Counting the Votes
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Counting on Election Day

Counting of votes commenced on election night after the close of voting at 6.00 pm. Ordinary votes issued in Election Day voting centres were counted in voting centres. Postal vote counts commenced in election offices, with Election Managers counting at least 2,000 postal votes per district, or all postal votes where there were less than 2,000 votes in their possession. Three counts were conducted as follows:

- First preference count — district
- Two candidate preferred count — district
- First preference count — region

After the counting of district first-preference votes, a two-candidate-preferred count was conducted, with preferences distributed to the two candidates considered ‘most likely’ to be in the lead after the distribution of preferences. The purpose of the two-candidate-preferred count was to provide an early indication of the result of the election, and also to provide detailed information for political parties and analysts.

Also commencing at 6.00 pm on election night, early votes were sorted to their correct district and region and reconciled. The higher than anticipated number of early votes, together with the increased size of ballot papers at this election, made this a labour intensive task involving large teams often working into the Sunday to complete the process. Election Managers must ensure full reconciliation of the number of sorted ballot papers against their record of votes issued before counting commences. Given the continued trend in early voting, the VEC will consider options to enable some early votes to be counted on election night at future elections. The VEC achieved its target to have more than 75% of first preference results for voting centres published by 8.00 pm on election night, achieving 76.60% by that time. By 9.00 pm the VEC had published 94.80% of first preference results for voting centres. Figure 1 Figure 21 shows the district results timeline on election night for the past three Victorian State elections.
Vote Types

Ordinary votes made up 58.6% of the total votes counted for the election. With the inclusion of postal votes, 62.9% of the total votes for this election were counted on election night.

Declaration votes are all votes other than ordinary votes (those cast by electors voting at a centre appointed for their own district on Election Day). They are called declaration votes because the elector makes a declaration stating their entitlement to vote. There are several different types of declaration votes (described below) each with a specific method for processing.

Postal votes are cast by electors who have applied to vote by post and received ballot papers in the mail. The elector completes and places the ballot papers in the declaration envelope and posts it to the VEC. The postal vote declarations are forwarded to the appropriate election office, where the elector’s signature on the declaration is checked against the application.

Early votes are cast at early voting centres before Election Day. The elector makes a verbal declaration that he or she is eligible to cast an early vote. Early votes cast outside the elector’s district are forwarded to the appropriate election office for counting after Election Day.

Absent votes are cast by voters at voting centres outside their district on Election Day. Most absent votes are included in declaration envelopes, but where absent votes are issued from voting centres with access to an electronic copy of the State-wide roll, ballot papers are combined for the same electorate and enclosed in specially designed envelopes. After Election Day, the envelopes containing absent ballot papers are sent to the appropriate Election Managers.

‘Marked as voted’ declaration votes are completed by electors who are found to have already been marked on the roll when they attend to vote. The elector completes a declaration that they have not voted previously at this election.

Provisional votes are cast by voters whom cannot be found on the roll and whom complete a provisional enrolment form and vote on the day. After Election Day, provisional vote applications are checked to ensure electors are eligible to enrol, prior to the votes being admitted for further scrutiny.

The VEC processed 50,653 ‘on-the-day’ enrolment/provisional declarations, of which 39,736 were subsequently admitted to the count. On-the-day enrolment provisional declarations admitted to count represents electors who were eligible to enrol and could prove their identity. Figure 22 shows the number of provisional declarations issued and admitted for counting for the past two elections.

Figure 22: Provisional declarations issued and admitted, Victorian State elections, 2010-2014

To help ensure that the number of voters enrolling on the day is manageable at voting centres, the VEC will continue to focus the enrolment phase of its election advertising on the close-of-roll date, so that enrolment on the day remains only as a savings provision for those electors who inadvertently miss the close-of-roll.

At the 2014 State election, all early voting centres were equipped with computers containing the electoral roll for the entire State. All voting centres were equipped with a tablet containing the entire State roll for look-up purposes, enabling voting entitlement to be checked at the time, prior to voting.

Six hundred and thirty netbooks (mini computers) were distributed to 106 voting centres, and netbooks were used for roll mark off at most mobile voting centres. The netbooks gave election officials access to a central copy of the entire State roll to mark off each elector’s name directly. The netbooks greatly assisted in ensuring elector enrolment details for declaration votes were correct, and meant that absent electors marked off this way were not required to complete a written declaration. Election officials could also see if an elector had been marked as having voted previously, which helped prevent multiple voting.
Counting after Election Day

Further primary counts were carried out after Election Day, when Election Managers received declaration votes from other electorates and completed any processing required before counting. By Thursday 4 December, five days after Election Day, 91.3% of all primary counts had been completed.

