



VICTORIAN ELECTORAL COMMISSION

RESPONSE TO ELECTORAL MATTERS COMMITTEE REPORT ON ITS INQUIRY INTO THE CONDUCT OF THE 2022 VICTORIAN STATE ELECTION (NOVEMBER 2024)

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1. Introduction

The Victorian Electoral Commission (**VEC**) acknowledges the findings from the Electoral Matters Committee (**Committee**) inquiry into the conduct of the 2022 Victorian State election. The Committee, on behalf of the Parliament of Victoria, provides an important perspective on the state of our democracy, and its recommendations seek to correct and continuously improve the framework within which the VEC operates. We hold ourselves open to scrutiny and welcome the Committee's detailed and considered feedback.

As Victoria's independent electoral administrator, trust in the VEC measures higher than for government institutions in general. This must never be taken for granted, and our performance, our commitment to continuous improvement, and each of the Committee's recommendations need careful consideration.

This document provides a response to each of the Committee's 98 recommendations as well as the minority recommendations. In doing so, we call attention to the opportunities and risks raised by the Committee's recommendations. We align the Committee's recommendations to our strategic outcomes and recommendations made in our reporting following the 2022 State election. While many of our recommendations are supported by the Committee, some remain unaddressed.

Our responses prioritise the effective operation and improvement of Victoria's electoral framework in time for the 2026 State election. We have identified the practical implications of the Committee's recommendations, focusing on avoiding new or exacerbated election delivery risks.

Electoral services are not immune to increasing cost pressures and, where possible, our responses provide an indication of the additional resources needed to properly deliver on the recommendations. Section 3 of this response shows the estimated budget impact of each recommendation and demonstrates the need for additional resourcing or to de-prioritise important planned initiatives to deliver the recommendation. While these are not comprehensive costings, the indications are built from our deep experience in election delivery.

Key themes emerge in looking ahead to the 2026 State election, and for long-term improvements to Victoria's electoral framework:

- **Legislative changes must provide sufficient time for testing and refinement ahead of the 2026 State election.** Late legislative change contributes to the risk of election failure and impacts our ability to deliver on our operational commitments and planned

initiatives. To minimise this risk, any legislative changes must be flagged in time for the VEC's election rehearsal planned for February 2026.

- **The prescribed timelines for State elections are no longer sustainable for an electoral landscape growing in complexity and scale.** The Committee has echoed many of our calls for changes to the election timeline to alleviate specific pressure points. However it is important to ensure that other programs and requirements arising from the Committee's recommendations do not create new pressure points.
- **Like the Committee, we remain concerned about the deterioration of behaviour in and around elections in Victoria and the lack of adequate tools to deal with these issues observed at the 2022 State election.** It is critical appropriate tools to respond to poor behaviour and other breaches of the Electoral Act are available to us ahead of the 2026 State election.

Strategic outcomes

Our strategic outcomes were outlined in our [Report to Parliament on the 2022 Victorian State election and 2023 Narracan District supplementary election \(Report to Parliament\)](#), tabled in each House of Parliament on 31 October 2023. They are:

- reinforcing public trust
- improving the voter experience
- responding to a complex environment
- prioritising staff safety and wellbeing.

For more information, visit vec.vic.gov.au/publications. To view the VEC's *Submission to the Electoral Matters Committee inquiry into the conduct of the 2022 Victorian State election (VEC Submission)*, and our submissions and responses to previous inquiries and other reviews, visit vec.vic.gov.au/submissions.

About our responses

When referring to a Committee recommendation in the body of this response, we use 'volume number' and 'recommendation number'. For example, 'recommendation 1.15' refers to 'volume 1, recommendation 15' of the Committee's report.

We have adopted a consistent approach in response to each recommendation:

- We will **support** a recommendation if we accept the recommendation and it is directed to us or we agree with the recommendation and it is directed elsewhere.
- We will **support** a recommendation **in part** if only part of a recommendation can be operationalised or **in principle** if there is broad merit in the recommendation and it can be refined through further work.
- We will **note** a recommendation if it is not appropriate for us to provide a position on the topic, such as recommendations about government policy, or if further work is needed to formulate a position.
- We will **not support** a recommendation if we do not believe it has merit or if it risks undermining the administration, delivery or independence of Victoria's electoral system.
- We will say a recommendation is **not applicable to the VEC** if the issue has no impact on our work, now or into the future.

Budget impact of recommendations

We are funded by a special appropriation that has historically expanded in election years and contracted in non-election years. Our supply chain has evolved in recent years, so funding a major election can no longer be isolated to election years. Despite inflationary pressures across government services, our baseline funding envelope has remained flat.

Given our limited funding envelope, we need to carefully consider committing funding to new activities as they will require increasing our appropriation or reprioritising existing budgeted activities. This means we need to consider which of the Committee's recommendations can be operationalised without impacting our budget and assess the budget impact of all the others, both individually and as an aggregated impact on our budget position. A coloured dot in each of our responses indicates an approximation of the budget impact for that recommendation. These approximations are also summarised in section 3.

Our assessment of the budget impact of a recommendation does *not* mean we support or commit to operationalising it.

Lower impact ● (<\$100,000) means we expect to easily accommodate the recommendation within our current funding envelope and would not expect to need additional funding. Importantly, this does not mean there is immediate funding or resourcing available to operationalise the recommendation.

Medium impact ● (\$100,000-\$500,000) means we may be able to accommodate the recommendation within our current funding envelope, but might need to reduce funding for other activities or secure additional funding to do so. Again, this does not mean there is funding immediately available.

Higher impact ● (>\$500,000) means we cannot accommodate the individual recommendation within our current funding envelope and will need to secure additional funding to operationalise it. This is particularly the case for recommendations requiring major capital expenditure, such as buying new machinery, developing new computer systems or redeveloping existing computer systems.

No budget impact or not applicable ● means there would be no change to the VEC's budgeted activities or we would not bear the cost for implementing the recommendation.

2. VEC responses to recommendations

Volume 1: Key reforms

EMC recommendation	VEC response
<p>Recommendation 1.1</p> <p>That the Government introduce legislation amending the Electoral Act to adjust the timeline for fixed-term, general elections so that:</p> <ul style="list-style-type: none"> parties may not submit applications to register as a party less than 180 days before the election the VEC is required to decide on applications to register political parties no later than 100 days before the election the close of rolls happens at 8 pm on the day that the writs are issued the close of nominations for independent candidates happens 16 days before the election the writs must be returned by 23 days after the election. 	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation resolves recommendations 2, 3, 4 and 6 of the VEC Submission and partly resolves recommendation 1 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, responding to a complex environment, and prioritising staff safety and wellbeing.</i></p> <p>These changes will alleviate significant pressure points in the election timeline that currently pose a risk to the successful delivery of elections and jeopardise the safety and wellbeing of our staff.</p> <p>We also recommended that section 19(2)(c) of the Electoral Act be repealed to allow the power to decide on a challenged ballot paper in a recount to be delegated by the Electoral Commissioner.¹</p> <p>This is the only outstanding recommendation relating to pressure in the election timeline not addressed by the Committee. The VEC continues to advocate for this recommendation, as the current provision risks our ability to return election writs by the legislated deadline.</p>
<p>Recommendation 1.2</p> <p>That the Government consult with the VEC about the practicality of further shortening the nomination period so that nominations close seven days after the issue of the writs.</p>	<p>The VEC notes this recommendation. ●</p> <p>We would be pleased to provide information to the Government about the advantages and disadvantages of a shorter nomination period.</p>

¹ See the Victorian Electoral Commission's (VEC) [Submission to the Electoral Matters Committee inquiry into the conduct of the 2022 Victorian State election \(VEC Submission\)](#), recommendation 7 (page 57) and the VEC's [Report to Parliament on the 2022 Victorian State election and 2023 Narracan District supplementary election \(Report to Parliament\)](#), recommendation 1 (page 15).

EMC recommendation	VEC response
<p>Recommendation 1.3</p> <p>That the Government note the VEC's concerns about the tightness of the election timeline and monitor the issue at future elections. Consideration should be given to additional changes to the timeline if required, including possibly a referendum to change the date of fixed-term elections.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation partly resolves recommendations 2, 3, 4, 5 and 6 of the VEC Submission and recommendation 1 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of improving the voter experience and prioritising staff safety and wellbeing.</i></p> <p>We acknowledge the Committee's proposed changes to timelines as noted in recommendation 1.1 and support further consideration of additional changes following future elections. This should also be considered within a holistic review of the Electoral Act as recommended by the VEC,² and supported by the Committee at recommendation 1.21.</p>

² See the VEC Submission (page 11) and the Report to Parliament, recommendation 1 (page 13).

EMC recommendation	VEC response
<p>Recommendation 1.4</p> <p>That the Government introduce legislation amending the Electoral Act so that early and mobile voting cannot begin until the Saturday seven days before election day.</p>	<p>The VEC does not support this recommendation. ●</p> <p>The VEC has discretion to vary the operating hours and days for early voting centres and mobile voting centres. A shortened early voting period and more late night voting was successfully trialled at the 2023 Mulgrave District by-election. We intend for the early voting period at future elections will commence from the Wednesday following the final nomination day.³</p> <p>This will also allow us to continue to provide a mobile voting service for those who need it during the two-week period leading up to election day.</p> <p>Early voting numbers have continued to increase each election. Our research, including analysis of shorter early voting periods at the 2023 Mulgrave District by-election and 2023 NSW State election, showed the overall number of early voters is unlikely to be reduced by a shorter early voting period of 7 days. Instead, it would lead to significantly increased numbers of early voters on each day of early voting, impacting heavily on voter queue times.</p> <p>Accordingly, there would be a significant consequent cost impact associated with sourcing a larger number of early voting centres to service voter demand, which are already difficult to secure for short lease period. Securing additional staff for these sites would also pose a significant challenge and cost.</p> <p>Any change in the early voting model must first consider recommendation 2.12 in order to better position the VEC to secure appropriate and accessible early voting locations, and recommendation 6 of the Report to Parliament to ensure alternative voting options are available for electors who need it.</p>

³ See also the VEC's [Report to Parliament on the 2023 Mulgrave District by-election \(Mulgrave Report to Parliament\)](#) (page 14).

EMC recommendation	VEC response
<p>Recommendation 1.5</p> <p>That, if Recommendation 4 is implemented, the VEC provide for early voting on the Sunday before election day and provide extended hours on Tuesday and Thursday evenings during the early voting period (except in locations where there is unlikely to be significant demand).</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of improving the voter experience.</i></p> <p>The VEC will ensure that early voting centres have sufficient operating hours during the early voting period to meet the community's demand. We already provide extended hours on Tuesday and Thursday evenings and will consider early voting on the Sunday before election day at the 2026 State election. We will continue to review hours and days of operation for our early voting centres for each election.⁴</p>
<p>Recommendation 1.6</p> <p>That the Government introduce legislation amending the Electoral Act to specify that the VEC should send ballot packs to people who have successfully applied to vote by post at just one specific election 'as soon as practicable after the final nomination day' (for those applications received before the close on [sic] nominations). The legislation should explicitly state that postal vote ballot packs can be mailed before early and mobile voting commence.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p>

⁴ See also the Mulgrave Report to Parliament (page 14).

