

ELECTORAL MATTERS COMMITTEE

Inquiry into the 2025 Prahran and Werribee By-elections

Melbourne – Friday 20 June 2025

MEMBERS

Dylan Wight – Chair

Chris Crewther – Deputy Chair

Jacinta Ermacora

David Ettershank

Emma Kealy

Nathan Lambert

Sarah Mansfield

Evan Mulholland

Lee Tarlamis

WITNESS (*via teleconference*)

Steve Staikos, State Secretary, Victoria, Australian Labor Party.

The CHAIR: I declare open this public hearing for the Electoral Matters Committee's Inquiry into the 2025 Prahran and Werribee By-elections. All mobile telephones should now be turned to silent.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands each of us is gathered on today and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings.

I am Dylan Wight, Member for Tarneit and Chair of the committee. Next to me is Christopher Crewther, Deputy Chair and Member for Mornington. Also in the room is Evan Mulholland, Member for Northern Metropolitan Region. Online we have got Sarah Mansfield, Member for Western Victoria; Nathan Lambert, Member for Preston; Jacinta Ermacora, who is also a Member for Western Victoria; and Lee Tarlamis, who is a Member for South-Eastern Metropolitan Region.

I would like to welcome Steve Staikos, who is the State Secretary of the Victorian Labor Party, to give evidence.

All evidence taken by this committee is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, including on social media, you may not be protected by the same privilege. The committee does not require witnesses to be sworn, but questions must be answered fully, accurately and truthfully. Witnesses found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

All evidence given today is being recorded by Hansard and is broadcast live on the Parliament's website. The broadcast includes automated captioning. Members and witnesses should be aware that all microphones are live during hearings, and anything said may be picked up and captioned, even if said quietly. You will be provided with a proof version of the transcript to check as soon as available. Verified transcripts, PowerPoint presentations and handouts will be placed on the committee's website as soon as possible.

Steve, we will invite you to give a brief overview and summation of the submission, and then we will fire away with some questions.

Steve STAIKOS: Certainly, thank you. Thank you for the opportunity to provide this statement on behalf of the Victorian Branch of the Australian Labor Party. Our submission of course focuses exclusively on the Werribee by-election, and we raised in our submission a number of key points, which I will briefly cover now. First and foremost, the concern about impartiality of some VEC staff – as our submission detailed, we observed an alleged breach of neutrality by a VEC staff member at the Manor Lakes P-12 College voting centre. We allege that this individual was seen encouraging votes for the Liberal Party and even interacting with senior Liberal figures. They also confiscated how-to-vote cards from a registered third-party campaigner. While the staff member was eventually removed, the incident does highlight the need for additional screening and training of election staff, and I do note that the VEC submission does refer to that incident.

In terms of the campaign registration trial, we acknowledge the VEC's efforts to improve safety through the campaign registration trial, and as a party, we supported the trial and instructed all Labor volunteers to participate. This, however, was not the case with volunteers from some other parties or for other candidates choosing not to engage in the trial. While the intent is sound and we support the recommendation from the review of the 2022 state election, I think that the process does need improvement and that we should take the learnings from the by-elections and further implementation for the 2026 state election. But I would recommend that we require that volunteers disclose on the form whom they are campaigning for or even be required to provide written authorisation from the political party, the candidate or the third-party campaign entity, which simply helps resolve any issues, as things can get escalated on the day to the appropriate senior campaign manager et cetera who has organised those campaigns.

In terms of voter communication and turnout, obviously turnout is a critical part of our democracy and compulsory voting. In this by-election in Werribee turnout fell below 80 per cent, and that was a drop of around 5 to 6 per cent from the 2022 state election. I still think there was a relatively high level of turnout for a by-election, but still, further work needs to occur to ensure as many people turn out to vote as possible. We would like to urge the VEC to consider an increase in communications with voters, especially for by-elections. Voters need to know the dates of early voting and, on election day itself, need to be reminded of the fact that voting is compulsory, and we would recommend a direct mail-out to all registered voters within the district before a by-election and that material is translated for non-English-speaking people or those with low English proficiency. Obviously political parties and candidates do their best to promote the fact that the election is happening, but an official postal notice from the VEC and official VEC engagement with ethnic media are essential to ensure greater awareness of and participation in by-elections. I think that that was our experience in the Mulgrave by-election as well, that there needed to be an additional push from the VEC to really increase turnout.

