

# **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

## WITNESSES

Sven Bluemmel, Electoral Commissioner,

Dana Fleming, Deputy Electoral Commissioner,

Ben Sutherland, Director, Event Strategy and Delivery,

Keegan Bartlett, Director, Electoral Integrity and Regulation, and

Melea Tarabay, Director, Communication and Engagement, Victorian Electoral Commission.

**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 phones 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, the Chair of the committee. To my right is Christopher Crewther, the Deputy Chair and Member for Mornington. He has just ducked out, but Evan Mulholland, Member for Northern Metropolitan Region, is also with us, as is Lee Tarlamis, Member for South-Eastern Metropolitan Region, online. And Sarah Mansfield and Jacinta Ermacora, who are both members for Western Victoria, are also online.

I would like to welcome the various representatives from the VEC. I will not go through and name you all, but welcome, thank you for the submission and thank you for appearing today.

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, even 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 the hearings, and anything said may be picked up and captioned, even if said quietly. You will be provided 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.

I invite you to give a 5-minute summary of your submission, which will be followed by some questions until about 12:45 pm – unless we run out of questions.

**Sven BLUEMMEL:** Thank you. Chair, Deputy Chair and members of the committee. Thank you for the opportunity to appear before you today and to make some introductory comments. I would first like to introduce members of my executive team joining me. On my right is Ms Dana Fleming, Deputy Electoral Commissioner. On her right is Ms Melea Tarabay, Director of Communication and Engagement. To my left is Mr Ben Sutherland, Director of Event Strategy and Delivery, and to his left is Mr Keegan Bartlett, Director of Electoral Integrity and Regulation.

The Victorian Electoral Commission welcomes this review as an important opportunity to hear from the community, parties, candidates and campaigners, and also to share our insights with you as we strive to improve electoral administration and election processes in Victoria. To set the context for our submission, these two by-elections were triggered by the resignation of Sam Hibbins from Prahran district on 23 November 2024 and the Honourable Tim Pallas from Werribee district on 6 January 2025. The writs for these by-elections were issued on 20 December and 6 January respectively. Extensive preparations took place over December and January, with election day being Saturday, 8 February. The results were declared on 18 and 19 February, respectively, and the writs were returned on 25 February, some 17 days ahead of the statutory deadlines.

Notwithstanding the logistical challenges imposed by the Christmas and New Year holiday period, the VEC conducted these elections with integrity, professionalism and diligence. There were no petitions to the Court of Disputed Returns to challenge any result or conduct of either by-election.

During these by-elections nearly 80,000 of our fellow Victorians had their say in who they want to represent their district in the Parliament, our state's pre-eminent democratic institution. Due to the VEC's conduct of these elections, voters can be confident that their votes were counted accurately and impartially under the watchful eye of scrutineers from across the political spectrum, whose continuing participation is vital to our democracy. As a result of our processes, the two newest members of our Parliament can take their place in the Legislative Assembly knowing that the processes that elected them represent the will of the people and were conducted with integrity.

When it comes to delivering elections, we know that community expectations are always lifting, the electoral landscape is always shifting and technology is changing. To address this we constantly seek to improve. By-elections provide the opportunity to validate and refine improvements in our election delivery in keeping with community expectations. In these by-elections we tested three initiatives: a campaigner registration trial, low-sensory mobile voting and static extended voting hours.

These by-elections also brought challenges, some new and some that we have been facing for a while. First, these by-elections confirmed the difficulty of achieving high turnout rates at by-elections. We can influence some of the factors behind this, but not all. Second, the legislative timeframe of elections continues to place significant strain on electoral participants. This is exacerbated where it appears to the public that an election period has already begun but the formal legislative mechanisms which trigger key election activities have not yet occurred. Third, ensuring that the election workforce is adequately trained and supported is getting harder as the climate of scrutiny, scepticism and even conspiratorial thinking evolves.

Our temporary election workforce is critical to the success of any election. We continue to invest in new ways to train and support our staff and to keep them safe, whether they are working for us for one day, one week or longer. With a large temporary workforce spread over many different locations, isolated mistakes can occur. While we invest in training and supporting our workforce, we also ensure that robust checks and balances are in place. These ensure that individual errors do not adversely affect the integrity of the election. As identified in our submission, our tools for regulatory responses are blunt and often rely on progressing a matter to prosecution. This simply does not provide the immediate deterrence necessary to reduce the electoral harm of noncompliance.

In addition to assisting you in this inquiry, my office looks forward to providing its report on the conduct of these by-elections to the Parliament in the coming months. Thank you for the opportunity to provide these remarks. My colleagues and I would of course be pleased to answer all questions that you have.