EMC recommendation	VEC response
<p>Recommendation 1.7</p> <p>That the VEC engage an independent expert to evaluate the effectiveness of its training procedures. This evaluation should include:</p> <ul style="list-style-type: none"> • a thorough review of training products and procedures before the 2026 state election • observing the behaviour of election officials in early voting centres, election-day voting centres and count centres during the 2026 state election to assess the effectiveness of the training products and procedures, and to identify potential improvements. 	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>The VEC changed the approach for training election managers for the 2024 local council elections and will continue this changed approach for the 2026 State election.</p> <p>We engaged independent auditors to review our training and will incorporate their findings when shaping our training for the 2026 State election, including updated products and procedures for election officials.</p> <p>We will engage auditors again to evaluate our uplifted training for the 2026 State election and will also explore the possibility of including behavioural observation as part of our evaluation.</p> <p>Given the need for certainty when training staff, we note any legislative changes must be flagged in time for the VEC's election rehearsal planned for February 2026. This is necessary for changes to be accurately captured in training products and procedures, and properly deployed across the VEC workforce.</p>
<p>Recommendation 1.8</p> <p>That the VEC review and improve its processes for managing disagreements between election officials and candidates/campaigners. For the 2026 election, there should be a clear escalation process, which all candidates and campaigners can easily access, which can quickly resolve any disagreements in accordance with the law and communicate any rulings to VEC staff at voting centres or count centres.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust, responding to a complex environment and prioritising staff safety and wellbeing.</i></p> <p>The VEC will review our processes for resolving disagreements between election staff, candidates and parties, and candidate and party workers, as well as the pathways available to escalate disputes. We will ensure that escalation channels are clear for our staff, candidates and parties, and candidate and party workers for the 2026 State election.</p> <p>We will also introduce conflict management into our training program for election staff.</p>

EMC recommendation	VEC response
<p>Recommendation 1.9</p> <p>That the Parliament refer to the Electoral Matters Committee an inquiry into whether bodies other than the VEC should be given responsibility for investigating and prosecuting breaches of the Electoral Act and for hosting non-partisan information about candidates, parties and their policies. This inquiry should include consideration of the experience in jurisdictions where similar arrangements have operated.</p>	<p>The VEC notes this recommendation.</p> <p>The VEC agrees with the need for strong regulatory systems reinforcing the Electoral Act and we will contribute to any inquiry into the proper machinery for regulating electoral laws, safeguarding electoral processes, and hosting non-partisan information about candidates, parties and their policies.</p> <p>Noting that an inquiry, reporting, and any subsequent legislative changes will take time, it is vital that Parliament provide the VEC with the necessary enforcement and investigative tools to properly perform its regulatory role for the 2026 State election.</p> <p>This would equip the VEC with a suitable range of tools to reinforce the public's trust in their elections by ensuring appropriate consequences for breaching the Electoral Act, and fully investigating serious breaches.</p> <p>We refer to recommendation 10 of the Report to Parliament, and the Committee's supportive recommendation 1.11.</p>

EMC recommendation	VEC response
<p>Recommendation 1.10</p> <p>That the Government work with the VEC, political parties and other stakeholders to develop a legally enforceable election-period code of conduct for candidates and campaigners.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation partly resolves recommendations 3 and 5 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience and prioritising staff safety and wellbeing.</i></p> <p>We would be pleased to contribute to the development of a code of conduct for candidates, parties, and candidate and party workers.</p> <p>We remain concerned about the deterioration of behaviour in and around elections in Victoria and the lack of adequate enforcement and investigative tools to deal with these issues observed at the 2022 State election.</p> <p>We agree the code of conduct should be legally enforceable to provide an appropriate, clear and robust framework to foster a collaborative culture between the VEC, candidates, parties, and candidate and party workers, as well as the necessary authority for the VEC to respond to poor behaviour. This is contingent upon the appropriate enforcement tools being given to the VEC, as outlined in recommendation 1.11.</p> <p>Additional resourcing would be needed in order to uplift our regulatory remit and extend it to also capture code of conduct breaches from online activity.</p> <p>We also caution against confining the code of conduct to an ‘election period’, as this could have unintended consequences and restrict our ability to respond to breaches that occur outside the defined period.</p>

EMC recommendation	VEC response
<p>Recommendation 1.11</p> <p>That the Government introduce legislation amending the Electoral Act to provide the VEC or an alternative body with the power to enforce appropriate behaviour at voting centres through:</p> <ul style="list-style-type: none"> empowering the VEC or another suitable body to penalise breaches of the code of conduct recommended in Recommendation 10 introducing a range of graduated responses to manage less serious breaches of electoral rules, including infringement notices, cautions, warnings and enforceable undertakings making it an offence for a person removed from a voting centre to return to the voting centre providing the VEC or another suitable body with investigative tools to enable the investigation of serious breaches of electoral laws. 	<p>The VEC supports this recommendation in part. ●</p> <p><i>This recommendation partly resolves recommendation 3 and resolves recommendations 5 and 10 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience, responding to a complex environment and prioritising staff safety and wellbeing.</i></p> <p>The VEC supports the introduction of a range of enforcement tools to ensure proportionate responses to electoral offences and it is vital for these to be in place for the 2026 State election to address poor behaviour at voting centres.</p> <p>We also support implementing a code of conduct as per recommendation 1.10 and other graduated responses to manage poor behaviour, particularly if it threatens the safety and wellbeing of our staff.</p> <p>We remain concerned about the deterioration of behaviour in and around elections in Victoria and the lack of adequate tools to deal with these issues observed at the 2022 State election.</p> <p>Despite the above, the Committee has left this recommendation open to another body undertaking these activities. We have responded to this at recommendation 1.9. We note that there is not enough time to establish and resource a separate body for regulating electoral offences at the 2026 State election.</p>

EMC recommendation	VEC response
<p>Recommendation 1.12</p> <p>That plans for the 2026 state election include a system for actively monitoring the behaviour of candidates and campaigners to identify breaches of electoral rules, rather than relying on reports from campaigners.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and improving the voter experience.</i></p> <p>We have already expanded our electoral compliance team to allow for better triage and management of serious incidents, poor behaviour and other electoral offences.⁵ We are committed to reviewing our staffing model to incorporate additional capacity for peak election events, including the 2026 State election.</p> <p>The VEC's staffing models for early and election day voting centres cannot currently accommodate dedicated and suitably qualified election officials tasked to monitor behaviour and act on electoral offences. As we discussed in our response to recommendation 1.11, any surge workforce for regulating election events would not be effective without the necessary enforcement tools.</p> <p>We will continue to explore options to build regulatory capability and capacity within our workforce, subject to available budget and with a focus towards educating and guiding people to understand and comply with their obligations under the Electoral Act. Based on the operating model at the 2022 State election, a dedicated electoral compliance role for every early and election day voting centre equates to at least \$1,000,000 in additional payroll costs.⁶</p>

⁵ Report to Parliament (page 80).

⁶ Calculated on the basis of Office Assistant L3 for operating hours (plus 2 days of training) of 155 early voting centres and 1,765 election day voting centres. This does not include additional head office co-ordination and support, which is also relevant to the Committee's recommendation.

EMC recommendation	VEC response
<p>Recommendation 1.13</p> <p>That the Government introduce legislation amending the Electoral Act to require all people who wish to campaign at a voting centre to register their details with the VEC or an alternative body involved with enforcing electoral law. The legislation should give the appropriate body the power to revoke a person's registration if they behave inappropriately or if they refuse to provide evidence of their identity. The registration system should:</p> <ul style="list-style-type: none"> • be quick, easy and centralised • allow campaigners to register before or during the election period, including on election day • not require campaigners to indicate whom they are campaigning on behalf of • allow election officials to add notes about any actions taken in relation to the individual which can be viewed by other election officials • delete people's details within 30 days after the election unless the person is part of an ongoing investigation. 	<p>The VEC supports this recommendation in principle. ●</p> <p><i>This recommendation partly resolves recommendation 5 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience, responding to a complex environment and prioritising staff safety and wellbeing.</i></p> <p>We support the concept as part of the holistic approach to ensuring appropriate accountability and transparency of campaigners.</p> <p>Any legislation would need to be introduced well before the 2026 State election to allow time to develop and test a secure, functional program, implement business processes and train staff.</p> <p>A version of this recommendation could be operationalised relatively quickly by leveraging the existing scrutineer management model, without the systems development aspect, for the 2026 State election. However, there would be significant effort associated with the development of an online model which would require funding. This would need to be factored into our development pipeline and, without new funding, we will need to de-prioritise existing commitments to implement this recommendation.</p> <p>The Committee has left this recommendation open to another body undertaking these activities. We have responded to this at recommendation 1.9.</p> <p>We are also alert to our enduring duty of care obligations under the <i>Occupational Health and Safety Act 2004 (Vic)</i>, including providing a safe operating environment for everyone attending voting centres, which cannot be outsourced to another body. Accordingly, we are already in planning phase to implement a non-online version of this recommendation for the 2026 State election.⁷</p>

⁷ See also the Mulgrave Report to Parliament (page 16).

EMC recommendation	VEC response
<p>Recommendation 1.14</p> <p>That the VEC inform all stakeholders that there is a general expectation that no more than three campaigners for each party and independent candidate will be actively campaigning at any voting centre entrance at any time (excluding candidates and members of any parliament). If the number of campaigners at a voting centre is hindering people from voting or is contributing to disorderly conduct (reaching a threshold established in legislation or regulation), the limit should be established as a firm rule for that voting centre and should be actively monitored and enforced until the matter is resolved.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and prioritising staff safety and wellbeing.</i></p> <p>There is currently no legislated limit on the number of candidate and party workers permitted outside voting centres. The VEC’s interventions to limit the number of candidate and party workers during the 2022 State election were exercised by way of directing the relevant election managers to operate section 174(1) of the Electoral Act in a particular way for the specific location. This was an extraordinary intervention reflecting repeated instances of unacceptable and unsafe conduct by candidate and party workers outside voting centres and should be reserved for these kinds of situations.</p> <p>Any limit on the number of candidate and party workers to be applied for all voting centres must be codified in legislation if the limit is to be consistently applied and enforced. Without a lawful instrument, our experience setting a ‘general expectation’ for candidate and party worker behaviour during our low-sensory voting trial at the 2023 Warrandyte District by-election showed compliance with an expectation is unrealistic.</p> <p>In the rapidly shifting environment of an election, consistent messages are more effectively communicated and operationalised to enhance compliance. A tiered approach using established thresholds that would vary by voting centre at different points in the election is confusing for campaigners and adds a considerable burden for our voting centre managers.</p> <p>We note that this proposal would be more effective if recommendation 1.13 is also implemented.</p>

EMC recommendation	VEC response
<p>Recommendation 1.15</p> <p>That the Government introduce legislation amending section 84 of the Electoral Act so that its provisions apply for two months prior to election day for general elections occurring according to fixed terms.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>This recommendation partly resolves recommendation 9 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>Campaigning for general elections begins well before the writs are issued and extends earlier than the recommended 2 months. The VEC recommends amending section 84 of the Electoral Act so that misleading and deceptive electoral matter is prohibited at all times. For comparison, the equivalent offence for local government elections in Victoria is not timebound.⁸</p> <p>The VEC reiterates recommendation 9 of the Report to Parliament, which includes that section 84 of the Electoral Act should be amended to clarify that reference to matter likely to mislead or deceive an elector in the casting of their vote is limited to matter likely to mislead or deceive an elector in how they cast their vote based on the party or candidate they have decided to vote for, or whether they cast their vote at all.</p> <p>We are committed to reinforcing public trust by identifying emerging trends in intensified scrutiny and electoral mis- and dis-information campaigns and responding as required to ensure critical election activities are not undermined.</p>

⁸ See *Local Government Act 2020 (Vic)*, s 288.

EMC recommendation	VEC response
<p>Recommendation 1.16</p> <p>That the Government introduce legislation amending the Electoral Act to introduce truth in political advertising laws, as recommended by the previous Electoral Matters Committee in its <i>Inquiry into the impact of social media on Victorian elections and Victoria's electoral administration</i>. When implementing systems of this nature, it is best for a consistent approach to be adopted with the Commonwealth. If Commonwealth legislation is introduced regarding truth in political advertising, then the Victorian Government should seek to align Victorian laws with the Commonwealth laws. However, if changes are not introduced at the Commonwealth level in a timely manner, the Victorian Government should seek to introduce its own legislation.</p>	<p>The VEC notes this recommendation. ●</p> <p>In order to preserve public trust and impartiality, if truth in political advertising laws are introduced in Victoria they should not be administered by the VEC.</p> <p>We also note our response to the Committee's previous inquiry and that the Committee's recommendations did not designate the appropriate body to perform these activities.⁹</p>

⁹ See recommendation 11 from the Electoral Matters Committee's report on its inquiry into the impact of social media on elections and electoral administration (September 2021) and the [VEC's response](#) (January 2022).

