

VICTORIAN ELECTORAL COMMISSION

RESPONSE TO ELECTORAL MATTERS COMMITTEE REPORT ON ITS INQUIRY INTO THE 2025 PRAHRAN AND WERRIBEE BY-ELECTIONS (MARCH 2026)

Table of Contents

1. Introduction	2
2. VEC responses to recommendations	5
3. Budget impact of recommendations	12
4. Matters not addressed	13

1. Introduction

The Victorian Electoral Commission (**VEC**) acknowledges the findings from the Electoral Matters Committee (**Committee**) inquiry into the conduct of the 2025 Prahran and Werribee by-elections. 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.

This document provides a response to each of the Committee's 12 recommendations. In doing so, we call attention to the opportunities and risks raised by the recommendations. We align the recommendations to our strategic outcomes and recommendations made in our reporting following the by-elections, including our [submission to the Committee's inquiry](#) and [Report to Parliament on the by-elections](#). While several of our recommendations are supported by the Committee, some remain unaddressed.

Our responses seek to safeguard 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 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.

Strategic pillars and objectives

Our strategic pillars and objectives are set out in our [Strategic Service Plan](#), published in May 2025. We have identified where the Committee's recommendations align to our strategic pillars, and this alignment is indicated for each VEC response.

Our strategic pillars



Reinforcing public trust

We are trusted to deliver electoral services with integrity and high quality



Improving the voter experience

We deliver a great voter experience



Responding to a complex environment

Our processes and systems respond to a complex environment



Prioritising staff safety and wellbeing

Our people are capable, engaged and satisfied



Our strategic objectives

Accessing election information in real time

We will provide trusted electoral information for Victorians

Voting options for all electors and situations

We will provide service excellence enabling voters to select from a broader range of voting options

Intuitive experiences for all candidates

We will ensure easy, fair, convenient and accessible processes for candidates

Safe, empowered employees

We will offer a safe and equitable workplace every day

For more information, visit vec.vic.gov.au/publications. To view the VEC's submission to the inquiry, and our submissions and responses to previous inquiries and other reviews, visit vec.vic.gov.au/submissions.

About our responses

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

EMC recommendation	VEC response
Recommendation 1 That the Government introduce legislation amending section 63 of the Electoral Act to allow the Speaker to appoint the day for the close of rolls to be up to 35 days after the issue of the writ and the final nomination day to be up to 56 days after the issue of the writ (for by-elections).	The VEC supports this recommendation. ● <i>It supports our strategic outcomes of responding to a complex environment and improving the voter experience.</i> Providing the Speaker of the Legislative Assembly with greater flexibility when appointing dates for state by-elections will allow the timelines to be more responsive to contextual factors, such as holiday periods and other events.

EMC recommendation	VEC response
Recommendation 2 That the Victorian Electoral Commission review the evidence provided to this Inquiry and make changes to its public communications products, as necessary, to better inform electors.	The VEC supports this recommendation. ● <i>It supports our strategic outcomes of reinforcing public trust and improving the voter experience.</i> We will continue to review all available information as part of our commitment to continuously improve our communication products. For the 2026 state election, we will mail a printed EasyVote guide to every household in Victoria, and we will also deploy this initiative at the 2026 Nepean District by-election for all households in Nepean District. The EasyVote guide will include details such as the election date, options for voting and where to vote on or before election day, how to access information about candidates and how-to-vote cards, and a reminder that voting is compulsory. We are also improving our website accessibility and usability. This includes strengthening how well our web content can be retrieved by search engines in a zero-click (AI summary) environment.

EMC recommendation	VEC response
Recommendation 3 That the Victorian Electoral Commission explore new organisations to receive data from as part of its automatic enrolment program, including the State Revenue Office and the Residential Tenancy Bond Authority.	The VEC does not support this recommendation.  Direct enrolment is carried out by the Australian Electoral Commission (AEC) and applied to the Victorian register of electors under a joint roll arrangement. We no longer conduct direct enrolment, as this is counter to efforts to harmonise the state and federal electoral rolls and was a major contributor to roll divergence. When the VEC conducted direct enrolment, we did at various points receive data from the State Revenue Office and Residential Tenancy Bond Authority. Both datasets were incompatible with direct enrolment requirements due to varying verification requirements and addresses not necessarily being the relevant person's principal place of residence. We will continue to engage with the AEC, as our joint roll partner, in respect to suitable datasets to inform their direct enrolment program. The AEC's Federal Direct Enrolment and Update Program already access state and territory driver licence authorities, Services Australia – Centrelink, the Australian Taxation Office, and the Commonwealth Department of Home Affairs.¹
Recommendation 4 That the Victorian Electoral Commission investigate claims about eligible electors not being offered provisional votes, and review its training materials to ensure that they contain clear and accurate information about provisional voting.	The VEC supports this recommendation.  <i>It supports our strategic outcome of improving the voter experience.</i> We have requested the contact details for the individuals that reported this experience via another submitter to the Committee's inquiry in order to investigate these claims. However, to date, we have not received a response. In the interim, we are reviewing instructional products relevant to provisional voting as part of our continuous improvement effort to ensure our staff have clear instructions on the circumstances when individuals should be offered provisional voting options, including during state by-elections where there is a higher likelihood of electors arriving to vote despite not being eligible due to being enrolled in another district.