**The CHAIR:** Thank you. I am going to ask the first one, because there are going to be far more in-depth questions than this. Access to bathrooms for volunteers in particular – I can only speak about Werribee, obviously; I was not in Prahran. Both pre-polling centres had bathrooms in them. I think in one case the bathroom was used as a storage room, so it could not be accessed, and in the other case volunteers just were not allowed to use them. It is a by-election being run in the hottest period of the year, and some pre-poll days were upwards of 38 degrees.

**Chris CREWETHER:** And the air conditioner was not working.

**The CHAIR:** And we have a situation where we have got volunteers walking 500, 600, 700 metres in 38 degrees to use bathrooms, when there is one inside. I understand the restrictions about making sure that campaign T-shirts are taken off et cetera. Surely this is not a really difficult one to figure out.

**Sven BLUEMMEL:** Thank you, Chair. I will ask Mr Sutherland to talk in a bit more detail about how we actually go about selecting and then managing the venues that we have. We are aware of all of these considerations. They are valid considerations. For us, it shows that we are always at the mercy of what a market can provide, in the case of by-elections at very, very short notice. We take all of those matters into account in how we select and manage our venues. That is sometimes misunderstood – the extent to which we do that. We cannot always meet all of those requirements. I will ask Mr Sutherland to expand on that a little bit.

**Ben SUTHERLAND:** Particularly looking at Werribee as the example, I believe there were nine sites that were inspected in the first instance, but without the certainty of the date of course we are not the most attractive lessee in those circumstances. We perform site inspections that are quite comprehensive. They go through matters of OH&S and operational set-up in addition to safety and security conditions. When we get to the actual signing of the lease, we of course identify whatever controls we need to deploy, along with any amenities that we might need to provide to our own staff and what is available to others.

As you can appreciate, with the limit of only the commercial market mainly and that Christmas period, we are put into a position where we have to take what is available, as distinct from what would be premium product in that circumstance. In this circumstance, I appreciate also the operational set-up of the site precluded the use of amenities by campaigners. But understand, when we consider the use of the site it is one of our considerations, but along with that we need to understand what ballot paper security looks like and operational throughput, because of course the thing we would not want to do is create a set-up that would increase lines and delay the issuing process. The other matter that we of course consider is ensuring that we are aware of what public amenities are available proximate to the actual site itself so that we can brief those campaigners.

**The CHAIR:** So the answer on this one, because the question was not really around making sure that you procure places that have bathrooms in them – although I think with the nature of the stuff in the buildings that you do procure a lot of them will – is that essentially you are saying because of the operation of the booths inside they were unable to be used.

**Ben SUTHERLAND:** I think in that context there is an undertaking from us to ensure that we consider that more at the forefront of the operational set-up. But coming back to our initial recommendation in the report to Parliament for 2022, it was very much to open up more public-funded sites so that we have the opportunity to select the best venue in the first instance as opposed to having to make compromises that might affect operational throughput et cetera.

**The CHAIR:** Thank you. Christopher Crewther next.

**Chris CREWTER:** Thank you. Thank you for your work at the VEC and your submission and evidence as well as work in the by-elections. Going to some of the points that I raised earlier, do you think the heat within the building at the Werribee voting centre when they did the scrutineering would have contributed to scrutineers', VEC workers' and others' fatigue and frustrations and potentially some of the allegations around the chaotic processes that were sometimes observed within the facility?

**Sven BLUEMMEL:** Just on that last point I would probably just say clearly there were some things that were suboptimal in terms of the process. That is covered in our submission. I would not describe them as chaotic. They are areas where things were not as they should be. But on the bigger question that you have asked there in terms of the environmental factors, one of the things we have to bear in mind is that both our staff as well as campaigners – by the end of the day when we are converting from a voting centre to essentially the count – some of them have been out there for many, many hours, and yes, that is more taxing when you have hot weather, other environmental factors and so on. We have got to bear this in mind in everything we do: everyone we are dealing with here is a human being, and that includes our staff, permanent and casual, and that includes candidates, their scrutineers, their campaigners and so on. So yes, they are all human, and might some of these issues have resolved more quickly and with less heat – no pun intended – had there been more favourable conditions? I think it is entirely possible.

**Chris CREWTER:** Thanks. In the Liberal Party's submission, regarding the allegations of a lockout of scrutineers, it says that a Liberal scrutineer stated:

...the Election Manager called scrutineers back into the gymnasium, where election staff had already begun emptying the ballot box. One of the seals had been cut and removed before any scrutineers were present.