EMC recommendation	VEC response
<p>Recommendation 1.17</p> <p>That the Government reform the Upper House voting system by introducing legislation amending the Electoral Act to:</p> <ul style="list-style-type: none"> • eliminate group voting tickets • allow voters to indicate multiple preferences for parties/groups above the line, where a preference above the line is interpreted as a preference for all of the candidates of that party/group, in the order listed on the ballot paper • have ballot papers direct voters to select at least five preferences above the line • include savings provisions similar to those in the Commonwealth Electoral Act that a vote is still valid if fewer than five preferences above the line are indicated. <p>The current system for voting below the line should be retained.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>This recommendation resolves policy matter 2 of the VEC Submission.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust and improving the voter experience.</i></p> <p>While the particular detail of reform would ultimately be a policy matter for Parliament, reform of the Legislative Council voting system could resolve many of the community's growing concerns with group voting tickets and go some way to restoring confidence in the voting system used for Legislative Council elections.</p> <p>If reform of the Legislative Council voting system is required to be implemented for the 2026 State election, it is critical for these changes to be made <i>immediately</i>. Late legislative change would contribute to an unacceptable risk of election failure.</p> <p>Any process and system re-development would have a high budget impact. The change is so significant that even with additional funding, it is likely this project would consume the bandwidth of our specialist resources responsible for election systems development such that other planned major projects would need to be de-prioritised for the 2026 State election, such as the implementation of electronic roll mark-off.</p> <p>We note the inquiry into Victoria's Upper House electoral system has now been referred to the Committee in accordance with recommendation 1.19. The VEC will make a submission to the new inquiry in due course.</p>

EMC recommendation	VEC response
<p>Recommendation 1.18</p> <p>That, if Recommendation 17 is implemented, the Government provide the VEC with additional funding to develop and conduct an education campaign about the new voting system for the Upper House before the first election with the new system.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation partly resolves policy matter 2 of the VEC Submission.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience, responding to a complex environment and prioritising staff safety and wellbeing.</i></p> <p>Contingent on the implementation of recommendation 1.17 and an agreed timeline for legislative change, the VEC is committed to developing and conducting an education campaign to inform electors of the new system. As the Committee recommends, this campaign would require increased resourcing.</p>
<p>Recommendation 1.19</p> <p>That the Parliament refer an inquiry into possible reforms of the Upper House electoral system and their impacts to the Electoral Matters Committee.</p>	<p>This recommendation is not applicable to the VEC. ●</p>
<p>Recommendation 1.20</p> <p>That Robson Rotation not be adopted for ballot papers in Victoria.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>We agree with the Committee's finding and note that introducing Robson Rotation would introduce complexities to ballot material production that cannot be supported in the election timeline.</p>

EMC recommendation	VEC response
<p>Recommendation 1.21</p> <p>That the Government consider undertaking a holistic review of the Electoral Act to bring it up to date and to incorporate the recommendations of this report, other reports by the Electoral Matters Committee and appropriate recommendations by the VEC.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation resolves recommendation 1 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience, responding to a complex environment, and prioritising staff safety and wellbeing.</i></p> <p>We note that the Committee is supportive of our recommendation for a holistic review of the Electoral Act.</p>
<p>Recommendation 1.22</p> <p>That the Government consult with the Electoral Matters Committee whenever it is considering changes to the Electoral Regulations, giving the Committee an opportunity to provide input based on its work.</p>	<p>This recommendation is not applicable to the VEC. ●</p>

Volume 2: Detailed analysis

EMC recommendation	VEC response
<p>Recommendation 2.1</p> <p>That the VEC publish data and establish performance targets relating to the proportion of people in different age brackets who are enrolled across the following age brackets:</p> <ul style="list-style-type: none"> • under 18 • 18 to 19 • 20 to 24 • 25 to 29 • 30 to 34 • 35 to 39 • 40 to 44 • 45 to 49 • 50 to 54 • 55 to 59 • 60 to 64 • 65 to 69 • 70 and over. 	<p>The VEC supports this recommendation in part. ●</p> <p><i>It supports our strategic objective of reinforcing public trust.</i></p> <p>We intend to publish data and establish performance targets relating to these age groups in our annual reports, except for those aged under 18 who are provisionally enrolled under section 22(5) of the Electoral Act as compulsory enrolment does not apply to this cohort.</p>

EMC recommendation	VEC response
<p>Recommendation 2.2</p> <p>That the VEC consider a communication campaign at the next election directed towards older voters encouraging them to participate and informing them about different ways that they can vote. The campaign should be delivered in media that are appropriate for that demographic.</p>	<p>The VEC does not support this recommendation. ●</p> <p>We note the Committee’s concerns regarding the turnout rate for older Victorians. However, data shows this is not a demographic with low turnout rates. At the 2022 State election, electors aged 40–69 had a participation rate of 92.36%, almost 4 percentage points higher than the overall turnout rate. Electors aged over 70 had a participation rate of 90.7%, which is 2 percentage points higher than the overall rate.¹⁰</p> <p>Noting that communication campaigns through traditional media such as television and radio carry significant costs, it would not be an efficient use of funding to conduct a targeted campaign directed towards this cohort.</p> <p>We delivered a targeted VoterAlert campaign aimed at older Victorians to register to become a General Postal Voter (GPV) before the 2022 State election. This resulted in a surge in GPV applications, and electors aged over 70 with GPV status now account for 11.24% of enrolled electors in that age group.</p> <p>We will continue to work to improve turnout for all demographics in the lead up to the 2026 State election.</p>

¹⁰See also the VEC Submission, Appendix 4 (page 85)

EMC recommendation	VEC response
<p>Recommendation 2.3</p> <p>That, in addition to working to increase VoterAlert subscription rates to engage with directly enrolled electors, the VEC should use other communication means (such as post) to encourage increased turnout among directly enrolled electors who are not subscribed to VoterAlert.</p>	<p>The VEC supports this recommendation in part. ●</p> <p><i>It supports our strategic objectives of improving the voter experience and responding to a complex environment.</i></p> <p>We conduct statewide advertising and extensive proactive media campaigns to encourage turnout among directly enrolled electors. The VEC has moved away from conducting postal communication campaigns as they are not as cost efficient or effective as other channels.</p> <p>We will continue to explore other communication channels to encourage turnout, noting that directly enrolled electors tend to be younger and may respond best to digital communications.</p>
<p>Recommendation 2.4</p> <p>That the VEC work with the Australian Electoral Commission to receive details of which electors were enrolled through the Australian Electoral Commission's direct enrolment program.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>As part of the regular transfer of enrolment data, the Australian Electoral Commission (AEC) provides sufficient data to show whether an enrolment transaction was by direct enrolment or self-initiated by the elector. The AEC also includes data about whether they consider the application to be new to the roll, returning to the roll, or a change of address.</p> <p>On applying that data to the Victorian register of electors, we may form a different view about the type of transaction. For example, the AEC considers an elector moving to Victoria to be a change of address, whereas the VEC would consider the person to be new to the roll. These differences make fully accurate reporting on direct enrolment transactions more difficult.</p> <p>The VEC will continue to work with the AEC on improving our reporting.</p>

EMC recommendation	VEC response
<p>Recommendation 2.5</p> <p>That, in future reports to Parliament on elections, the VEC improve its reporting on turnout, including by:</p> <ul style="list-style-type: none"> reporting and discussing turnout by age cohort as a proportion of eligible electors reporting turnout for 18-to-19-year-olds and 20-to-24-year-olds separately reporting and analysing data on the reasons electors were excused from voting increasing the analysis of trends across elections increasing clarity around direct enrolment figures and quantifying the impact on turnout. 	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We are committed to ensuring excellence in reporting transparency, detail and analysis. For the 2026 State election, the VEC will report on these data points and expand on existing analysis, both in statutory reports and standalone research publications.</p> <p>The VEC will look to provide more precise and up-to-date direct enrolment data and explore the best ways to report on how direct enrolment impacts overall turnout.</p>
<p>Recommendation 2.6</p> <p>That the VEC provide details of the actions it intends to take to improve turnout at the 2026 election, both generally and among specific communities, in its 2026 state election service plan. In doing this, the VEC should indicate how its planned actions respond to its analysis of turnout data from the previous election and other research on turnout.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We are committed to initiatives that improve turnout, particularly for communities with declining turnout. However, we reiterate that a variety of factors influence turnout, and many are outside our control.</p> <p>The VEC's research on electoral participation aims to understand factors influencing turnout. These findings will inform the election service plan for the 2026 State election and be used to set future actions.</p>

EMC recommendation	VEC response
<p>Recommendation 2.7</p> <p>That the VEC continue to target younger voters and directly enrolled voters and implement engagement programs aimed specifically at increasing turnout among these voters.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>The VEC will undertake research to ascertain greater insights into the reasons for declining participation within the Victorian context.</p> <p>We will continue to focus our participation efforts on younger and directly enrolled electors through this research. We will co-design engagement strategies and targeted advertising campaigns aimed at younger electors with our advisory groups.</p>
<p>Recommendation 2.8</p> <p>That the VEC identify 30-to-44-year-old electors as a target group for its inclusion and participation efforts and implement engagement programs aimed specifically at increasing turnout among these voters.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>Subject to additional resourcing, the VEC will undertake research to ascertain greater insights into the reasons for declining participation in the Victorian context.</p> <p>Before identifying engagement programs targeted at 30-to-44-year-olds, more analysis is needed to understand the reasons for declining turnout in this cohort and if age or other factors are leading contributors.</p>

EMC recommendation	VEC response
<p>Recommendation 2.9</p> <p>That the VEC publish apparently accidental and apparently intentional informal vote figures as percentage of all votes as part of its regular post-election informality reporting and incorporate those figures into its analysis and discussion of trends across elections.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>We already publish apparently accidental and apparently intentional informal vote figures, and will continue to report on this data in our informality research published after election events.</p>
<p>Recommendation 2.10</p> <p>That the VEC continue its efforts to better understand the drivers of informality, including through work with academics. The VEC's research and reporting at future elections should include considering the effects of candidate numbers, the increase in the number of districts with high informality, continued high informality in certain geographic areas and the needs of people from culturally and linguistically diverse backgrounds. The VEC should use the results of this research to improve its engagement efforts around formal voting.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>The VEC will continue to partner with researchers and seek new research opportunities for studying informality and other important electoral matters through longitudinal studies over multiple elections. We will report on the key drivers of informality identified in this research in greater depth in future reporting.</p>

EMC recommendation	VEC response
<p>Recommendation 2.11</p> <p>That the Government introduce legislation amending the Electoral Act to:</p> <ul style="list-style-type: none"> • increase the minimum number of members required for party registration from 500 to 750 • increase the number of people required to support someone to run as an independent candidate for the Lower House from six to 50 people. 	<p>The VEC notes this recommendation. ●</p> <p>There will be resourcing implications if the number of nominators required for non-endorsed candidates for the Legislative Assembly is increased from 6 to 50. This is because we need to verify that the required number of nominators are all enrolled electors within the district, which is a manual and time-consuming process. These processes are necessary to avoid nominations being accepted that are later found to be deficient. As a result, the workload for this process would increase substantially if this recommendation were accepted.</p> <p>In respect to party registration thresholds, increasing the minimum number of members for a political party to be registered would also require additional resourcing, to avoid significant increases in the time to verify member lists. This is because the time to verify member lists is directly driven by the number of responses required for a political party to be registered or re-registered under the Electoral Act. As such, there would be an overall increase in the amount of work to be done during registration and re-registration processes, which would be felt most acutely just prior to a State election. Without additional resourcing for this activity in the lead up to a State election, this activity would be at risk.</p> <p>We also observe that prospective changes to the Legislative Council voting system and recommendations by the Electoral Review Expert Panel, if adopted, may impact the appetite and mechanisms for political parties to be registered.</p>

EMC recommendation	VEC response
<p>Recommendation 2.12</p> <p>That the Government introduce legislation amending the Electoral Act to include an appropriate mechanism to require suitable publicly funded venues, such as community facilities owned and operated by local councils, to be available for use as early voting centres.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation resolves recommendation 1 of the VEC Submission and recommendation 2 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience, responding to a complex environment and prioritising staff safety and wellbeing.</i></p> <p>As leases for suitable voting centres are secured well in advance of elections, the VEC urges legislation to be introduced as a priority to ensure these venues are available in time for the 2026 State election.</p>

EMC recommendation	VEC response
<p>Recommendation 2.13</p> <p>That, in future election plans, the VEC include two new performance indicators with targets that relate to the suitability of venues used as a) early voting centres and b) election-day voting centres. These should provide assessments of the overall suitability of voting centres across multiple criteria, including access to parking and public transport, shelter from the weather, accessibility for people with disability and appropriate space for campaigning. Results for these indicators should be included in future reports on state elections.</p>	<p>The VEC does not support this recommendation. ●</p> <p>The suitability of all voting centres, including early voting centres, is crucial to the VEC, particularly in terms of accessibility. We already report on the accessibility ratings of our voting centres.</p> <p>As highlighted in both the VEC Submission and Report to Parliament, we faced significant challenges securing suitable venues for use as early voting centres for the 2022 State election. Introducing legislation requiring publicly funded venues to be available for use as early voting centres (recommendation 2.12) will help address these challenges.</p> <p>Voting centres (including early voting centres) are selected based on a range of factors, including:</p> <ul style="list-style-type: none"> • the number of suitable venues in the district • population distribution • parking and public transport links • a detailed accessibility audit • the location of neighbouring voting centres. <p>We consider all these factors when identifying and booking venues, however our influence over each individual factor is limited. Therefore, we would not support introducing additional suitability targets and performance indicators for this effort.</p>

