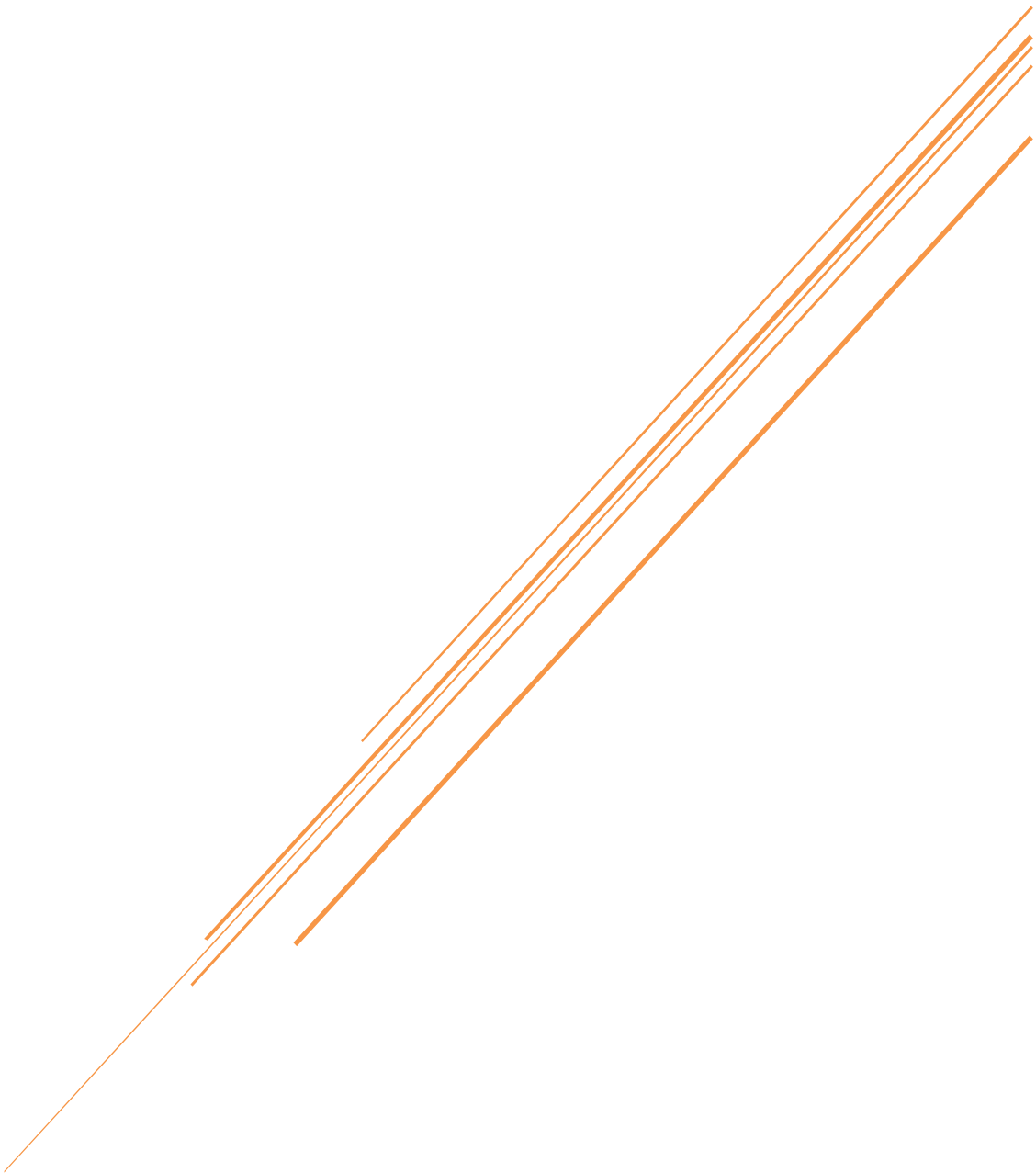


A REVIEW OF CONVENIENCE VOTING IN THE STATE OF VICTORIA



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Introduction

This report investigates convenience voting in the Australian state of Victoria.

In its broadest sense, convenience voting can be described as “relaxed administrative rules and procedures by which citizens can cast a ballot at a time and place other than the precinct on election day” (Gronke 2007, 639). In Australia, convenience voting is most commonly used to refer to any alternative method of voting available to electors other than the standard practice of casting a ballot in-person at a voting centre in one’s enrolled electorate on Election Day.

Provision for electors to vote in a non-standard way has long existed under Australian electoral laws. Prior to the 1980s, however, the forms of non-standard voting options available to voters were limited, the eligibility requirements were restrictive, and the number of votes cast at elections using non-standard methods was comparatively modest.

Recent decades have seen diversification in the available modes of convenience voting, a dramatic relaxation of voter eligibility requirements, and a striking increase in the number of voters making use of one or another convenience voting option. Prior to the 1970s the proportion of early voters at federal elections rarely exceeded 4% of all votes cast (Newman 2003, 43). By contrast, in the last two decades the proportion of electors casting an early vote is now close to a quarter of all votes cast at Australian elections.

The state of Victoria has not been immune to these trends. There has been a significant rise in convenience voting at state elections over the previous three decades. At the 1985 Victorian state election, early voting accounted for 4.62% of all votes cast, whereas at the 2014 election it reached 34.8%. The Victorian Electoral Commission (VEC) anticipates that this number will increase to 50% of all ballots at the upcoming state election in 2018.

The popularity of convenience voting is neither uniquely an Australian nor Victorian phenomenon. Similar trends have been observed in other established democracies. In the United States (US), the number of voters who cast their ballots prior to Election Day has steadily risen from less than a tenth of the electorate during the 1990s to approximately one third today. At the US Presidential election in 2016, 47 million electors – 34.4% of all voters who participated at that election – cast an early vote (McDonald 2016). Similarly, New Zealand experienced a 100% increase in early voting at the 2014 election (ECM 2016, 41). At the 2017 general election, the number nearly doubled again, with over 47% of all votes cast early (NZ Electoral Commission 2018).

While the availability of convenience modes of voting is embraced by a growing number of voters, it is not entirely cost-neutral. It has implications across several fronts, such as security and privacy of the ballot; administrative and logistical challenges for electoral commissions; and impacts on the campaign practices of candidates and parties. Moreover, convenience voting raises normative questions relating to its effect on the quality of democratic engagement.

Regardless of these concerns, there is little to suggest that rates of convenience voting will decline. Based on present trends, convenience voting appears to be “habit forming” (Rojas and Muller 2014, 6). Therefore, short of curtailing voter access to convenience voting options – which Australian parliaments are currently showing little inclination to do – the most likely course of action is adaptation to this paradigmatic shift in voter behaviour.

This report explores the evolution of modes of convenience voting, its effect on voter behaviour, and evaluates the experiences of voters, parties and electoral commissions in adapting to convenience voting, with particular attention given to the state of Victoria. The report concentrates principally on the two most popular means of convenience voting available to Victorian voters at the present time: postal and early voting.

The report is divided into four chapters.

- Chapter One provides an overview of convenience voting within Australia and the academic literature.
- Chapter Two details the historical evolution of the laws on convenience voting in the state of Victoria.
- Chapter Three reviews and analyses the voting data on the different types of convenience voting in Victoria.
- Chapter Four investigates how the modern convenience voting regime is affecting stakeholders’ groups: voters, candidates, party organisations, and electoral commissions.

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Chapter 1: Overview of convenience voting

Australia has been one of the earliest adopters of convenience forms of voting among comparable democracies (Taylor 2015). The spatial realities of the Australian states and territories, and the spread of their population centres, prompted colonial parliaments to explore alternative voting opportunities for those living outside Australian cities as early as the 1800s (Phillips 2013). Following the introduction of compulsory voting in the mid-1920s, the perceived importance of improving voter access to the ballot box gained particular urgency. If voters were required to vote, then the state had an obligation to make it easier for those who might confront genuine obstacles that would prevent them from attending a polling station on Election Day (Jaensch 2002). Over the decades, convenience voting has changed in its modes and in the pervasiveness of its use among voters. Convenience voting has been recast from a “necessity” to support a selected group of otherwise disadvantaged voters to a “life-style option” available to all voters (Orr 2016, 58). In this chapter we overview the nature, format, and function of convenience voting and the general challenges it engenders.

Principles of convenience voting

Ensuring that the act of voting is convenient for the voter emerges from the broader goal of securing the necessary conditions for “free and fair elections” (Inter-Parliamentary Union, 1994). Convenience voting is traditionally aimed at realising two important objectives. The first, defined by the *accessibility principle*, requires that there should be no unreasonable barriers to prevent the elector from casting a vote. The second goal is to optimise the legitimacy of electoral outcomes by maximising turnout – this is referred to as the *legitimacy principle*.

The *accessibility principle* is predicated on the idea that all voters must enjoy an equal opportunity to participate in the electoral process. As Mercurio and Williams note (2004), “[t]his ... demands conferring the right to vote in elections on a non-discriminatory basis, as opposed to a system that denies the right to vote to certain sections of the community or to people in an arbitrary manner”. Age, place of residence, medical status or other factors should not be a barrier to eligible citizens from casting their vote.

The *legitimacy principle* is linked to the goal of enhancing turnout in the interest of supporting the legitimacy of an electoral outcome, which can be called into doubt when turnout is suboptimal or certain segments of the voting population are unable to participate in the ballot. While the importance of protecting the integrity of electoral outcomes is a long-established principle, the idea that convenience voting could assist in securing such ends is a comparatively recent consideration. Many of the convenience voting reforms that have been introduced in Western democracies in the last two decades have been specifically justified as means of mitigating declining turnout (Qvortrup 2005, 415).

In recent decades, however, the *customer-centric principle* has also emerged as a powerful rationale for convenience voting. The *customer-centric* philosophy of public service provision has become pervasive throughout Australian governments and has given rise to an emphasis on performance metrics to assess the quality of service provision and customer (i.e., citizen or service-user) satisfaction. In the case of the electoral commissions, this principle is apparent in the prominence given in electoral reviews and annual reports to the detailed itemisation of services to voters, as well as stakeholder and service-user satisfaction surveys (Orr 2014, 154). Within this context, the rapid pace of technological change has altered customer expectations of service provision, whether from government or private enterprise. The public has come to expect convenience, flexibility and responsiveness from service providers at higher levels than was the case a couple of decades previously (Van Belleghem 2015, 33). Service-users increasingly expect to complete important tasks at times and at locations convenient to their particular circumstances. Such expectations inevitably place pressure on areas of government service provision, such as voting, to do the same, particularly in a public service environment where service-user satisfaction is paramount.

Forms of convenience voting in Australia

Across the federation, several modes of convenience voting exist. While the nomenclature used to describe these can vary from jurisdiction to jurisdiction, the following list accounts for the main types presently in use in Australia (Figure 1).

Figure 1: Types of Convenience Voting Options

<i>Provisional</i>	Allowing voters to cast a vote even though their name does not appear on the electoral roll in which they claim to be enrolled or the voter's name is already marked off the electoral roll as having voted.
<i>Absent</i>	Electors cast their votes on Election Day at a voting centre outside the electorate for which they are registered, whether that be at intrastate, interstate or international locations.
<i>Mobile</i>	Votes taken by mobile polling teams in remote electorates; typically conducted prior to polling day.
<i>Elector Visit</i>	An electoral official visits a voter's home address on Election Day and takes their vote because the voter is unable to leave their home.
<i>Institutional</i>	Electoral authorities visit institutions such as prisons, hospitals and nursing homes to collect votes either before polling day or on polling day.
<i>Early in-person</i>	More often simply termed 'early voting' or 'pre-poll', early in-person voting requires the voter to complete a ballot in person at an authorised voting centre prior to Election Day.
<i>Drive-in</i>	An election official brings ballots to an elector who has limited mobility so that they can cast their vote without leaving their vehicle.

<i>Postal</i>	Voters receive a ballot paper in the mail and then have a period in which to return the vote by mail before Election Day.
<i>Telephone</i>	Voters cast their ballot via the telephone network.
<i>Fax/email</i>	An approved voter receives his or her ballot paper and a special declaration form by fax or email.
<i>Electronic</i>	The method of recording and collecting the votes occurs on an electronic voting machine, rather than through filling out a paper ballot. The electronic voting machines are located within polling places.
<i>Internet</i>	Allows voters to cast their ballot paper over the internet through a web portal or specialised voting application on their computer or smart phone.

As shown in Table 1, there is some variation in the types of convenience voting used at Australian elections. Only two jurisdictions – New South Wales (NSW) and Western Australia (WA) – provide for remote internet voting. Tasmania permits “express voting” that enables interstate and overseas voters to cast their vote via email or fax, while WA offers a “drive-in” service for voters. Moreover, the administrative requirements associated with similar forms of convenience voting can vary across jurisdictions. For example, some states allow voters to register for a postal ballot online, while others require a physical form to be filled out and sent to the electoral commission. Similarly, while all electoral jurisdictions permit some form of early in-person voting, there are different eligibility requirements that voters must meet and different administrative requirements that they must satisfy.

Table 1: Convenience voting across the Australian federation

	Federal	ACT	NSW	NT	QLD	SA	TAS	VIC	WA
<i>Provisional</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Absentee</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Remote/Mobile</i>	✓			✓	✓	✓			✓
<i>Drive-In</i>					✓				✓
<i>Elector Visit</i>					✓	✓			
<i>Institutional</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Postal</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Early In-Person</i>	✓	✓	✓	✓	✓	✓	✓	✓	✓
<i>Telephone</i>	✓		✓		✓				✓
<i>Electronic</i>	✓	✓	✓		✓	✓	✓	✓	✓
<i>Internet</i>			✓					✓	✓
<i>Email/fax</i>							✓	✓	

Drivers of convenience forms of voting

The diversification in the forms of convenience options that exist across the Federation has grown enormously over the previous few decades. Historically, convenience voting options were limited to postal and absentee voting,¹ but over time its forms have been expanded to include mobile, early voting² and electronic forms of voting, including remote internet voting.