Then in your response you said:

Our investigation into the sequence of events on election night determined that scrutineers were not locked out at Riverwalk Primary School or Wyndham Park Primary School, despite suggestions to the contrary during the Parliamentary debate.

Do you have any further comments on that in terms of the VEC's investigation into the scrutineers being locked out and the mismatch between what has been said by one and what you guys are saying?

**Sven BLUEMMEL:** Sure – happy to. There were some lockouts that should not have occurred. That is I think a really important thing to start on. In our submission we outline our thoughts as to why that happened. It should not have happened. There was some ambiguity in the training materials. We have rectified that; anything that is further identified we are in the process of rectifying. I will ask Mr Bartlett to expand on this a bit further, but our investigation into whether a seal was broken in the absence of scrutineers found that that did not occur. As you can imagine, we obviously treated that extremely seriously. So even though scrutineers should not have been locked out in the way that they were – in some of the voting centres, it is certainly not all – it should not have happened. But in terms of the breaking of the seal we immediately, on the night, checked with all of the voting centres to see whether any seals had been broken, let alone votes sorted or counted, before scrutineers were present, and our investigation found that neither of those had occurred.

**Dana FLEMING:** If I may, Commissioner, before handing over to Mr Bartlett, Deputy Chair, I would just like to personally attest that I sat next to our head of election readiness on that night when that report was made to us while those calls were made, and each voting centre manager personally attested to the fact that seals were not broken.

**Chris CREWITHER:** Because the person attests to saying that the election staff had already begun emptying the ballot box.

**Dana FLEMING:** I can say that I sat next to that person myself while they made those calls directly, and it was directly confirmed by the voting centre managers that the seals had not been broken until scrutineers were present.

**Chris CREWITHER:** On a separate question, how did the VEC communicate where and when to vote to the, say, one-third or so of the electorate who do not have emails or mobiles? Supplementary to that is: what do you think could be done to further increase voter awareness of an election being on, particularly in by-elections?

**Sven BLUEMMEL:** As your question quite correctly assumes, it is more difficult in by-elections. Clearly in a general election there is much more media coverage. It is almost impossible to escape mainstream media coverage, and that is good. In a by-election it is a very, very different issue. I will ask Ms Tarabay to expand a bit on our efforts in that regard. But on the second part of your question – what else we are going to do for those people that we do not reach through our voter alert service, which is a voluntary service, including emails and SMS notifications – we have decided in our planning for the state election next year that we will do a statewide hard copy mail-out of a vote guide to every household in Victoria. That is something we are going to do, and that will clearly address some of the issues that have been mentioned.

**Chris CREWITHER:** Would that occur at the by-elections as well, as has been suggested by other witnesses?

**Sven BLUEMMEL:** Yes, it would.

**The CHAIR:** I am going to go to Sarah online. I will come back.

**Evan MULHOLLAND:** Yes, go to Sarah.

**The CHAIR:** We will go to Sarah Mansfield.

**Sarah MANSFIELD:** Thank you for appearing today. One of the issues that has been raised is challenges with knowing or having a point of contact to be able to escalate concerns where there might be a disagreement, whether it is between the volunteers on the ground or a party and a decision of a VEC officer at a polling booth, and the timeliness of being able to resolve concerns, whether that be about signage, third-party materials or behaviour, those sort of things. I am just wondering whether you had any response to that.

**Sven BLUEMMEL:** Yes, I am very happy to. I will ask Mr Bartlett to expand on that somewhat. It is a work program that falls under his executive oversight. But yes, as you can imagine, in by-elections and certainly in general elections these issues can come thick and fast. In a general election they can come from anywhere across some 2000 venues across the state – in this case obviously fewer, being a by-election. But that does not change the need to resolve it quickly, accurately and fairly. I will ask Mr Bartlett to expand.

**Keegan BARTLETT:** Thank you, Commissioner, and thank you, Dr Mansfield, for your question. I think that the reality is that the VEC has an essential relationship with the registered political parties and the state directors of registered political parties. That is coordinated through the VEC's head office, and through the course of these by-elections I certainly had regular contact with the registered officers, the state directors of a number of registered political parties. There were some queries that took a little bit longer to answer – I appreciate that – and of course there were some questions that we were able to resolve very quickly. That included queries at 7 am in the morning on election day and 11 pm a couple of days before election day. But the reality is that the working relationship, the constructive relationship that the VEC has to have with registered political parties, is something that is very front of mind for me and my team and for all of us at the VEC.