EMC recommendation	VEC response
<p>Recommendation 2.14</p> <p>That the VEC investigate and implement processes to reduce queueing times at election-day voting centres. As part of this, the VEC should include two new performance indicators in future election plans with targets that relate to the proportion of electors who queue for more than 10 minutes at a) early voting centres and b) election-day voting centres. Results for these indicators should be included in future reports on state elections.</p>	<p>The VEC supports this recommendation in part. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>The VEC has committed to 2 initiatives that will help reduce queueing times at voting centres:</p> <ul style="list-style-type: none"> • Increasing the number of early voting centres at future elections to meet the growing demand for early voting among Victorians.¹¹ • Investing in electronic roll mark-off systems at more issuing points on election day.¹² <p>To enhance accessibility and reduce barriers to voting, we must secure suitable premises for early voting, which is contingent on accepting and implementing recommendation 2.12. The Committee’s recommendation to shorten the early voting period (recommendation 1.4) would also compress demand for early voting into a shorter period of time, placing further pressure on early voting centres.</p> <p>Additionally, to respond to the changing needs of Victorians, we are conducting a review of our election venue footprint ahead of the 2026 State election. The review will consider predicted early voting uptake, enrolment data, previous turnout statistics, trends in voter statistics, and geospatial data. We expect that changes based on this review will contribute to reduced queueing times.</p> <p>Accurately monitoring and reporting on queue times, including as a future performance measure, would also require solutions that are not suited to the electoral environment, such as facial recognition or other tracking technology. While these are used in commercial settings, they are not suited for deploying to temporary locations used for voting due to the high cost and privacy risks.</p> <p>For these reasons, the VEC will not introduce the suggested indicators for the 2026 State election. Given this issue is relevant to all election management bodies around the world, we will continue to observe the effectiveness and suitability of solutions in other jurisdictions.</p>

EMC recommendation	VEC response
<p>Recommendation 2.15</p> <p>That, in future reports to Parliament on elections, the VEC more clearly account for the number of votes cast by Victorians who are interstate and overseas during an election. This reporting should include a clear account of how many votes were cast by interstate and overseas voters through each voting option available to these voters.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>The VEC will continue to strengthen our reporting on the number of votes cast by interstate and overseas electors, as well as by voting option. Ascertaining these numbers is complex, and longer-term development work is needed to meet this recommendation. This forms part of our 5-year election delivery strategy.</p> <p>Reporting for this cohort—including in-person voting at interstate electoral commissions, in-person voting at selected overseas locations, and postal or email voting—would require exploratory work to determine if these reports could be generated through development of our Election Management System. This would mean additional design, development and implementation costs, which are currently unfunded.</p>
<p>Recommendation 2.16</p> <p>That the VEC review how it makes postal vote applications available to identify changes that would improve access, especially for Victorians that are less mobile or less computer literate.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>The VEC will continue to review our postal vote application processes, particularly as they relate to communities with particular accessibility needs.</p>

¹¹ Report to Parliament (page 22).

¹² Report to Parliament (page 85).

EMC recommendation	VEC response
<p>Recommendation 2.17</p> <p>That the VEC ensure that an adequate supply of postal vote applications is available at venues where they are offered at future elections and that its communication to voters clearly states the different ways that voters can access online and paper-based postal vote applications.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>We are committed to managing resources to minimise environmental impact, such as our choice to move away from paper resources when possible. We must balance these efforts with ensuring postal vote applications are available to all electors who need them.</p> <p>The VEC will review our processes relating to supply of hard copy postal vote applications, as indicated in our response to recommendation 2.16.</p> <p>For the 2022 State election, we led a state-wide advertising campaign highlighting the variety of voting options available to electors.¹³ Leading up to the 2026 State election, we will again clearly communicate the various voting options available to electors.</p>
<p>Recommendation 2.18</p> <p>That the VEC provide data in future reports to Parliament on elections regarding:</p> <ul style="list-style-type: none"> • postal votes returned by the statutory deadline but not able to be counted, categorised by the reason the vote could not be counted • electors who were sent postal ballots but failed to return them. 	<p>The VEC supports this recommendation in part. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We note the Committee’s concerns about reporting the number of postal votes not able to be counted at the 2022 State election.</p> <p>In future post-election reporting, the VEC will report on the number of postal votes received late, not returned, and rejected, including a breakdown of the reasons for rejection.</p>

¹³ See also the VEC Submission (page 36).

EMC recommendation	VEC response
<p>Recommendation 2.19</p> <p>That, in redesigning the voter declaration on postal vote packs, the VEC seek to understand why so many voters did not correctly complete the declaration in 2022. The VEC should test and publicly report before the 2026 election on the effectiveness of its redesigned postal ballot packs at reducing elector errors. If the opportunity arises, the VEC should test the new design at a by-election.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>The VEC is committed to redesigning the postal ballot pack and declaration envelope. The design methodology will incorporate behavioural insights and user research to support analysis of the problems. The redesign will aim to reduce the likelihood of user error and, therefore, the number of postal votes being disallowed at preliminary scrutiny.</p> <p>Until further research is conducted, and the underlying cause of the user error is known, testing and reporting of the effectiveness of the solution may not be possible to operationalise prior to the 2026 State election.</p>
<p>Recommendation 2.20</p> <p>That the Government introduce legislation amending the Electoral Act to prohibit any person or organisation other than an electoral commission from distributing general postal voter applications.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation partly resolves policy matter 1 of the VEC Submission and resolves recommendation 11 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust and improving the voter experience.</i></p>

EMC recommendation	VEC response
<p>Recommendation 2.21</p> <p>That the VEC provide targeted information to telephone-assisted voters about how and when to vote, and how to fill out ballot papers correctly.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>We aim to provide this information to cohorts eligible for telephone-assisted voting, such as those who are vision impaired. We can distribute this information to this cohort using established networks such as Vision Australia, but we do not hold the distribution information internally.</p> <p>For electors who become eligible for telephone-assisted voting due to an emergency situation, we cannot target these cohorts in advance but will utilise VoterAlert and work with Emergency Management Victoria to provide voting information in these situations.</p> <p>We do not have established networks to reach other cohorts eligible for telephone-assisted voting and so cannot proactively distribute targeted information. However, we will explore whether we can establish these networks to reach other cohorts who are eligible for telephone assisted voting. If telephone-assisted voting is expanded to other cohorts (as recommended by both the VEC and the Committee), we will consider additional communication campaigns to these cohorts.</p> <p>We also provide comprehensive information about how and when to vote, and how to fill out ballot papers correctly, on our website.</p>

EMC recommendation	VEC response
<p>Recommendation 2.22</p> <p>That the Government introduce legislation amending the Electoral Act to allow Australian Antarctic Territory electors to vote using electronic assisted voting (telephone-assisted voting).</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation partly resolves policy matter 6 of the VEC Submission and recommendation 6 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>The VEC reiterates recommendation 6 of the Report to Parliament, that the classes of electors eligible for electronic-assisted voting expand to include those experiencing the greatest barriers to participation, including:</p> <ul style="list-style-type: none"> • interstate or overseas electors • electors who are unwell, infirm, or caring for someone • electors experiencing homelessness, or family or domestic violence, and • neurodivergent electors.

EMC recommendation	VEC response
<p>Recommendation 2.23</p> <p>That the VEC perform more investigation into the implications of expanding access to telephone-assisted voting as recommended in its report to Parliament on the 2022 election. This investigation should include an exploration of the risks, costs, challenges and impacts on campaigning posed by expanding access to such a large degree and a comparison of expanding telephone-assisted voting with other options for providing greater voting access for the identified cohorts.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>The VEC is undertaking research to further demonstrate the benefits of expanding access to telephone-assisted voting to the cohorts listed in recommendation 6 of the Report to Parliament and will publish the results of that research.</p> <p>The VEC reiterates recommendation 6 of the Report to Parliament, that the classes of electors eligible for electronic-assisted voting expand to include those experiencing the greatest barriers to participation, including:</p> <ul style="list-style-type: none"> • interstate or overseas electors • electors who are unwell, infirm or caring for someone • electors experiencing homelessness or family or domestic violence, and • neurodivergent electors.

EMC recommendation	VEC response
<p>Recommendation 2.24</p> <p>That the VEC explore the possibility of data from the National Disability Insurance Agency being shared with the VEC to enable direct enrolment. The VEC could also use the data to determine the electoral participation rate for people with disability.</p>	<p>The VEC does not support this recommendation. ●</p> <p>While we are committed to improving electoral access and inclusion for Victorians living with a disability, we are concerned that the register of electors is not an appropriate system to receive sensitive data from the National Disability Insurance Agency. There are a range of privacy concerns relating to storing and sharing health information.</p> <p>As the Committee has noted,¹⁴ there are additional concerns with direct enrolment for some people who are not eligible. Section 48(2)(d) of the <i>Constitution Act 1975 (Vic)</i> currently provides that a person is ineligible to enrol if they are 'incapable of understanding the nature and significance of enrolment and voting' due to being of "unsound mind".¹⁵ We note that this exclusion will apply to some members of this community, and they may inadvertently be subject to compulsory voting enforcement if they fail to vote.</p> <p>The VEC will continue to explore ways to improve electoral access and inclusion for Victorians living with a disability by engaging the communities who face systemic barriers to voting through our <i>Disability Inclusion Plan</i>. We will continue to engage with the AEC, as our joint roll partner, in respect to suitable Commonwealth datasets to inform their direct enrolment program.</p>

¹⁴ Electoral Matters Committee, Parliament of Victoria, *Report on the conduct of the 2022 Victorian state election (Committee Report)*, Volume 2: Detailed analysis (page 100).

¹⁵ The VEC has recommended that this provision is amended consistent with recommendations made by the Australian Law Reform Commission and the Human Rights Law Centre. See also Technical recommendation 18 of the Report to Parliament (page 112).

EMC recommendation	VEC response
<p>Recommendation 2.25</p> <p>That the Government fund an appropriately qualified organisation with the relevant expertise to develop a framework for improving the inclusion of Victorians with intellectual and cognitive disability in Victorian elections. This project should include, but not be limited to, investigating:</p> <ul style="list-style-type: none"> • the scale of people with disability currently not participating in elections in Victoria • ways to remove barriers to electoral inclusion, including the need to learn about politics and decision-making • whether the Register of Electors should be used to link people with intellectual and cognitive disability with appropriate support to vote • whether and how information held by the National Disability Insurance Agency can be used to target support for people with intellectual and cognitive disability • what role the National Disability Insurance Agency should play in supporting people to vote • what role the VEC should play in supporting people with intellectual and cognitive disability to vote • how best to reform or remove the ‘unsound mind’ provision of Victoria’s Constitution and any consequent changes that are needed, such as exempting some people with intellectual and cognitive disability from compulsory voting. 	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic objective of improving the voter experience.</i></p> <p>On the basis that the VEC would not be the relevant organisation to oversee this project, it will be critical for us to contribute to the development of such a framework in light of our statutory functions.</p> <p>We will also continue to explore ways to improve electoral access and inclusion for Victorians living with a disability through our <i>Disability inclusion plan</i>.</p>

EMC recommendation	VEC response
<p>Recommendation 2.26</p> <p>That the VEC take measures to improve the support it provides to people who have difficulty standing in lines and while completing ballot papers. This may include improved staff awareness of this issue, processes at voting centres for identifying and supporting these voters while they are queueing and improved signage informing people how they can access support.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of improving the voter experience.</i></p> <p>The VEC will incorporate greater awareness of how to support voters who need assistance into our election staff training.</p> <p>The VEC will review our signage and furniture stock for voting centres to make sure it meets voters' needs and increases their awareness of available supports.</p>

EMC recommendation	VEC response
<p>Recommendation 2.27</p> <p>That the Government introduce legislation amending the Electoral Act to provide the VEC with the ability to apply an extended campaigning exclusion zone at specified voting centres and for specified times, so that the VEC can provide dedicated periods of low-sensory voting. This should include an obligation for the VEC to adequately inform election stakeholders, with a defined notice period, when an extended exclusion zone will apply.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>Introducing legislation to apply extended campaigning exclusion zones will help ensure an accessible and safe voting experience, which relates strongly to our strategic outcomes.</p> <p>Following the 2023 Warrandyte District by-election low-sensory voting trial, where the conduct of campaigners led to many voters turning away, it is clear we need legally enforceable requirements to successfully provide low-sensory voting periods.</p> <p>This legislative provision should enable us to set the extension of the campaigning exclusion zone to dissuade campaigners from attending during low-sensory voting, instead of ‘pushing’ them further from voting centres where election staff cannot monitor for poor behaviour.</p> <p>The VEC will consider the extent to which we can provide low-sensory voting periods at the 2026 State election, as this would require more complex logistical consideration than in a by-election. Planning also depends on venue suitability, staff training and the timing of legislative change.</p> <p>The Committee’s recommendation for a shorter early voting period, per recommendation 1.4, is difficult to reconcile with this recommendation as it will severely constrain the ability of the VEC to provide specific times within the early voting period for low-sensory voting.</p> <p>We also note that the needs of neurodivergent electors for alternative voting methods would be addressed by accepting recommendation 6 of the Report to Parliament, enabling that cohort to access telephone assisted voting.</p>