Initially, there were strict eligibility conditions attached to convenience voting. For example, the first *Commonwealth Electoral Act* – legislated in 1902 – afforded “voting by post” only to particular categories of electors. Under section 109 of that Act, this included any elector:

- a) who has reason to believe that he will on polling day be more than five miles from the polling place for which he is enrolled; or
- b) who being a woman believes that she will on account of ill-health be unable on polling day to attend the polling place to vote; or
- c) who will be prevented by “serious” illness or infirmity from attending the polling place on Election Day.

In 1911 the Fisher Labor Government repealed postal voting, citing concerns that the sanctity of the secret ballot was being violated. Several Labor members provided vivid accounts of the abuses they alleged to have witnessed, typical of which:

Station managers, as well as justices of the peace, in their private capacity, went from place to place, and almost demanded that their employees should vote by post in a certain direction. That was at the general election in 1903. I was also in a position to prove that some of these men went to their employees saying “We are going to vote for so-and-so,” and suggested that they should do the same. Further, I could have proved that some of these justices of the peace availed themselves of the postal voting provisions of the Act to record the votes of some individuals for candidates for whom they did not want to vote. Even the banking corporations in some cases allowed branch managers to go from house to house, as justices of the peace, and to induce people to vote by post in a certain direction. At all events, although the head offices were informed of the action of these branch managers they took no action (Chanter, House, 7 December 1911, 3925).

While the Government acknowledged that some voters would be affected by the repeal of postal voting, they reasoned that the impact overall would be modest. Citing postal voting figures from the 1910 federal election, the Government argued that only 2% of the voting population would be affected by the reform (O’Malley, *House*, 4 December 1911, 3633). Further, the Government claimed that the magnitude of any such disenfranchisement would be contained by the expansion of absentee voting and the extension of polling hours from 6pm until 8pm. In doing so, this would

¹ According to Brent, postal voting at the federal level more closely resembled forms of early in-person voting than modern postal voting. It was not until 1918 that postal voting provisions were amended so that “the elector applied to the Returning Officer by post and received, by post, a ballot paper and certificate; he or she voted at home and posted the ballot and certificate to the Returning Officer” (Brent 2008, 201).

² Early voting is known as pre-polling in many jurisdictions, but under current Victorian legislation it is referred to as early voting. Thus, for the purposes of this report, we refer to it according to its Victorian nomenclature.

ensure that adherents of the Jewish faith and “the farming class” were not adversely affected.³ (Pearce, *Senate*, 6 October 1911, 1182).

In 1918, the Hughes Nationalist Government reintroduced postal voting, explaining the decision as one intended to “deal justice to settlers in our outside country” and to provide “an opportunity to vote to the sick and infirm” (Archibald, *House*, 24 October 1918, 7217). The protection of women’s right to vote was also invoked, and Labor’s claim about rampant corruption associated with postal voting was again repudiated.⁴ However, in order to mollify concerns about voter fraud, the allowable distance from the polling booth was increased from five miles to ten miles,⁵ and penalties were introduced for making a false declaration on postal vote applications, especially in regard to authorising witnesses (s. 109, *Commonwealth Electoral Act 1918*).

Over time, however, partisan rancour gave way to bipartisan support for postal voting and other convenience voting initiatives.⁶ This permitted the gradual relaxation in the stringency of the eligibility requirements for national elections, beginning in 1928 with the allowable distance from the polling place reduced from ten to five miles. From the 1950s, the number of allowable categories was steadily expanded, beginning in 1952 with eligibility for postal voting being widened to include those voters who were temporarily outside the country. In 1961, postal voting was open to persons on religious grounds, while in 1983 it was expanded to include carers for the ill and infirm, and persons in prison or in detention. In 1990, silent voters and people working on Election Day were included (Newman 2003, 14–15). In 2010, voters outside their electorate on polling day were also made eligible (Kelly 2013, 133).

³ This reform was opposed by non-Labor forces on the grounds that the Labor Government had failed to provide sufficient evidence of corruption. In the Senate, John Keating offered the following critique of the Government’s justification: “But we have only a general statement that abuses have crept in. We should have specific instances where prosecutions lay, or specific instances of abuses where, through defects of the law, it was impossible to prosecute successfully. We have nothing whatever to guide us, and, even assuming that abuses did exist, we are asked to commit this wholesale disfranchisement” (Keating, *Senate*, 27 October 1911, 1922).

⁴ The Government referred to evidence submitted by the Chief Returning Officer to support its case: “that, during the ten years in which the system was in operation, there were only ten prosecutions, or one per annum, with a roll representing 2,000,000 voters. The fines for these offences ranged from £1 to £5, and the offenders were mostly justices of the peace, who had not ascertained the truth of statements made by applicants. There were no cases of fraud, for which a possible penalty of £50 is provided; and the small fines that were imposed are evidence of the trivial nature of the offences” (Pigott, *House*, 1 November 1918, 7405).

⁵ The original Bill had proposed 15 miles, but the Senate “thought that the 15-mile minimum would make the provision inoperative, as very few people would be that distance from a polling booth. A reduction of the distance to 7 miles was suggested by some honorable members, and 10 miles was inserted as a sort of balance of opinion” (Glynn, *House*, 20 November 1918, 8121).

⁶ So divisive and partisan an issue was postal voting that when the Liberals tried to restore postal voting in 1913, it became one of two Bills to precipitate a double dissolution election (Goot 1985, 208).

The rise and rise of convenience voting

The expansion of convenience voting can be traced to three interrelated phenomena: technological innovations, societal change, and legislative reform.

First, technological advancements have enabled the diversification of convenience voting options. The extension of the postal service, improvements in transportation and communication, the emergence of computer technology and the internet have expanded voting infrastructure to permit forms of voting, and on terms, that were previously impossible to administer or contemplate at various points in time.

Second, changing societal mores, lifestyles and work practices have propelled the need for more convenient forms of voting. Important among these changes is the growing number of people who work on the weekend. Australian Bureau of Statistics (ABS) census data show that of nine million employees who are single jobholders, 29% work on both weekdays and weekends, while of the approximately half-million multiple jobholders, 57% worked on both weekends and weekdays (ABS, 2012). Recognition of the trend towards extended trading hours on Saturdays in most states led to the decision to amend the *Commonwealth Electoral Act* in 1990 to expand the category of eligible voters to include those electors who work on Election Day (JSCEM 1990, 27).

Third, the liberalisation of voter access to convenience voting options, and early voting more especially, has undergirded the surge in its popularity among voters. Indeed, research shows that more permissive convenience voting regimes lead to higher rates of their adoption among voters (Banducci and Karp 2001, 184). Similarly, the intervention of political parties in such matters can further stoke demand. The evidence from the United States suggests that political parties have been important in promoting the visibility of convenience voting. Gronke (2008, 446) has observed that parties have often been at the forefront of efforts to “convince citizens to register for permanent absentee status”. In Australia, the parties’ (often unsolicited) involvement in organising Postal Vote Applications (PVA) has helped to elevate the profile of the postal voting option among voters (AEC submission, n. 88 12 March 1999).

Concerns about convenience voting

Convenience voting was never intended as an alternative to Election Day voting, but designed to facilitate the elector’s right to vote when circumstances make it difficult for them to do so (Orr 2016, 56). And while initiatives to broaden convenience voting have been regularly acceded to by Australian law makers across the federation, often with bipartisan support, its expansion is not without contestation. In fact, concerns about the normative and practical implications of convenience voting were expressed in the earliest debates on the subject in Australia’s nascent legislatures. For example, in the debate over the introduction of absent voting in the South Australian parliament in 1861, concerns were raised that “it would have the effect of doing away with the great principle of the ballot, and of opening the door to fraud and corruption” (Kingston quoted in Jaensch 2002, 56). The increase in forms of convenience voting, and its popularity among voters, has served to compound these anxieties in recent years. In this section, we sketch out some of the chief concerns identified by practitioners and scholars and consider counterarguments to these claims.

Security of the person and of the ballot

The matter of security turns on two sets of concerns: *security of the person* and *security of the ballot*. Beginning with security of the person, the substance of such claims is that vulnerable electors might be prevented from voting according to their conscience when the act of voting occurs at a location other than the polling station.

Concerns of this nature are longstanding and were prominent in the earliest debates over postal voting. As Orr writes: “electors in dependent relationships could not be guaranteed a conscience vote the way they could when polling in person. This was a particular fear for newly enfranchised women, younger people and servants. Such people might be suborned to vote as their husbands, parents or masters expected them to” (Orr 2014, 151).

These concerns continue to be germane, but resolving them are complicated because they involve careful balancing with other important democratic principles. Specifically, forms of convenience voting, such as online and postal voting, can run counter to the *free-conscience principle*, which stresses that voters are entitled to cast their vote without undue influence, threat of intimidation or coercion, or risk that their ballot might be subverted in some other way. Yet efforts to protect and strengthen the *free-conscience principle* do not always sit comfortably alongside the *accessibility principle*.

Claims about the “security of the ballot” are principally made in relation to postal and internet voting. An enduring concern associated with postal voting is that it creates “an unacceptably high risk for the potential for bribery and coercion” that can occur when a ballot is cast without the oversight of electoral officials (Brent 2008, 189). Such concerns have not diminished in the course of time. In his 2016 submission to the JSCEM, psephologist and commentator Antony Green (2016) wrote of his concern over the difficulties for electoral authorities to verify whether the person who applies for a postal vote is the same person who completed it.

In more recent times, much of the debate about security has centred on electronic voting. Electronic voting was initially raised as a potential cost-saving method for federal elections in 1983. The first jurisdiction to adopt it was the Australian Capital Territory (ACT) in 2001. It principally did so on efficiency grounds: to increase the speed and accuracy of vote counting under its complex Hare Clark electoral system. The trial of electronic voting was prompted by a recount by hand of over 75,000 ballot papers at the 1998 ACT Legislative Assembly election. As former ACT Electoral Commissioner Philip Green explained: “The recount brought to light a small number of errors in the original count that were sufficient to change the final result. The recount delayed the final result by 10 days while paper ballots were painstakingly examined, sorted and counted” (Green, P. 2004). In 2006, the Victorians and Tasmanians adopted electronic voting. A year later, a trial of electronic voting for the vision-impaired and Australian Defence Force personnel was implemented at the national level (EMC 2016, 30–33).

Australia's formative use of electronic voting has involved the use of "closed systems". Closed systems are typically machines with touch-screen devices that are not connected to the internet and are stationed at voting centres. While several security and other concerns have been levelled against closed systems, the most strident of such fears are reserved for remote internet voting. With remote internet voting, neither the machine (i.e., a personal computer or a smart device) nor the physical environment is controlled by electoral officials. In Australia, remote internet voting is available in NSW (2010) and in WA (2017), although it is limited to specific categories of voters.

Computer engineers and information technology experts generally agree that remote internet voting can help voters who would otherwise need human assistance and reduce the incidence of accidental informal voting. In fact, much of the policy momentum behind remote internet voting in Australia has been justified as assisting those voters whose impairment compromises their ability to vote without assistance. At the same time, experts warn of the exceptionally high risks associated with internet voting. Rajeev Gore and Vanessa Teague contend that "voters' democratic rights are not enhanced if their votes can be manipulated, the privacy of their vote can be violated, or if the system fails to provide evidence that withstands a legal challenge". They argue that in its current form, the technology is not sufficiently "reliable", able to protect voter "privacy", or capable of safeguarding "transparency and verifiability of votes" (Gore and Teague 2016; see also Wen and Buckland 2016). This position is shared by other experts, such as Craig Burton, who warns: "it is hard for a single person to affect a paper election outcome.... but too easy for a single developer or operator to interfere in (or halt) an automated election" (Burton 2016, 1).

Some of the reservations expressed by experts about internet voting are shared by voters. This is revealed in the different levels of confidence that voters attach to electronic voting channels compared to traditional paper based methods. Rodney Smith's (2016, 70) research on Australia voters shows that respondent's confidence in electronic channels of voting, such as electronic voting machines (72%) and internet voting (57%), was lower than it was in early voting (83%) and postal voting (79%), which are paper based. Studies comparing voter confidence in traditional and electronic voting channels in other settings have yielded broadly similar findings (Alvarez et al. 2013).

Low confidence levels in internet voting are unsurprising given that voter exposure to electronic voting in Australia is still fairly novel. Two findings from Smith's study suggest that confidence levels have the potential to improve in time. First, Smith found that many voters perceive electronic voting to have value, particularly in regards to its potential to "produce accurate recording and counting of their votes". Second, given that levels of confidence in electronic voting are higher among younger voters, and those with high levels of exposure to the internet, this suggests that scruples about internet voting will be ameliorated with generational replacement (2016, 70).

Scholars such as Willemsen (2018) have argued that security concerns about electronic voting are entirely rational and predictable; after all, the paper ballot weathered criticism, especially in the earliest years of its implementation. As he sees it, "even though paper voting seems to limit the fraud to a reasonable level, this level was not pre-set before paper voting systems were designed,

but rather adjusted post factum to the level that systems are capable of providing. There is no reason why we could not do the same with electronic voting” (2018, 125). Willemsen suggests that there is a tendency to “over-estimate” the potential risks associated with electronic voting because of the comparative newness of the voting technology. The author concludes by suggesting that “[t]he only reliable way to see which problems occur in practice and how severe they are is to try the whole system out live” (2018, 130).

There is growing support in Australia for remote internet voting technologies, especially among Australian electoral commissions and parliaments. In 2017, the *Inquiry into electronic voting* by the Victorian Election Matters Committee (EMC) recommended in-principle support for internet voting, albeit for a limited category of voters. A similar conclusion was reached in the *Report of the Community Development and Justice Standing Committee* (CDJSC) on the conduct of the Western Australian state election: while recommending that there should be no further extension of the iVote system at the present time, it nonetheless “support[ed] the use of internet voting by people who cannot vote without assistance” (CDJSC 2018, 47).

Democratic engagement

Forms of convenience voting that permit the voter to cast their vote prior to Election Day are regarded by many as a threat to the quality and health of democratic engagement. This perspective is captured by Eugene Kontorovich and John McGinnis (2014) who argue:

Early voting threatens the basic nature of citizen choice in democratic, republican government. In elections, candidates make competing appeals to the people and provide them with the information necessary to be able to make a choice. Citizens also engage with one another, debating and deliberating about the best options for the country. Especially in an age of so many non-political distractions, it is important to preserve the space of a general election campaign – from the early kickoff rallies to the last debates in October – to allow voters to think through, together, the serious issues that face the nation.