In the lead up to the election, Australia Post advised the VEC of a change to procedures that meant they could no longer guarantee that all mail posted before 6.00 pm on Election Day would be processed on the Sunday, and that some processing of mail posted after 6.00 pm on a Friday would be carried over to the Monday. Accordingly, the Electoral Commissioner advised all registered parties of his intention to admit for further scrutiny any postal votes that were postmarked Sunday 30 November or Monday 1 December, where the voter’s signature was witnessed on or before Election Day. All registered parties accepted the proposed arrangement. The VEC considers this decision reflected the intention of Section 106(3)(aa) of the Electoral Act 2002. The VEC will consider recommending legislative change to clarify the matter.

Rechecks

All district and region ballot papers were rechecked by election officials following the completion of primary counting. Results were adjusted following each recheck to correct any discrepancies in counting or sorting identified and verified during the recheck process.

District Preference Distributions

Preference distributions to determine the result of an election are required in any Legislative Assembly district in which no candidate obtains an absolute majority (more than 50 per cent) of the first-preference votes. Preference distributions were conducted in 45 districts.

Following the re-check, the candidate with the fewest first-preference votes is declared excluded, and votes for that candidate are distributed to the remaining candidates according to the preferences on the excluded candidate’s ballot papers. This process continues until one candidate obtains an absolute majority of the formal votes.

In nine districts, the preference distribution established a result with more than two candidates remaining un-excluded.

District Recount

One recount was conducted for the 2014 State election. This recount was for the Prahran District. While the final margin between candidates Hibbins (Greens) and Newton-Brown (Liberal) was 262, at a critical exclusion during the preference distribution the margin between Hibbins (Greens) and Pharaoh (ALP) was 41 votes.

The recount was conducted on 10 December and confirmed candidate Hibbins as the elected candidate. The critical margin changed from 41 to 31.

Two-Party Preferred Counts

The VEC conducted six two-party-preferred (2PP) counts for 2014 State election. The purpose of the 2PP count was to show, for each district and the State as a whole, how the vote was divided between the ALP and the Liberal and National parties, taking into account the preferences of people who vote for minor parties and independents.

The VEC used two candidate preferred (2CP) or preference distribution results for many districts but conducted 2PP counts where 2CP or preference distribution results did not show how the vote was divided between the ALP and the Liberal and National parties. There were six such counts required after the 2010 State election.

The 2PP count took place once all counting in each district had been completed. Further details are included in the section on analysis of results in this report.

Region Count

First-preference votes for the Legislative Council were counted at voting centres and election offices on election night. All first-preference counts for region ballot papers took place in the district.

For the 2014 State election, the VEC established one Region Recheck Centre in each of the eight Regions. On completion of the first-preference count, and commencing on the Sunday and Monday after Election Day, all Region ballot papers held in District election offices, up to and including election night, were transferred to one of the eight Region Recheck Centres.
A full recheck of all Region ballot papers took place in the Region Recheck Centres. During the recheck, all votes were kept in their specific parcels. No amalgamation of votes took place at the Region Recheck Centre. Each individual ballot paper was checked for correct sorting and all ballot papers were recounted.

As the recheck for each parcel was completed, the ballot papers were packaged into ‘those marked below-the-line (BTL)’, ‘those marked above-the-line (ATL)’ and ‘those deemed to be informal’. Individual parcels containing BTL ballot papers were transferred to the centralized computer-count centre at Etihad Stadium from Friday 5 December, with the final transfer of BTL ballot papers on Friday 12 December.

All formal ballot papers marked ATL and informal ballot papers were retained at the Region Recheck Centres. If a recount had been required, these ballot papers would have been transported to the computer count centre. Reconciliation of all BTL ballot papers for each parcel of votes was carried out at the computer-count centre. Once reconciled, the BTL ballot papers were batched in preparation for data entry into the VEC’s computer-count application.

Three teams of 20 data-entry operators were established for the computerised count. During data-entry, the computer-count application identified ballot papers deemed to be informal. Once data-entry had been completed for each batch of ballot papers, the informal papers were removed from the batch and passed to the informal checking team for further scrutiny. After informality checking, the ballot papers could be determined as formal above-the-line, formal below-the-line or informal.

Data from BTL ballot papers were entered into the computer count application twice. The application identified discrepancies between first round and second round data entry. The data entry operator was able to review the preferences entered and, if incorrectly entered, rectify the issue prior to saving the preferences from the ballot paper.

When all BTL ballot paper data had been entered a second time, the total number of ATL ticket votes for each group for each voting centre or declaration parcel of votes was uploaded into the computer-count system.

The total ticket votes for each voting centre or declaration parcel of votes consisted of the ATL ballot papers held at the Region Recheck Centre, plus the number of ATL ballot papers identified at the count centre.

Once all ATL and BTL data had been entered into the computer-count application for each region, the total number of informal ballot papers for each region (comprising those held at the Region Recheck Centre, and those identified at the count centre) was entered into the system.

When all ballot papers to be included in the calculation of results had been included in the computer count application, a final reconciliation of all ballot papers for each region took place prior to the results being calculated. Scrutineers were able to observe all aspects of the count.

