

**2017**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO THE ACT AUDITOR-GENERAL'S REPORT NUMBER 2 OF 2017  
2016 ACT ELECTION**

Presented by  
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## Introduction

The ACT Government welcomes the Auditor-General's report number 2 of 2017 – 2016 ACT Election (the Report).

The Auditor-General examined Elections ACT's planning for, and conduct of, the 2016 election. This included:

- incorporation of changes resulting from changes to relevant legislation, such as the *Electoral Act 1992*;
- the use of electronic voting in the 2016 election;
- risk management, planning and resource management adopted for the 2016 election including ICT;
- risk management and planning for the security and storage of ballot papers;
- addressing any related issues identified in the review of the 2012 ACT election;
- staff recruitment, planning and training;
- organisation for election day – security, polls, voting papers, electronic systems, staffing, counting, scrutineering;
- counting and recording of votes;
- organisation of postal and pre-poll voting; and
- announcing the result and declaration of the poll.

Axiom Associates was engaged to undertake a review of the control and the independent audit report of the electronic voting and counting system.

The Report found Elections ACT's planning and conduct of the 2016 election was effective. The Auditor-General has made seven recommendations aimed at improving the conduct of, and participation in, ACT elections. A Government response has been prepared and provided below to address the recommendations.

Fair and accessible elections are essential for healthy and participatory democracy. The finding that Elections ACT's planning and conduct of the 2016 Election was effective can give the people of the ACT confidence that their representatives are elected in a robust and transparent process.

## **Recommendation 1 - Planning**

Elections ACT should enhance its planning by:

- a) developing a project management framework and/or explicitly linking its project management elements for the four years prior to an election;
- b) reviewing its Operational Plan and developing a control process for maintaining the integrity of its content;
- c) developing a periodic comprehensive review (this could be every two years) of its risk registers (in addition to the system of reviews already undertaken);
- d) developing a lessons learned tracking document for guiding actions that need to be undertaken between elections; and
- e) reviewing the classification of its ICT systems and, for any of its systems that are government critical, implement the required infrastructure arrangements that provide assurance these systems are continuously available; and document these arrangements in its business continuity and disaster recovery plans.

### Government response

Noted.

The Government notes that Elections ACT will review, consolidate and strengthen its project management and planning framework. The Government also notes that the audit report agrees that Elections ACT has the required elements of an election project management plan distributed across multiple documents and concludes that the project management and planning processes in place for the 2016 election resulted in a very successful and effective outcome.

Elections ACT has stated that it will:

- comprehensively review its operational plan and implement a control process;
- develop a periodic comprehensive review of its risk registers noting that Elections ACT reviews each risk register quarterly on an exceptions basis;
- put in place a tracking mechanism to ensure lessons learnt from the most recent election, if approved for implementation, are monitored in preparation for the next election; and

- review the classification of its ICT systems and implement, where appropriate, the required infrastructure arrangements. Noting that while not in compliance with the requirements of systems listed as ‘government critical’, appropriate redundancy and backup arrangements were established for each of the ICT systems used at the 2016 ACT election. Elections ACT does not currently consider any of its ICT systems falls within the stated definition of ‘government critical’.

### **Recommendation 2 - Security**

Elections ACT should assess the security risk posed by casual staff working on ACT elections and, if appropriate, implement a mitigation measure.

#### Government response

Noted.

The Government notes that Elections ACT will review the security risks posed by casual staff working on ACT elections and implement appropriate measures to mitigate perceived risks.

### **Recommendation 3 - Pre-poll voting**

The ACT Government should amend the *Electoral Act 1992* so that an elector may vote at a pre-poll voting centre without the requirement to declare that they are unable to attend a polling place on polling day.

#### Government response

Noted.

The Government notes that there is a Select Committee Inquiry into 2016 ACT Election and the Electoral Act and will refer this recommendation to the Select Committee for consideration.

### **Recommendation 4 - Electronic voting options**

Elections ACT should develop a strategy to foster an increase in electronic voting.

#### Government response

Noted.

The Government notes that Elections ACT will develop a strategy to foster an increase in electronic voting. Elections ACT has stated that a strategy would in part be dependent on the removal of the eligibility requirement for a pre-poll vote.

**Recommendation 5 - eVACS®**

Elections ACT should improve eVACS® security controls by:

- a) using passwords that are compliant with ACT Government password security requirements;
- b) using a secure, modern, unique code (hash);
- c) encrypting the cumulative record (data) of daily votes on compact discs; and
- d) comprehensively reviewing the eVACS® code.

Government response

Noted.

The Government notes that Elections ACT will implement a full review of the electronic voting system and apply any recommended security controls.

Elections ACT has noted that the security controls in place for the 2016 ACT election were suitably robust and effective.

**Recommendation 6 - 2020 accommodation**

ACT Property Group and Elections ACT should finalise a Memorandum of Understanding with accommodation arrangements being agreed well in advance (two years) of the 2020 election. If this is not done, Elections ACT should seek assistance from the Head of Service.

Government response

Agreed in principle.

Elections ACT has agreed that it would be desirable to settle its additional office accommodation needs well in advance of the 2020 election. ACT Property Group will work with Elections ACT to ensure their space requirements are met for the 2020 Election in accordance with the Memorandum of Understanding.

### **Recommendation 7 - Penalty units for not voting**

The ACT Government should use penalty units as the basis for a non-voter fine to allow incremental adjustments and determine what penalty is to be established for non-voters (and in so doing increase the current \$20 fine).

#### Government response

Noted.

The Government notes that there is a Select Committee Inquiry into 2016 ACT Election and the Electoral Act and will refer this recommendation to the Select Committee for consideration.