More locally, campaigners on the ground – we need to and we are looking at ways to make sure that our staff can be checking in with campaigners, can be reporting up through the field operations network more regularly and more actively so we can have that two-way contact with our field operations when issues are either reported to head office or reported through campaigners and election officials on the ground. But they are all opportunities for improvement and very essential relationships.

**Sarah MANSFIELD:** Thank you. We heard earlier that perhaps the processes that the AEC had in place at the last federal election enabled some of those things, and I guess a more timely resolution of similar sorts of issues that were arising during the federal election. I am not sure exactly what those differences in processes look like internally, but I know that was a suggestion that was made about how things could perhaps be improved.

I guess another concern that was raised – and you will probably be aware of this – was around the accessibility of different polling venues. We appreciate that it is very difficult to find appropriate venues, and we have already had some discussion about that, but there were some concerns about the physical accessibility of some of the polling places. I am just wondering if you have got any reflections on that, particularly given it is expected that there will be a significant increase in the number of pre-polling venues for the next state election.

**Sven BLUEMMEL:** Yes, on the second part I might ask Mr Sutherland in a moment to talk through at a high level what we are doing in terms of venues for the next state election and what we have learned over many years so far. On the first part of your question, one thing that we have consistently highlighted, including publicly as well as to this committee, is the very blunt nature of our compliance powers. We have certain powers under the Act. We take within those powers as constructive an approach as we can to our compliance so that we start as quickly, rapidly and calmly as we possibly can to try and resolve a situation. Most of the time that resolves the situation quickly, and we can do that. But where things go beyond that, we currently do not have powers short of something like seeking an injunction or indeed commencing a prosecution, which of course in the sort of situations that you talk about, Member, is not going to resolve the situation in the time it needs to be resolved. That sort of highlights the bluntness of the powers that are available to us, and we certainly would advocate that there should be some more nuance in there and more flexibility. I will ask Mr Sutherland to talk about the venues issue.

**Ben SUTHERLAND:** Thank you, Commissioner. To say from the outset that there was an improvement from the 2022 state election for both of those districts is probably the thing I want to get across in the first instance. Our commitment is obviously to providing the most accessible venues that we can possibly procure in the timeframe that we have leading up to the event. We go to the extent, in some circumstances, of actually installing the ramps necessary to increase the accessibility of the venue. In this circumstance we note that Prahran had no issues with limited or no wheelchair accessibility venues, but in saying that there is always more we can do insofar as the orientation of the site itself to promote that usability and access. We regularly engage with our advisory groups and seek feedback about other properties that might become available, and low-sensory voting is a great opportunity for us to engage with that cohort in a different way and meet them where they are at.

**Sarah MANSFIELD:** Thank you.

**The CHAIR:** Thank you, Sarah. We might go to Evan Mulholland for the next question.

**Evan MULHOLLAND:** Thank you. Thanks to all of you for coming in. We really appreciate it. Thank you for your submission and the work you do for our democracy. In the submission, section 8.2, you said that the VEC was not contacted in response to any of the communications or hesitations about the registration trial ahead of the early voting period and any participants' lack of support for the trial. You also said that the Liberal Party wrote to you subsequently after media reports. Is that correct?

**Sven BLUEMMEL:** I will ask Mr Bartlett to expand on that, who led our engagement with the registered political parties ahead of the campaigner trial.

**Keegan BARTLETT:** Yes, we did receive contact from the Liberal Party around the time of the media reports during that week that early voting commenced, which started with the Australia Day public holiday.

**Evan MULHOLLAND:** Yes. It said 'subsequently', so was that before or after the early voting period?

**Keegan BARTLETT:** We received a formal letter from the State Director of the Liberal Party asking questions in relation to the trial on Tuesday, with the wholesale early voting campaigning at all locations commencing from the Wednesday. But certainly the mobile voting had commenced on that Tuesday as well.

**Evan MULHOLLAND:** I would just note that Stuart Smith, the Liberal Party State Director, wrote to you on 28 January at 3:42 pm, the first business day after the Australia Day long weekend, that the Liberal Party does not support the trial. That correspondence was acknowledged at 8:17 by you, Keegan. That is the day before the early voting period, so that would suggest that the statement that you were not notified ahead of early voting is in fact incorrect.

**Keegan BARTLETT:** Early voting had commenced in the low-sensory locations. The early voting period itself had begun. We just had not commenced operating those early voting centre locations.

**Evan MULHOLLAND:** But you were in fact aware of it prior to the media reports. The correspondence was prior to the media reports.

**Keegan BARTLETT:** No, the media reports came out through the press that day, and then the letter from Mr Smith came that afternoon.