EMC recommendation	VEC response
<p>Recommendation 2.28</p> <p>That the VEC consider the suggestions from the Committee’s survey of Victorians with disability as part of developing future plans for supporting Victorians with disability to participate in elections.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of improving the voter experience and responding to a complex environment.</i></p> <p>We will continue to consider all available information in reviewing and developing our inclusion plans.</p>
<p>Recommendation 2.29</p> <p>That the VEC cease its requirement for people to fill out a form to make a complaint and instead accept complaints through other avenues, such as social media.</p>	<p>The VEC does not support this recommendation. ●</p> <p>We monitor and respond to issues electors raise on social media, however these comments may not constitute formal complaints, or if they do, they may not provide sufficient information to investigate. Many users may not realise that raising a grievance online can be interpreted as a formal complaint, and often do not provide their names or contact details for us to respond. Our approach is to communicate avenues for making formal complaints, educating the community about their options, and linking through to the VEC’s formal complaint channels.</p> <p>If possible, we respond to information we are alerted to via social media to resolve complaints made informally.</p> <p>The VEC’s complaints handling process is a formal mechanism through which we can assess and address a person’s concerns. It allows us to collect information and evidence, and to respond or refer a person’s complaint more effectively. It also allows complaints handling to occur consistently, with workflow tracking, triage and escalation pathways using our custom-built complaints management system.</p> <p>As the regulator for State elections, it is not always appropriate for the VEC to publicly broadcast the outcome of a complaint.</p>

EMC recommendation	VEC response
<p>Recommendation 2.30</p> <p>That the VEC ensure all electors are provided with an EasyVote guide at future elections. This should be achieved by mailing one to every household or through a combination of VoterAlert and physical mail distribution (with the VEC using VoterAlert and supplementing this with physical mail for all households with an elector not subscribed to VoterAlert).</p>	<p>The VEC supports this recommendation in part. ●</p> <p>We already provide a digital EasyVote guide to all electors subscribed to VoterAlert, and will continue to do so.</p> <p>However, research is needed to determine whether there is evidence that reverting to mailing a hard copy EasyVote guide to all households, or to all households with an elector not subscribed to VoterAlert, would have benefits outweighing the reintroduction of <i>significant</i> budgetary and environmental cost.</p> <p>Moving back to hard copy printing and distribution of these guides would reintroduce a cost of approximately \$6 million per election. This would require additional funding to support or withdrawal of existing communication programs supporting voter enfranchisement and awareness of when, where and how to enrol and vote.</p> <p>The VEC will investigate further whether there is a redesigned, sustainable solution that could be deployed to address the Committee’s concerns while providing value for money and resources. We will report on any available solutions in our election service plan for the 2026 State election.</p>
<p>Recommendation 2.31</p> <p>That the VEC consider the suggestions from the Committee’s culturally and linguistically diverse community roundtable as part of developing future plans for communicating with culturally and linguistically diverse communities.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of improving the voter experience.</i></p> <p>The VEC will continue to consider relevant information in the review and development of inclusion plans. Our Culturally and Linguistically Diverse Advisory Group also help inform future plans.</p>

EMC recommendation	VEC response
<p>Recommendation 2.32</p> <p>That parties establish codes of conduct for their members in relation to their behaviour on social media, as previously recommended by the Electoral Matters Committee. These codes of conduct should include not spreading inaccurate information about electoral issues and not undermining confidence in electoral processes and the VEC without clear evidence.</p>	<p>This recommendation is not applicable to the VEC. ●</p> <p>Given the Committee’s recommendation relates to the internal structures of registered political parties, we note the proliferation of varying codes of conduct and lack of enforceability risks undermining the effectiveness of the proposal. For consistency and simplicity, these requirements could be prioritised through a mandatory and legally enforceable election code of conduct for candidates, parties, and candidate and party workers in accordance with recommendation 1.10.</p>
<p>Recommendation 2.33</p> <p>That the VEC include more information in future communication campaigns about its role and its legislated powers.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>We welcome the opportunity to better clarify our role and legislated powers.</p> <p>We note that some of the Committee’s recommendations, if accepted, would cause changes to the VEC’s role and legislated powers. We note the importance of timely legislative change for the effective planning and delivery of communication campaigns, and to prevent the need for messaging to change in response to legislative amendments.</p>

EMC recommendation	VEC response
<p>Recommendation 2.34</p> <p>That the Government consider whether legislative action is needed in response to social media companies ignoring or not acceding to legitimate requests from the VEC to remove inaccurate material or other problematic content from their platforms.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation partly resolves policy matter 4 of the VEC Submission and recommendation 9 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>In light of the challenges with escalating and getting action from social media companies discussed in the VEC Submission, legislative action is required to legitimise our requests to remove content from their platforms.</p> <p>We note that the effectiveness of such a provision would depend on whether it can be enforced in a timely manner. The requirement would not be effective to mitigate mis- and dis-information in an election period if it was only enforceable through prolonged legal processes.</p>
<p>Recommendation 2.35</p> <p>That the VEC review its internal communication processes and protocols for responding to claims on social media to ensure that it does not post inaccurate information in the future. This should involve particular consideration of how to respond to claims from other users when they are telling the Commission that something occurred.</p>	<p>The VEC notes this recommendation. ●</p> <p>The VEC will review our internal communication processes and protocols.</p> <p>Regarding the specific example raised by the Committee, we note that the implementation of electronic roll mark-off will bridge the gap in information about ballot paper consumption between the VEC's head office and voting centres.</p>

EMC recommendation	VEC response
<p>Recommendation 2.36</p> <p>That, in future reports to Parliament on elections, the VEC account for and report on all instances of apparent multiple voting, including:</p> <ul style="list-style-type: none"> • reporting on all apparent cases, regardless of the age of the elector • indicating the number of cases attributed to administrative errors • reporting on the voting method/s involved in each instance • indicating how many cases were not explained to the VEC's satisfaction but not further pursued and why they were not further pursued • reporting how many votes are believed to have been cast by these electors, broken down by district. 	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>We provided this information in response to questions taken on notice during the VEC's appearance before the Committee on 25 August 2023. We will also include it in future post-election reporting.</p>

EMC recommendation	VEC response
<p>Recommendation 2.37</p> <p>That, in future post-election reports to Parliament, the VEC provide details about what measures it has established to ensure that ballot boxes and ballot papers are not tampered with or lost and the effectiveness of these measures. This should include explaining significant discrepancies between the total number of people marked off the electoral roll and the total number of ballot papers included in the count.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>We can clarify that the discrepancy between the total number of people marked off the electoral roll and the total number of ballot papers included in the count is not due to tampering with ballot boxes or lost ballot papers.</p> <p>At the 2022 State election, this variation was compounded by changes in voting behaviours, particularly by a shift toward non-election-day voting options such as postal voting. This trend is reflected in post-election reporting from both the 2018 and 2022 State elections.</p> <p>Of the difference of 106,002 between votes marked off the roll and votes admitted to the count cited for 2022, 98% related to postal voting, with over 60% being returned postal votes disallowed at preliminary scrutiny due to voter error. Additionally, 35% were electors who applied for and were issued a postal vote but did not return it.</p> <p>There is no evidence to suggest that ballot boxes or papers were tampered with or that ballot papers were lost during the 2022 State election.</p> <p>The VEC will explore how these matters can be more clearly explained in future reporting, including additional information about ballot paper integrity measures to reinforce public trust in their elections.</p>
<p>Recommendation 2.38</p> <p>That the Government introduce legislation amending the Electoral Act to remove the requirement that ballot papers be initialled by election officials.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>This change is simple to operationalise and may reduce confusion around ballot papers being admissible to the count despite not being initialled by the issuing officer. It will also simplify the products we need for an election.</p>

EMC recommendation	VEC response
<p>Recommendation 2.39</p> <p>That the VEC mark postal ballot papers in a way that makes them easily distinguishable from ballot papers issued in voting centres.</p>	<p>The VEC does not support this recommendation. ●</p> <p>Implementing this recommendation would require a decision on what action would follow a postal ballot paper being found in a ballot box. The VEC is not aware of any provisions of the Electoral Act that would allow the ballot paper to be rejected from the count, even if it was able to be separately identified. In addition, requiring this to be checked and reported on during a count would mean updating count processes, which may impact already tight timeframes.</p> <p>We note there is no evidence that the scenario raised by the Committee has occurred.¹⁶ Multiple voting, making a false declaration, and providing false information are serious offences under the Electoral Act,¹⁷ including terms of imprisonment, and should be dealt with through the criminal law pathway.</p> <p>Any allegation or information about this behaviour occurring should be reported to the VEC.</p>

¹⁶ Committee Report, Volume 2: Detailed analysis, finding 71 (page 170).

¹⁷ See *Electoral Act 2002* (Vic), ss 148(1), 148(2), 150(1)(b).

EMC recommendation	VEC response
<p>Recommendation 2.40</p> <p>That the Government introduce legislation amending section 74(1) of the Electoral Act to require the order of candidates and groups on ballot papers to be determined manually and not by computer.</p>	<p>The VEC does not support this recommendation. ●</p> <p>The VEC's computerised ballot draw software has been independently audited and certified. It includes a random number generator which uses a cryptographically secure algorithm to produce a sequence of numbers that cannot be predicted.</p> <p>The random number generator has passed several statistical tests including:</p> <ul style="list-style-type: none"> • empirical tests • diehard tests • National Institute of Standards and Technology (NIST) tests. <p>We make the audit report and the software component that generates the random order publicly available for scrutiny.</p>

EMC recommendation	VEC response
<p>Recommendation 2.41</p> <p>That the Government introduce legislation amending the Electoral Act to require the VEC to conduct audits of the data used in computer counts. The new provisions should include requirements that:</p> <ul style="list-style-type: none"> • the batches of votes that are audited are selected randomly • the number of batches audited should be enough to estimate the overall error rate using a rigorous statistical methodology • the Commission publicly report the results of these audits. 	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>We welcome the opportunity to demonstrate the robustness and security of our systems, data entry, and staff involved in computer counts. Internal audits have already demonstrated this, and publishing the outcomes will enhance confidence in computer counts.</p> <p>We recommend that this requirement is drafted in similar terms to section 273AC of the <i>Commonwealth Electoral Act 1918</i> (Cth) (Commonwealth Electoral Act). The requirement should be principles-based and not prescribe a methodology apart from requiring publication, a statistically significant sample and a minimum sample size adaptable to different election sizes.</p> <p>This will allow for innovation and flexibility where there are other developments in electoral legislation or in best practice for computer counting and auditing.</p> <p>As with other recommendations that involve complex development and testing, this recommendation will need to be implemented well before the 2026 State election to be implemented in a rigorous and cost-efficient manner.</p> <p>It is important that this does not detract from the timely conduct of counting. The VEC would suggest more flexible timing for reporting to ensure accuracy, and allow for other disruptions to the timeline, such as the December/January holiday period that inevitably overlaps with the post-election period for State elections.</p>

EMC recommendation	VEC response
<p>Recommendation 2.42</p> <p>That the VEC conduct a thorough review of its processes for communicating with candidates, parties and scrutineers about vote-counting processes. This should include consulting with parties and candidates to understand the weaknesses in communication at the 2022 election and how these could be addressed at future elections.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>We have committed to uplifting our count planning communications and mitigating operational issues to improve the timeliness of count information and increase the notice period for count activities.¹⁸ This would be further supported by change to the timeline for the return of writs, in accordance with recommendation 1.1, to allow more time in the count plan.</p> <p>We are alert to the issues experienced at the 2022 State election. These are best addressed through initiatives based on the above rather than a review of communication processes with parties and candidates.</p>

¹⁸ See also the Report to Parliament (page 74).

EMC recommendation	VEC response
<p>Recommendation 2.43</p> <p>That the Government introduce legislation amending the Electoral Act to include:</p> <ul style="list-style-type: none"> • a broad statement that all vote-counting processes and documents should be open to scrutineers • a minimum notification period for the recommencement of vote counting. 	<p>The VEC supports this recommendation in part. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>The VEC would welcome legislation that better clarifies the rights and responsibilities of scrutineers.</p> <p>The proposed amendment would model section 265 of the Commonwealth Electoral Act. The Commonwealth provision is supported by others that place reasonable limits on how scrutineers can interact with counting activities.</p> <p>Our view is that a broad statement in legislation must be supported by similar limitations, and – unlike the Commonwealth provision – specify the availability for scrutineers to interact with counting activities. The general conditions on scrutineer access should be that challenges relate to ballot material only, and that scrutineer access does not extend to requests that unreasonably delay the vote counting process.</p> <p>The Commonwealth provision does not state that all vote-counting documents should be open to scrutineers. Any access to documents should be limited to those that directly relate to the vote counting process and can be provided without unreasonably burdening or slowing the counting process. There is a risk that a broad provision would allow access to documents including personnel records, elector information, or other sensitive information, or that it would require count activities to be repeatedly paused to gather requested information, adding pressure to an already tight timeline.</p> <p>In relation to a minimum notification period for the recommencement of vote counting, the VEC does not support a minimum notification period that prevents timely counting. We are already committed to uplifting count planning and communication about count arrangements, which will resolve the Committee’s concerns.¹⁹ A minimum notification period may impede a timely count and again, adds pressure to the already tight counting timeline.</p>

EMC recommendation	VEC response
<p>Recommendation 2.44</p> <p>That the VEC reconsider its response to the previous Electoral Matters Committee’s recommendation that it should provide specific explanations on the results pages of its website for any significant adjustment to figures (e.g. more than 200 votes) made between the primary count or two-candidate-preferred count and the final results (recheck or recount results).</p>	<p>The VEC notes this recommendation. ●</p> <p>We will continue to work towards more detailed reporting on counting and results. This will include exploring options to provide real-time explanation of adjustments of figures where the total number of votes in a district shifts more than 200 votes between the primary count and the final count, noting that such a shift is rare. Accordingly, it is unlikely that this reporting will be available for the 2026 State election.</p>
<p>Recommendation 2.45</p> <p>That the VEC review the election results data it publishes and identify opportunities to publish more data and to improve the way that it publishes data, giving consideration to the suggestions set out in this section. The VEC should provide data in the same format as the Australian Electoral Commission where possible and appropriate, and should make all data available in Excel spreadsheets (as well as HTML for some data).</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We are working on improving the quality, range and format of data we publish on elections. This work will consider the recommendations set out in the Committee’s report.</p> <p>Some of the results of this work will be visible by the 2026 State election, but others will take more time. The VEC will publish as much of this data as possible at the 2026 State election.</p>

¹⁹ See also the Report to Parliament (page 74).

