



## **Out with the old, in with the new: The case for internet voting in Australia**

Published in the Commonwealth Parliamentary Association journal, *The Parliamentarian* Issue 3, 2015: "Elections and voting reform".

If the right to vote is the cornerstone of democracy, then a key indicator of the legitimacy and well-being of a democracy should be the proportion of eligible citizens who exercise that right. Australia has a proud record in that regard, with over 90 per cent participation in federal and state parliamentary elections in past decades. Historically, the fact that voting is compulsory in parliamentary elections, federal and state, has obviously been a major contributor in that regard.

Despite compulsion, the picture in recent times has not been quite as rosy with a disturbing downward trend in participation especially among younger electors. Studies undertaken by the University of Sydney (Youth Electoral Study reports 2004, 2005, 2009) and the Whitlam Institute at the University of Western Sydney (2008, 2011, 2013) reveal that although younger Australian electors continue to have a strong interest in social and political issues and are seemingly happy to join in online blogs or Twitter feeds, they are becoming increasingly disinclined to actually vote and in many cases reluctant even to enrol in the first place. In the lead up to the 2013 Australian federal election the Australian Electoral Commission reported that an estimated 1.5 million Australian citizens were not enrolled to vote despite being eligible, many in the 18-39 age group never having been enrolled. (AEC 2012) This is suggestive of a conscious decision, especially among younger citizens, to opt out of the electoral system altogether. Should there be a continuation of this downward trend (which is mirrored in many other nations), it could seriously weaken the strength of Australian democracy.

There are myriad factors - legislative, socio-economic, cultural, political - that can affect elector participation, such as the level of emphasis placed on civics education in schools, the perceived relevance of political policies and platforms, and how hotly contested particular elections happen to be.<sup>1</sup> As already mentioned, compulsion has also bolstered participation in Australia in the past. All these factors involve political or policy considerations that are arguably outside the remit of independent electoral management bodies, and will not be discussed here. One area that electoral administrators can influence, however, if only through advice and recommendations to governments and parliaments, is the look and feel and (dare I say) convenience of election processes and procedures, especially the options available to electors to cast their vote. There is important international research to indicate that one such option, the introduction of internet voting, would be likely to increase turnout rates among younger electors.<sup>2</sup>

---

<sup>1</sup> For example the 2007 Australian federal election, where many commentators and media acknowledged there was a significant mood for change. There was a clear spike in enrolments leading in to the election.

<sup>2</sup> See for example:

[http://www.elections.nsw.gov.au/\\_data/assets/pdf\\_file/0013/103207/International\\_Experiences\\_of\\_Electronic\\_Voting\\_and\\_Their\\_Implications\\_for\\_New\\_South\\_Wales\\_Report\\_2009.pdf](http://www.elections.nsw.gov.au/_data/assets/pdf_file/0013/103207/International_Experiences_of_Electronic_Voting_and_Their_Implications_for_New_South_Wales_Report_2009.pdf) p. 29



It is important to note at this point that legislation governing the conduct of parliamentary elections in Australian states and at federal level is generally very prescriptive, allowing electoral management bodies limited scope or discretion in their election operations. The introduction of an internet voting option is not something, therefore, that Australian electoral bodies could introduce of their own accord - governments and parliaments would need to be persuaded to go down this path. It is also fair to say that electoral laws as they currently exist are firmly rooted in the past. Most Australian electors are still required to attend a polling place to vote by putting pencil to paper. New South Wales is the only jurisdiction that allows internet voting, and then only in limited circumstances.<sup>3</sup>

While some would argue that traditional paper based systems offer the highest level of ballot security and scrutiny, it is becoming increasingly difficult to convince younger generations, reared on a diet of cutting edge technology, that they should have to vote in this way. There is a very strong likelihood that an Australian citizen turning 18 today (the age at which citizens become eligible to vote) was brought up online. Call it the digital age, the electronic age or the age of convenience, it is an age that is here to stay. 93 per cent of Australian households with at least one occupant under the age of 15 already have internet access<sup>4</sup> and there are over 3 billion internet users world-wide.<sup>5</sup> A strong argument can be made that if our electoral laws are not modernised, especially by providing a wider and more accessible range of voting options, younger electors will stop voting with stubby pencils and will vote with their feet instead!