Concerns of this nature are most commonly expressed in relation to postal and internet voting. These two forms of voting are identified by scholars as possessing the greatest capacity to “dilute the communal importance of the experience of election day” (Orr 2014, 153) because they enable the elector to retreat to their home to cast their vote. And of them, electronic forms of voting introduce additional risks because the fabric of the technology creates a different voting experience than that offered by traditional paper-based channels. Orr, for example, argues that screen-based forms of voting stultify the democratic experience and weaken electors’ relationship to the act of voting. He contends that:

moving away from the traditional solemnity of answering questions at a polling station and marking and depositing a tangible, paper ballot, will have unpredictable consequences for how we come to understand the act of electing representatives.... E-voting via the internet is just another transaction in a swipable, instantaneous world (Orr, 2017).

Not everyone is convinced that convenience voting will any more affect the communal experience of voting than previous electoral and voting reforms have done. Barbalet (2002) argues that the communal experience of voting was weakened with the introduction of the secret ballot. This view is supported by Richey (2005, 437), who claims that the secret ballot rendered the act of voting a much less social experience:

The polling place offers a limited chance for interaction when voters come and leave, but the polling booth – where the actual act of voting takes place – is an isolated experience. In fact, due to the tight regulation of what can be said and brought into the polling place – due to concerns over parties pressuring or threatening voters – it may be that there is very little discussion at the polling place.

Richey further contends that certain forms of convenience voting might even deepen the voter experience. Richey found that “voting by mail offers voters a more open and deliberatory system and does not necessarily mean voting alone”. He observed that “voters who vote by mail have more conversations than those who vote at a polling booth, even when holding other independent variables constant” such as feelings of political efficacy, age, education, media exposure, and interest and attention in the election (2005, 436).

Partisan advantage and disadvantage

There are concerns that convenience voting are onerous for some parties and advantageous to other parties, particularly those with the organisational resources to harness it to maximise their electoral gains.

It is for this reason that convenience voting can prove politically contentious, as did the abolition of postal voting by the Labor Government in 1911. While Labor justified its decision to repeal postal voting on the grounds that it invited voter intimidation and fraud, it was widely thought that the chief reason was that the measure was to the electoral benefit of non-Labor voters (Phillips 2013). In later years at the federal level, the Coalition has openly acknowledged the electoral value that they derive from postal voting. They were strongly opposed to efforts by the then Gillard Labor Government to amend postal voting rules on the grounds that these measures would disproportionately affect Coalition supporters. The Coalition’s dissenting report to the *Electoral and Referendum Amendment (How-to-Vote Cards and Other Measures) Bill 2010 and Electoral and Referendum Amendment (Modernisation and Other Measures) Bill 2010* makes this clear:

The Coalition can see no valid reason for the introduction of these measures by the Government, and strongly suspects that this has been done in a cynical attempt to undermine the extremely successful postal voting processes of the Coalition parties. Even a simple reading of the voter returns shows that the Coalition consistently polls higher with postal votes than with any other type of declaration vote. Nor have there been any problems raised in relation to fraudulent behaviour or impersonation of voters. If there were such concerns, then why has the ALP avoided tightening the rules in relation to pre-poll and provisional votes? (Senate Finance and Public Committee 2010, 11–12).

A recent study conducted by McAllister and Muller (2018) confirmed that which the Coalition has long known – that there is party advantage associated with postal voting (see, also, Aitkin and Morgan 1971). This study found that the Coalition gained a significant advantage from postal voters not shared by their Labor competitor, as well as a lesser but still statistically significant advantage from pre-poll voters. McAllister and Muller concluded that while the electoral dividend enjoyed by the Coalition is modest, these effects are not inconsequential in practical, electoral terms. They argue that “it could easily mean the difference between winning or losing a closely fought election” (2018, 108). The prospects of this occurring are high, if one considers that “in the six general elections held since 2001... the vote difference between the two parties (measured by the two-party preferred vote) has averaged 3.2 per cent, and in 2016 the difference was just 0.8 per cent” (2018, 108).

There are also concerns that convenience voting imposes a significant, needless burden on parties in managing their campaign timelines and expenditure. At a minimum, says Antony Green (2016, 4), “parties and candidates are expending time, money and effort in appealing to voters, an increasing number of whom have already voted”. Such burdens are experienced more acutely by Independent candidates and small parties because they have significantly fewer organisational and financial resources at their disposal. Norm Kelly takes up this point in relation to postal voting, arguing that the major parties “can use both taxpayer-funded and party resources, such as elector databases and printing allowances, to mail postal vote applications to enrolled voters” in contrast to minor parties and Independents (2013, 132–133).

Thus, convenience voting is not neutral in its effects, and implicit in any initiative to amend the provisions gives rise to the possibility that it can be manipulated for partisan advantage. Because of potential differences in partisan advantage that accrues to different political parties, it leads to the possibility that governments will seek to regulate convenience voting for political gain. Even in the absence of a political motive, the promotion or repeal of any form of convenience voting may have the unintended effect of benefiting some parties at the expense of others.

Fairness, legitimacy and voter regret

Dennis Thompson (2004, 58–59) argues that the principle of simultaneity, on which the legitimacy of election outcomes rests, is weakened by forms of convenience voting that permit the voter to cast their vote before Election Day. Simultaneity is the idea of electors voting on the same day, armed with the same kinds of information on entering the polling booth. Thompson explains the benefits of this:

The more that voting is concentrated in time, the more that the election expresses the will of a determinate majority (or plurality). The outcome can then be seen as the result of a single collective decision rather than the product of a series of decisions made by different majorities (or pluralities).

The virtue of a single Election Day, according to Thompson, is that it “promotes fairness”, but also that the “more temporally concentrated an election, the more adequately it expresses on equal terms the will of all voters (2004, 62). Mercurio and Williams (2004) share Thompson’s view. While they acknowledge that voters cannot possess full knowledge, voting on a single Election Day at least ensures that voters are exposed to broadly similar kinds of information prior to casting their vote. Thus, early voting chafes against the principle of simultaneity.

Related to such concerns is that the perceived legitimacy of an election outcome can be challenged when startling new information comes to hand late in the campaign that might have affected the voting calculation of the early voter. Election campaigns are turbulent, fluid periods in which candidates, parties and policies come under sustained scrutiny, with new information and dramatic last-minute revelations. Certainly, there is evidence from the United States that early voting is associated with “promoting voting necessarily ignorant of late campaign developments and, in particular electoral contexts, increasing wasted votes and under-voting (voters taking their cues from a party as against formulating their own judgment) (McSweeney 2011).

There have been several high-profile cases in recent years which have highlighted the potential for this phenomenon. Most recently, in the Montana special election race in the United States in 2017, Republican candidate Greg Gianforte assaulted a journalist on the eve of the poll, and then publicly lied about the circumstances of the attack. In the aftermath of the assault, two of the state’s newspapers – both of whom had earlier endorsed Gianforte – retracted their support, but early voters did not have the same luxury (Murdock 2017).

Gianforte won the election, an outcome that was credited to the fact that 259,558 mail-in ballots – 69% of the total 377,466 votes – were returned prior to the incident. Gianforte attained 50.2% (189,473) of the vote, while the second highest candidate secured 44.1% (166,483). Despite commentators linking the high levels of early voters to saving Gianforte’s candidacy (Nichols 2017), statistical analysis comparing voter intent between early voters and Election Day voters found only a small difference in support patterns between the two groups. These differences were insufficiently significant to have changed the outcome of the election if early voters had cast their vote on Election Day (Medium 2017). What this suggests is that voter preferences are not especially malleable.

Conclusion

This chapter has provided an overview of the main forms of convenience voting available across the Australian federation at the present time and also explored the principles and values that have provided justification for them. While there is broad acceptance of the need for initiatives to enhance opportunities for voter participation at elections, such initiatives are enjoined by various normative, practical and moral hazards that cannot be easily dismissed.

Chapter 2: Convenience Voting in Victoria

In Victoria, provisions for convenience voting have existed since 1900. These laws have moved across several different pieces of legislation, and it is only recently that they have been consolidated under the *Constitution Act 1975* (Vic) and the *Electoral Act 2002* (Vic).⁷ This chapter traces the evolution of the legislative framework for convenience voting in Victoria. It shows that while convenience voting options have long existed for voters at state elections, it is only in recent decades that the range of convenience voting options have expanded significantly and voter eligibility requirements relaxed.

Postal voting

Postal voting was discussed in the Victorian parliament as early as 1895. The case for postal voting was made on the grounds that a “great many men in the country are disfranchised, because they cannot afford to leave their crops or the urgent work they are engaged upon”, and that its introduction would reduce the costs of holding an election by “a quarter” (McColl, Assembly, 27 November 1895, 3554). However, these earliest calls for postal voting were greeted with the concern that working men would suffer, and that: “The principle the people struggled for, and fought and suffered for, would be altogether violated by the adoption of the system of voting by post”. Such fears were captured in the words of this Labor MP: “The employer knows that his employees may obtain their ballot-papers and vote by post, and he exercises the influence which employers have exercised in such cases in the past, and which caused the ballot to be introduced” (Trenwith, Assembly, 27 November 1895, 3555).

The matter returned to the parliamentary agenda in 1900. The same collection of concerns that were raised in 1895 again featured in the debate. This time, however, the impending federal elections shifted some of the residual opposition to the initiative. The McLean Liberal Government pitched reform on the grounds that the block voting system for Senate elections would likely demobilise country voters and commercial travellers. The case was argued by the then Attorney General, William Irvine, in the following terms:

First of all, because each individual voter has a smaller individual voice in the election, the electorate being much larger. The second reason is that he will not feel so keenly interested in the return of a member who will merely have to deal with certain limited subjects of government, such as practically foreign affairs, and various other matters which the Federal Parliament has to deal with, as he now feels in the return of a member who has to deal with those subjects and other subjects too (Irvine, Assembly, 11 July 1900, 239).

The Attorney General reasoned that “the risk of those great evils which at once present themselves to anyone who takes into consideration any scheme of voting, namely, the risk of the

⁷ The laws pertaining to the conduct of Victorian state elections can be found under several statutes that include (but are not limited to): *Constitution Act (1975)*; *Electoral Act (2002)*; and *Electoral Boundaries Commission Act (1982)*.

secrecy of the ballot being violated, the risk of personation, the risk of intimidation” would be “reduced to a minimum under this measure”.

As a result, postal voting in Victoria was formally promulgated with the *Voting by Post Act* of 1900, albeit passing the Assembly with a wafer thin majority. The Act stipulated that electors could apply for a postal ballot for one of two reasons:

- a) they lived more than five miles from the nearest polling booth at which they were entitled to vote or believed they were going to be more than five miles away from the nearest polling booth on Election Day
- b) they would not be able to attend a polling booth because of ill health or infirmity.

The voter had to make a written declaration to the relevant province or district returning officer outlining their reasons for requiring a postal vote, and that declaration had to be witnessed. The penalty for a wilfully false declaration was two years’ imprisonment (Victorian Government Gazette, 1900, 4475).

Postal voting provisions remained relatively unchanged for many decades, and major revisions were not undertaken until the 1950s. This occurred with the enactment of the *Constitution Act Amendment Act 1958*, which consolidated much of the law regarding the conduct of Victorian elections, until the passage of the *Electoral Act 2002*. Provision for postal voting in the 1958 Act was extensive and detailed, although it retained much of the standing practice contained within the *Voting by Post Act*. However, the list of acceptable reasons for applying for a postal vote were expanded to include: maternity, travelling, and “conscientious scruples against voting on a Saturday”. Moreover, the permissible distance from a polling place was decreased to three miles for those voters residing in a sub-division declared to be “mountainous” (s. 219 (1)).

In 1978, the categories of eligible voters were again extended to capture those who had carer duties, were imprisoned, or had employment obligations, meaning a person who “throughout the hours of polling day be required by his employer to remain at his place of employment”. In addition, absent voting was made available to those electors who would be interstate or overseas on polling day. However, the requirement that a written application must contain the signature of a valid witness, and the steep penalties for issuing a false statement, continued to be attached to the procedures for lodging a postal voting application (*Constitution Act Amendment (Conduct of Elections) Act 1978*).

Many of the amendments introduced by the 1958 Act set the foundations for later expansion of convenience voting that were introduced in 1984.⁸ The amendments introduced in 1984 did not change the eligibility for postal voting, but did provide two important changes to the conduct of postal voting. The first was the introduction of the category of *general postal voting*, which allowed

⁸ In 1984, The *Constitution Act Amendment (Electoral Legislation) Bill* was introduced in order to bring aspects of Victoria’s electoral practices in line with a raft of electoral reforms adopted by the Commonwealth in 1983 so as to reduce the likelihood of voter confusion (Mackenzie, *Council*, 23 October 1984).

certain electors to register permanently for postal voting and automatically receive a postal ballot at each subsequent election. The second was the introduction of *oral postal voting*, in which an elector who met the requirements of applying for a postal ballot could – instead of making the required written declaration – make an oral application for a postal ballot in-person before a postal voting officer or returning officer. Legislation introduced in 1962 had already allowed for a postal ballot to be returned by the elector to a polling place or returning officer prior to or on Election Day, rather than being sent via mail. This change effectively created the category of early in-person voters, whereby electors could request a postal ballot orally, and then immediately fill it out and lodge it with electoral authorities.

The effect of these changes was to create the first bump in ballots cast by postal votes (whether cast in-person or by post), as shown in Table 2 below.

Table 2: Postal and “Oral Postal” ballots cast after the 1984 electoral reforms

	1982	1985	1988	1992	1996	1999
Total Votes	81,652	113,649	153,377	185,253	170,100	265,169
% of Votes Cast	3.54	4.62	6.06	6.82	6.03	9.09

Within three elections following the first major liberalisation of postal voting in 1984, and in concert with the expanded list of acceptable reasons introduced in 1978, there was a doubling in the number of postal votes cast. By 1999, levels of postal voting effectively tripled, buttressed in part that year by new legislative provisions, such as provision for postal vote applications to accompany or be attached to “other written material issued by any person or organisation” (*Constitution Act Amendment (Amendment) Act 1999*), thereby allowing candidates and parties to facilitate postal vote applications and allow them to be included along with party campaign mail-outs.