The calculation of results commenced at 9.30 am on Tuesday 16 December. Results were published as ‘provisional’ awaiting the declaration of results which took place at 4.30 pm on Tuesday 16 December. This was ahead of the proposed schedule outlined in the Service Plan.

Count Process Summary and Transparency

Scrutineers are permitted to be present at all stages of counting at voting centres, election offices, region re-check centres and the computer count centre during preliminary counts, rechecks and preference distributions.

All results were progressively displayed on the VEC website and results reports were made available to scrutineers.

Prior to calculating provisional upper-house results, candidates and registered political parties were provided with the opportunity to collect a comprehensive set of reconciliation reports including:

- Full region reconciliation reports showing the total votes expected in the count for each region
- Ticket allocation reports showing the number of ballot papers marked above the line for each group and the preference allocation according to that group’s ticket(s)
- Rechecked region results by voting centre and other vote types for all regions
- Results showing ATL and BTL totals, indicative seats and the proportion of votes for each group and ungrouped candidate across each region
- A comparison of total district and region votes by voting centre and other vote types.
- Following the calculation of provisional results for each region on Tuesday 16 December, the full distribution of preferences for each region was made available for interested parties for review.

Enforcement of Voting Provisions

After the conduct of a State election, the VEC carries out activities related to compulsory voting provisions contained in the Electoral Act 2002 and integrity checks that include follow-up of apparent multiple voting.
Roll Scanning

Scanning of the 8,386 rolls from Election Day voting centres commenced in mid-January 2015. This activity is a major component of the non-voter follow-up exercise, taking approximately four weeks to complete.

The technology used for roll scanning allows for a two percent tolerance when reading the marks on the roll against the number of marks detailed on the scannable roll cover completed by the issuing officer. A tolerance is set to allow for errors by the issuing officer at a voting centre, during the reconciliation of ballot papers.

Where the tolerance level is exceeded, each scannable roll is manually reconciled by counting every mark on each page of the roll. This ensures that every elector marked on a roll as having voted at a voting centre is recorded in the VEC’s Election Management System, and helps ensure that electors are not incorrectly issued with an ‘Apparent Failure to Vote’ notice.

Enforcement of Compulsory Voting

The first stage of the non-voter follow-up process is conducted under Part 9, Division 2 of the Electoral Act 2002. Subsequent follow-up of electors who do not respond, or who provide an invalid response is conducted under the Infringements Act 2006.

Stage one — Apparent Failure to Vote Notice

Despatch of Apparent Failure to Vote Notices to those electors who appear not to have voted in an election. Apparent non-voters have 28 days from the date of the notice to provide a valid excuse for failing to vote.

For the 2014 State election, the first stage of the non-voter follow-up process commenced in mid-December 2014. Elector information reports completed at voting centres on Election Day were processed through the compulsory voting module of the Election Management System. These electors and those whose postal vote declarations were received too late to be admitted to the count were marked in the system.

A total of 199,366 Apparent Failure to Vote Notices were generated in early-March 2015 and mailed to electors in three stages. The deadline for response to this notice was 21 April 2015.

Stage two – Infringement Notice

Follow-up (by Infringement Notice) of electors who did not respond, or who provided an invalid response to the Apparent Failure to Vote Notice. A penalty amount is applied (currently set at $74.00). Non-voters have 42 days to respond to the Infringement Notice by making the penalty payment or seeking a review of the infringement. Consideration is given to written correspondence detailing reasons for failing to vote.

A total of 126,238 Infringement Notices were generated in early May and mailed to those electors who did not respond, or who provided an invalid response to the Apparent Failure to Vote notice.

Stage three – Penalty Reminder Notice

A Penalty Reminder Notice is sent to those who do not pay the infringement penalty. An amount for prescribed costs is added to the original penalty amount. Non-voters have 42 days to respond to the Penalty Reminder Notice by making the penalty payment or seeking a review of the infringement.

The 98,154 non-voters who had not paid the infringement penalty by the due date (mid-June) were sent a Penalty Reminder Notice in early July, with an added amount for prescribed costs. The anticipated completion date of the Penalty Reminder Notice stage is mid-September 2015. Follow-up of all remaining non-voters will be instigated in the Infringements Court anticipated to be mid-October, and reported in future Annual Reports.

Total electors enrolled 3,806,301
Total marked as voted 3,540,140
Electors who did not vote 266,161
Apparent Failure to Vote Notices sent 199,366
Infringement Notices sent 126,238
Penalty Reminder Notices sent 98,154

Figure 23: Compulsory voting enforcement, 2014 Victorian State election

Multiple Voting Follow Up

When all excuse and late return processing and roll scanning had been completed, the VEC generated a file of ‘possible’ multiple voters. A total of 846 multiple records required further investigation. Follow-up processing is taking place. As of August 2015, the VEC was awaiting final clarification from 112 possible multiple voters. It should be noted that associated integrity checks include ensuring that the number of apparent multiple voters in any one electorate does not impact on the final result. In almost all cases, an administrative error was found to have contributed to the elector being marked on the roll more than once.