Recent research makes it almost indisputable that if internet voting were made available as an option to Australian electors, many would choose it. For example a Queensland parliamentary inquiry conducted in 2005 (when community internet usage was lower than it is today), surveyed a group of young people about their preferred method of voting. The typical response was that they favoured internet voting, some going even further by suggesting that they should be allowed to text their vote. (*Voices and Votes*, 2005). Voter surveys conducted by the Western Australian Electoral Commission at that state's last three state general elections have also shown a steady increase in support for internet voting. In 2005, 44 per cent of respondents indicated that they would be likely or very likely to vote via the internet if a secure facility was available. This figure increased to 57 per cent in 2008 and had reached 66 per cent by the most recent election in 2013 (with around 10 per cent of the 2013 respondents ambivalent at worst and only 22 per cent actually reporting that they would be unlikely to vote in this way. (WAEC report, 85).

---

<sup>3</sup> Only electors in remote areas, those who will be outside of the state when the election occurs, and people with disabilities that would otherwise deprive them of a secret vote, are entitled to register to vote online. New South Wales also recently became the first jurisdiction to authorise the universal use of ball point pens rather than pencils in polling booths.

<sup>4</sup> <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/8146.0Chapter12012-13>

<sup>5</sup> <http://www.internetlivestats.com/>



These results beg the question, how long can Australian legislators hold out in the face of the steadily growing acceptance of and demand for internet voting? Some would respond to this question by saying that the real issue is not voter demand, but the security of voting online. For example in his foreword to a recent report by the federal parliament's Joint Standing Committee on Electoral Matters the committee chair had this to say;

*After hearing from a range of experts, and surveying the international electoral landscapes it is clear to me that Australia is not in a position to introduce any large-scale system of electronic voting in the near future without catastrophically compromising our electoral integrity...*

*While internet voting occurs in Estonia, it does not mean that system cannot be hacked. With all the internet security architecture available, the academic experts swear they can, and have proved they can, hack such systems.*  
(JSCEM 2014, v-vi)

Not being a computer specialist I am not qualified to debate the technical aspects of cyber security. There are three important points that I will make, however. Firstly, maintaining the security of the ballot is an obvious and valid consideration. Secondly, though, different experts appear to have quite different views on the security capability of internet voting.<sup>6</sup> Thirdly, any discussion of the security of internet voting is likely to offer up a distorted picture if it fails to take account of the risks inherent in the system of voting that we already have in place. It has to be said that in an Australian context, some of these risks are very difficult to guard against. Let me elaborate.

Unlike many other nations Australia does not have a national identity card. While a national card would assist the registration process in an internet voting system, its absence makes it difficult if not impossible to carry out identity checks in polling places under the current system. While there has been little evidence of deliberate fraud at past federal or state elections, the fact remains that in the Australian system activity such as multiple voting is virtually impossible to prevent up front; it can only be detected after the fact.<sup>7</sup> If fraudulent activity were to occur on a scale big enough to affect the outcome of an election, the only recourse would be to run the election again.

One of the concerns expressed by the federal Joint Standing Committee was that people voting online, using computers in their own homes, could be subjected to coercion by friends or family members. While arguably unlikely to occur to any significant degree, to the extent that it could occur the risk is clearly no greater than under the existing paper-based system in Australia, which permits significant numbers of electors to fill out postal votes in their own homes.

---

<sup>6</sup> See:

[http://www.elections.nsw.gov.au/\\_data/assets/pdf\\_file/0013/103207/International\\_Experiences\\_of\\_Electronic\\_Voting\\_and\\_Their\\_Implications\\_for\\_New\\_South\\_Wales\\_Report\\_2009.pdf](http://www.elections.nsw.gov.au/_data/assets/pdf_file/0013/103207/International_Experiences_of_Electronic_Voting_and_Their_Implications_for_New_South_Wales_Report_2009.pdf)

<sup>7</sup> Lists of electors who voted are scanned *after* each election to check for possible instances of multiple voting. Electors are not expected, however, to provide any form of identification when they turn up to vote.



WESTERN AUSTRALIAN  
Electoral Commission



Computers used to receive and store votes in an internet voting system would also be no more, and arguably less likely to make mistakes than human beings responsible for handling and counting ballot material in a paper based system (note the loss of some 1,375 votes in the 2013 election for the Australian Senate, requiring the Western Australian component of that election to be run again).<sup>8</sup>

Internet voting also offers the potential to ensure that a greater proportion of votes cast actually end up being admitted to the count. Rates of informal voting in Australian elections typically range from 2 - 6 per cent, depending upon the complexity of the voting system and formality rules in each jurisdiction. Ballot paper surveys conducted by electoral management bodies indicate that the majority of such instances are accidental. Unlike a paper ballot an internet voting system could at least alert electors that they are about to cast an informal vote, increasing the number of votes actually admitted to the count.

