councils in the preparation of the voters' roll. The MAV is concerned there would be a risk to the integrity of the roll, if this knowledge, partnership approach and understanding of the Victorian context, may be lost if a decision was made to move to a national electoral roll platform which resulted in a lack of familiarity with the peculiarities of the council elections in Victoria.

Furthermore, of the 4.33 million voters enrolled at the close of roll 3.9 million were from the Electoral Commissioner's list of State-enrolled voters.² This means a substantial proportion of the voters at council elections are drawn from the list which is maintained by the VEC. This data has proved accurate and reliable. Moving away from the systems and processes which the VEC has in place to ensure the integrity of the state roll could impact on the reliability of data for the conduct of local government elections.

The MAV also considers there is a risk of decoupling of the production of the voters' roll from the other responsibilities of the VEC given it is such a vital component of the election process. At present the VEC is responsible for 'whole of job' regarding the election. To do this the VEC provides election services which extend from preparation for the election, conduct of the election and post-election activities. This gives the VEC a line of sight to all the activities which are required to be undertaken to ensure a successful election process that withstands scrutiny and meets the legislative requirements. Many of the tasks and dependencies required as part of the election process overlap and require an intricate understanding to assist to successfully deliver the many council elections which are conducted simultaneously. Moving to a national voters' roll could potentially reduce some of synergies which come with the way the process currently and successfully operates.

The 2020 elections were unique given they were conducted at a time of transition to the new Act and as they were held during the first year of the COVID-19 pandemic. The new Act received Royal Assent in March 2020, the new Regulations which dealt with electoral matters commenced in July 2020 and the State Government confirmed the elections would proceed in mid-August 2020. This meant councils, the VEC and candidates needed to act quickly. Having the VEC responsible for significant parts, including the voters' roll preparation, of the election process meant councils and the VEC had one major partner to deal with to ensure the election process was successful. If more parties are introduced into the process, it is possible the process would not run as smoothly or be as nimble to respond to changing demands.

² VEC [Report to Parliament on the 2020 Local Government elections](#).

The MAV notes significant reforms under the Act, which affect the election process including the voters' roll preparation, are yet to be fully implemented. The new legislative reforms include: requirements for applications (rather than automatic enrolment) be made by those who have previously been included on the CEOs list; and the ward boundary reforms which will require single member wards to be the basis of the electoral system for most councils. It is expected these new requirements will, at least for the coming few elections, be likely to cause a level of confusion in the community including by voters and candidates. To assist the new legislative provisions to be implemented successfully a central local organisation such as the VEC is, in the MAV's perspective, required as it will have the intricate knowledge of how the legislative changes will affect the production of the voters' rolls for local government elections. Without this knowledge and control of the data during the roll production process it is questionable whether the VEC would be able to assist councils to the extent it does now to ensure the integrity of the roll and the elections overall.

In summary without further detailed information being available about the operation of a national electoral roll platform the MAV considers there may be several risks to the integrity of the process to conduct council elections and therefore the outcome of the elections. These risks include the loss of local knowledge and expertise of a central Victorian based organisation such as the VEC which provides expertise, knowledge and a partnership approach to assist councils to ensure the integrity of the voters' roll and the overall election process.

As a final overarching comment, the local government sector places a high importance on the democratic process and values this as a feature of good government. To that end the sector has a willingness to continue to make the critical investment in all aspects of the election process to ensure community confidence and trust.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Thompson', with a stylized flourish at the end.

Kerry Thompson
Chief Executive Officer