

Position Paper

The Postal Voting Process

The *Electoral Act 2002* (the Act) provides that an elector who is unable to reach a voting centre on election day may apply to the Victorian Electoral Commission (VEC) to vote by post.

Voting by post has been a feature of Victorian State elections since 1900, and the VEC has well established procedures for administering the postal voting process. However, voting by post in a State election is a long, two-stage process and more costly to administer than voting at a voting centre: first, the elector has to obtain, complete and send a postal voting application; then the VEC checks the application and sends a postal ballot pack to the applicant; then the applicant has to fill in the ballot papers and declaration envelope and return them in time to the VEC; and finally the VEC needs to check the declaration before opening the envelope and admitting the ballot papers to the count. The VEC estimates that the cost of processing a postal vote is three to four times that for an ordinary vote cast on election day.

A recent explosion in the volume of postal voting has caused logistical challenges for the VEC. The growth in postal voting has partly been generated by political party involvement in the postal voting process. Participation by parties has had other undesirable consequences, including a restriction of information reaching voters, and voter confusion and irritation.

This paper outlines developments and issues in postal voting, and how the VEC is meeting these challenges.

How do electors apply to vote by post?

Electors must apply in writing via an approved application form to vote by post. Electors can obtain a postal vote application form by:

- collecting one from any post office in Victoria;
- downloading one from the VEC's website;
- telephoning the VEC to request that a form be posted to them; or
- using a form delivered to their letterbox by a political party.

The VEC receives postal vote applications in four main ways:

- by post;
- by hand-delivery from a political party;
- by fax; and
- by email (applications must be signed and scanned before they are emailed).

The following table shows the ways in which the VEC's Central Processing Centre received postal vote applications at the 2006 State election.

Posted	Delivered by party	Faxed	Emailed	Other	Total
58,036 26.74%	127,817 58.9%	24,289 11.19%	2,482 1.14%	4,436 2.04%	217,060

In addition, the election offices across the State received a total of 9,110 applications.

Political party involvement in postal voting

Section 101(2)(c) of the Act provides that a written application to vote by post may be physically attached to, or form part of, other written material issued by a person or organisation. Under section 101(5), if a person other than the owner of the copyright in the postal vote application form reproduces the form, that person is not taken to have infringed the copyright. These provisions mean that political parties and candidates may legally print postal vote application forms as part of their own campaign material and distribute them to voters.

In practice, at recent elections the two major political parties have mass mailed postal vote applications to electors at the start of the election period. If an elector completes and posts a party application, it goes first to the party's mail centre, and the party then forwards it by hand to the VEC. The parties collect the details of the electors who have used their applications, and send campaign material to those electors.

These procedures are completely legal, but they have several consequences. Firstly, they tend to blur the distinction between the participants in an election and the administrators. Parties are entitled to receive copies of the electoral roll and to communicate with electors, but inclusion of postal vote applications with campaign material makes it appear that an interested party has a role in the conduct of the election. Following the 2002 State election, at which one party's postal vote application resembled VEC material, the VEC developed a postal voting protocol designed to minimise confusion about the source of postal vote applications (see example at the end of this paper), and encouraged parties to follow this protocol in designing their applications. This improved the situation, but in 2006 the VEC still received complaints from electors who were uncertain about the source of postal vote applications and angered when they realised that they had handed their information over to a political party.

Secondly, the timing of the process causes problems. Electors can apply to vote by post from the issue of the writ for an election. The VEC cannot send postal ballot packs to applicants until after the close of nominations and the printing of ballot papers, thirteen days after the issue of the writ. During the long period between sending a postal vote application and receiving a postal ballot pack, some electors have become impatient and have voted in person at an early voting centre. Others have completed more than one party application, and some general postal voters (who are automatically sent postal ballot packs without having to apply) have also completed and sent party applications. The VEC ensures that in such cases only one vote is admitted to the count, but dealing with these cases creates an administrative burden. The party's mail centre adds an extra step between the elector and the VEC, and consequent delays have led to the VEC receiving some applications too late to be able to issue postal ballot packs to those electors. There have been cases of party workers trying to correct applications with mistakes in them, and not forwarding the applications to the VEC until it was too late for the VEC to send a fresh application form to the elector.