We are concerned about some of the polling venue suitability and safety. I think you may have heard some of this before, but polling places do need to be accessible, they need to be safe and they need to have good access and adequate parking. But one of the things that I did raise is that polling venues should also provide facilities for volunteers, and this was particularly challenging for the pre-poll centres in Werribee. Cast your minds back to January, February and the extreme weather that we had – we needed to have closer toilet facilities than were made available. Our volunteers were instructed to use public toilets, which were a significant walk away from the facility. I think that in the past, toilet facilities have been made available to volunteers. There was also an incident, which the VEC has referred to in their submission, at the vote-counting venue on election night, where ceiling panels collapsed due to water damage. This did risk ballot paper integrity. I have evidence that the ballot papers did have to be moved prior to the roof panel falling through. This could happen in any venue, but the incident itself underscores the need for careful venue selection and also engagement with volunteers and scrutineers and the VEC as these concerns are raised.

Throughout the campaign communication with the VEC was generally good. However, we did experience some delays when seeking clarification on some matters, so we would support any reforms that would improve responsiveness, particularly communication and a single point of communication and escalation for local returning officers in the local booths so that people are making decisions that are consistent.

Whilst the Werribee by-election was successfully conducted, there are obviously areas for improvement. I just wanted to quickly, as I close, note that there are a number of recommendations from the 2022 review that this committee did that I still think are worth consideration prior to the 2026 state election. I do not have time to go through all of them now, but particularly recommendations 1, 2 and 3, about the timelines of the elections and the time between the close of nominations and the printing of ballot papers, I think is a really critical point that I would like to make. That also would improve the process and the timelines for the registration of how-to-vote cards.

I also think that there needs to be further consideration of recommendations 4 and 5, about the pre-poll voting periods. That was something that we experienced during the by-election. We need to balance giving people an adequate opportunity to vote but also making sure that the voting period does not extend unnecessarily into a longer period than it needs to be. I also wanted to note – last point, I promise – that the idea of developing a code of conduct is something that we do support and that the process of registering volunteers really should go hand in hand with a code of conduct for election volunteers on election day. I will leave my comments there, and obviously I am happy to take questions.

The CHAIR: Thank you, Steve. I am going to go to Jacinta Ermacora online for the first question.

Jacinta ERMACORA: Hi, Steve. Thanks for coming along. I think that is a very interesting recommendation, a code of conduct for volunteers. With the registration of volunteers, would you see that that could also be done through a VEC app as you arrive at the booth, so it is not any interaction with people on paper? Would that maintain a bit more confidentiality?

Steve STAIKOS: Look, certainly I think that could be an option. We currently have a system where scrutineers are required to give their name and their enrolment address in order to enter the booth and scrutineer on behalf of a candidate. I think that the VEC has proven that the confidentiality of those details can be maintained. I personally think that a paper-based system would be more – well, I do not know about being

more secure, but it is a tried and tested system and a system that the VEC are working with at the moment. If there is an app, I am sure that data security can be maintained, and we would be happy to engage with the VEC on the development of the app. But as I said, I personally support the recommendation, and our volunteers found it generally quite easy to register and then get on with their little wristband and be compliant with that requirement, even if it was voluntary.

Jacinta ERMACORA: That is good. The official postal notice – I thought that was a very good point that you made, that with a by-election, not everybody knows. You know, there was an amazing number of people that did not know there was a by-election on identified in the days leading up. So would you say postal by paper as well as email and digital?