Under the current system a proportion of postal voters will also not have their votes counted if they are not received by the returning officer within a specified (usually quite limited) period. Internet voting could alleviate that risk, with ballot papers readily accessible and the capacity to return them immediately. I am reminded of the 2008 general election in Queensland when a significant portion of the state was inundated by flood, rendering it impossible for electors in those regions to cast their customary postal vote. As Queensland's (then) Electoral Commissioner I authorised the deployment of helicopters to fly ballot papers into affected areas, designating cattle stations to be individual polling places and appointing pilots as electoral officials, the only available means of ensuring that electors in the affected areas could actually vote. Given that electors were advised by email when the choppers would be arriving, internet voting would have been a cheaper and more easily accessible option if allowed under electoral laws. Similarly, given that Australians undertake a relatively high level of overseas travel,<sup>9</sup> internet voting would provide a far more reliable option than the vagaries of international postal services.

The last but certainly not least consideration I wish to raise is that many Australians with disabilities such as blindness are currently denied a secret vote (and thereby their rights under international conventions) through the necessity to seek assistance in filling out a ballot paper. Many of them, though, have special computer equipment in their own homes which they use for other transactions and which they could use to cast their vote without assistance, but again - if the legislation allowed. Only one Australian jurisdiction has to date authorised and implemented internet voting for people with disabilities. If a staged approach to the introduction of internet voting is considered desirable by other legislatures, there could be no more justified place to start than by using modern technology to ensure that people with disabilities are not denied their right to vote in

---

<sup>8</sup> At a cost of some \$20 million

<sup>9</sup> It is worth noting that at the 2013 Western Australian general election over 17,000 electors were excused from not voting because they were either interstate or overseas at the time.



secret. This is the very least that can and should be done to reform our voting system. Australia was once a world leader in introducing the secret ballot. The opportunity presents itself to get back on the leaders board.

I make no claim that the introduction of internet voting offers a universal panacea to the challenge of declining electoral participation. Clearly, political parties have a part to play in the way that they campaign (handing out How to Vote cards in polling booths is not likely to 'cut it' with younger people) and by reviewing the relevance of their policies to a younger generation of electors. I have already referred to the importance of civics education, a means of inculcating habits of community participation at an early age. From an electoral administrator's perspective, three further points are worth emphasising, however, by way of conclusion.

Firstly, Australian electoral laws and systems are showing their age and are crying out for reform. Secondly, internet voting could be introduced in phases, initially targeting particular groups who stand to be disadvantaged or where there is a risk they may be disenfranchised under the current system. Finally, instead of shying away because of security concerns, Australian legislatures would do well to provide electoral management bodies with the challenge and resources to build robust internet voting systems, at least as an adjunct to the current paper-based system. The time is fast approaching when new generations of electors will countenance nothing less.



## References

Asset Research, *Report on the Western Australian Electoral Commission Survey of Voters – State General Election 2013* (April 2013)

Australian Electoral Commission and University of Sydney, *Youth Electoral Study:*

Report 1: *Enrolment and voting* (2004)

Report 2: *Youth, political engagement and voting* (2005)

Report 3: *Youth, the family, and learning about politics and voting* (2006)

Report 4: *Youth, political parties and the intention to vote* (2007)

Report 5: *Youth, Schools and learning about politics* (2009)

Australian Electoral Commission Media Release 29 May 2012

[www.aec.gov.au>media>media-releases](http://www.aec.gov.au>media>media-releases)

Joint Standing Committee on Electoral Matters, *Second interim report on the inquiry into the conduct of the 2013 federal election*, November 2014

Queensland Legislative Assembly Legal, Constitutional and Administrative Review Committee Report, *Voices and Votes A Parliamentary Inquiry into Young People's Engagement in Democracy* (2005)

Whitlam Institute, University of Western Sydney:

*Young People Imagining a New Democracy: Young People's Voices* (2008)

*Youth Federal Election Voting Intentions 1996-2010* (2011)

*Youth Federal Election Voting Intentions Update* (2013)