There were, however, several distinct reforms undertaken in the period between 1984 and 1999 that have been relevant for the overall rise in convenience voting – addressing the categories of *general postal voters*, *regular postal voting*, *mobile voting*, and *oral postal voting* – which are covered below.

General postal voting

Registration as a general postal voter became possible after electoral reforms in 1984. The Act and its corresponding regulations, as they operated between 1984 and 1998, allowed for registration as a general permanent postal voter for four reasons:

- a) permanent physical incapacitation;
- b) imprisonment;
- c) living in a nursing home or hospital that is not also a polling place; or
- d) living more than 20km from a polling place

(*Victorian Parliamentary Elections Regulations 1992*)

Intended to bring the Victorian electoral system into conformity with federal electoral laws, the reform was also justified as facilitating “the exercise of [voters’] democratic rights” with the “additional benefit” of saving [voters] from [an] unsolicited call of some over-zealous political party worker to their home” (Mackenzie, *Council*, 23 October 1984, 841).

At the 1996 Victorian state election there were only 9,587 registered general postal electors, and a similar number were registered in 1992 and 1998. However, in 1999, the regulations were again amended to allow for several additional qualifications for registering as a general postal voter that included carer responsibilities, being a silent elector, or having religious beliefs that precluded voting on Election Day. In the years which followed this reform, registrations for general postal voters nearly doubled to 17,452 in 1999 and again to 31,243 in 2002.

In 2005, the legislation was further amended to permit those aged over 70 to register as general postal voters, with the result that the number of registered general postal voters climbed to 41,722 (VEC 2006, 28–29). Further increases in general postal voters were recorded in 2010 (51,713) before levelling off in 2014 (54,370 – 1.43% of all voters in that year). As noted previously, strong increases in general postal voter registrations correspond with relaxation of the law. While general postal voters only account for a relatively small proportion of all postal votes cast, a series of reforms enacted since 1984 have essentially created a category of permanent convenience voters.

Mobile voting

Mobile polling was first authorised in 1984 (*Explanatory Memoranda, the Constitution Act Amendment (Electoral Legislation) Bill 1984*). Prior to this, voters who were incapable of attending a polling place (i.e., confined to hospitals, nursing homes, or prisons) were required to make arrangements for a postal ballot prior to Election Day. However, the 1984 reforms permitted mobile polling at hospitals for “patients” in the form of fixed polling stations, in addition to provision for polling officials to “take the ballot-boxes and necessary voting equipment to patients in the rooms and wards of the hospital declared to be a polling place”. The *Electoral Act 2002* authorised the VEC to designate mobile voting centres and the classes of electors eligible to vote at them. This meant that the VEC was able to conduct mobile voting at aged care facilities. From 2010, the VEC also conducted mobile voting at prisons.

The scale of mobile voting has increased significantly owing to greater investment in mobile voting centres by the VEC, as well as legislation enacted in 2002, which afforded the VEC greater latitude to expand such services. In 1996, there were 279 mobile voting centres, in 1999 there were 431, and in 2002 there were 878. The growth in the number of centres is reflected in the number of such votes cast. In 2002, 22,179 ballots were cast via mobile voting compared to 11,611 in 1999, and 7,261 in 1996. In 2010 there were 986 mobile voting centres and 39,468 votes cast using this

method.⁹ Similar to general postal voting, mobile voting does not represent a large number of convenience voters and has not changed significantly in form or eligibility since the 1984 reforms, but it has experienced steady growth in line with expansion of VEC service-provision since it was first introduced at the 1985 state election.

Regular postal voting

All votes cast under the “voting by post” provisions were counted as postal ballots, even those cast “orally” (meaning in-person) prior to 1999. As a result, it is not possible to distinguish between “early in-person voters” and “regular postal voters” in Victoria with any accuracy prior to 1999. However, in 1999 when “early voting” and “postal voting” were first counted separately by the VEC, the number of postal votes cast that year totalled 112,610, or 3.86% of all votes cast. This is a similar proportion of votes to those cast in 1985, the first state election following the 1984 reforms, suggesting that much of the growth in postal ballots during the 1985–1999 period is probably “oral” postal voting rather than regular postal voting.

Up until 1999, regular postal voting applications retained many of the same eligibility requirements that were set down in 1978, and according to the administrative requirements specified in the 1958 legislation, although there was some modification to the penalties for making a false statement. However, an important legislative change was adopted in 1999 when the postal voting laws were amended to allow for an application for a postal ballot to be attached to, accompanied by, or incorporated into, “written material issued by any other person or organization.” (*Constitution Act Amendment (Amendment) Act 1999*). This change codified the emerging practice by political parties of mailing out campaign materials which included postal ballot applications as part of their campaign outreach. This practice became widespread in subsequent years, and likely contributed to the ongoing rise in postal ballots after 1999. Postal voting has continued to rise in recent elections, with eligibility relaxed in 2005 to cover anyone who cannot attend a voting centre on Election Day, although the requirement to have postal vote applications filled out and witnessed has remained, meaning that the administrative burden of this form of voting is arguably higher than early in-person voting.

In 2018, two important amendments to postal voting were introduced (*Electoral Legislation Amendment Act 2018*). First, electors will be able to apply online for a postal vote, expediting the process of receiving and processing applications. Second, parties will no longer be permitted to attach postal vote applications to campaign material they send to voters. Instead, the VEC will provide the names and addresses of postal vote applicants to registered political parties and Independent candidates. These changes will come into effect at the 2018 State election.

⁹ The one exception was 2014 when, despite a record number of mobile voting centres (1,106), there were only 23,456 votes cast using this method. This would suggest that demand for this particular form of convenience voting is to some extent limited.

Oral postal (early in-person) voting

Oral postal voting, which is later referred to as “early in-person” voting or more simply “early” or “pre-poll” voting, was first permitted at the Victorian state election in 1985 and, as suggested previously, appears to account for much of the surge in postal ballots cast during the 1985 to 1996 period.

Several legislative and administrative changes facilitated the expansion of early voting. The first was the availability of oral postal voting and the expansion of eligibility categories. Given that the “oral postal” vote and the regular postal vote derive legislative authority from the same provisions of the *Constitution Act Amendment Act*, expansion in the eligibility for postal voting permitted the same for “oral postal” voting.

A second important enabler for the expansion of early voting has been the availability and visibility of voting centres at which early votes can be cast. In 1984, the offices of postal voting officials or returning officers became valid places to lodge an “oral postal vote”. In addition, an amendment to the *Constitution Act Amendment Act* in 1991 authorised the Electoral Commissioner to supplementary locations to be deemed postal voting locations by the Electoral Commissioner to deem supplementary locations as postal voting stations. This spurred the creation of voting centres specifically catering to early “oral postal” voters in locations such as Melbourne International Airport, Geelong, Wangaratta (*Victorian Government Gazette*, G32, 1992) and a number of tourist locations – Mt Baw Baw, Mt Buller, Alexandra, Warburton, and Falls Creek (*Victorian Government Gazette*, G38, 1992). The target voter was the holidaymaker – who was not close to polling places on Election Day and who had failed to organise a postal ballot prior to travelling.¹⁰ At the same time, the VEC increased the visibility of postal and oral postal voting by hosting application forms on its website, and by advertising the availability of convenience voting options more widely in newspapers, radio, and television.

In 1999 “oral postal voting” was reclassified as early or pre-poll voting, and after 1999 most of the growth in convenience voting was in the form of early in-person voting. The increase was dramatic, with the share of total votes cast this way quintupling in four elections (see Table 3).

Table 3: Early in-person voting from 1999 to 2014

	1999	2002	2006	2010	2014
Pre-poll Votes	152,559	185,891	255,161	543,763	912,967
% of all votes	5.23	6.18	8.81	16.33	25.79

¹⁰ This had bipartisan support from the Coalition, which understood the reform as aimed at “meet[ing] the needs of the people who are travelling on an election day and who have forgotten to vote and want to cast a vote at the last minute as they fly out of Melbourne airport or get on a train at Spencer Street station (Wade, *Assembly*, 18 April 1991, 1460).

Much of the growth in early voting can be traced to particular legislative and administrative changes that relaxed voter access. Foremost, the legal framework governing Victorian electoral laws was overhauled in 2002, resulting in the *Electoral Act 2002*. Under the new Act, pre-polling was redefined as “early voting” and classified as a separate vote category rather than as a subset of postal voting. The same eligibility and general provisions applied to both categories of voter. The new *Electoral Act 2002* also enhanced the powers of the VEC to establish additional voting centres for the specific purpose of allowing early voting.

In 2005, voter eligibility requirements for postal and early voting were simplified even further with the passage of the *Electoral Legislation (Further Amendment) Act 2005*. This change relieved voters of the requirement to declare a specific reason for being unable to vote on Election Day. The change repealed the eligibility criteria set out in section 98, now only requiring the voter to make an oral declaration that they were unable to attend a voting centre on Election Day. The amendment, which received bipartisan support, was justified on the grounds that it “modernises voting procedures in Victoria and makes it easier for people to cast their vote” (Hulls, *Assembly*, 21 April 2005, 652).

The number of early voting centres had expanded dramatically after 1999 in order to cope with growing demand (see Table 4). Decisions about the location of early voting centres were increasingly made on the basis of visibility and convenience for voters. For example, in 1999 the regular VEC and returning officer locations were considered adequately located for early voters. Only ten additional early voting sites were created. As in 1992 and 1996, most of these additional early voting centres were placed in tourist locations (Falls Creek, Mount Buller, Mount Hotham, Hastings, Korumburra, Portland, and Melbourne Airport). Only a couple (e.g., Sunbury and Prahran) were established in order to ensure a location more central to voters in those particular areas (VEC 2000). But by 2002 the number of additional early voting centres had more than doubled to 26, with many of the new centres appearing in the inner city. For example, two additional early voting centres were established within the Hoddle grid, as well in major commercial centres such as St Kilda, Carlton, Brighton, Essendon, Ringwood, and Clayton (VEC 2003).

Establishing early voting centres in locations that are convenient to ordinary voters – as against holiday-makers – has continued through to the most recent election: in 2014, an additional 44 early voting centres were established. The nature of the locations, particularly those established in addition to VEC offices, has also changed dramatically, and they are much more likely to be located in major commercial, employment, or education centres. The VEC also opened early voting centres at universities, prominent city buildings, main commercial strips, shopping malls and other high-traffic areas, as well as at locations marketed as “supercentres” for early voting facilities and assistance. The VEC electorate offices have also tended to move to more central and commercial locations over the past decade (VEC 2015).

Table 4: Early in-person voting centres, 1999 to 2014

	1999	2002	2006	2010	2014
Additional early voting centres	10	26	34	45	44
Total early voting centres	64	79	77	101	100

The increase in the number of early voting centres does not alone account for the rise in early voting. The growth of early in-person votes between 2010 and 2014 occurred despite the number of early voting centres remaining static and only relatively minor changes in the location of centres. Moreover, some of the changes in the number of locations for early voting centres can also be attributed to Victoria’s rapid population growth of around 1.5 million since 1999, and the subsequent increase in the number of facilities that have been established to serve this new population.

Other important changes which occurred in this period include the way early voting was promoted by the VEC. Beginning in the late 1990s, the VEC’s advertising of convenience voting options was more targeted and frequent. For example, in 2010 the VEC ran print and radio advertisements publicising the location of early voting centres, as well as explaining the option to cast a postal vote. The VEC’s website and a smart phone application were also developed to make it easier for electors to find early voting centres and to apply for postal ballot applications (VEC 2010).

In 2018, the Andrews Labor Government introduced the *Electoral Legislation Amendment Bill 2018* into Parliament. Among the various reforms that became law on 1 August is the repeal of section 98 of the *Electoral Act 2002*, which removes the requirement for voters to render a declaration (whether orally or in writing) concerning their inability to attend a voting centre on Election Day (*Explanatory Memorandum, Electoral Legislation Amendment Bill 2018*). In its second reading speech, the Government described the measure simply as “consistent with recent reforms by other jurisdictions” (Jennings, *Council*, 24 May 2018, 2137).

This initiative received bipartisan support, including the endorsement of the Chair of the EMC, Louise Asher. Asher championed the proposal because section 98 placed the voter in an invidious position, effectively making “liars out of a lot of people who have chosen to vote at pre-polls”, a situation which is not “desirable” given that the “public likes early voting” (Asher, *Assembly*, 6 June 2018, 1759).

In addition to this, changes have been proposed to expedite the processing of early votes that are cast in their home division. This proposal has been framed in the following terms:

There is an expectation from the public that an election result should be available on election night. The Bill amends the Electoral Act to require early in-person votes cast in a voter's "home" district or region to be kept separate from early votes cast in an "outside" district or region. This reform is consistent with the approach at the Commonwealth level in separating pre-poll "ordinary" (home) votes from pre-poll "declaration" (away) votes. The Bill will also allow the VEC to begin processing (but not counting) early, in-person votes two hours before the close of voting, and postal votes from 10 hours before the close of voting, on election day, subject to appropriate safeguards to prevent the early disclosure of voting trends (Pakula, Assembly, 10 May 2018, 1349).

Electronic voting

Electronic voting was initially introduced for the 2006 Victorian state election. This consisted of a trial of electronic voting limited to particular voters – electors with vision impairment – and also restricted to the location of six E-centres. Voters eligible to use the option could cast their vote using a touchscreen kiosk, telephone or keypad (EMC 2017, 13). In announcing the Bill, the Attorney General, Robert Hulls, considered electronic voting:

to be a valuable improvement to current voting practices, because it can provide secret voting to voters who may not have access to it otherwise (Hulls, Assembly, 31 May 2006, 1472).