Steve STAIKOS: Absolutely. I have been around long enough to remember that the VEC used to do this. They indeed at one by-election sent out a letter which included a card that you could pop out of the letter that had the voter's name and address on it and their closest polling place and the date of the election, so this is back-to-the-future sort of stuff. These systems have been in place previously. Having witnessed numerous by-elections, particularly the by-elections that occurred between 2007 and 2013, those systems were in place, and handing out how-to-vote cards at those polling places, you would see voters enter the booth with that piece of communication in their hands. So I think there is a case to be made for by-elections particularly – for that kind of communication to be executed by the Victorian Electoral Commission.

Jacinta ERMACORA: Chair, if you are comfortable with me asking – I am not sure if anybody else wants to ask a question.

The CHAIR: The two guys in here do, but that is all right. We have got time for one more follow-up.

Jacinta ERMACORA: Yes, whatever suits you. The contact between the campaigns and the VEC – my understanding is there is usually a formal sort of individual allocated from the VEC who links with each campaign. But we have heard from other presenters this morning that there is a bit of a mismatch in communication sometimes. How would you see that improving?

Steve STAIKOS: I think it did take several days for us to have good communication, particularly once I established a line of communication directly to senior management within the VEC. The local returning officer ordinarily would be a point of contact for the local campaigns. But I think with by-elections, and particularly given state campaign directors or state secretaries are involved so closely with those by-elections, there does need to be a senior level of communication – which was established, and that did work well for the duration of the campaign.

Jacinta ERMACORA: Yes. Very good. Thanks, Steve.

The CHAIR: Thank you. We will go to Christopher Crewther.

Chris CREWOTHER: Thank you very much for your evidence and appearing before us today. It was raised earlier – concerns about ballot paper scrutiny and chaotic processes in terms of Werribee, at the pre-poll and scrutineering in particular. I personally observed issues there as well, and I am aware that both the Labor Party and Liberal Party were almost in agreement with some of the issues that were happening there in person. Do you think that the severe heating issue that was present at the Werribee pre-poll for scrutineering would have contributed to perhaps people not working as well as they should have in the circumstances?

Steve STAIKOS: Yes, thanks for that question. I mentioned the extreme weather. It was incredibly difficult. But what I would like to note is these pre-poll booth vote numbers are becoming bigger and bigger. And what we will see, particularly in state elections with, say, one or two, perhaps three pre-poll voting centres, is that 50 per cent of all votes are going to be within two or three booths, so it will become more and more necessary to have quite experienced VEC booth managers overseeing those counts. I am straining my memory now, but I understand that the vote for the pre-poll did take much longer than expected, which really delayed the information for us to be able to fully understand how the vote was going, given how close the margin was in the seat of Werribee.

Chris CREWOTHER: Thanks.

Evan MULHOLLAND: Thank you for being here today and for your submission. I just wanted to touch on one point: during the Werribee by-election, as the State Secretary you authorised material suggesting the Liberal candidate Steve Murphy was unfit for office based on his association with the reputable Catholic ministry organisation the Knights of the Southern Cross. Do you think that it is acceptable to attack candidates for public office based on their religion?

Steve STAIKOS: I think it is a point of public awareness that people know who they are voting for, so I authorise material providing information to voters about candidates. I think that is a practice that is undertaken by all or many parties, and I feel that is part of the political system that we have.

Evan MULHOLLAND: Have you done that for candidates of any other religion?

Steve STAIKOS: Well, as you would have seen with the federal election, I authorised a significant number of voting material for the federal election that did go to the character and the capacity of candidates to be elected as representatives into the federal Parliament, so –

Evan MULHOLLAND: This is an organisation that has had a long history, even in the Labor Party since 1916 as part of anti-communist movements. Many Labor MPs, past and present, have attended events that this organisation has run. How is this appropriate?

Steve STAIKOS: Well, as I said, it is a normal practice as part of election campaigning that we present information to voters about who they are voting for and what the options are. We will do that, and as I said, we have done that at the previous federal election. I am certain that the Liberal Party does the same thing.

Evan MULHOLLAND: Certainly would not do that.