**Evan MULHOLLAND:** It is just your submission seems to suggest it was prior to the commencement of early voting. Most people would view the commencement of early voting as the following day.

**Keegan BARTLETT:** It is a timeline matter, I think.

**Dana FLEMING:** Sorry to interrupt, but would the Member for Northern Metro like us to list through the communications that we did undertake prior to early voting? Because they were significant, and if it is of interest, we do have the full list of information that was provided.

**Evan MULHOLLAND:** You are welcome to table it or provide it on notice. It just seemed like the circular of that was sent on Friday the 24th – is that correct? – in the late afternoon.

**Keegan BARTLETT:** Yes. Following the close of voting and the ballot draws, prior to the commencement of early voting.

**Evan MULHOLLAND:** And understandably, it is a long weekend. You were contacted in response on the first available business day following that long weekend. I just wanted to clarify that, because it did seem like it was a bit of a contradiction to say that you were not aware of any correspondence when quite clearly the day before –

**Keegan BARTLETT:** My apologies if that is the case, but certainly that was not the intention. It is just simply as we go through the course of that weekend, we were obviously working over the course of that long weekend, we received contact and we were working towards the opening of early voting.

**Sven BLUEMMEL:** Member, we will take that as an action, and we will get back to you on a detailed timeline.

**Evan MULHOLLAND:** Yes. One of the submissions raised quite an interesting proposal in terms of volunteer behaviour in terms of preventing people from walking and talking. It is said to be aligned to one particular party that encourages and trains its volunteers to go out and meet someone at their car or meet someone several hundred of metres away so they can continue talking to them along the whole way up into the voting centre. Do you have any views on that particular idea and some of the behaviour?

**Sven BLUEMMEL:** Yes. This actually links to the campaigner registration trial very well because it was in fact recommendation 13 of your report into the 2022 state election that recommended, albeit that there should be a legislative basis for this, that the legislation should be amended to require the registration of campaigners at voting centres. That is a big part of the genesis for us doing this.

In terms of the bigger picture, certainly looking back at the last few electoral events, including state 2022, the issue of complaints about behaviour is increasing. For us, we have, as the VEC, a very clear obligation to provide a space free of hazards for electoral participants, and that includes voting centres and their environs. That, together with the recommendation from this committee, is really the genesis of the campaigner registration trial. It is important to note of course it was a trial. As I said at the outset, we use a by-election as an opportunity to trial things like this. We are currently evaluating it, and we will learn from that.

**Dana FLEMING:** I am aware that you were a member of the committee for the last state election, but perhaps for some of the other newer members, if I may, poor behaviour is an increasing problem outside voting centres. At the state election we saw a tripling in complaints about poor behaviour outside voting centres, and in these by-elections the percentage of complaints in relation to that increased again by nearly 10 per cent. We are seeing it as a continuing escalating problem outside of voting centres and just an unfortunate change in the nature of the environment, and of course, as the commissioner has pointed out, your recommendation 13 and indeed recommendation 12 were an attempt to provide some controls and measures that could be taken in response to that deteriorating behaviour. We fully support those, and our trial was based on those recommendations and based on our scrutineer registration process. One of the things I just would like to point out is that it is not just our ability to respond that is a problem; our ability to work with parties and candidates is also difficult because we cannot necessarily identify the person and we are limited to often a visual description, which is less than satisfactory when we are trying to discuss with the deputy registered officer or the registered officer a particular complaint that has been raised with us. 'It's the person in the blue shirt' – that is pretty hard for them to respond to. The party worker registration recommendation is a really great way, and if there are any other recommendations the committee have about how we can better work together, we all want and we all have a vested interest in a better voting experience and a better attendance voting experience for not just the voters but for your party workers and volunteers as well as our staff.

**The CHAIR:** Thank you. We will go to Lee Tarlamis online.

**Lee TARLAMIS:** Thanks, Chair. Thank you for coming along today to talk to us and your continued work in helping to facilitate what are very large and complex – and becoming even more complex – events in Victoria. I want to talk a little bit about enrolment and pick up on some of the points that were made throughout the day and also in some of the submissions. Noting that Victoria has quite a high percentage of enrolment of those who are eligible and that there are some provisions already in place around direct enrolment measures through VicRoads and others, would the electoral commission be supportive of additional mechanisms for that direct enrolment, like some of those that have been suggested, like the Residential Tenancies Bond Authority and the State Revenue Office?