The trial was deemed as a success by the VEC, leading to the decision by Parliament to expand electronic voting to all early voting centres, as well as a limited number of interstate and UK voting centres. It also led to the decision to broaden the allowable categories of voters to include persons with a motor skill impairment and literacy barriers (*Electoral Amendment (Electoral Participation) Act 2010*).¹¹

However, electronic voting in Victoria has experienced a low uptake among those voters with a physical impairment. While there has been growth in the use of electronic voting facilities, much of this increase has been attributed to its popularity among overseas voters, and not among those electors for whom the system was principally designed to serve (EMC 2016, 16).¹² The response of the VEC has been to recommend the introduction of remote internet voting. While remote internet voting was considered by the EMC following the state election in 2010, at that time it concluded that it was unable to support "a recommendation which allows for votes to be issued from locations other than early voting centres" (EMC 2012, 111). The matter was, however, revisited by the EMC following the 2014 state election, with the VEC proposing that the *Electoral Act 2002* be amended so as to permit a trial of remote internet voting for the 2018 State election. The EMC

¹¹ In 2014, the VEC implemented a new electronic platform developed in-house based on a Prêt-à-Voter system, named vVote. This system provides voters with the ability to verify that their vote has been cast and counted, making it one of the first to allow end-to-end independently verifiable EAV.

¹² The Inquiry's final report noted that in 2006, 199 voters used the electronic voting facilities, increasing to 961 users in 2010 and 1, 121 users in 2014. However, 85% of the growth in use between 2006 and 2010, and 85% of the growth in use between 2010 and 2014 was found to have been due to overseas voters.

did not make any recommendation at that time, indicating it would “examine remote voting as part of its Inquiry into electronic voting” (EMC 2016, 48)

The consequent *Inquiry into electronic voting* recommended that remote internet voting should be considered for a limited category of voters because “the postal vote system is failing, as the postal system is failing” (Asher, Assembly, 21 June 2017, 1915). The Andrews Government has indicated in-principle support for remote internet voting in response to the Inquiry’s recommendations. The VEC’s Electoral Commissioner, Warwick Gately, endorsed the recommendation, saying that “Victoria’s future voting system must contain a remote voting solution for a limited category of electors”. He also noted that “electors expect immediate service at a time of their choosing” and “quick and conclusive” election results (Gately, EMC Transcript, 2016). While the commitment to remote internet voting is qualified, its introduction seems inevitable.

Conclusion

Over the last couple of decades there has been significant expansion in the availability of convenience voting options for Victorian voters, particularly in relation to postal voting and early in-person voting. In the main, convenience voting initiatives in recent decades have received bipartisan support, suggesting that support for the principle of “convenience” is accepted among the legislative class.

Chapter 3: Trends in Convenience Voting Patterns

As outlined in Chapter 2, the expansion in the forms of convenience voting in Victoria, and the relaxation of eligibility requirements have occurred apace, particularly over the last few decades. This chapter reviews voter trends in relation to convenience voting, with specific attention given to identifying who, why and when voters use convenience forms of voting. The chapter also explores the effects of convenience voting on turnout and rates of informality in Victoria.

Which forms of convenience voting are popular in Victoria?

Over the last three decades, the proportion of ordinary votes cast has declined, while forms of convenience voting have risen significantly. In 1985, the total number of early votes was 4.62%. By 2014, however, slightly more than 34% of all votes cast were early votes, with the single biggest category of early votes being early in-person. As Table 5 depicts, most of the growth over the past three decades in Victoria has been for just a single form of convenience voting – early in-person voting. Absentee, mobile and special voting measures (covering accessibility methods designed for voters with specific impairments) have not varied significantly in their popularity as a method of convenience voting over the previous three decades. Postal voting has steadily risen in popularity, but at a much slower rate than early voting (see also Figure 1 below). It is apparent that early in-person voting is the preferred method of the available convenience options among Victorian voters at the present time.

Table 5: Percentage of total ballots cast by method

	2014	2010	2006	2002	1999	1996	1992	1988	1985
Absentee	6.23	6.63	6.42	7.67	7.76	7.22	6.01	7.69	6.22
Early in-person	25.79	16.33	8.81	6.18	5.23	-	-	-	-
Mobile	0.66	1.19	-	0.74	0.40	0.26	-	-	-
Postal	8.32	7.44	6.26	4.4	3.86	6.03	6.82	6.06	4.62
Special	0.03	0.03	0.01	-	-	-	-	-	-

Who votes early?

Only two studies have explored “who” votes early – McAllister and Muller’s (2018) study of federal voters, and Reader’s (2015) study of Victorian state voters. These studies tested different variables and drew on different data. Yet between them they yield some insights into the demographic profile and correlates of convenience voters, especially McAllister and Muller’s study which uses individual level survey data.

McAllister and Muller show that neither partisanship nor ideology explain who votes early, although there is support for campaign participation effects, with those “who indicated that they had discussed politics with others during the campaign, either in person or by phone or online, or who tried to persuade others to vote for a particular candidate” being less likely to vote early (McAllister and Muller 2018, 107). The study did reveal that older voters are more inclined to cast an early ballot, either pre-poll or postal, net of other factors, and there is a small effect for place of

birth, with Australian-born voters more likely to vote early. McAllister and Muller also found “no significant effects for education, gender andurbanisation” (McAllister and Muller 2018, 107; and see also Reader 2015, 13–15).

Overall, early voters are older and more likely to be Australian-born. It seems likely that older voters have more time at their disposal to investigate convenience voting options, while Australian born voters are more likely to have greater confidence in their ability to search out alternative voting modes. If this is the case, then it is reasonable to assume that as awareness and the visibility of convenience voting improves, then whatever demographic correlates presently exist in relation to early voters will be moderated in time.

Why do voters vote early, and when do they do so?

Surveys of early voters indicate that many electors who vote early do so not because of impediments to voting on Election Day, but because it is a more attractive option than Election Day voting. A 2014 survey of early voters in Victoria revealed that the most common reason given for early voting was “convenience” (39%), especially among older voters (65 plus). The second most common reason furnished by voters, and younger electors more particularly, was work commitments (24%). Other reasons cited by voters included being in another part of the state or interstate on Election Day (22%), being too busy with other commitments on Election Day (7%), health reasons (3%) and overseas travel (2%) (CBSR 2015). These findings are consistent with the AEC’s national telephone surveys of early voters conducted in 2010 and 2013. In both waves of the survey, a plurality of early voters cited “convenience” as the most common reason (averaging 32% over both surveys), followed by travel (averaging 19% over the two surveys) (Rojas and Muller 2014, 7).¹³

The data also shows that the number of people voting early increases as Election Day approaches, with most doing so in the final days leading to Election Day. Records of early voting data from the 2014 Victorian state election indicate that 28% of total early votes issued at an early voting centre with electronic roll mark-off were cast in the first week of the early voting period. The remaining 72% of such votes were cast in the second week of the early voting period. And of this number, 33% were cast in the three days preceding Election Day. This pattern is similar to that recorded at the 2017 Western Australian State election, which had a three-week early voting period. Of 214,242 early votes cast (approximately 15%), 13.6% were cast in the first week, 25.1% in the second week, while 61.3% were cast in the final week before Election Day (CDJSC 2018, 31).

¹³ While the VEC and AEC surveys indicate that convenience is the main reason, an exit survey of 468 NSW early voters at the 2015 state election conducted by Stephen Mills (2015) showed that the three most common responses given by early voters were “work” (26%), distance from an Election Day voting centre (22%), and that they would be interstate on Election Day (14%). Only 11% cited “convenience”.

Effect on turnout?

One of the purported benefits of convenience voting is that it elevates turnout because it lowers the transaction costs of voting by making it easier for voters to participate (Qvortrup 2005, 415). In practice, however, the relationship between turnout and convenience voting is far from conclusive. Studies conducted in the United States suggest that postal voting is more effective at driving up rates of turnout compared to “early in-person voting”, but the effect of both are fairly small overall. Gronke and colleagues (2007), for example, concluded that early voting had no effect on turnout at national elections between 1980 and 2004. Aside from the special case of exclusive voting by mail used in some jurisdictions, none of the early or absentee voting laws they studied boosted turnout in either presidential or midterm elections. Karp and Banducci’s (2001) study on voters in the US, Blais et al’s (2007) research on advanced voting in Canada revealed a modest effect, while Germann and Serdült’s (2017) investigation into e-voting on turnout in two cantons in Switzerland showed that internet voting did little to entice electors to vote.

Indeed, Burden and colleagues (2014) found that early voting might even lower turnout. The results from their study of US voters revealed “that early voting depresses turnout, with an effect of -3.3 percentage points in 2004 and -7.2 percentage points in 2008” (2014, 103). The authors attribute this to the fact that parties and candidates have successively decreased campaign spending, thereby limiting mobilisation efforts, which reduces the stimulation required to induce new voters to turn out. They conclude that “[e]arly voting reduces turnout by robbing Election Day of its stimulating effects” (2014, 109).

The widespread adoption of compulsory voting within Australia has meant that turnout has been *less* of a pressing consideration. Convenience voting was initially justified to improve access for certain categories of voters rather than as a measure to improve overall turnout. Nonetheless, some of the jurisdictions that been forerunners in liberalising early voting have argued doing so on the grounds that it will enhance turnout.

Evidence from the Victorian state elections would suggest that the effect of convenience voting on turnout is modest. If turnout for the 2006, 2010 and 2014 elections is correlated with the level of convenience voting at those elections, there is a positive correlation of $.930128$, reflecting the growth in both of these variables over these elections. However, the increase in overall voter turnout was slight, while the rate of convenience voting grew exponentially in that period. Moreover, when the rates of convenience voting and overall turnout are compared district by district, there is a much weaker correlation of $.251468$. When considering a longer period (1982–2014), this already weak positive causative link gives way to a moderate negative correlation of $-.29507$.

There is little to suggest that convenience voting has done much to impact turnout rates at Victorian state elections. The compulsory aspect of voting most likely mitigates the need to offer it for the purpose of stimulating voter participation. Nonetheless, there is evidence that convenience voting improves voter *retention* as against voter mobilisation. By offering more days on which to vote, early voting lowers the direct costs of voting, even if it operates as a “convenience” for those who were already planning to vote (Burden et al. 2014, 98). In the Australian case, given that voters are required to vote, convenience voting is likely to further protect current rates of turnout.

Effect on formality

While the effects of early voting on turnout at Victorian state elections are marginal, how does it affect levels of formality? Overall rates of informality in Australia, including Victoria, are high relative to other comparable democracies (Miragliotta and Nwokora 2015). A fairly high proportion of informal votes cast at Australian elections are caused by voter error. At the 2014 Victorian state election, for example, approximately 5.22% of all votes cast were informal, and of this number the VEC estimates that 50% were unintentional informal votes (VEC 2015). Unintentional informal voting is considered a serious problem because the elector has unwittingly been disenfranchised by their own actions.

There is reason to believe that convenience voting might reduce levels of unintentional informal voting because the elector has more time to complete their ballot paper, and generally under less stressful conditions than on Election Day. We might further surmise that different channels of convenience voting might have a greater or lesser effect on levels of informality. For example, it seems reasonable that of the available forms, postal voting is likely to create conditions that are conducive to voters filling out their ballot paper without error. Voters filling out a postal ballot are most likely to be doing so in their home, with less time pressure and access to resources to help them to fill out their ballot paper correctly. Furthermore, many postal ballots in Australia are facilitated by party political mail-outs, which include with the postal vote application *how-to-vote* materials that give voters clear instructions on how to fill out a ballot paper in line with their preferred party’s preference recommendations. Given these factors, it is plausible that postal voters should have lower informality rates than either absentee or early in-person voting.

But are convenience voters less likely to cast an informal vote? As Table 6 below indicates, at first glance at least, there may be some foundation to the idea that convenience voting reduces levels of informality. Over the most recent four state elections, rates of informality were slightly lower among convenience voters as compared to ordinary voters. That is to say, convenience voters have been consistently less likely to record informal votes at Victorian state elections. However, as convenience voting has increased in popularity over time, the gap in rates of informal voting between ordinary and convenience voters has narrowed. Alongside the expansion of postal and early voting has been an increase in the rates of informal voting by convenience voters. Informal voting by absent voters has also grown, but to a much lesser extent. What began in 2002 as a significant gap in informal voting between distinct types of convenience voting has narrowed.

Table 6: Rates of informal voting by vote type (%)

	Ordinary Voters	Convenience Voters	Difference (OV-CV)
2002	3.5	2.9	0.6
2006	4.8	3.7	1.1
2010	5.2	4.5	0.7
2014	5.4	5	0.4

Next, we turn our attention to whether there is variation in rates of informality based on type of convenience voting. As shown in Table 7, we compare rates of informality across three types of convenience voting. Our data indicates negligible variation across the different forms of convenience voting examined. Initially, at least, rates of informality for postal voters was generally lower than either early voting or absent voting. But over time this variance has evened out. Rates of informality among postal voters has consistently grown across the last four elections to exceed the rate of informality among early voters, although it remains less than for absent voters. This suggests that as more voters use these various voting channels, the levels of voter informality across pre-election and Election Day voting will converge.

Table 7: Rates of informal voting by convenience vote type

	2002	2006	2010	2014
Postal votes (n)	132,307	198,184	246,742	290,710
Informality rate (%)	1.4	2.7	4.3	5
Early votes (n)	185,423	275,396	543,853	896,667
Informality rate (%)	2.9	3.5	4.1	4.8
Absent votes (n)	227,663	196,879	220,195	218,247
Informality rate (%)	3.8	5.2	5.5	5.6

Conclusion

This chapter has explored several voter trends in relation to convenience voting. Our preliminary findings suggest that while convenience voters might have initially been different to ordinary voters, these differences are shrinking as more voters use alternative voting channels for little other reason than wishing to avoid voting on Election Day.

Chapter 4: Stakeholder Perspectives

Elections draw together several stakeholders, the most crucial of which are voters, candidates, political party organisations and electoral commissions. These groups share the common aspiration for a transparent, fair and robust electoral process. However, in their particular roles these stakeholders have distinct relationships to the electoral process and differing priorities about how it should be conducted. Voters comprise a large and heterogeneous “stakeholder” required to participate at elections under the law; voters are also the frontline users of the electoral system. Candidates engage with the electoral system as contestants seeking election to parliament. In doing so they navigate the electoral laws and adapt to its requirements. Party organisations support the election of their candidates to parliament and have broader carriage for managing the campaign strategy intended to elect their candidates to parliament. Electoral commissions are legally responsible for the administration, carriage and oversight of the electoral regime as established by Parliament, and are required to do so professionally and efficiently, while providing high levels of service and satisfaction to other stakeholders.