Thirdly, the mass mail-out of application forms tends to inflate the number of postal votes. The party application would frequently be the first information by mail that an elector receives about the election. With an application already in their hands, and no information about other ways of voting, many electors would regard voting by post as a simple way of fulfilling their voting responsibility. Some would use the form as a convenience rather than because they are really unable to reach a voting centre on election day. Others would genuinely be unable to vote on election day, but would be unaware of the early voting facilities that commence thirteen days after the issue of the writ, and that for many people are an easier way to vote than voting by post.

Fourthly, party encouragement of postal voting risks distorting the nature of State elections. In a State parliamentary election, the primary form of voting is by attendance at a voting centre on election day. Special facilities are available for electors whose circumstances make it difficult for them to vote in this primary way. Under section 98 of the Act, a person may apply for a postal vote if the person "will be unable to attend an election day voting centre during the hours of voting on election day". Party mail-outs could contribute to a situation in which voting by post becomes a primary means of voting in a State election instead of a supplementary means. Furthermore, electors who vote early in the election period using a party application form have access to a narrower range of information than those who vote on election day, who have received more campaign material and have learned about election issues as they developed over the election period.

Recent trends

Recent elections have seen a dramatic growth in the number of postal votes, as shown below.

Election	Number of Postal Votes	Percentage of Total Votes
1999	112,610	3.86%
2002	132,307	4.40%
2006	197,234	6.34%

(This table shows postal votes accepted into the count, as distinct from postal vote applications received by the VEC. In elections before 1999, early votes were grouped with postal votes.)

This trend is nationwide. In Federal elections, the number of postal vote applications received by the AEC has increased from some 320,000 in 1993 to 660,000 in 2007. At the March 2010 South Australian State election, there were a record 90,000 postal votes – a 64% increase on the 55,000 postal votes in 2006. Postal votes comprised some 9% of all votes in the State election. The Electoral Commissioner warned that the volume of postal votes could delay the result of the election in some seats, as postal votes needed to be checked before they could be admitted to the count.

A number of factors have contributed to the rising popularity of postal voting. Broad social change is very important. Changing work patterns have meant that more electors are unable to reach a voting centre on election day because they work on Saturdays. Regardless of actual inability to get to a voting centre, there appears to be an increasing public demand for more flexible and convenient services.

Growing numbers of general postal voters have had an effect. Electors can register as general postal voters if their circumstances (such as being seriously ill or infirm, or living more than 20 kilometres from a voting centre) means that they will always find it difficult to reach a voting centre. Electors who are 70 years of age or over may apply to become general postal voters for Victorian elections. The VEC automatically sends postal ballot packs to general postal voters; they do not need to apply. The number of general postal voters has risen as follows:

Election	Number of general postal voters
1992	9,042
1996	9,587
1999	17,452
2002	31,243
2006	41,722

The increase in general postal voters is significant, but constitutes a relatively small proportion of the overall increase in postal votes.

The proliferation of party postal vote applications is a major cause of the rise of postal voting. Party involvement began as a tactic in marginal seats, but has now spread to most electorates. At the 2002 State election, the number of party postal vote applications received by the VEC was at the very high level of 94,408 (divided almost equally between the Liberal and Labor parties, with a small number from the National Party). In 2006, the number of party applications

increased further to 127,817. Party activity appears to be behind the extraordinary growth in postal voting in South Australia; on 16 March 2010, the Electoral Commissioner stated that of the 70,000 postal vote applications that the Electoral Commission had received, about 58,000 (83%) had come from political parties.

The election period for a Victorian State election is 25 days, compared to a minimum of 33 days for a Federal election. The VEC can start sending ballot packs to postal voters only 12 days before election day, while the AEC can start doing so 19 days before polling day. Effectively, the postal voting period is a week shorter in Victorian State elections. This abbreviated timeline makes it all the more important that the VEC processes applications promptly. The ballooning numbers of postal vote applications magnify the challenge faced by the VEC.

