



The Honourable Rod Welford MP



**Queensland
Government**

In reply please quote: 2005/01068
Your reference: 336-04

**Attorney-General
Minister for Justice**

14 APR 2005

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 24 February 2005 forwarding a copy of the petition on Electronic Voting sponsored by Mr Jason O'Brien MP and tabled as paper number 336-04 on 22 February 2005.

The viability of electronic voting in Queensland is under continual review by the Electoral Commission of Queensland either directly or in concert with the Electoral Council of Australia, the meeting of federal State and Territory Electoral Commissioners. There is little doubt that at some time in the future, some or all of the votes of Queenslanders will be cast electronically. Many of the voting model/s that may be used have been trialled or are in use internationally and indeed, in Australia. Of these, the vast majority are polling booth oriented and not remote systems such as that suggested by the petitioners. One example is that used in ACT elections where in 2004, some 26% of voters chose to use stand-alone terminals installed in a small number of polling booths. Nevertheless, many citizens will be aware of the issues surrounding voting methods in the United States of America and the problems and on-going litigation relating to electronic capture of the vote.

So that Queensland is prepared for future possibilities in this field, much of the secure election process that we now enjoy has been computerised. The electoral roll is one example where all enrolled Queenslanders can now access their own details on the internet and receive printed confirmation of their enrolment. Electronic scanning of the rolls following polling day is conducted using a Queensland - developed system which has been the recipient of a national technology award. The complete logistics of election conduct, results presentation, resources, material, and staffing, is managed with contemporary electronic systems. Essentially, all that remains for computerisation is the replacement of the paper ballot.

18th floor State Law Building
50 Ann Street Brisbane

GPO Box 149 Brisbane
Queensland 4001 Australia

Telephone +61 7 3239 3478

Facsimile +61 7 3220 2475

Email Attorney@ministerial.qld.gov.au

Website www.justice.qld.gov.au

- **Identity systems.** In Queensland and indeed, throughout most of the western world, the matter of identification for citizens is a controversial topic. The balance of privacy with the management of law and order issues is always difficult to achieve. In the electoral field, the recent debate over identification for enrolment and voting remains largely unresolved. The checks and balances that are a feature of our current paper based enrolment and voting approach are sufficient to ensure the correct result is achieved in any election. With e-voting, identification of the voter is a different matter. There is no doubt that any successful e-voting approach must include a large proportion of voting taking place away from the traditional polling booth. In such circumstances, identification using a combination of PIN numbers, digital signatures and even biometric checks will be necessary. This leaves identification as a social policy issue to be resolved first.
- **Equity of access.** As things stand, almost all electors have equitable access to the electoral system. However, remote electors either in the State or overseas, find it more difficult to access a traditional polling place. Any e-voting approach needs to seek to improve access to all electors wherever they live or whatever their personal circumstances so that protection of the franchise remains the paramount baseline to any change. The 2004 Queensland Household Survey of Computer and Internet Usage suggested that some 60% of Queenslanders had access to the internet at home. While this is encouraging for equity of voting access, only some 24% were using the internet to pay bills and other "trusted" transactions.
- **Reduction in number or closure of polling booths.** The largest cost in any current election is the staffing of polling booths. If e-voting is to be affordable, then the number of booths and the staff will have to be reduced. If more electors vote from home or their office or elsewhere, there will be an inevitable impact on campaigning methods and the manner in which voters might be able to form their opinion.
- **No polling day.** Extension of voting over the full period from close of nominations until the close of the poll will also impact on campaigning. We see this now with the increase in pre-poll voting either in person or by post where some 10% of the vote is taken before the polling day and another 10% are absent votes from across the State on polling day. Again, resource issues would drive this change as making electronic facilities available for the entire electorate for one day would be both expensive and carry a high risk of failure.
- **Resources.** All information technology developments need careful management if they are to be successful on implementation. For e-voting systems, the risk of any result other than 100% is not palatable. That restriction makes developments in this field more expensive than comparable commercial systems. There could be expected to be a substantial investment required in order to implement e-voting for significant components of the current voting system.
- **Secrecy and security.** Secrecy of the ballot is a fundamental plank in our system of voting and any elector concerns, real or imagined, that e-voting could compromise secrecy must be addressed before implementation. I have no doubt that current technology can provide similar protection of the secrecy now enjoyed by electors but that would need to be demonstrated to every elector. In a similar vein, security of the information entered into the e-voting system must also be

guaranteed so that unauthorised access cannot change any results and to the maximum extent possible, the system and the data are auditable.

- **Technology.** A range of technology solutions for e-voting are being marketed in Australia and around the world. Like all IT based technology, it is evolving rapidly and costs remain unpredictable. Any e-voting systems implemented need to be based on proven and robust technology rather than being too near the cutting edge and to the extent possible, the technology vendors should be able to demonstrate a growth path for their product/s that will meet election requirements for some time. This need would tend to restrict solutions to the larger, more established companies that are generally more expensive. Naturally, the costs for the system need to be manageable within government budget objectives.
- **Legislation.** The need for Parliament to legislate for a broad range of e-voting outcomes would require careful consideration and where possible, would need to be cognisant of any similar activities in other Australian jurisdictions. The aim of legislative provisions for e-voting should be to ensure that the processes endorsed are viable for the longer term in the way that the existing paper-based model has been.

The petition seeks reference of the subject to the Legal, Constitutional and Administrative Review Committee. I have no objection to this course of action. I am aware that the Committee has taken considerable interest in electronic voting in the past and has an established dialogue with the Electoral Commission of Queensland on the subject. Should the Committee be able to add this matter to their existing workload and conduct an Inquiry, the petitioners and others would have the opportunity to provide detailed input on this interesting topic.

Yours sincerely



Rod Welford MP