This chapter explores some of the varied perspectives of the primary stakeholders on convenience voting, specifically within the broader electoral process, unpacking their perception of the challenges and opportunities that it presents. It shows that while there is a general commitment to convenience forms of voting across all stakeholders, the intensity of this commitment varies, as does stakeholder appreciation of the risks and benefits that convenience forms of voting provide.

Data collection

Given differences in the size and composition of stakeholder groups, different methods and approaches for collecting data were used. These approaches were adapted in response to the challenges of gathering perspectives from a diverse collection of stakeholder groups. As a result, different types of data form the basis of the analysis for each stakeholder group.

Voters: Focus groups¹⁴ of Victorian voters were conducted in 2017; four groups consisting of approximately eight electors per group ($n=36$).¹⁵ Group 1 was composed of active voters who had “never used” any form of convenience voting at any election at which they had voted. Groups 2 and 3 comprised those who were “experienced” convenience voters, insofar as they had used forms of convenience voting at least once at elections in which they had voted. Group 4 was mixed – it included those who had used convenience voting and others who had not.

Candidates: A survey consisting of 16 questions was developed to capture the perspectives of candidates. The questions sought to elicit the candidates’ experiences as well as their attitudes towards convenience forms of voting, particularly with regards to its effect on their campaign

¹⁴ Focus group research has strengths and weaknesses. The main weakness is that the participant pool is small, which limits the generalisability of findings that is possible with large n-studies (i.e., surveys). Its main virtue, however, is that it provides a setting that encourages participants through discussion with other people to make connections regarding convenience voting that may not occur during interviews or in surveys, which are typically undertaken in isolation and consist of closed-ended questions.

¹⁵ The focus groups were conducted by the Social Research Centre (SRC) of Melbourne, guided by a moderator in sessions lasting 90 minutes.

practices. For practical reasons, current serving legislators were chosen as the proxy for candidates. The link to the survey was emailed to every sitting member of a state, territory or federal parliament in Australia ($n=811$) via SurveyMonkey, of which fifty legislators responded (6%). We received a roughly equal number of raw responses from across the parliaments, although the distribution is less proportionate when calculated against the size of the parliaments. Minor parties and Independents were more willing to participate in the survey than their major party counterparts. For these reasons, the sample is not representative, nor were there a sufficient number of responses from Victorian legislators to enable any generalisable claims about the experiences of Victorian candidates more specifically (hereafter “legislators”).

Because of the low number of responses from elected representatives in Victoria, this section does not focus on Victorian legislators exclusively. While we are cognisant that Australia’s electoral jurisdictions provide convenience voting options, and apply their regimes according to different administrative rules, we do believe that the data have explorative value for identifying significant issues, and for establishing the viewpoints of legislators. Moreover, all Australian states and territories provide for the postal and early in-person voting, and all jurisdictions have experienced an increase in the number of voters accessing convenience voting options.

Party organisations: In order to determine the perspectives of party organisations, party submissions to the Electoral Matters Committee (EMC) were analysed.¹⁶ This was not the preferred approach for ascertaining the attitudes of party elites towards convenience voting. The state directors from the Victorian National Party, Victorian Labor Party, the Victorian Liberal Party, and the Victorian Greens were contacted. Of these, only Clare Quinn, State Director of the Victorian Greens, agreed to an interview. We were also fortunate that Patrick Gorman, the then state party secretary of the WA ALP, agreed to be interviewed. Mr Gorman provided a major party perspective.

We reviewed party submissions to the EMC from the 2006, 2010 and 2014 state elections. These submissions are not exclusively focused on parties’ attitudes towards the convenience voting regime, but rather address their concerns regarding any aspect of the conduct of an election. Nonetheless, as these submissions are written and authorised by the party organisation, they do yield important insight into the challenges confronted by party organisations in a context in which the popularity of convenience voting among electors is growing. While we focused analysis on submissions from the four main parties (e.g., Labor, Liberals, Greens, and the National Party), we also reviewed submissions from smaller parties when these were available.

¹⁶ The EMC is constituted under section 9A of the *Parliamentary Committees Act 2003*. Its function is to inquire into, consider and report to the Parliament on any proposal, matter or thing concerned with: the conduct of parliamentary elections and referendums in Victoria; the conduct of elections of Councillors under the *Local Government Act 1989*; and the administration of, or practices associated with, the *Electoral Act 2002* and any other law relating to electoral matters (Victorian Parliament).

Victorian Electoral Commission: A semi-structured group interview was conducted with three Victorian electoral officials – the Deputy Electoral Commissioner Liz Williams, Director of Election Services Glenda Frazer, and Senior Information and Research Officer Paul Thornton-Smith. These interviews are supplemented by VEC reports and submissions to the EMC, along with the insight provided by Kay Heron, manager of state elections, the Western Australian Electoral Commission (WAEC).

Voter perspectives

In this section, we examine the attitudes of voters towards convenience forms of voting, with a focus on postal and early voting. Focus group sessions undertaken as part of this research allowed participants to explore several issues: how and when they first encountered early voting and/or postal voting; their experiences of using either form of convenience voting; and identifying any concerns that they hold about its use, as well as their views on internet voting.

Experience of voting (or what they found inconvenient about voting)

The focus group participants expressed fondness for Australian Election Day traditions, such as the sausage sizzle, as well as a general sense of pride in the quality of Australian electoral processes. However, participants were of the view that Election Day voting was inconvenient. The types of explanations offered by participants can be grouped into one of four broad themes:

- The compulsory aspect of voting: *“I appreciate it for what it is and I think that we’re very lucky that we’ve got what we have and I mean even though we’re subjected to going and voting; but I find it ironic that it’s compulsory to vote in a democratic society”.*
- The behaviour of party volunteers on Election Day: *“I think, is getting 47 pieces of paper thrown at you like you – the – when you walk into the street – the city, where they just chuck stuff”.*
- The general busyness of Saturday: *“Yeah, on a Saturday morning, if you lose that big chunk in the morning, you’ve got to do shopping and everything else, it’s just not nice”.*
- Waiting in queues to vote: *“Because there’s always a queue for that [getting your name marked off the roll] and then there’s a queue to get into the polling booths”.*

Becoming a convenience voter

The focus groups were asked a series of questions about how they first became aware of their convenience voting options, as against the specific reason that initially led them to seek out convenience voting. From these responses, two main groups of convenience voters could be identified: those which we have labelled the “necessary” convenience voter and the “opportunistic” convenience voter.

The “*necessary*” convenience voter refers to those who confronted a situation that prevented them from polling on Election Day. In anticipation of not being able to vote on Election Day, such voters typically reported searching out their options on the VEC’s website.

The “*opportunistic*” convenience voter refers to those who happened upon the possibility of being able to convenience vote. Such voters had not necessarily planned to do so at the time of first casting such a vote. There were three main routes by which the “*opportunistic*” convenience voter “discovered” the option of convenience voting:

- *Word of mouth:* Some participants indicated that it was through discussion with family members, friends and colleagues that they became aware of one or more convenience voting option. On discerning this, the individual sought out further information, typically from the VEC.
- *Random exposure:* A number of participants reported that they voted early because they had observed an early voting centre, a postal ballot application, or had noticed VEC advertising for convenience voting. As one participant remarked about his first encounter with early voting: “*Just driving past...., saw the sign, go in and did it.*”
- *Forced exposure:* Several participants indicated that they became aware of the option to convenience vote as a consequence of the requirement for postal voting at Victorian local government elections. Postal voting is the dominant form of voting at local government elections in Victoria, with only six local council elections using attendance voting in 2016, compared to 72 councils that used postal voting.

Experiences of convenience voting

While participants found out about convenience voting in different ways, there was a clear pattern of behaviour once they had done so. Participants indicated that they continued to convenience vote at subsequent elections. These participants typically cited pre-polling and postal voting as engendering a superior experience compared to Election Day voting. The most common benefits noted by participants were:

- **A less time-consuming voting experience:** Citing the earlier complaints about Election Day voting, participants preferred the experience of what they perceived to be the relative calm of early voting centres, or the benefits of being able to fill out postal ballots at home. As one participant commented in relation to early voting:

..... you didn't have to stand in such a long line. You still had all the paper and all that sort of stuff, but it wasn't as busy.

- **A more flexible voting experience:** Participants preferred being able to choose a day to vote that suited them, even if it meant driving to an early voting centre not in their place of residence, or going through the process of applying for a postal ballot (which required a separate application). One participant summed up this attitude: *“I could do it on my time, not when they told me I had to go on that date.”* Moreover, some participants remarked that access to an early voting option increased the likelihood of casting a vote, a sentiment best expressed by one participant: *“For me I feel like there’s less risk of me forgetting to go to the vote on Saturday because I’ve got so many things going on on Saturday.”*
- **A less stressful voting experience:** A number of participants drew a connection between the complexity and size of ballot papers, and the stress associated with filling out their ballot paper at a voting centre on Election Day. Several participants indicated that they found Election Day voting to be a high-pressure experience compared to pre-polling and postal voting, when they felt less rushed to complete their ballot paper.

Voter concerns about convenience voting

Participants were presented with various prompts or scenarios designed to challenge their enthusiasm for convenience voting. Even when participants were confronted with negative scenarios – both real and hypothetical – it did not diminish their enthusiasm for convenience voting.

Security and reliability of the ballot

Concerns about security were fairly muted and were constructed in ways that did not conform with the more traditional concerns about “security” as understood by scholars. Most participants did not regard convenience voting as being any more susceptible to manipulation and corruption than Election Day voting. As one participant suggested:

At the end of the day, it’s just as easy for people to go out and stuff ballot boxes, as they did in the old days.

Participants made repeated reference to internet voting, even though this option is presently not available in Victoria. Participants were cognisant of the risks associated with online voting, recalling both the Australian Bureau of Statistic (ABS) online census debacle and concerns about Russian meddling at the US Presidential election, both incidents occurring in 2016. However, many participants were fatalistic about the potential for elections to be compromised and did not believe that convenience forms of voting were especially vulnerable. This view is captured by this participant who remarked:

Yeah, they can do that [hack vote], but then they can do the same thing with a postal vote, they can change what’s in there. There’s ways that people that will find a way to rig it, they will.

While participants acknowledged risk, they believed that such hazards could be managed and contained. Participants reasoned that many other important activities, such as banking, had moved online without causing significant disruption or breaches of security. Similarly, participants expressed confidence not only in online technology, but also in electoral officials, who they believed would address security problems before implementing internet voting. For instance:

...it wouldn't worry me. I'd just assume that if online voting was available they would have those safeguards in place already.

I think we trust the electoral people; I think we trust the system. I think we're very lucky in that we don't have endemic corruption in [administration] – as a lot of countries do.

If anything, participants' strongest concerns in relation to "security" were raised only in relation to postal voting, and – even then – were constructed in terms of the possible risk of being penalised for failing to vote if their ballot paper was not received by electoral authorities.

Voter regret

Participants were probed about their concerns over the prospect of "voter regret": a feeling that could arise if prejudicial information was released during the campaign, but after the elector had cast their vote.

Participants were aware of such risks, and were able to recall recent examples, such as the impact of the then-FBI Director James Comey's announcement about Hillary Clinton's email investigation days before the US Presidential Election in 2016. However, such concerns were largely dismissed by participants on several grounds. Few participants could identify anything sufficiently consequential that would change their vote:

.....I don't think that anything that could come out at the last couple of days, particularly would make that big a difference, and if it did make that big a difference then really one vote probably isn't going to make all that much difference.

Others felt that their vote in isolation was too inconsequential to impact on the election outcome. As one participant stated: "I don't think my vote would make that much of a difference.....". In contrast, many participants were cognisant that electoral geography (seat status) might moderate this view, a perspective best captured by the following participant:

...it... depends where you live. Because some safe seats – where I've just moved back to, it's been the same for fifty years, it's not changing. Whereas where those swing seats [are], it's the difference of like twenty votes, some of them.

Participants were generally resigned to the sensation of regretting their vote choice on occasion. Moreover, many participants appeared to be of the view that parties would adapt to early voting by adjusting their tactics, especially with regard to the timing of the release of sensitive information on their opponents, as reflected in this response:

I think the people who are releasing the skeletons will then release it nine days earlier as opposed to two days earlier.

Voter intimidation

Concerns about the prospect of harassment or manipulation of voters when casting a ballot in the absence of the oversight of electoral officials were muted among participants. Participants perceived the risk of voters being exposed to intimidation by friends and family to be low, although some did concede that if internet voting were introduced, older electors might be vulnerable to family members appropriating their vote.

Participants pointed out that family members were already permitted to accompany one another into the polling booth on Election Day, thereby enabling circumstances in which individuals might be unduly influenced. Interestingly, some participants believed that “*there’d be more voter intimidation at the polling booth*” on Election Day. As one participant remarked:

If you go there with a group of people, chances are you’re going to be discussing what you’ve heard or things like that. So there’s greater potential for people to tell you who to vote for...

Democratic engagement

Participants agreed that voting is an important democratic responsibility, and that the single Election Day fosters a sense of communal, democratic spirit, as is reflected in the following participant’s comment:

I think it’s just part of the ritual I suppose. Yeah, your family will go up – all our family goes up together. We see people we don’t see for six months and all that sort of stuff and have a bit of a chat and so it’s a bit of a time to catch up with people you don’t usually see in the neighbourhood...it provides a good platform – and for schools as well because they can do their sausage sizzles and stuff and they can make money. So, it’s really good for community...

Moreover, participants expressed the belief that paper-based voting, as compared to internet voting, offered a more tangible voting experience on account of the ballot’s physical form. As one participant remarked:

It feels more real. Going to a polling booth, it feels more real that you are voting, rather than getting it in the mail and posting it, I think; it is kind of exciting in that sense, the election and the physicality of doing something rather than doing everything in the cyber world.

In spite of recognising the myriad ways that Election Day contributes to the democratic ethos, most participants did not regard these virtues as sufficient to justify confining voting to a single day. Some participants even perceived that many of the social and communal benefits of Election Day are exaggerated, particularly in an era in which social media is pervasive. According to one participant:

I think now with Facebook and the rest of the social media, that's how you catch up, I guess. Rather than at a polling booth.