**Sven BLUEMMEL:** Thank you, member. We need to be a bit careful about that, and I will ask Deputy Commissioner Fleming to talk about this in a bit more depth. Like other commissions around Australia, we work closely with the Australian Electoral Commission, who have access to much broader and deeper datasets than we do, and we work very closely with them to ensure that we get the highest possible rate of enrolment. Certainly enrolment is higher than it has ever been in Victoria and other jurisdictions as well. What we do not want to do is end up in a situation where we are regrowing a potential separate capability and process that may potentially conflict with that, with little to no benefit, if we look at the quality of the data that those processes may gather. But I will ask Ms Fleming to expand.

**Dana FLEMING:** Yes, we do have a joint roll management arrangement with the AEC, which I know that you are aware of, and perhaps it is of interest to the committee that the data sources that they have access to



include the Australian Taxation Office, Services Australia, the Department of Home Affairs and the national licence database – so the equivalent of our VicRoads but nationally – and also births, deaths and marriages, a national database combined from each of the states. If you have a job or you are unemployed or if you are newly arrived or if you drive a car, they are receiving those updates, and they do direct enrolment based off those regularly throughout the year. We work very closely with them; we get weekly data exchanges with the AEC, and our roll is updated weekly. In an election we get extra, more frequent updates, and we get our last update within 2 hours of the close of roll, which we process within 24 hours. Including additional databases does create roll divergence, which is something that is unsatisfactory, so we do work very closely with the AEC; the quality of their data sources is excellent, I think.

**Lee TARLAMIS:** Thank you. I guess the other point is that in Victoria we also have, if you like, for lack of a better term, a saving provision with regard to the provisional vote where you can turn up on election day and do an enrolment form, make a declaration, and provided you can provide proof that you are eligible, you can then cast a vote. We heard I think in one of the submissions and also earlier today that some people in the by-elections turned up in those circumstances and were not offered a provisional vote. I was just wanting to get some comments from you about how prevalent that is in part of the training program around offering a provisional vote in those circumstances, and have you had any concerns raised with you about that not occurring at polling places?

**Sven BLUEMMEL:** I will ask Mr Sutherland to expand, but you make that very important point – that we do have that provision in Victoria. If you are actually, as a matter of fact, entitled to vote but you are for whatever reason not reflected on the roll at the time you turn up to vote, you can cast a provisional vote, which will obviously be verified, and that way, if you have an entitlement, you will not be turned away. Mr Sutherland.

**Ben SUTHERLAND:** In the first instance I can confirm that provisional votes were taken both in the Werribee and Prahran by-elections; I think it was approximately 200 in Prahran and 300 in Werribee. I note that there was also some commentary relevant to the federal redivisioning which may have created some confusion for electors in that context. I would be encouraged to be provided the details of those who were turned away so we could do a thorough investigation and ensure that we are aware of any issues. It is part of our training products, both our online and our instructional products that are provided to our election managers and voting centre managers.

**Lee TARLAMIS:** Thank you. With your indulgence, Chair, just one additional question just on a slightly different matter about pre-poll timelines – and I am aware you have made some changes for the by-elections as well to shorten those and there is a recommendation in our report from the 2022 election around going to seven days. I just want to get an understanding from you. Obviously early voting is growing, and it is not going to get any smaller, and I think the reality is if we are trying to condense a large number of people through a shorter period of time, you are going to have to put in place processes to deal with that so that you are not having long lines and waiting periods and those sorts of things. On that basis, is one of the mechanisms that you would be considering as part of that in those circumstances, if it was to be shortened further, additional voting centres? I think in most electorates now it is one early voting centre unless it is a very large regional area. Would you have to consider additional early voting centres to cater for the large throughput in a shorter period of time?

**Sven BLUEMMEL:** Yes. We are already planning for that in any event for the state election next November. When I say we are planning for it, we are planning for a larger early voting footprint/capacity. I will ask Mr Sutherland to expand on that.

**Ben SUTHERLAND:** Thank you, Commissioner. Yes, your observations are correct. In order to maintain some level of throughput to reduce queueing we would need to increase exponentially the number of early voting centres. I believe our *Strategic Service Plan*, which has been published on our website, articulates an increase of approximately 100 early voting centres to 260 – that is what we are talking about – with the establishment of joint early voting centres as well. One of the things that we have also deployed in the by-election operating model is the static hours so there is an ability to meet community expectations, so there is an understanding that a centre will operate for static hours throughout the period. In addition there is a commitment from us to convert all early voting centres to election day venues, so the venue you drive past for 10 days is the same venue you can turn up at on a Saturday, get your democracy sausage and participate in the process.

