

## Submission of the Department of Foreign Affairs and Trade to the New South Wales Electoral Commissioner's review into technology assisted voting.

### Question 4

- a) Noting that being outside New South Wales on election day is a lawful reason to be excused from voting, should technology assisted voting options be provided to these electors? If yes, what forms of technology assisted voting and why? What other options could be considered?

The Department of Foreign Affairs and Trade (DFAT)'s [Consular Services Charter](#) provides that DFAT may, in some locations, provide voting services for Australian federal and some state elections.

In a complex international environment, it is increasingly challenging to provide in-person overseas voting that enables Australian citizens to cast a valid vote. DFAT recognises that technology assisted voting (TAV) offers unique solutions to overcome these challenges and aligns closely with the [Digital Government Strategy | Digital Transformation Agency \(dta.gov.au\)](#).

Challenges that impede the delivery of in-person and postal vote collection services by DFAT to overseas electors which TAV could alleviate include:

- A fluid international environment: civil unrest, military conflict, natural disasters, national holiday periods, limitations of local transport networks, lockdowns.
- Logistical challenges: in some cases, postal/courier services are unable to reliably ensure that physical ballots are received by overseas electors and/or returned to Australia for counting in time for the vote to be considered valid. In such cases, these services should not be offered to electors
  - Given these logistical challenges are directly linked to the legislated timeframes for printing of ballot papers and return of ballot papers for counting, TAV solutions provide a long term alternative to using non-TAV legislation measures.

The US, UK and Canada have discontinued in-person voting overseas voting due to similar factors as those outlined above.

While DFAT will continue to offer assistance to the NSWEC where viable, we note that the cost of these services is likely to increase due to the level of resourcing required to deliver them. An alternative could be to outsource to a trusted commercial provider, as the Victorian Electoral Commission did in London for the 2022 Victorian election.

DFAT suggests that, should TAV not be introduced, the NSWEC apply a threshold for delivery of in-person voting or postal vote collection services. As for onshore locations, any offshore location with fewer than approximately 100 voters may be considered unviable due to the costs of service delivery.

DFAT supports TAV implementation that would:

- Enhance voter enfranchisement by securely reaching more overseas voters than in-person voting or postal voting collection permits.
- Improve voting reliability, by removing reliance on inconsistent courier servicing and the risk of international events impacting on the ability of DFAT to deliver voting services at posts.
- Mitigate reputational risk to the Australian Government (where voters are disenfranchised due to the fluidity of the international environment or logistical challenges which impede the casting of a valid ballot, this can reflect poorly on DFAT as the service delivery partner and on the electoral commission involved).
- Be consistent with the Australian Government's policy objective under the [Digital Government Strategy | Digital Transformation Agency \(dta.gov.au\)](#), which seeks to establish Australia as one of the top three digital governments in the world by 2025.
- Deliver efficiencies to DFAT's global network.

- b) to e) No view.