¹ Australian Electoral Commission (AEC), [Direct Enrolment and Update](#), AEC, 11 March 2025, accessed February 2026.

EMC recommendation	VEC response
Recommendation 5 That the VEC urgently identify the causes of voters incorrectly filling out the declaration envelopes for postal votes, especially the verification question, and redesign the envelope to address the problems before the 2026 state election.	The VEC supports this recommendation.  <i>It supports our strategic outcome of improving the voter experience.</i> We are currently completing research to inform our redesign of the postal envelope, with a focus on continuing to reduce rates of rejection. This involves testing different design options, re-analysis of postal voting data and consultation with electoral commissions in other jurisdictions. We anticipate this research will be completed in March 2026 and we intend to deploy the redesigned postal envelope for testing at the 2026 Nepean District by-election.
Recommendation 6 That the Government introduce legislation amending the Electoral Act to reduce the early voting period to 7 days and the period for mobile voting to 9 days before election day.	The VEC does not support this recommendation.  The VEC has responsibility to appoint the times of operation for each early voting centre and mobile voting centre. We note that the Electoral Amendment Bill 2025, which is before the Parliament, will, if passed in its current form, fix for the early voting period to commence 10 days before election day. As noted in our response to the Committee's report on the conduct of the 2022 state election, further shortening the early voting period would lead to increased numbers of early voters on each day of early voting. This would impact heavily on voter queue times and require costly solutions to source more early voting centres to service voter demand. As recommended in our submission to the Committee's inquiry into voting centre accessibility, we support safeguarding our ability to deliver mobile voting services for any period prior to the opening of early voting centres to the public in order to support priority communities with an accessible voting service.²

² VEC submission to the Electoral Matters Committee inquiry into voting centre accessibility, recommendation 4, p. 24.

EMC recommendation	VEC response
Recommendation 7 That the Government introduce legislation to establish a legal framework for campaigner registration at voting centres, as previously recommended by the Committee in its report on the 2022 Victorian state election.	The VEC supports this recommendation in principle. ● <i>It supports our strategic outcomes of responding to a complex environment and improving the voter experience.</i> We support a legislative framework for campaigner registration, linked to a mandatory code of conduct for campaigners, as part of a holistic approach to reducing and responding to poor behaviour at voting centres. The Committee's previous recommendation was for this to be implemented as a digital system with specific features.³ We noted there would be significant effort associated with the development of an online model which would require funding, and that this would need to be factored into our development pipeline and may require us to de-prioritise existing commitments without new funding.⁴ As no legislative framework for campaigner registration currently exists, our own campaigner registration trial is currently being reviewed following recent state by-elections and in light of the Committee's commentary. At the 2026 Nepean District by-election, we will amend the trial to use an updated form asking all contractors, campaigners, and additional visitors to our early voting centres and election day voting centres to register an emergency contact with us. Visitor registration will continue to be voluntary for campaigners, and this will be clearly shown on the form. Our future approach will be consistent with our obligations under the <i>Occupational Health and Safety Act 2004</i> (Vic) to reduce risks as far as reasonably practicable for everyone attending premises that we manage.

³ Volume 1 of the *Electoral Matters Committee report on the conduct of the 2022 State election*, recommendation 13 (p. 42).

⁴ VEC response to Electoral Matters Committee report on its inquiry into the conduct of the 2022 Victorian state election, p. 15.

EMC recommendation	VEC response
Recommendation 8 That, in reviewing its communication products and processes, the Victorian Electoral Commission consider the evidence presented to this Committee regarding problems experienced by candidates and parties.	The VEC supports this recommendation.  <i>It supports our strategic outcome of responding to a complex environment.</i> We are reviewing our communication products and processes in the lead up to the 2026 state election and have already initiated some improvements. We have recently written to registered political parties to clarify pathways for contacting us and reporting or escalating issues for the 2026 state election. We also wrote to each registered political party and published an article in the Department of Parliamentary Services monthly newsletter to members of Parliament alerting them to our draft election service plan, to spread awareness of key initiatives and service changes for the election.
Recommendation 9 That the VEC consider ways to strengthen its vetting processes with respect to the hiring of election staff, to reduce the risk to impartiality in the future.	The VEC supports this recommendation.  <i>It supports our strategic outcome of reinforcing public trust.</i> Following the 2022 state election, we set up a dedicated project reviewing our policy and guidelines on political activity disclosures to determine ways to strengthen messaging and reinforce impartiality requirements. This project is considering lessons learnt from the by-elections. We anticipate changes resulting from this project to be in place in time for the 2026 state election.