**The CHAIR:** There are not enough of them anymore.

**Ben SUTHERLAND:** The other comment that I would make is that early voting is attractive not just because of the vote that it is able to take but because of the provisions under the Act that allow us to count, or at least sort. So in that context the more people who go through early voting, the more votes that we are able to do in a prelim scrutiny context from 8 am on election day and process and set up for the count. As you all know, election day vote counting starts at 6 pm, and that includes the reconciliation; that can go sometimes as late as 10 o'clock. Then you have the upper house ballot as well in a state election that is only going to compound that time period. We need to be alert to that going into 2026.

**Lee TARLAMIS:** Thank you.

**Dana FLEMING:** If I may make one small comment, we will of course implement whatever the law requires in terms of the length of the early voting period, but one thing we were able to do because we shortened the voting period this time is use those two extra days that were still part of the early voting period to provide mobile voting services to those members of our state that face the most barriers to participation, and this is our low sensory voting trial, prisoners, aged care. So we would just encourage the committee to consider in its recommendations preserving mobile voting, perhaps for a longer period, because with the logistics of the travel to those sites, organising with those sites, having laptops available and staff available, we found it greatly beneficial. I would just like to share with the committee that having those days dedicated to that service enables us to provide that even if it is not considered to be part of the broader ordinary voting offering. Thank you.

**Lee TARLAMIS:** Thank you.

**The CHAIR:** Thanks, Lee. Just quickly, we have heard a few different examples given of VEC staff engaging in behaviour that really brought into question the impartiality of the VEC. I mean, I can only really talk to the one that I was privy to in the Werribee by-election where we had a VEC staff member actively telling people to vote Liberal, who confiscated a Trades Hall how-to-vote card and was also engaging with pretty senior Liberal figures at that booth. I do not have to go into all the issues of that and why they are issues, but can you just take us through the VEC's response to that and what the commission is putting in place to make sure that that never happens again?

**Sven BLUEMMEL:** Yes, I will ask Mr Bartlett to expand on that. Just by way of introduction, yes, all of those matters were obviously addressed and addressed quickly. They are certainly things we wish had not happened – quite clearly. The other thing we have to be aware of is that to a smaller scale in a by-election, to a much larger scale in a general election – in a general election we are operating from some 2000 sites with some 25,000 staff – what we do is we make sure our training is as good as possible, and we are making changes to our training, as I have already said. We do that after every event – we always continuously improve. So we are certainly improving the training, but we also make sure that we have processes in place that mean that where errors occur – and with a temporary workforce of nearly 25,000 people, the idea that it will be error-free at every point, we would love that but it seems unrealistic – we put in place processes that mean that any individual errors are contained and rapidly dealt with, which is what we did here. Mr Bartlett.

**Keegan BARTLETT:** Thank you, Commissioner, and thank you for the question. It is important to remember that our pre-appointment process includes vetting, so we ask any person who is going to do work for the VEC in whatever role to complete a disclosure of political activities, and the commencement of their role is subject to the satisfactory assessment of that disclosure. Inevitably and unfortunately, there might be a small number of people who do slip through and who do make unfortunate remarks or take actions that are contrary to our expectations. It is really important that we take action when those things are reported to us and that certainly would have occurred on election day for these matters.

There were four incidents that were identified: three were reported from political parties from the direct contact that I was having with state directors of political parties, one was reported by a colleague. We looked into each of them, and in respect to what we observed, we took action on each of them. One involved a direct apology to the person who overheard a remark – that was one of the issues in Prahran district. Another one – we were able to understand the nature of the inquiry that the election official was making, which was on clarity about signage and lack of clarity on the signage from their perspective, and I was able to clarify that with the state director. The other one, as reported in our submission, was removing the staff member.

Of course all of our training and effort will go towards seeing where we can improve, with really clear messaging. It is clear there are a lot of very good people who always volunteer their time to work at elections, and we do not want to undermine their good faith and the energy that they bring and the enthusiasm that they bring to serving their community when it comes to the delivery of an election, for the small number who have not met those expectations.

**Ben SUTHERLAND:** In that regard, if I may, at this point in time we are deploying a significant uplift in the way that we interview, assess and appoint our election officials, to the extent where we are utilising national police record checks, working with children checks, psychometric testing and agreed targeted questioning to allocate people to identified roles. This is a significant change to how we have operated in the past and it is a big investment from us. It will result in additional training being provided to staff across the board, as distinct from the normal 'just in time' approach that we adopt. It is I think a reflection of our observations in 2022 and covered off in those recommendations.