At the 2006 State election, the VEC processed a record 226,170 applications for postal votes (compared to 210,243 in 2002). As at the two previous elections, the VEC operated a Central Processing Centre (CPC) rather than devolving the responsibility for handling postal votes to the individual election offices. In 2006, the CPC scanned and processed applications electronically, eliminating the labour-intensive handling of paper applications and helping to ensure the efficient delivery of ballot packs. The CPC cleared the initial backlog (of applications that had been building up since the issue of the writ) in two working days, and thereafter processed all applications on the day they were received. In the last week of the election, the VEC used Express Post for delivery of election material to maximise the chances of voters receiving their ballot packs in time. On election day, each postal voter's signature on the scanned image of the application could be quickly checked against the signature on the declaration envelope, expediting the count of postal votes.

What now?

The 2006 experience showed that the VEC could meet the challenge of processing a high volume of postal votes in a short time. However, if postal voting continues to grow at recent rates, it will become increasingly difficult for the VEC to carry out its responsibility. The VEC can provide postal votes to electors who require this service, but postal voting is not the best option for all electors who need to vote early. The process is long and complex. Many electors would find it faster and more convenient to vote at an early voting centre in the two weeks before election day.

At the 2010 State election, the VEC intends to emphasize the advantages of early voting in its communications, while still informing electors about postal voting. Yet the election timetable limits the effectiveness of the VEC's message. Early voting will open on 15 November, while electors can apply for a postal vote from the issue of the writ on 2 November. With political parties mailing postal vote applications at the very start of the election period, postal voting will be the first type of voting that many thousands of electors learn about.

The VEC recommends that party involvement in postal voting be ended. This would reduce the volume of postal voting to its “natural” level, of those who really need a postal vote. Postal vote applications would still be readily available, at every post office, on the VEC’s website and through calling the VEC. The postal voting service provided by the VEC would be at least as efficient as at previous elections.

S. H. Tully
Electoral Commissioner
May 2010

You are entitled to apply for a postal vote if you are enrolled to vote and are unable to attend a voting centre during the hours of voting (8am-6pm) on election day.

How do I apply?


Complete all details on the form. You may sign your application with your personal mark if you are unable to sign in your own handwriting.


If you are physically unable to sign your application, you may request another person to sign on your behalf. The reason for requesting another person to sign on your behalf must be supplied in writing.

When do I apply?

You can apply for a postal vote at any time after the official election period commences. The VEC needs to receive your application by the Tuesday before election day. This will allow the VEC to send ballot material to you in time for you to complete and post the ballot paper before election day.

How do I return my application?

 By mail using the reply-paid envelope provided.

 By fax to (03) 9299 0595

 By hand to Level 8, 505 Little Collins Street, Melbourne or to any VEC election office listed at www.vec.vic.gov.au

When will I receive my ballot paper?

The VEC will mail your ballot material as soon as possible after nominations close.

Your completed ballot paper MUST be in the mail before 6pm (Victorian time) on election day.

Other options

If you are unable to attend a voting centre on election day and do not wish to vote by post, you can vote beforehand at an early voting centre. Early voting centres are open in the two weeks before election day.

Early voting centre locations are listed at www.vec.vic.gov.au. Details will also be mailed to enrolled electors two weeks prior to election day.

INFORMATION FOR A WITNESS

Who can be a witness?

You can be a witness if you are:

- (a) Wherever the vote is recorded—
 - (i) A Victorian elector; or
 - (ii) named on the roll for a State or Territory of the Commonwealth; or
 - (iii) an election official; and
- (b) if the vote is recorded outside Victoria or in another country outside Australia—
 - (i) an Australian citizen; or
 - (ii) an officer of the naval, military or air forces of Australia or of that other country; or
 - (iii) a person employed in the Public Service of Victoria or of the Commonwealth or of a State or Territory of the Commonwealth or of that other country; or
 - (iv) a Justice of the Peace for, or a minister of religion or registered medical practitioner resident in, a State or Territory of the Commonwealth or that other country; or
 - (v) a High Commissioner, Trade Commissioner or Agent-General for the Commonwealth or Victoria or an officer in the service of the Commonwealth or Victoria in the staff of a High Commissioner, Trade Commissioner or Agent-General; or
 - (vi) a member of any police force in that other country.