The CHAIR: We might go to Sarah Mansfield online if she has a question.

Sarah MANSFIELD: Thank you for your submission and for appearing today. You mentioned the challenges, particularly with Werribee, for parties to have a how-to-vote card prepared and ready given the really compressed timelines. What would you like to see change there? We had earlier acknowledgement that it was partly the circumstances of when Tim Pallas tendered his resignation and that that created some challenges, but what would you like to see in that process?

Steve STAIKOS: Thank you. I think from the close of nominations through to the opening of pre-poll voting, I think is a short turnaround, and I acknowledge that those how-to-vote cards do not need to be authorised, so there is one step that we do not need to take. I would take inspiration from the federal system where the close of nomination occurs Friday, but a week earlier, so that parties have an opportunity to not only prepare how-to-vote cards or candidates have an opportunity not only to prepare how-to-vote cards, but also to finalise any preferencing arrangements that are required to occur. One thing that I will commend the VEC on is that they do publish the names of the candidates as they nominate, and that is a practice that I think is a good one and perhaps the AEC would also do the same for federal elections. But just having that extra time would be ideal.

Sarah MANSFIELD: You also made reference to the duration of pre-poll. I was just wondering if you wanted to expand on that.

Steve STAIKOS: Absolutely. I think the review into the 2022 election did suggest that the pre-poll voting period commence on the Saturday before the election and then happen every day between then and election day, so effectively there would be seven days of pre-polling. I really think that perhaps a voting period of that nature should be looked at. Again, particularly for these by-elections, we had extreme weather as well, and a feature of our democracy is that people are able to canvass and are able to hand out materials at polling centres, so that needs to be factored into the consideration as well.

Sarah MANSFIELD: Thank you.

The CHAIR: Does anyone else online have a burning question? Lee.

Lee TARLAMIS: Just to just to follow up on the on the pre-poll – and thanks, Steve, for your submission and coming along today – with regard to the seven days, this has been an ongoing issue around how long the

pre-poll period should be and where that kind of magic number is. A lot of the submissions have gone to the fact that one of the reasons why it needs to be shorter is because it is difficult to resource it, because it is one of the biggest booths, and the candidate needs to be there and cannot do other things. One of the things that I think has kind of been missed on the way through in terms of that argument is that if we did go to a seven-day period, early voting is not going to get any smaller, it is going to continue to get bigger. It is going to continue to be the biggest booth. So if we are trying to condense down 50 per cent of the population in each electorate in a shorter period of time, it is going to mean we are going to have much busier centres or they are going to have multiple early voting centres. I just think people need to go into this with their eyes open, that if you go to seven days you will not just have to staff one early voting centre, you are potentially going to have to staff two or three to cater for the throughput of people in a shorter period of time. I think it is important that we understand that there are trade-offs around this, and I think that point has been missed a little bit in the submissions. That is probably more of a comment than a question, but Steve, I am wondering if you have a view on that.

Steve STAIKOS: Thanks, Lee. Look, I do agree. The trend is that people are opting for early voting options. As we saw with the federal election as well, the numbers who voted early have grown significantly. What we see is queuing, and what we see is that what used to be, or what is supposed to be, an easier and simple process for people to be able to vote early because they cannot vote on an election day is now the first choice for people to vote. I do acknowledge your point, however, that if we do go to a condensed voting period, we will have busier voting centres and we may need to have additional voting centres, which would actually benefit the larger parties and would disadvantage small parties or disadvantage independent candidates who may not have the resources available to staff four or five early voting centres. I think your point goes to one of equity and being able to have different parties represented in those early voting centres. It is a trade-off. It is something that was recommended by that this committee after the 2022 election, and I think it is something worth further consideration.

Lee TARLAMIS: Thank you.

The CHAIR: Thank you. Unless anybody else has a really pressing question, we might leave it there and begin our next one on time. Thank you, Steve. Thanks for the submission, and thanks for appearing today. If there is anything further that you would like to submit, just send it through to the committee, and they will respond.

Witness withdrew.