EMC recommendation	VEC response
<p>Recommendation 2.46</p> <p>That the VEC reinstate performance measures relating to enrolment, turnout and formality in future election planning.</p>	<p>The VEC does not support this recommendation. ●</p> <p>For the 2022 State election, the VEC sought to use performance metrics that meaningfully measured how we planned, conducted and evaluated the election program.</p> <p>Indicators relating to enrolment, turnout and formality are influenced by external factors that cannot be controlled or influenced by the VEC (or by the VEC alone).</p> <p>We propose to continue reporting on these indicators, just not as performance measures. The VEC's performance measures will be aligned to our strategic outcomes and the programs deployed to improve turnout and reduce informality.</p>
<p>Recommendation 2.47</p> <p>That, in developing performance indicators for the 2026 state election, the VEC consider the suggestions set out in this section about what makes for better indicators.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We are developing an evaluation framework which we will implement ahead of the 2026 State election. This framework will enable us to measure performance and design improvements, including in preparation for the election. We will consider the Committee's suggestions for performance indicators as part of applying this framework to the 2026 State election.</p>

EMC recommendation	VEC response
<p>Recommendation 2.48</p> <p>That the VEC adjust its performance indicator regarding processing postal vote applications to reflect the changes to processes recommended in this report and by setting a target of processing 100% of relevant applications within 24 hours of receipt.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of responding to a complex environment and prioritising staff safety and wellbeing.</i></p> <p>The VEC will change our performance indicator to set a target of processing 100% of postal vote applications within 24 hours of receipt.</p> <p>However, processing of postal vote applications cannot begin until 72 hours after the close of the roll due to the time required to transfer enrolment data from the AEC to the VEC after the close of the roll. It takes 24 hours to import the close of roll file from the AEC, and another 24 hours to transfer the electoral roll from our Roll Management System to our Election Management System.</p> <p>After this import process, we need to process the backlog of applications. Therefore, the 24-hour target will not be possible for the first few days after the close of the roll. The updated performance target will be designed to consider this cadence.</p>

EMC recommendation	VEC response
<p>Recommendation 2.49</p> <p>That the VEC reconsider its performance indicator regarding Lower House first-preference votes counted and entered into the Election Management System on election night with the aim of establishing a target that is consistent across multiple elections.</p>	<p>The VEC does not support this recommendation. ●</p> <p>It is important for our performance indicators to accurately reflect what we expect to achieve. The amount of time needed for election night counting is impacted by many factors, including:</p> <ul style="list-style-type: none"> • enrolment growth • the number of voting centres • the number of candidates • staff availability • the popularity of election day voting • the closeness of election results. <p>For this reason, it is important for the VEC to model our performance indicators based on all available and relevant information in relation to each election event, rather than establishing a stable target, which will become less useful over time.</p> <p>We note that this performance indicator only relates to votes counted in election day voting centres, and that this metric is becoming diluted with shifts to alternative voting options.</p> <p>The VEC will ensure changes to performance indicators are explainable and accurately account for changes in the electoral landscape.</p>

EMC recommendation	VEC response
<p>Recommendation 2.50</p> <p>That, in developing future plans and strategies, the VEC include concrete actions, measures and quantified targets in the original plan at the time of release, so that stakeholders have a better understanding of what the VEC intends to do and the VEC can more transparently report against those plans and strategies.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>We are developing an evaluation framework which we will implement ahead of the 2026 State election. This framework will enable us to measure performance and design improvements to operations in preparation for the election. In the development of future plans and strategies, this will enable us to report against a set of agreed actions and quantifiable targets where relevant.</p> <p>Our service plan is generally released 12 months in advance of a general election. Legislative changes which are flagged after publication may cause planned activities to become obsolete or require us to reprioritise in order to properly operationalise new requirements, which impacts on the accuracy and clarity of the original plan and confuses stakeholders.</p>

EMC recommendation	VEC response
<p>Recommendation 2.51</p> <p>That the VEC include election participation outcomes in the monitoring and evaluation of all of its access and inclusion plans.</p>	<p>The VEC does not support this recommendation. ●</p> <p>We note the Committee’s finding that our <i>Young people inclusion plan: monitoring and evaluation plan</i> ‘explicitly excludes assessing enrolment and voting outcomes’.²⁰ However, as noted by the Committee, items 20 and 21 of the plan include outcome evaluation measures of:</p> <ul style="list-style-type: none"> • how much the number of eligible young people enrolled to vote increased • how much the number of eligible young people formally voting increased. <p>The Committee’s finding refers to the scope statement of the plan, not the outcomes. The scope statement makes it clear that ‘the evaluation will not assess whether activities of the <i>Young people inclusion plan</i> cause enrolment and voting outcomes’ (emphasis added).²¹ We will update the statement to better clarify that it refers to assessing outcomes rather than causality.</p> <p>We are not able to include election participation outcomes in other access and inclusion plans as the required data for these cohorts, such as those with a CALD background or those with a disability, is not collected as part of the enrolment process.</p>
<p>Recommendation 2.52</p> <p>That, in preparing future reports to Parliament on elections, the VEC incorporate the Committee’s suggested improvements set out throughout the Committee’s report and summarised in Section 8.4 of Volume 2.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>The VEC will consider the Committee’s suggested improvements for future post-election reports. We have indicated the availability of data in these responses where the Committee has discretely recommended it, and will report on available data in accordance with those responses.</p>

²⁰ Committee Report, Volume 2, finding 82 (page 195).

²¹ The VEC’s [Young people inclusion plan: monitoring and evaluation plan](#) (page 3).

EMC recommendation	VEC response
<p>Recommendation 2.53</p> <p>That the Government introduce legislation amending the provisions in the Electoral Act relating to the authorisation of electoral matter to:</p> <ul style="list-style-type: none"> • remove the requirement to include details of the printer • harmonise other provisions with the Commonwealth Electoral Act where appropriate • incorporate the recommendations of the previous Electoral Matters Committee about the authorisation of electoral matter and related issues. 	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation resolves policy matter 7 of the VEC Submission and partly resolves recommendation 9 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>Regarding harmonisation with the Commonwealth Electoral Act, there are several key elements that we recommend should be adopted in Victoria:</p> <ul style="list-style-type: none"> • clearly specifying the kinds of electoral materials requiring authorisation • simplifying the requirements for publication of the authoriser’s address • removing the requirement for printed electoral matter to include details of the printer • limiting the definition of electoral matter to ‘matter which is intended or likely to affect voting in an election’. <p>We provided more detail on these elements in recommendation 9 of the Report to Parliament.²²</p>

²² Report to Parliament (page 78).

EMC recommendation	VEC response
<p>Recommendation 2.54</p> <p>That the Government introduce legislation revising the provisions in the Electoral Act relating to misleading and deceptive matter to provide clarity about what is permitted on a how-to-vote card. This should include specific guidance on matters which have caused contention between the VEC and candidates, such as the depiction of blank boxes.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>This recommendation partly resolves policy matters 3 and 8 of the VEC Submission and recommendation 9 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust and improving the voter experience.</i></p> <p>We support legislative clarity on this matter. However, this change should apply to all electoral matter, and not limited to how-to-vote cards. This would align with the existing misleading and deceptive offence, which regulates electoral campaign material containing a representation or purported representation of a ballot paper.</p>
<p>Recommendation 2.55</p> <p>That the Government introduce legislation amending section 104A of the Electoral Act to remove the requirement for the VEC to wait until it has issued ballot packs to postal voters to provide postal voter data to candidates and political parties. The Act should instead allow the VEC to provide such data as soon as it has accepted an application under Section 104(1) or 104(1A).</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We support amending section 104A of the Electoral Act, as recommended by the Committee, to allow us to send postal voter details to candidates and political parties before ballot packs are issued. However, this change will not address the issues raised by the Committee about the VEC's ability to send postal voter details to candidates and registered political parties before the close of nominations (see our response to recommendation 2.56).</p>

EMC recommendation	VEC response
<p>Recommendation 2.56</p> <p>That, contingent on the Electoral Act being amended to allow it, the VEC process applications to vote at one specific election and provide these voters' data to political parties and candidates as it receives applications during the time between the issue of the writs and the close of nominations. The VEC should provide such data within 24 hours of a successful application being entered into the VEC's system.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>As noted in our responses to recommendations 2.48 and 2.55, there is a lag between the close of roll and having the electoral roll products readily accessible. Any backlog of postal vote applications is prioritised for processing as soon as possible once the electoral roll is available in our Election Management System.</p> <p>In the current legislated timeline, the final nomination day occurs before we are operationally able to begin processing postal vote applications.</p> <p>Therefore, we cannot send postal vote application data to registered political parties and candidates between the issue of the writs and the final nomination day in the current election timeline.</p> <p>We can send data to registered political parties and candidates as we receive applications, but only once we begin processing the applications.</p>
<p>Recommendation 2.57</p> <p>That the Government introduce legislation amending the Electoral Act to require the VEC to provide parties and candidates with a complete list of general postal voters within 48 hours of the close of rolls or within 24 hours of a candidate's nomination, whichever is earlier.</p>	<p>The VEC does not support this recommendation. ●</p> <p>It would not be possible to meet this requirement.</p> <p>We cannot extract a list of GPVs for an election until enrolment data has been imported from the AEC following the close of the roll. Therefore, we would not be able to provide a complete list of GPVs until at least 72 hours after the close of the roll.</p>

EMC recommendation	VEC response
<p>Recommendation 2.58</p> <p>That the VEC explore ways to provide for out-of-district early votes to be counted on election night in voting centres where there is a large number of out-of-district early votes (such as those near the boundary of a district and those that service multiple districts in regional areas).</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>We are currently exploring ways to provide for a number of out-of-district early votes to be counted on election night and will report on any planned changes to count planning in our election service plan for the 2026 State election.</p>
<p>Recommendation 2.59</p> <p>That the VEC ensure that the total number of ballot papers it produces for future elections does not contribute to ballot paper shortages.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports the strategic outcomes of reinforcing public trust improving the voter experience and responding to a complex environment.</i></p> <p>We are putting initiatives in place for the 2026 State election to ensure we provide sufficient ballot paper stock to the correct locations. These include:</p> <ul style="list-style-type: none"> investing in electronic roll mark-off for more issuing points on election day,²³ which will give us real-time visibility of ballot papers issued to deploy additional stock before existing stock is depleted installing an in-house print workshop, which will allow us to self-serve for smaller, on-demand ballot paper print runs. <p>We are also exploring possible design options and production efficiencies to streamline ballot material production processes. Accepting recommendation 2.38 will also allow for postal and in-person ballot papers to be harmonised, which will itself contribute to more efficient ballot material production.</p>

²³ See Report to Parliament (page 85).