A CANDIDATE FOR AN ELECTION CANNOT BE A WITNESS

Duty of authorised witness in witnessing signature

- (1) An authorised witness must not witness the signature of an elector on a written application to vote by post unless—
 - (a) the authorised witness is satisfied as to the identity of the applicant; and
 - (b) the authorised witness has seen the applicant sign the application; and
 - (c) the authorised witness is satisfied that the statements contained in the application are true. Penalty: \$500.
- (2) An authorised witness witnessing a written application to vote by post must—
 - (a) sign the authorised witness's name in the authorised witness's own handwriting on the application; and
 - (b) add the title or capacity in respect of which the authorised witness acts and the date.

Elector to sign and date

Witness to sign and date

TEAR OFF HERE

APPLICATION FOR A POSTAL VOTE ELECTOR to complete (BLOCK LETTERS PLEASE)

Surname					
Given Names					
Residential address for which you claim to be enrolled					
	Postcode				
Date of birth	Day	Month	Year	Contact Phone No.	
Address for voting material to be sent if different to above	Postcode				
I declare that I am entitled to apply for a postal vote, and that the address for which I am enrolled has been my principal place of residence within the 3 months before election day.					
Elector to sign and date					Date
					/ /

Making a false statement is an indictable offence (5 years maximum imprisonment or a fine up to 600 penalty units).

WITNESS to complete (BLOCK LETTERS PLEASE)

Name (block letters)					
Address					
Title or capacity as witness			Date of birth	/ /	/ /
Witness to sign and date					Date
					/ /

OFFICE USE ONLY

Elector's District					
Issuing Location					
Election officials' initials			Date appl. received		

TEAR OFF HERE

APPLICATION FOR A POSTAL VOTE ELECTOR to complete (BLOCK LETTERS PLEASE)

Surname					
Given Names					
Residential address for which you claim to be enrolled					
	Postcode				
Date of birth	Day	Month	Year	Contact Phone No.	
Address for voting material to be sent if different to above	Postcode				
I declare that I am entitled to apply for a postal vote, and that the address for which I am enrolled has been my principal place of residence within the 3 months before election day.					
Elector to sign and date					Date
					/ /

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WITNESS to complete (BLOCK LETTERS PLEASE)

Name (block letters)					
Address					
Title or capacity as witness			Date of birth	/ /	/ /
Witness to sign and date					Date
					/ /

OFFICE USE ONLY

Elector's District					
Issuing Location					
Election officials' initials			Date appl. received		

The Victorian Electoral Commission has provided this sheet as a guide to Crown copyright requirements in the publication of political party postal vote applications for Victorian State By-elections.

Contact details must be clearly identified as party contact details.

The back of the sheet is required to be in the format shown and contain all the detail shown, and may comprise single or multiple application forms. Colours similar to VEC corporate colours are not allowed (PMS1955, PMS Cool Gray 9 or PMS548).

Messages to voter such as:

- Importance of their vote
- If they are unable to attend a voting centre on election day
- If they are away from home
- Easy to arrange
- Vote by mail or in person
- Compulsory voting provisions apply

Enquiries information:

Party Name

Electorate Campaign Office

Contact Number

Need more information?

Contact details coupon for further information from party about election and/or voting

NAME:

ADDRESS:

.....

PHONE: (H) (M).....

FAX:

EMAIL:

E-mail us

simply e-mail your request to:
Party email contact address

Contact the State election campaign office

Party address

Contact number

Electoral District of

District Name

Electorate

Map

Postal Vote Application

Messages to voter
may be included
on the front cover
of the PVA

Party Name

District Name Campaign Office
information line:

Contact Number

Victorian State By-election

Candidate
Photo

Party
Logo

The Party undertakes to forward completed applications to the VEC as soon as reasonably practicable. Ballot papers cannot be issued until after the close of nominations.

Victorian State By-election