EMC recommendation	VEC response
Recommendation 10 That, in reviewing its training materials, the Victorian Electoral Commission consider the evidence presented to this Committee regarding processes and problems experienced by scrutineers.	The VEC supports this recommendation. ● <i>It supports our strategic outcomes of reinforcing public trust and responding to a complex environment.</i> Following the by-elections, we have made changes to our suite of instructional products and training materials reflecting the lessons learned and feedback received. We are confident that these changes will effectively resolve the issues experienced at the by-elections in time for the 2026 Nepean District by-election and the 2026 state election.
Recommendation 11 That, if the Government decides not to introduce legislation for a legally enforceable code of conduct for campaigners, it consider legislation providing limitations on how campaigners may interact with voters outside voting centres.	The VEC supports this recommendation. ● <i>It supports our strategic outcomes of reinforcing public trust, improving the voter experience and prioritising staff safety and wellbeing.</i> This addresses recommendation 2 from our submission to the Committee. We continue to recommend that reforms to the Electoral Act are introduced to place reasonable limitations on the ways campaigners at voting centres interact with voters, including strengthening the existing tools available to election staff and introducing an offence for a person removed from a voting centre under section 174 of the Electoral Act to return to the voting centre. We note again that this recommendation would likely be addressed by the introduction of a legally enforceable code of conduct, as recommended by the Committee in its report on the conduct of the 2022 State election.⁵

⁵ Volume 1 of the *Electoral Matters Committee report on the conduct of the 2022 State election*, recommendations 10 and 11 (pp. 38 and 40). See also recommendation 14 of that Volume (p. 45).

EMC recommendation	VEC response
Recommendation 12 That the Victorian Electoral Commission continue to work on its training products to improve voting centre staff's knowledge of electoral rules and to establish clear escalation processes for parties and campaigners for when there are disagreements with voting centre staff.	The VEC supports this recommendation. <i>It supports our strategic outcomes of responding to a complex environment and prioritising staff safety and wellbeing.</i> We are in the process of designing informational resources for campaigners outside voting locations and making clearer pathways for contacting us and reporting or escalating issues. As part of this work, we are engaging with registered political parties for a co-design approach.

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				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				

4. Matters not addressed

There are 6 matters raised in our submission to the inquiry that were not addressed in the Committee's report:

- **Recommendation 4: Party registration reviews**

We recommended that section 52(1)(b) of the Electoral Act should be amended to provide that a political party registration review is only required after a general election, not a by-election. This recommendation was not addressed by the Committee, though we note it is addressed in the Electoral Amendment Bill 2025 currently before Parliament.

- **Recommendation 5: Eligibility for electronic assisted voting**

We reiterated our recommendation to expand access to telephone assisted voting for interstate and overseas voters to better serve enrolled Victorian electors regardless of their physical location.⁶ This recommendation has not been addressed.

- **Recommendation 6: Counting of Legislative Council ballot papers**

We reiterated our recommendation to amend the outdated cross-reference in section 114A(4) of the Electoral Act to allow for counting of Legislative Council ballot papers to begin 'as soon as practicable [...] at a location determined by the Commission'.⁷ This recommendation was not addressed by the Committee, though we note it is addressed in the Electoral Amendment Bill 2025 currently before Parliament.

- **Recommendation 7: Full preference distributions**

We recommended simplifying and streamlining full preference distributions by amending the cross-reference in section 114 of the Electoral Act to allow for a full distribution to occur even if a candidate has reached an absolute majority of first preference votes. This recommendation has not been addressed.

⁶ Our recommendation to the Committee partly reiterated our previous recommendation to expand access to telephone assisted voting for a broader range of cohorts who experience the greatest barriers to participation, and to maintain the eligible classes of electors for electronic voting and electronic assisted voting in alignment with each other to allow for any future technological development. See *VEC Report to Parliament on the 2022 state election and 2023 Narracan District supplementary election*, recommendation 6 (p. 65).

⁷ *VEC Report to Parliament on the 2022 state election and 2023 Narracan District supplementary election*, technical recommendation 12, p. 111.

- **Recommendation 8: Responsibility for signage outside voting centres**

We recommended reviewing the offence provisions in section 158A of the Electoral Act to clarify the responsible person for taking action on signs displayed by or on behalf of people or organisations with no lawful entitlement to display any signs. This recommendation has not been addressed.

- **Recommendation 9: Enforcement of electoral offences**

We recommended reviewing the injunction provisions of the Electoral Act to ensure they can be consistently applied and understood by all election participants. We also reiterated our recommendation to amend the Electoral Act to allow for infringement notices, cautions, warnings and enforceable undertakings for less serious electoral offences.⁸ This recommendation has not been addressed.

⁸ *VEC Report to Parliament on the 2022 state election and 2023 Narracan District supplementary election*, recommendation 10, p. 81.