What lessons overall from voters?

Participants reported becoming regular convenience voters after their initial discovery of its availability, even in the absence of a compelling reason to do so at subsequent elections:

Then I just did that for every – for the next couple that happened, just because it's convenient, not because I wasn't going to be there on Saturday or whatever, but it just was easier.

This might suggest that the number of early voters will continue to grow as more voters become aware of this option.

Participants were sensitive to the challenges that convenience voting can present, and were able to differentiate the types of hazards arising from the various forms of convenience voting. Yet most supported additional, rather than fewer convenience voting options, a view typified by one of the focus group participants:

It would be nice if it was just all available. It's your vote, and it do[es]n't...matter how you want to express it.

To the extent that the focus group participants are in any way representative of the broader voting population, what their perspectives reveal is that many voters regard the act of voting as an obligation, and therefore welcome any reforms that ease the circumstances in which they vote. Of these, participants were most enthusiastic about the possibilities of online voting and did not regard arguments about security as sufficiently threatening to disqualify it from being implemented; participants' confidence in internet voting was linked to their "trust" in electoral authorities to manage these processes.

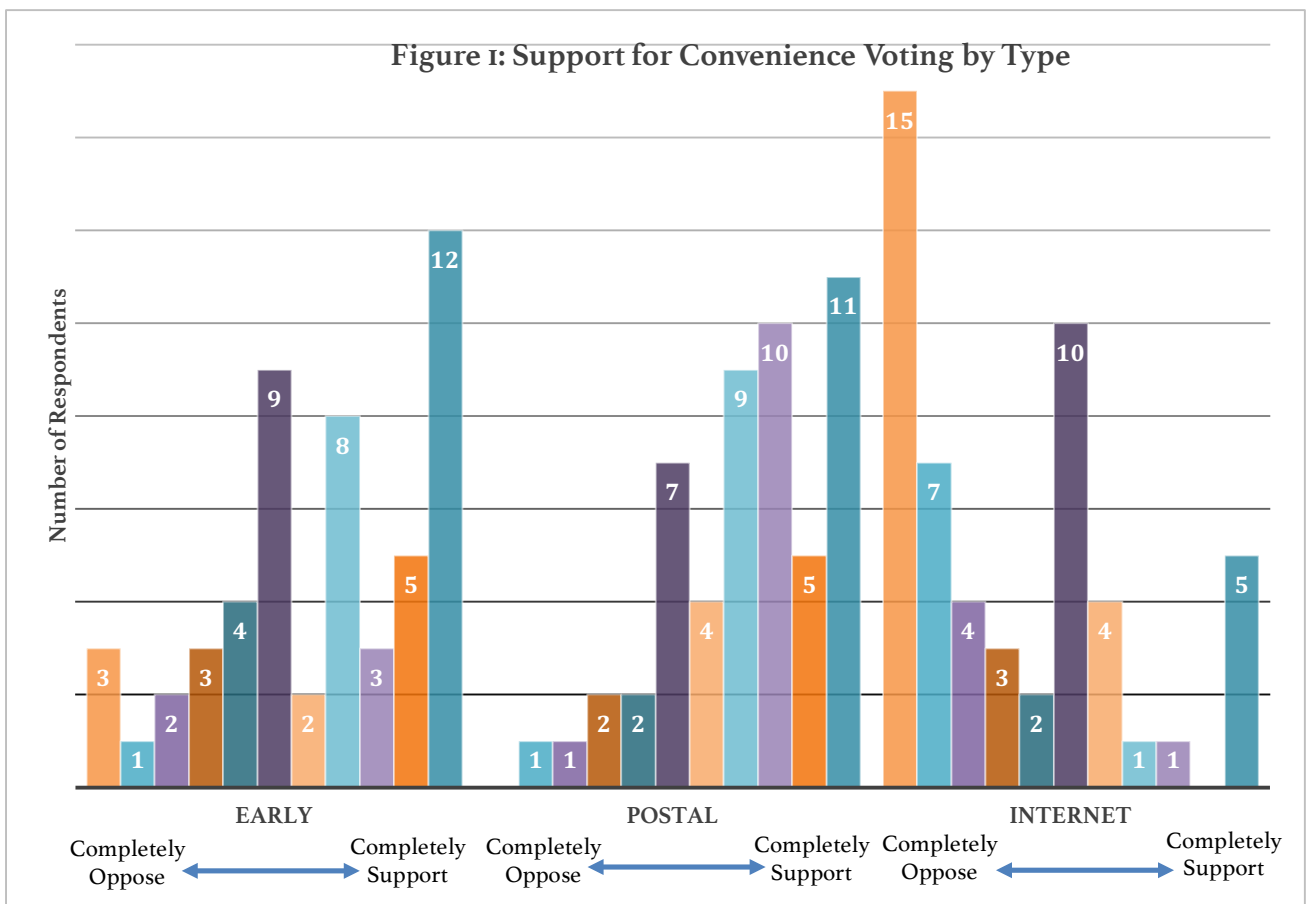
This is not to say that participants reject the idea of an Election Day. There was commitment to an ultimate Election Day, but participants expressed support for greater choice and flexibility in when and how they cast their vote.

Candidates

To capture the perspectives of electoral candidates on convenience voting, we surveyed Australian legislators. The survey findings revealed that while they were generally supportive of initiatives that enhance opportunities for electors to cast their vote, they also expressed some ambivalence about the extent to which voter access to such options should be wholly unrestricted.

Patterns of support for convenience voting among candidates

In one series of survey questions, legislators were asked to quantify their support for the three major types of convenience voting – early, postal, and internet – by nominating a number between 10 (completely supportive) and 0 (completely opposed). The graph below shows the distribution of responses offered for each voting type.



Overall, the views of legislators ran the gamut from completely opposed to completely in favour regarding all forms of convenience voting available in Australia. Exceptions were early voting and postal voting, which had pluralities of supporters, and mean support scores of all surveyed of 6.4 and 7.2 respectively, with postal voting thus on average being the most positive. By comparison, online voting had low support at an average of 3.2. Importantly, internet voting was a divisive question for legislators, with a small but important cadre of “10” supporters, as well as a sizable number of ambivalent legislators awarding it 5.

These patterns of support reveal a generally divided group. In this vein, responses did not correlate with partisan identification, the chamber the respondent sat in, or state of origin. Conservative politicians were slightly more likely to oppose convenience voting, and those progressively inclined tended towards more supportive stances; however, this tendency was not uniform across both political groupings.

Effects on voters

Candidates were sharply divided on whether they believed that early voting was to the benefit or detriment of voters. Many respondents thought that early voters cast their vote without all of the information they should have in order to make a fully informed choice. As one National Party member from Western Australia commented:

Those casting early votes do not get all the information that will come out during the full election period and this means they are not making fully informed decisions.

The sentiment was echoed by a Liberal member from the ACT:

There are convenience issues for the voter, but it is very hard to run a campaign when a high proportion of people vote early.

Those legislators who were supportive of early voting tended to emphasise the convenience factor as trumping concern over voter preparedness. As one WA Liberal MP noted,

people have a right to vote – we should make it as easy as possible.

Ultimately, some believed that any perceived trade-off between convenience and voter preparedness should be determined by the elector. As one Independent MP from Tasmania observed:

There are many reasons why a person may not be able to vote on the official voting day. The only downside is that for early voters, it may mean that they do not have the fullest amount of campaign material on which to base their vote. That is their choice at the end of the day.

Effects on campaigning

Legislators acknowledged the historical and practical significance of convenience voting at Australian elections:

It is well-established for people with mobility problems and aged care facilities: more and more time-poor voters use it. [And] political parties have well established campaign tools.

But this aside, respondents agreed that convenience voting, especially early in-person voting, had changed the nature of campaigning and increased its costs. This view is typified by one federal ALP member:

The focus of campaigning has changed so that the period of early attendance voting now is almost entirely concerned with me being present at polling places while voting operates, rather than traditional campaign activities like door knocking, street stalls, etc.

In particular, the legislators observed that the rise in early voting had changed campaign timelines. As one Victorian ALP member reflected,

campaigning starts earlier, more information needs to be provided early, intensity of the campaign is longer and harder.

When respondents were specifically asked to identify from a list of possible challenges convenience voting posed to them as candidates, the top three responses in order of support were: ensuring that voters had access to campaign materials (64%), reaching out to early and postal voters (62%), and managing the timeline of the campaign (57%). Of lesser importance, but nevertheless significant, were increased difficulties in recruiting sufficient numbers of volunteers to campaign at early voting centres (45%), and the increased financial costs of campaigning (31%).

Similarly, a number of respondents expressed the view that early voting led to waste and inefficiencies in campaigning. This sentiment is reflected in the following comment by a National Party member from Western Australia:

Early in-person voting especially means that information being disseminated by mail at considerable cost is wasted on individuals who have cast their vote already. Providing HTV cards to early voters is time-consuming and a drain on volunteer resources.

This problem is compounded, according to one Liberal member from the ACT, because:

...it is hard to pinpoint early voters either to predict who they are before they vote [or] not to waste your effort on them after they have voted.

Minor party legislators further indicated that early voting placed them and their Independent counterparts at a particular disadvantage as it stretched their already limited organisational and financial resources. Additionally, it was felt that convenience voting made it even harder for them to gain visibility during the campaign. As a Greens legislator from South Australia remarked:

Elections are about making choices and putting choices to the voter; an extended period dilutes the focus on that choice. The longer the period, the more difficult it is to sustain a presence for minor and micros in the debate.

Security and reliability

Protecting the security and reliability of the ballot were important concerns for the legislators, and internet voting was singled out as a form of convenience voting of particular concern. A majority of legislators were mildly opposed to online voting, and a significant proportion were strongly opposed. As one NSW Liberal member argued, online voting is:

[t]otally untrustworthy and should only be used in the most unusual of circumstances, for a limited cohort of voters.

Even those legislators who were broadly supportive of internet voting harboured concerns about its adoption. For example, the following federal ALP member conceded that internet voting:

[w]ould be great if only we could guarantee the security of the system.

This is not to suggest that every respondent subscribed to the view that the technology of internet voting was too risky to develop. Similar to the view expressed by many of our focus group participants, some of the legislators reasoned that:

...if it can be used for economic activity banking, shopping, etc., no way it can be avoided. Challenge is all on the political parties to get into the 21st century.

Internet voting was not the only form of convenience voting identified by respondents as problematic. Postal voting was also considered by several respondents as being both difficult to securitise and unreliable. Security concerns in relation to postal voting were often framed in terms of “security to person”, especially vulnerable voters. As one federal ALP member responded, postal voting was:

[o]pen to mail fraud and also negates sanctity of secret ballot. Imagine a household with a dominant male figure – he could conceivably take the ballots for himself, his wife and adult daughters. If they instead had to vote in person in booths, the wives and daughters can vote according to their own wishes free from external influence, as well as be personally exposed to the democratic process.

Others pointed to declining service reliability by Australia Post, and the increased cost of postal services, as undermining the long-term viability of postal voting. Early in-person voting was also not beyond concern, with some respondents contending that early voting centres were more open to distorting the vote depending on which parties and which materials were made available to that voter, as not all candidates could station campaign volunteers at all the early voting centres over the early voting period.

Democratic culture

Concerns about the erosion of Election Day struck a particular nerve with many of the respondents. Several legislators commented on the importance of Election Day as a national civic event that affirmed the country's democratic values. As one federal Labor legislator remarked:

Where it's not needed I prefer attendance ballots. There's a little bit of civic magic and equality in the walk to the polling booth. Especially for federal and state elections, though I'm one of those minority who has always firmly opposed postal voting in metropolitan councils too for the same reasons.

A Victorian Liberal member echoed this sentiment:

It is culturally important that most people turn up on polling day and vote. Civic participation is important, not just the actual act of voting.

Legislators were, however, divided over whether the goal of a single Election Day should be upheld. When asked whether a single Election Day should be “maintained”, “abandoned”, or arranged to “co-exist” with convenience voting, legislators were almost evenly distributed across the three response options.

A concern raised by some legislators, but not by the other stakeholder groups, was that convenience voting contained the risk of “cheapening” of the act of voting. Many members felt that voting was a sacred rite that deserved solemnity and that reforms designed to make it more convenient would ultimately devalue elections. This case was put forcefully by one Victorian Liberal member who wrote:

All votes where possible should be made with the same information and under the same circumstances. You are not purchasing take away food, you are deciding the future of your nation or state. It does not have to be convenient, people die for this privilege in many other countries.

Concerns of this nature were most strongly targeted at internet voting, as typified by one federal ALP member's colourful response:

It's too casual. Voting should be a considered choice: fitting it in between Facebook, Candy Crush and cats on YouTube diminishes its importance as part of the democratic process and leaves it open to "outrage" influence, e.g., "outraged by burkas or gays? Vote NOW to send a message!"

A similar sentiment was elaborated upon by another federal ALP member who cautioned:

...fundamentally it's about democracy. I think we have minimal civic responsibilities and our democracy is already under threat. The small responsibility to simply turn up once every few years and have your name crossed off as a citizen seems to me still to be an act that unites society and generates some engagement with our democracy and polity. It worries me if the act of casting a vote was reduced to/equated with everything else that can be done thoughtlessly and carelessly with a click. The ritual gives significance.

What lessons from candidates?

The candidates' views on convenience voting are best described as ambivalent. When asked whether voters should have unrestricted access to convenience voting options, only 21% of respondents agreed, with half believing that it should be restricted to only those voters with genuine reasons for not being able to vote on Election Day. When asked about "desirable" restrictions on convenience voting, just under half were in favour of reducing the period of early voting, and just over half agreed that current restrictions should be maintained, although only a small minority supported stricter enforcement such as having to sign a statutory declaration.

However, there was awareness of strong voter demand for convenience voting, particularly early in-person voting. As one Liberal member from the ACT put it:

I'm realistic to know that times are changing and, given the increasing numbers of people who pre-poll, it's pretty obvious that voters don't want to be stuck in a queue on polling day....But we do have a polling day for a reason and if we were to make convenience voting too readily available in every format possible and on any day possible, it does take away from the seriousness of our duty to vote. It also makes campaigning very difficult (which is already challenging given the different rules about zones and placement of electoral material). There are also security issues with internet voting that would be very difficult to police or enforce (I accept the current system we have is also not perfect as it's a name crossed off a list) – but polling booths should be able to communicate with each other to minimise people voting multiple times at different booths (which is virtually impossible to police/enforce currently).