EMC recommendation	VEC response
<p>Recommendation 2.60</p> <p>That the VEC thoroughly investigate the extent and causes of ballot paper shortages and the closure of voting centres on election day at the 2022 election and produce a report on these matters to supplement the VEC's report on the 2022 election. This report should be provided to the Electoral Matters Committee, which will then table it in Parliament so that it is available to all members of Parliament and the public. This report should include a complete and accurate account of:</p> <ul style="list-style-type: none"> • ballot paper management plans for the 2022 election and why they failed to allocate ballot papers as needed • all voting centres which closed during voting hours on election day • all voting centres which ran out of ballot papers on election day • the factors that led to voting centres running out of ballot papers and/or closing on election day • the internal communication processes that resulted in VEC senior officials not knowing about voting centres running out of ballot papers and/or closing on election day in the days and months following the election • the deficiencies in the VEC's processes that led to the VEC posting inaccurate information about what occurred on social media • actions that the VEC will be taking at future elections as a result of these incidents. 	<p>The VEC supports this recommendation. ●</p> <p>The VEC has thoroughly investigated the causes and extent of ballot paper shortages and the early closure of a small number of voting centres on election day at the 2022 State election.</p> <p>We will prepare a report containing the findings of our investigation and intend to provide it to the Committee in the coming weeks.</p>

EMC recommendation	VEC response
<p>Recommendation 2.61</p> <p>That, following future elections, the VEC include information in its reports to Parliament about voting centres running out of ballot papers (including temporarily). This should include reporting, for each voting centre which runs out of ballot papers:</p> <ul style="list-style-type: none"> • how many people filled out ‘voter information reports’ • how many handwritten ballot papers were used • when ballot paper stock was replenished, and by how much • for how long ballot papers were not available. 	<p>The VEC supports this recommendation in part. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust improving the voter experience and responding to a complex environment.</i></p> <p>We will enhance processes and training across our workforce to improve future reporting, including on how many people filled out elector information reports and tracking the number of handwritten ballot papers used at each issuing point (if any).</p> <p>The expansion of electronic mark-off for the 2026 State election will improve reporting on ballot paper replenishment. This change will reduce data gaps at sites where electronic mark-off is deployed, but will not resolve them completely.</p> <p>We are working with other electoral commissions who have deployed similar technology to understand the size and scope of available reporting and how it can inform our response to ballot paper shortages.</p> <p>Implementing all reporting requests will require significant development costs.</p>
<p>Recommendation 2.62</p> <p>That the VEC implement electronic roll mark-off across Victoria at the 2026 state election.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust, responding to a complex environment, improving the voter experience.</i></p> <p>The VEC has already publicised our intention to invest in deploying electronic roll mark-off to more issuing points on election day.²⁴</p>

²⁴ Report to Parliament (page 85).

EMC recommendation	VEC response
<p>Recommendation 2.63</p> <p>That the VEC review its systems for monitoring what is occurring at voting centres and its internal communication processes to ensure that there are appropriate systems to alert senior staff about significant incidents that occur at voting centres.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports the strategic outcome of responding to a complex environment.</i></p> <p>As noted in our response to recommendation 2.35, the VEC will review our internal communication processes and protocols. We also intend to establish an operational command centre for the 2026 State election, which will improve situational awareness, coordinated decision-making and resource optimisation.</p>
<p>Recommendation 2.64</p> <p>That the Government introduce legislation amending sections 47 and 47A of the Electoral Act to add additional restrictions requiring the VEC to refuse to register a political party's name, abbreviation or logo if they too closely resemble another party that is currently registered, or has already submitted an application for registration or change of registered name, abbreviation or logo. In drafting the legislation, the Government should consider the VEC's technical recommendation 6 in its report to Parliament on the 2022 election and sections 129 and 129A of the Commonwealth Electoral Act 1918. The fact that a name, abbreviation or logo had previously been registered should not mean that it can be used again if it breaches the rules.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>As noted by the Committee, the VEC set out the recommended amendments in technical recommendation 6 of the Report to Parliament (page 110).</p>

EMC recommendation	VEC response
<p>Recommendation 2.65</p> <p>That the Government introduce legislation amending the Electoral Act to allow political parties to register a colour logo in the Register of Political Parties, which must then be printed in colour on ballot papers.</p>	<p>The VEC does not support this recommendation. ●</p> <p>Requiring colour logos to be printed on ballot papers would introduce significant additional complexity to the creation of ballot paper artwork and cause delays in printing. It would require a considerable investment of resources to be able to print and accurately reproduce colour logos. Introducing colour may also lead to elector confusion with the existing colours used for ballot paper stock.</p> <p>The VEC's experience with registration of political party logos is that registered political parties have often found it challenging to meet the strict formatting requirements of logo applications that are in place to ensure the logos are suitable for printing on ballot papers. Introducing a new layer of complexity would exacerbate this issue.</p> <p>We note that no other electoral commission in Australia is required to print colour logos on ballot papers. Other than the VEC, only the NSW Electoral Commission and the AEC print black and white logos.</p>
<p>Recommendation 2.66</p> <p>That the Government introduce legislation amending the Electoral Act to allow the Registered Officer of a party to withdraw the nomination of any candidate nominated as a member of that party prior to the close of nominations.</p>	<p>The VEC notes this recommendation. ●</p> <p>Any legislation giving effect to this recommendation would need to be carefully considered to ensure the impacts of the withdrawal are clearly set out, including if the candidate becomes a non-endorsed candidate (albeit, without nominators) or is withdrawn as a candidate altogether.</p>
<p>Recommendation 2.67</p> <p>That the Government introduce legislation establishing a right for people to display political signage on private property during an election period which cannot be overridden by local laws.</p>	<p>This recommendation is not applicable to the VEC. ●</p>

EMC recommendation	VEC response
<p>Recommendation 2.68</p> <p>That the VEC review and improve its information products and communication processes for candidates and parties prior to the next election. This should include incorporating feedback from candidates and parties.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of responding to a complex environment.</i></p> <p>The VEC will review our candidate and party information products ahead of the 2026 State election. This includes improving our forms and processes, including the bulk nomination application used by registered political parties.</p> <p>We will also review our communication processes with candidates and parties.</p>
<p>Recommendation 2.69</p> <p>That the Government introduce legislation removing the requirement in the Electoral Act that how-to-vote cards must be registered to be distributed at election-day voting centres.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>This recommendation resolves policy matter 3 of the VEC Submission and recommendation 4 of the Report to Parliament.</i></p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>For the avoidance of doubt, the VEC recommends repealing Division 5 of Part 5 of the Electoral Act to remove the process for registering how-to-vote cards.</p> <p>If this recommendation is not accepted, we reiterate the alternative recommendations on page 37 of the Report to Parliament.</p>

EMC recommendation	VEC response
<p>Recommendation 2.70</p> <p>That the Government introduce legislation making it illegal to publish material falsely purporting to be from a political party or election candidate. The legislation should specify examples of elements that may constitute a breach of the legislation (such as names, logos and images).</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>Legislation making it illegal to publish material falsely purporting to be from a candidate or registered political party should also include a prohibition on material falsely purporting to be from an electoral commission, intentionally or otherwise. This would help to safeguard the integrity of electoral processes.</p> <p>We note this recommendation would appear to be addressed by harmonising authorisation requirements with Commonwealth legislation in accordance with recommendation 2.53.</p>
<p>Recommendation 2.71</p> <p>That the VEC review its communications and public engagement strategy for future elections to ensure it avoids unnecessary commentary that may lead to a perception of bias or interference with the electoral process.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcome of reinforcing public trust.</i></p> <p>The VEC has already actioned this recommendation. We reviewed and published our updated regulatory approach in August 2024.²⁵ We reiterate that there can be no moratorium on regulatory activity during elections.²⁶</p> <p>As part of this update, we have published our approach to public comment on our regulatory activities on our website.²⁷ We will continue to uplift our regulatory role by publishing our regulatory objectives and embedding a regulatory strategy across our regulatory operations.</p>

²⁵ VEC, [Our regulatory approach](#), VEC website, accessed November 2024.

²⁶ VEC, [Regulation is part of the VEC's job](#) [media release], 18 November 2022, accessed November 2024.

²⁷ VEC, [Public comment on our regulatory activities](#), VEC website, accessed November 2024.

EMC recommendation	VEC response
<p>Recommendation 2.72</p> <p>That the VEC ensure its training highlights the need for candidates and campaigners to be treated appropriately by election officials and that candidates and campaigners should not be seen as adversaries.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>Our training already highlights the importance of treating all electoral participants with respect. As part of our commitment to enhancing staff training, we will place a greater emphasis on a collaborative and positive culture.</p> <p>The VEC recognises culture as a key component of electoral integrity and prioritises fostering a positive culture, both within our workforce and through our work with stakeholders and electoral participants. Our Electoral Integrity Framework sets standards of culture against principles of electoral integrity, and we will embed these standards in election staff training.²⁸</p> <p>This would be reinforced by the acceptance of an enforceable code of conduct for candidates and campaigners in accordance with recommendation 1.10 to foster a collaborative culture between the VEC, candidates, parties, and candidate and party workers.</p>

²⁸ VEC, [Electoral Integrity Framework](#), 2023, accessed November 2024.

EMC recommendation	VEC response
<p>Recommendation 2.73</p> <p>That the Government introduce legislation amending the Electoral Act to specify that transfer values for surplus votes under proportional representation should be calculated using the weighted inclusive Gregory method.</p>	<p>The VEC supports this recommendation in principle. ●</p> <p>Changing the transfer values for surplus votes to be calculated using the weighted inclusive Gregory method would address infrequent edge cases where values can be inflated.</p> <p>As noted in our response to recommendation 1.17, if legislation is introduced to reform the voting system used for Legislative Council elections for the 2026 State election, it is critical for these changes to be made immediately to avoid an unacceptable risk of election failure.</p> <p>If this change is to be made, the VEC also notes that it should be extended to the counting system used for multi-councillor vacancies in elections held under the <i>Local Government Act 2020 (Vic)</i> (Local Government Act) and <i>City of Melbourne Act 2001 (Vic)</i>. We could implement this change in time for the 2028 local government elections, ahead of the significantly larger Legislative Council election counts at the 2030 State election.</p>

EMC recommendation	VEC response
<p>Recommendation 2.74</p> <p>That the VEC further improve its approach to providing updates on Electoral Matters Committee recommendations by:</p> <ul style="list-style-type: none"> establishing a system of language that clearly and consistently represents the status of its work or intentions ensuring that its updates reflect the VEC's actual intentions and actions (and include clear statements if the VEC has altered its view on whether or not it supports a recommendation). 	<p>The VEC supports this recommendation.</p> <p><i>It supports our strategic outcomes of reinforcing public trust, responding to a complex environment.</i></p> <p>The VEC is focused on uplifting the consistency and continuity across our submission, reporting and response templates for parliamentary inquiries. This will include better long-term tracking for our commitments, recommendations and broader advocacy priorities, as well formal recommendations by other bodies about us and our work.</p> <p>The VEC has adopted an internal style template for responding to the Committee's recommendations to ensure consistency going forward. We will continue to report on progress using the methodology adopted in the VEC submission and the Report to Parliament.²⁹ This methodology categorises the Committee's recommendations as:</p> <ul style="list-style-type: none"> actioned in progress not supported/no further action not applicable to the VEC.

²⁹ See the VEC submission, Appendix 6 (page 107) and Report to Parliament, Appendix 1 (page 114).

EMC recommendation	VEC response
<p>Recommendation 2.75</p> <p>That the VEC establish outcomes-based (election participation) or external evaluation measures for its advisory groups.</p>	<p>The VEC does not support this recommendation. ●</p> <p>Our advisory groups provide invaluable advice and insight into issues that impact the ability for Victorians to participate in elections. Their input helps us implement our <i>Multicultural inclusion plan</i>, <i>Disability inclusion plan</i>, <i>Young people inclusion plan</i>, and <i>Prisons and without a home inclusion plan</i>. These plans support our engagement of people who have been traditionally under-represented in the electoral process.</p> <p>Advisory groups can indirectly impact electoral participation, but establishing an outcomes-based evaluation measure linked to electoral participation would not be appropriate for these groups.</p>
<p>Recommendation 2.76</p> <p>That the VEC include performance indicators that measure the accuracy of vote counting in future election plans, and report against these indicators in its reports to Parliament following elections.</p>	<p>The VEC supports this recommendation. ●</p> <p><i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i></p> <p>The VEC intends to implement new performance indicators to measure vote counting accuracy for the 2026 State election and will report against these indicators.</p> <p>We will consult other electoral commissions to explore how we can design these new measures to reflect count integrity best practice and increase transparency.</p>

3. Budget impact of recommendations

EMC recommendation	Approximate budget impact			
	Lower impact <\$100,000	Medium impact \$100,000–\$500,000	Higher impact >\$500,000	No budget impact or not applicable
1.1	Green			
1.2				Dark Blue
1.3				Dark Blue
1.4			Red	
1.5		Yellow		
1.6				Dark Blue
1.7		Yellow		
1.8	Green			
1.9				Dark Blue
1.10		Yellow		
1.11		Yellow		
1.12			Red	
1.13			Red	
1.14				Dark Blue
1.15				Dark Blue
1.16			Red	
1.17			Red	
1.18			Red	
1.19				Dark Blue
1.20				Dark Blue
1.21				Dark Blue
1.22				Dark Blue
2.1	Green			
2.2			Red	
2.3		Yellow		
2.4				Dark Blue

EMC recommendation	Approximate budget impact			
	Lower impact <\$100,000	Medium impact \$100,000–\$500,000	Higher impact >\$500,000	No budget impact or not applicable
2.5				
2.6				
2.7				
2.8				
2.9				
2.10				
2.11				
2.12				
2.13				
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2.31				
2.32				

EMC recommendation	Approximate budget impact			
	Lower impact <\$100,000	Medium impact \$100,000–\$500,000	Higher impact >\$500,000	No budget impact or not applicable
2.33				
2.34				
2.35				
2.36				
2.37				
2.38				
2.39				
2.40				
2.41				
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2.60				

EMC recommendation	Approximate budget impact			
	Lower impact <\$100,000	Medium impact \$100,000–\$500,000	Higher impact >\$500,000	No budget impact or not applicable
2.61				
2.62				
2.63				
2.64				
2.65				
2.66				
2.67				
2.68				
2.69				
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2.76				

4. Dissenting report and minority recommendations

The Committee's report from its inquiry into the conduct of the 2022 Victorian State election included minority recommendations from Brad Battin MP, Emma Kealy MP and Wayne Farnham MP. We respond to the recommendations in the dissenting report in this section.