**The CHAIR:** Thank you. I am happy to throw it open to anybody that has any additional questions at this point.

**Chris CREWTHER:** Adding to your point, Chair, do you think there is any additional general training that might be needed around conduct or impartiality within the VEC, particularly noting Rachel Westaway's comment, which was that:

VEC officials had a mixture of embarrassment, surprise but also tellingly appeared to mock our decision in particular closer to election day ...

with respect to the trial of registration of volunteers. Do you have any further comment on that?

**Sven BLUEMMEL:** Yes. If anything was done to create the impression that that is how the VEC reacted, then then that is clearly not desirable. What we do about that is that there is the extensive training program that Mr Sutherland has already referred to. Clearly, impartiality and respect are all parts of that, but what I have also started to do since last year is when we have that training for our senior election officers, who are the assistant election managers, which we are currently recruiting for next November, wherever I can I will attend that training and give opening remarks that just remind everyone about why they are here, about why their conduct reflects not just on the VEC but their conduct reflects on democracy in Victoria, and there can be nothing more important than that in terms of what we are talking about. So that issue of impartiality, of respect, of treating fellow human beings with care is absolutely central to our message. Now, can I put hand on heart and say that every single person who was involved in the election heard that from me one on one? No, they have not. But we are doing much more about that so that it is not just the technical training about how you do your register of ballot box seals and so forth. That is certainly in there, but it is beyond that; it is about the importance of how you represent democracy in Victoria.

**Chris CREWTHER:** Do you feel that the VEC has been impacted in any way by organisational loss – organisational loss in terms of more experienced election managers or election staff or volunteers and so forth? It is much like political parties sometimes, particularly with lower memberships and sometimes an ageing membership, where we are also losing some experienced scrutineers from the process.

**Sven BLUEMMEL:** Yes. I might ask Mr Sutherland to talk a little bit about the sorts of challenges we have in our general recruitment for senior election officials as well as the general temporary election workforce. There are certainly challenges in that regard. There are large factors at play here in terms of cohorts that would do this frequently that might be getting to a point where either they are unable to do it anymore, it is too challenging and broader factors like that are at play. This is a big part of why we are actually doing our recruitment now, which is earlier than we have ever started it. I will ask Mr Sutherland to express a view on this, but I am not yet sure that we have seen the loss of a substantial part of that experience. But we are certainly always conscious that that loss could occur, and we have to guard against it.

**Ben SUTHERLAND:** I think we are alert to the demographic of our workforce changing, and in that context, when I referred to the uplift in our interview and assessment, that is because we are planning for the future. We advertised for senior election officials approximately two months ago, and we now have 700 names to work through, which is a huge increase, so there is interest in working for us. But as you point out, as one group leaves us, the next group needs to be able to pick up the baton and deliver at the same level, if not even

higher. That is what we are working through now, making sure that 2026 has the most robust training and instructional products available to ensure we can deliver on those commitments.

**Sven BLUEMMEL:** I might ask Deputy Commissioner Fleming to add as well.

**Dana FLEMING:** I would just like to thank the Deputy Chair for recognising our mutual challenges in our temporary workforces, and I absolutely understand that. I think miscommunication is the source of all problems. One of the friction points there is in how we can work better with the temporary workforces' interactions, and that is volunteers as well. I think I am correct, Mr Sutherland, that we are looking at creating a party worker handbook, for example, to try and provide you with additional collateral to provide to your workforce so that they understand better the processes and what they can do in situations that face them out in the field in a similar way.

In the same way, we do have a much higher proportion of officials and staff for whom it is their first election. I suspect you have similar issues, and I think there is a space here for us to work better together about how we can better educate your scrutineers and your party workers around what they can expect to happen inside and outside the voting centre, because sometimes these situations that escalate are due to a lack of understanding of what the process is. We will never be able to start, for example, at 6 o'clock, because there will always be people in the queue that have to be serviced. There are pack-down things to be done, you know, we have to reset the tables. Just explaining to your scrutineers, who may well have been party workers during the day, exactly what that transition looks like and what they can expect I think will help the mutual understanding of the process. Not to in any way gloss over the unacceptable practice and late starts that occurred in these by-elections, but I do think there is an investment to be made in better communication between us. If there are any recommendations the committee wants to make in that space, we would welcome them.

**Chris CREWTHER:** Thank you.

**The CHAIR:** Thank you. Are there any other questions? No – beautiful. We are ahead of time. We will leave it there then. Thank you so much, everybody, for appearing, and obviously thank you for the submission. I think there is something to provide on notice, which we will wait for. But anything else you can send through as well.

**Committee adjourned.**