Moreover, in line with support for maintaining current restrictions on convenience voting, most respondents believed that the current liberality of the regime was neither desirable nor particularly beneficial for democracy – the following is a succinct example:

Convenience voting devalues democracy – we need to elevate and venerate our democracy, not shunt it aside as simply a burden to be managed.

Political parties

Similar to candidates, the parties' concerns about convenience voting centred primarily on their implications for campaign management. However, parties experience these effects differently, depending on their organisational resources. The dramatic increase in early in-person voting has raised the costs and complicated the logistics of connecting to voters, with parties having to reach an ever-larger number of voters earlier in the campaign and without the benefit of knowing exactly when and where those voters will cast their ballot.

The end of the official campaign period?

For party organisations, early in-person voting is not without benefits. It has the advantage of minimising any likely fallout arising from embarrassing information about the party or its policies. Parties might even choose to encourage voters to vote early, although this “depends [on] whether you think you're going to get an advantage by locking in people's votes.” (Gorman 2017).

Such an advantage is likely to benefit the major parties, which have an established base of support that is primed for mobilisation. Securing votes early allows the party organisation to concentrate more of its efforts on swing voters. For smaller and newer parties with lower public visibility, and which require the campaign period to raise their profile and attract voters, early voting undercuts these efforts. Maria Rigoni (2015), formerly a Palmer United Party candidate, wrote in her submission to the Inquiry into the 2014 Victorian state Election:

Pre-poll voting, as has been allowed to occur at the last general election distorts every candidate's right to influence the decision-making process of electors within the election timeframe.

Indeed, the idea of a “campaign” period is designed to enable candidates and parties to make their pitch to voters before ballots are cast. By extending the voting period from a single day to two weeks, the principle of a full “campaign” period is eroded.

Campaign logistics and cost

A common theme within party submissions to the EMC was the increased cost and complexity associated with campaigning attributable to the growth of early in-person voting. For example, several parties reported on the difficulties of recruiting party volunteers to station early voting centres over a two-week period, and not just on Election Day proper:

The current extended early voting period imposes additional costs on all parties involved in the election; the VEC and therefore the taxpayer, political parties and individual candidates. It particularly disadvantages independents because they have little capacity to staff an early voting centre for a lengthy period (National Party Victoria 2010).

This view was shared by the Australian Sex Party (2015):

[E]arly polling booth volunteers were overwhelmed with the sheer volume of people voting prior to Election Day. We feel that the period in which people can vote early should be shortened so that resources are not depleted prior to Election Day.

This problem is compounded for minor parties, especially as the VEC established more early voting centres within the state to meet voter demand.

Whereas it is a good thing that there should be many centres so as to minimise the travel difficulties for voters, an unfortunate by-product of this arrangement is that it makes it extremely difficult, if not impossible, for small political parties, with commensurate[ly] fewer supporters, to both adequately hand out “how to vote” cards and scrutineer (Liberal Democratic Party Victoria 2015).

In addition, one major party organisation reported that it urged its candidates to attend early voting centres rather than door-knock:

We also encourage, when it gets busy,to get our candidates to...attend the early voting, because – think about it, if you’ve got 500 or so people a day coming through in those last few days...pre-poll is no longer an after-thought any more, our ask to volunteers is not what they will be doing on Election Day but what they will be doing for the two weeks prior to Election Day (Gorman 2017).

Moreover, and as noted by candidates, parties acknowledged that early voting was having unpredictable and significant effects on how they campaigned:

[candidates] have policy stuff out earlier. We saw, equally, attempts to push the debates later (Australian Labor Party Victoria 2016).

Concerns for voter access

While parties have argued that early voting generates new strains and pressures for campaigning, some expressed concerns about the provision of sufficient numbers of early voting centres, including uneven state-wide coverage of early voting centres within electorates for voters:

This is a basic matter of fairness to all concerned and a lack of early voting centres can result in electors being disenfranchised and failing to vote (Australian Labor Party Victoria 2010).

Similarly, parties voiced concern that some early voting centres are under-resourced. In its submission to the EMC, the Victorian Greens observed that inner city polling booths were under-staffed, resulting in queues “often lasting over an hour” (Australian Greens Victoria 2008, 1–2). The Greens were concerned that voters would risk a fine rather than wait in a queue, a claim echoed by the Victorian Liberal Party (Liberal Party of Australia – Victorian Division 2007). The Greens asserted that in making voters queue for an unreasonable length of time that it “degrades the voting experience of people living in the area, and can also potentially affect the outcome of the election” (Australian Greens Victoria 2008, 2).

For other parties, reservations about early voting centres have focused on the potential for a reduction in the number of voting centres for rural voters on Election Day. In both 2007 and 2010, the Victorian Nationals expressed the concern that the costs associated with the increases in the number of early voting centres might, over time, be subsidised by closing Election Day voting centre sites in rural electorates:

If we are going to have more and more early voting, it follows that the numbers voting on polling day will be less, there will be less booths that cross that threshold and they will thus be closed, which then severely disadvantages a number of people who have difficulty getting to a more distant voting centre or getting to an early voting centre, and I think that is perhaps an unintended consequence of this early voting going for as long as it is (National Party Victoria 2010).

Counting the votes

The submissions of party organisations were in general agreement that current procedures for counting early and postal votes slowed down the vote count on election night, with the result that in close electoral contests it would increase post-election uncertainty. The Liberals (2015), for example, raised the spectre that without a partial count of early votes on election night, there was “...the real possibility that a number of seats will remain in doubt on election night”.

What lessons overall from parties?

Among the parties, convenience voting enjoys mild support, especially where its form remains in-person. Party organisations might be adapting their campaigning practices to convenience voting, and that the major parties might even be extracting some campaign efficiencies from early voting. For the minor parties, however, convenience voting presents greater challenges, stretching their volunteer base and imposing a disproportionate strain on their already limited financial resources.

Much like candidates, the parties are – at this time at least – supportive of Election Day voting. As Clare Quinn (2017), state director from the Victorian Greens, suggested, Election Day voting is an important part of the democratic process that helps to foster good democratic citizens.

The perspective of the VEC

Electoral officials regard voter demand for convenience voting, specifically pre-polling, as reflective of a long-term change in voter behaviour. The officials consider it likely that Election Day would become a “catch point”, but that it would not disappear, if for no reason other than that an election requires a “finale”. If anything, they believe that convenience forms of voting and Election Day voting would “coexist”.

The VEC officials also anticipate that certain forms of convenience voting, such as postal voting, might in time be rendered redundant as newer methods and technologies, such as internet voting, become available. They consider it likely that generational turnover will generate further support for such changes, with one official observing that younger voters were much more comfortable with computer-based technologies. The WA electoral official also shared this view:

The younger demographic...is so used to doing their normal day-to-day functions, their banking, their booking, all of those things are online, so they're very comfortable in that space. They're very comfortable with balancing their risks in that space, where certain demographics are very reticent about that. I don't think [internet voting] would ever replace [all other forms], but I think there would be options and people would go to their options.

Those interviewed for this project framed the VEC's concerns about convenience voting in terms of the challenge of delivering fair, efficient and accessible election services. Among these concerns was managing voter expectation in an era in which service provision norms stress instantaneous, personalised, and highly flexible services: “*The voters' expectation now is to be able to do what they want, when they want and where they want*”. Meeting voter expectations requires additional investment in preparing and planning for elections, and the popularity of convenience voting gives rise to new challenges in election management.

Preparing and planning elections

In this section, we identify the main themes that emerged from our interviews with electoral officials. The order in which these themes are presented do not signify their perceived significance for electoral officials.

- **Ensuring that election materials, especially ballot papers, are printed in a timely manner and distributed in sufficient quantities to early voter centres:**

We need to just be mindful that we're allowing ourselves enough time to get the ballot papers printed and distributed to where they need to be in order to be ready to start on the opening of early voting.

- **Anticipating which early voting centres electors will use:**

I suppose the other thing that's impacted us too is that whilst we can best guess how the growth might happen, we still don't know for certain. We still have to task our Election Day voting centres to what we think they're going to take. That can be a bit of a tricky balancing act we have to do. If you go on previous votes you might be miles out and they've dropped substantially, so you've got a heap of staff that might not be as fully engaged as they should be normally.

Two factors make it especially difficult for electoral authorities to anticipate voter traffic at early voting centres. The first is that voters are not restricted by electorate and are permitted, therefore, to cast their ballot at any pre-polling voting centre of their choice. The second is that the location of pre-polling centres – unlike Election Day voting centres – cannot be assured from one election to the next. This can have implications for the visibility of early voting centres and with it the volume of traffic which passes through these centres.

- **Sourcing appropriate venues for early voting centres:**

Notwithstanding the fact that there are many more Election Day voting centres than early voting centres, the former use venues – often government schools and community halls – that are typically vacant on Saturdays. These venues are generally highly accessible to voters and also relatively central within the electorate. Moreover, the electoral commission often has a long history of use of such premises that makes them comparatively easy to secure.

But the situation is different for sourcing early voting centres, as one electoral official reflected:

it's a completely different ball game.....if you're looking at say a rec centre or a community centre, there's a range of other competing activities that need to be locked in around our confirmation. We can do that for a Saturday because we know our dates so far in advance. With the early voting space, we're not asking them to commit to a day, we're essentially asking them to commit to a three-week period.

Then again, we're looking at commercial premises say, for example, in a city block or in shopping centres, and you go to a commercial agent and say, look, here's our three weeks, we would like to book it for that. Their interest is leasing on a longer-term basis, so it's very less attractive for them, shall we say, to lock something in for three weeks that potentially might exclude them from a two or three-year lease.

Counting the votes on election night

The rise in the number of pre-poll votes presents several logistical challenges for sorting and counting votes in a timely manner. For example, votes cast at early voting centres must be sorted and then transported to their home electorates for counting.

It's not just counting, it's the sorting of the vote too, because you can vote at any early voting centre across the state from anywhere. Every voting centre's likely to have 88 districts' worth of ballot papers potentially in a ballot box that've got to be sorted and moved on because they need to be counted in their home electorate.

Postal ballots add an additional complicating factor, because many arrive after Election Day due, in part, to the declining reliability of the postal service. Thus, although there is an expectation (and obligation) that election night counting be conducted quickly, accurately and in a time-sensitive manner, the ability for electoral authorities to deliver on those expectations is complicated by the sheer volume of pre-poll votes cast.

The electoral authorities are cognisant that a prolonged count in close elections gives rise to frustration and delays in important negotiations for government formation in the aftermath of elections.

Maintaining the security and reliability of the ballot

For electoral officials, preserving the security and reliability of the ballot is of paramount concern:

Obviously from an administration point of view we've got to make sure that whatever system we put out there is secure. I guess we're seeing that any system is vulnerable to attack regardless of the security.

However, electoral officials recognise that while there is growing demand for internet voting acquiring a secure platform is not a simple matter:

.....I think electoral administrators need to see that this is something we need to progress and to come up with and certainly come up with a system that is secure and to introduce it in a way that builds that confidence in the community, so that when a time comes that the legislators say "yeah we need to go down this path..." – because it's not something you can switch on overnight.

The electoral officials indicated that their ability to control the reliability of important processes can be strained by factors outside their control. This problem occurs, for example, in relation to political party involvement in organising Postal Vote Applications (PVAs) on behalf of electors. The fact that parties can arrange PVAs creates several problems for the electoral authorities. First, it can produce delays in electors receiving their PVA because the parties are “data harvest[ing]” from these applications before they forward them to the VEC for processing. Second, electoral officials expressed concern that party involvement in this process can cause confusion among

electors. It is not uncommon for the VEC to be accused of including partisan material with the PVA that has, in fact, been included by a party. As one electoral official remarked:

The problems for us occur when the elector receives these items. It, for all [intents and purposes] looks like it's come from ourselves, whereas it hasn't, it's come from a third party. What we struggle with is the perception, because ultimately the elector thinks it's come from us. They then – if they don't receive something in a timely fashion – their port of call is direct to us to say "I've sent that off, I haven't received it."

What lessons overall from VEC?

The primary challenges identified by electoral administrators concerned planning: finding suitable premises, maintaining the integrity of the vote and the count, and ensuring that election outcomes are recorded promptly.

However, most of the challenges that electoral officials identified are generally outside of their control. The introduction of newer forms of voting, such as internet voting, rests as much on technological innovation as it does on the agreement of parliament to legislate for its use. Being able to plan for early voting – in terms of predicting when and where voters might go to cast an early vote – is difficult to anticipate owing to the human dimension. Locating premises that are suitable to parties, visible and accessible to voters, and which can be securitised is complicated owing to the commission's reliance on available commercial premises at the time.

Table 8: Summary of the attitudes of stakeholder groups towards convenience voting

	Voters	Parties	Candidates	Commissions
Security	Low	Moderate	High	Moderate
Democracy	Low	Moderate	High	Low
Campaigning/Logistics	Low	High	High	High
Costs	Low	High	Moderate	High
Restrictions on use	Less	Unclear	More	N/A
Overall	Very Positive	Moderate	Divided	Neutral

Conclusion

This final chapter of the report has examined the attitudes and perceptions of the main stakeholder groups towards convenience voting. While embraced enthusiastically by the voter, strong reservations are held among the other stakeholder groups, albeit for different reasons. For candidates and party organisations, convenience voting – and early voting especially – affects their ability to manage aspects of their election campaigns on traditional/conventional lines. In the case of electoral commissions, the popularity of early voting presents challenges for securing suitable premises for early voting centres, anticipating the volume of voter traffic likely to pass through any particular centre, and in ensuring that the counting of votes and the declaration of the winning candidates occur in a timely manner. While convenience voting is now a fixed aspect of the voting process in Victoria, its implementation confronts ongoing practical challenges; as significantly, it also meets pockets of reservation among important stakeholder groups about its possible impacts on voter engagement with the democratic process.

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