We note that David Ettershank MP provided a separate minority report providing additional commentary on the Committee's deliberations. Mr Ettershank's minority report does not make recommendations and hence does not require a response.

Minority recommendation	VEC response
<p>Recommendation 1</p> <p>Introduce legislation to abolish Group Voting Tickets for Legislative Council elections to ensure that the election of Members of Parliament is the direct consequence of votes cast by the public and not open to manipulation.</p>	<p>The VEC supports this recommendation in principle.</p> <p>See our response to the Committee's recommendation 1.17.</p>
<p>Recommendation 2</p> <p>Replace the current configuration of the Legislative Council to match the Federal Senate system.</p>	<p>The VEC notes this recommendation.</p> <p>We note the inquiry into Victoria's Upper House electoral system has now been referred to the Committee in accordance with recommendation 1.19. The VEC will make a submission to the new inquiry in due course.</p>
<p>Recommendation 3</p> <p>Establish a Parliamentary Inquiry into the dealings of Mr Glenn Druery and Members of the Legislative Council, with the Inquiry report tabled in both Houses of Parliament and with immediate referrals to the Independent Broad-Based Anti-Corruption Commission (IBAC) of any adverse findings.</p>	<p>This recommendation is not applicable to the VEC.</p>

Minority recommendation	VEC response
<p>Recommendation 4</p> <p>That the Government introduce legislation to amend the Electoral Act 2002 (Vic) to:</p> <ul style="list-style-type: none"> strengthen the obligations of the VEC to abstain from any political (and non-informational) communications; and require the VEC to distribute hard mail communications to voters for all elections. 	<p>The VEC does not support this recommendation.</p> <p>Regarding political and non-informational communications, we have reviewed our regulatory approach and published our approach to public comment on regulatory activities. See our response to the Committee's recommendation 2.71.</p> <p>Regarding hard mail communications to electors, see our response to the Committee's recommendation 2.30.</p>
<p>Recommendation 5</p> <p>The Electoral Matters Committee write to each political party represented in the current Parliament asking them to develop and agree to a voluntary Code of Conduct for Volunteers.</p>	<p>The VEC does not support this recommendation.</p> <p>Our experience is that non-enforceable codes of conduct would not address poor behaviour of candidates and campaigners. Instead, we support the development of a legally enforceable code of conduct contingent on appropriate enforcement powers being granted to the VEC as per recommendations 1.10 and 1.11 from the Committee's report.</p>
<p>Recommendation 6</p> <p>Allow volunteers to continue to maintain anonymity in their voluntary political activities.</p>	<p>The VEC notes this recommendation.</p> <p>See our response to the Committee's recommendation 1.13.</p>

5. Matters not addressed

There are 2 matters raised in the VEC Submission that are not addressed in the report and do not appear to have been considered by the Committee. These are:

- We raised in the VEC Submission that the Committee should consider the vulnerability of enrolment information held by candidates, members of parliament and registered political parties, and consider the legal requirement for the VEC to provide this information regardless of the recipient's information protection or cyber security sophistication, as well as the heightened concerns in the community regarding the privacy of their information (policy matter 5, p. 42).

This policy matter was not addressed in the Committee's report, and we reiterate our recommendation from the Report to Parliament to amend sections 33 and 104A of the Electoral Act to require recipients of enrolment information to provide an undertaking to the VEC that they will use the information in accordance with the *Privacy and Data Protection Act 2014* (Vic) (**PDP Act**) and will return or destroy the information within a given timeframe.

- We raised the VEC Submission that the Committee should recommend repealing section 19(2)(c) of the Electoral Act to allow the Electoral Commissioner to delegate the prescribed power and avoid the current single point of dependency (recommendation 7, p. 57).

This recommendation was not addressed in the report, and we reiterate our recommendation. This would also address the only outstanding aspect of recommendation 1 of the Report to Parliament.

6. Alignment with previous recommendations

In the Report to Parliament, we made 12 key recommendations and 18 technical recommendations. The below table summarises the extent to which these recommendations have been addressed through the recommendations made by the Committee.

Where recommendations have not been addressed or have only been partly addressed, we reiterate our recommendations.

VEC recommendation	EMC alignment
<p>Recommendation 1: The Electoral Act (page 13)</p>	<p>Partly addressed</p> <p>The specific timeline changes we recommended are addressed by recommendation 1.1, and the Committee has recommended further monitoring of the election timeline in recommendation 1.3. Our recommendation for a holistic review of the Electoral Act is also addressed by recommendation 1.21.</p> <p>Our recommendation on the decision on challenged ballot papers in a recount is not addressed. We reiterate our recommendation that section 19(2)(c) of the Electoral Act should be repealed to allow the power to decide on a challenged ballot paper in a recount to be delegated by the Electoral Commissioner.</p>
<p>Recommendation 2: Availability of early voting centres (page 22)</p>	<p>Addressed</p> <p>Our recommendation for suitable publicly-funded venues to be available for use as early voting centres is addressed by recommendation 2.12.</p>
<p>Recommendation 3: Safety and wellbeing of election staff (page 28)</p>	<p>Not addressed</p> <p>We reiterate our recommendation that an offence is inserted into the Electoral Act to proscribe a person from, by violence or intimidation or harassment, interfering with or obstructing the conduct of a person employed or appointed by the VEC in the performance of their duties.</p>

VEC recommendation	EMC alignment
<p>Recommendation 4: Registration of how-to-vote cards (page 37)</p>	<p>Addressed</p> <p>Our recommendation to remove the process for registering how-to-vote cards is addressed by recommendation 2.69.</p> <p>If the Government does not adopt this recommendation, we reiterate the alternative recommendations on page 37 of the Report to Parliament.</p>
<p>Recommendation 5: Poor behaviour at voting centres (page 62)</p>	<p>Addressed</p> <p>Our recommendation to place reasonable limitations on the ways campaigners at voting centres may interact with voters is likely to be addressed by the introduction of a legally enforceable code of conduct. This is in accordance with recommendations 1.10 and 1.11 and also addressed by recommendation 1.14.</p>

VEC recommendation	EMC alignment
<p>Recommendation 6: Eligibility for electronic-assisted voting (page 65)</p>	<p>Partly addressed</p> <p>Our recommendation that eligibility for electronic-assisted voting should be expanded to Australian Antarctic Territory electors is addressed by recommendation 2.22.</p> <p>We reiterate our recommendation that the classes of electors eligible for electronic-assisted voting be expanded to include those who experience the greatest barriers to participation, including:</p> <ul style="list-style-type: none"> • interstate or overseas electors • electors who are unwell, infirm, or caring for someone • electors experiencing homelessness, or family or domestic violence • neurodivergent electors. <p>We reiterate our recommendation that the eligible classes of electors for electronic voting and electronic-assisted voting are maintained in alignment with each other to allow for any future technological development. This recommendation was supported by the Electoral Review Expert Panel, who also observed that it is desirable to harmonise the provision of telephone assisted voting between elections under the Electoral Act and the Local Government Act.³⁰</p>

³⁰ Electoral Review Expert Panel Report on Victoria's laws on political finance and electronic assisted voting, recommendation 10.4 (page 360).

VEC recommendation	EMC alignment
<p>Recommendation 7: Preparing for emergency situations (page 68)</p>	<p>Not addressed</p> <p>Our recommendations to better prepare for emergency situations are not addressed.</p> <p>We reiterate our recommendation that the Electoral Act is amended to remove the need for voting to be suspended or adjourned under sections 97 and 97A of the Electoral Act, respectively, for emergency situations. A provision should be inserted to allow the Electoral Commissioner to make alternative arrangements to ensure an election is administered properly in an emergency.</p> <p>We reiterate our recommendation to amend the electoral regulations to provide a permanent solution mirroring the process in temporary regulation 51A. This would extend eligibility for electronic-assisted voting to victims of localised, but still severe, emergencies, as determined by the Electoral Commissioner in consultation with the Emergency Management Commissioner. This recommendation was also supported by the Electoral Review Expert Panel.³¹</p>
<p>Recommendation 8: Centralisation of processes (page 75)</p>	<p>Not addressed</p> <p>We reiterate our recommendation that the Electoral Act replaces references to an election manager or election official with references to ‘the election manager or the Commission’ or ‘an election official or the Commission’. This would allow us to centralise election processes where it is appropriate or necessary to do so, similar to elections held under the Local Government Act.</p> <p>If this recommendation is not implemented, the VEC may not be able to properly operationalise the Committee’s recommendations 1.14, 2.27, 2.41 and 2.58.</p>

³¹ Electoral Review Expert Panel Report on Victoria’s laws on political finance and electronic assisted voting, recommendation 10.3 (page 359).

VEC recommendation	EMC alignment
<p>Recommendation 9: Regulation of electoral campaign material (page 78)</p>	<p>Partly addressed</p> <p>Our recommendation to harmonise authorisation requirements with the Commonwealth requirements, including limiting the definition of ‘electoral matter’, is addressed by recommendation 2.53.</p> <p>Our recommendation to establish clear principles for what is likely to mislead or deceive an elector in relation to the casting of their vote is partly addressed by recommendation 2.54, which would only apply to how-to-vote cards rather than all electoral matter.</p> <p>We note that the Committee’s alternative recommendation to establish truth in political advertising laws (recommendation 1.16) does not address the immediate issue with section 84 of the Electoral Act. We reiterate our recommendation to amend the provision to clarify that reference to matter likely to mislead or deceive an elector in the casting of their vote is limited to matter likely to mislead or deceive an elector in how they cast their vote based on the party or candidate they have decided to vote for, or whether they cast their vote at all.</p>
<p>Recommendation 10: Enforcement and investigation of electoral offences (page 81)</p>	<p>Addressed</p> <p>Our recommendation to strengthen enforcement and investigative tools for electoral offences is addressed by recommendation 1.11.</p> <p>We note that, while the Committee has recommended an inquiry into whether bodies other than the VEC should be given responsibility for investigating and prosecuting breaches of the Electoral Act, we are currently best placed to be the regulating body and these changes are needed before the 2026 State election.</p>

VEC recommendation	EMC alignment
<p>Recommendation 11: Privacy and data protection concerns (page 92)</p>	<p>Partly addressed</p> <p>Our recommendation to introduce an offence for a person other than an electoral commission to distribute a general postal voter application is addressed by recommendation 2.20.</p> <p>We reiterate our recommendation that sections 33 and 104A of the Electoral Act are amended to require recipients of enrolment information to provide an undertaking to the VEC that they will use the information in accordance with the PDP Act and will return or destroy the information in a given timeframe.</p>
<p>Recommendation 12: Supplementary election provisions (page 109)</p>	<p>Not addressed</p> <p>We reiterate our recommendation to codify provisions relating to supplementary elections in the Electoral Act, and that section 72(4)(a) is amended to provide that the VEC must suppress the address of any electors who have become silent electors since the close of the roll for the election that failed on the roll for a supplementary election.</p>
<p>Technical recommendations (page 110)</p>	<p>Technical recommendation 6 is addressed by recommendation 2.64.</p> <p>The remaining 17 of our technical recommendations are not addressed, and the VEC reiterates our recommendations.</p>

7. Other reform opportunities

We note the Electoral Review Expert Panel, established in accordance with section 222DC of the *Electoral Act 2002* (Vic), reported to the Victorian Government in November 2023 and their first report, including 77 recommendations, was tabled in Parliament on 5 March 2024. We understand the Electoral Review Expert Panel delivered their second report to the Victorian Government in February 2024.³² To date, the second report has not been provided to the VEC, tabled in Parliament, or made publicly available.

We responded to the recommendations in the Electoral Review Expert Panel's first report in June 2024. Our response is available on the [VEC website](#). We observe a number of opportunities to improve Victoria's electoral laws by considering the Committee's report, Electoral Review Expert Panel's first report, and our reports, submissions and responses as a holistic reform program.

This is consistent with the VEC's strategic pillars:

- reinforcing public trust (trust)
- improving the voter experience (voters)
- responding to a complex environment (processes and systems)
- prioritising staff safety and wellbeing (wellbeing).

³² Victorian Government, [Independent review of Victoria's electoral and political donations system](#), Victorian Government website, accessed November 2024.