



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QON No. 72

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE
25 February 2021

Asked by Mr Cain on 25 February 2021: The Special Minister for State passed the following questions on to the Electoral Commissioner, Damian Cantwell:

1. In Budget Statements A on page 29, the commission's first priority was to deliver the 2020 election safely during COVID-19. Please provide cost of each of the following activities:
 - a. Electoral education campaigns
 - b. Employing, training and deploying additional staff
 - c. Conducting polling services
 - d. ICT, including electronic voting and counting, and overseas electronic voting
 - e. Enforcing compulsory voting
 - f. Comprehensive report on the conduct of the election.
2. Regarding electoral education campaigns:
 - a. What methods are being used to deliver electoral education this financial year, considering restrictions due to COVID-19?
 - b. What is the cost of electoral education this financial year?
3. What was the cost of bringing on additional staff required to deliver the election, noted on p. 30 of Budget Statements A as an increase of 3.3 FTE from the 2019-20 Budget to the 2019-20 Actual Outcome?
4. What was the cost of bringing on additional staff required to deliver the election, noted on p. 30 of Budget Statements A as an increase of 2.5 FTE from the 2019-20 Actual Outcome to the 2020-21 Budget?
5. Regarding casual employees for the purpose of delivering the 2020 election:
 - a. How many people did the commission employ under casual arrangements?
 - b. What was the per capita cost of employing casuals to deliver the election?
 - c. How much in total did the commission spend on casual employees for the purpose of delivering the 2020 election?
6. Excluding employee costs, how much did the commission spend on conducting polling services to deliver the 2020 election?



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7. Regarding ICT systems used to conduct the 2020 election:
 - a. how many electors used the overseas electronic voting system?
 - b. were any electors relying on the overseas electronic unable to cast a ballot?
8. Regarding ICT systems used to conduct the 2020 election, were there any cyber security incidents with:
 - a. The electronic voting and counting system?
 - b. The overseas electronic voting system?
 - c. If yes to a or b, what information or data was accessed?
 - d. If yes to either of these, what measures were taken to address the incident/s?
9. What measures did the commission take to enforce compulsory voting?
 - a. What was the cost of each of these measures?
10. When will the comprehensive report on the conduct of the election be made available:
 - a. to all members of the Legislative Assembly?
 - b. to the public?

Mr Cantwell's answers:

The Commission does not track costs at the specific level requested for many of the activities included in the question on notice and the costs provided are the estimated direct costs for each of the activities.

1. Please provide cost of each of the following activities:
 - a. Electoral education campaigns - \$603,507
 - b. Employing, training and deploying additional staff - \$575,123
 - c. Conducting polling services - \$3,198,622
 - d. ICT, including electronic voting and counting, and overseas electronic voting – \$1,926,616
 - e. Enforcing compulsory voting – The project is ongoing, accordingly it is not possible to provide the cost of undertaking this activity. A non-voter process typically extends into July or August in the year following an election.
 - f. Comprehensive report on the conduct of the election. - The project is ongoing, however the costs associated with delivery of the Election Report typically only involve internal staffing costs and the costs of printing a small number of physical copies.
2. Regarding electoral education campaigns:
 - a. What methods are being used to deliver electoral education this financial year, considering restrictions due to COVID-19? - Education sessions for school and



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community groups were suspended from mid-March 2020 due to the risks from COVID-19, involving cancellation of a large number of presentations, the Year 11 Constitutional Convention, as well as scheduled teacher professional development. The electoral education program has now resumed for 2021 and bookings from schools have commenced. Elections ACT is committed to maintaining a healthy and safe workplace for electoral staff and the wider community. To that end Elections ACT has adopted a COVID Safe plan and implemented a number of practical measures to manage COVID-19 related risks specific to electoral education. This includes:

- The visit will not proceed if Elections ACT staff or school/group participants are unwell. Elections ACT staff are to confirm this on the day before the visit and again upon arrival at the school.
- Contact tracing details will be exchanged between Elections ACT and participating schools or community group, including use of the ACT 'Check In CBR' app and scanning of bar codes wherever available.
- Elections ACT staff are to check in on arrival and proceed directly to the classroom or location where the program is to be conducted. Delivery of programs is to be limited to no more than two hours with additional staging time minimised. Elections ACT staff are to depart immediately on conclusion.
- Minimise the need for any paperwork to be completed on site.
- Maximise single use resources (ballot papers, promotional pencils) and leave these with the participants at the conclusion of the visit.
- All equipment touch points (voting screens, ballot boxes, signage) are to be cleaned prior to, during and following the visit.
- The ballot box is to be handled by Elections ACT staff and one student only (as ballot box guard) during the mock election, using disposable gloves.
- Elections ACT staff are to maintain appropriate social distancing, use hand sanitiser before and after the visit, and wear disposable gloves during the visit. Face masks are to be worn wherever social distancing cannot be assured.

b. What is the cost of electoral education this financial year? – The 2020/21 costs associated with the 2020 ACT election information campaign, including advertising, publishing services, special needs and bilingual education were \$603,507. Due to the impact of COVID-19 on school and community group education sessions, no costs were incurred on this aspect of electoral education campaigns during 2020/21.

3. What was the cost of bringing on additional staff required to deliver the election, noted on p. 30 of Budget Statements A as an increase of 3.3 FTE from the 2019-20 Budget to the 2019-20 Actual Outcome? – \$109,747



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4. What was the cost of bringing on additional staff required to deliver the election, noted on p. 30 of Budget Statements A as an increase of 2.5 FTE from the 2019-20 Actual Outcome to the 2020-21 Budget? - \$575,123
5. Regarding casual employees for the purpose of delivering the 2020 election:
 - a. How many people did the commission employee under casual arrangements? – 856
 - b. What was the per capita cost of employing casuals to deliver the election? - \$6.42 per eligible elector
 - c. How much in total did the commission spend on casual employees for the purpose of delivering the 2020 election? - \$1,965,223
6. Excluding employee costs, how much did the commission spend on conducting polling services to deliver the 2020 election? - \$2,964,056
7. Regarding ICT systems used to conduct the 2020 election:
 - a. how many electors used the overseas electronic voting system? 1,554 overseas e-votes were admitted into the 2020 election count.
 - b. were any electors relying on the overseas electronic unable to cast a ballot?
There were very limited confirmed cases where an elector was unable to vote due to the lack of accepted identification documentation. Technical issues were generally able to be resolved working with the individual. Conversely, it is highly likely that none of the 1,554 electors who voted using the overseas e-voting system would have been able to lodge a successful vote had the system been unavailable.
8. Regarding ICT systems used to conduct the 2020 election, were there any cyber security incidents with:
 - a. The electronic voting and counting system? The eVACS system did not experience any cyber incidents.
 - b. The overseas electronic voting system? The OSEV system and supporting infrastructure did not experience any targeted cyber incidents.
 - c. If yes to a or b, what information or data was accessed? n/a
 - d. If yes to either of these, what measures were taken to address the incident/s?
n/a
9. What measures did the commission take to enforce compulsory voting? – Division 10.7 of the *Electoral Act 1992* sets out the procedures for enforcing compulsory voting. As soon as practical after polling day the Commission is to issue a default notice to each elector who was required to vote at the election and appears to the Commissioner to have failed to do so. This notice was issued to all apparent non-voters on 8 December



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2020. If an elector to whom a default notice has been sent fails to respond to the notice, a second default notice and then a final default notice are to be sent to the elector. These actions are yet to take place in relation to the 2020 ACT election. The elector may discharge liability for the failure to vote by paying the prescribed penalty of \$20. If the elector does not discharge their liability for the failure to vote, or provide a valid reason for their failure to vote, the matter is referred to the Magistrate's court.

- a. What was the cost of each of these measures? The cost of administering the first default notice was \$35,541 which includes costs for casual employees and printing and postal costs.

10. When will the comprehensive report on the conduct of the election be made available:

- a. to all members of the Legislative Assembly? The Commission envisions that the *Report on the ACT Legislative Assembly Election 2020* will be tabled in the assembly by the end of April 2021.
- b. to the public? The report will be available to the public at the same time the report is tabled in the Assembly.

Approved for circulation to the Standing Committee on Justice and Community Safety

A handwritten signature in black ink, appearing to read "D Cantwell", is written over a light blue circular stamp.

Signature:

Date: 10 March 2021

By the Electoral Commissioner, Damian Cantwell AM CSC