



# **All Australians have an equal right to vote: Including Overseas Australians!**

ALP Abroad submission to Joint Standing Committee on Electoral  
Matters Inquiry into the conduct of 2022 election

**All Australians have an equal right to vote:  
Including Overseas Australians!**  
Submission by ALP Abroad to the JSCEM  
inquiry into the Conduct of 2022 election

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|-----------------|---|
| <b>Date:</b>    | Oct 7 <sup>th</sup> 2022                                    |
| <b>For</b>      | Joint Standing Committee on Electoral<br>Matters            |
| <b>Contact:</b> | ALP Abroad President Paul Smith<br>smithpaul@googlemail.com |

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## Executive Summary

The basis of democracy in Australia is that each adult citizen has a right to vote.

The right to vote was denied to tens of thousands of Australians who live Overseas in the 2022 election by the;

- **Axing of 67 overseas polling stations** by the Australian Electoral Commission in 2022.
- **The Commonwealth Electoral act discriminating against overseas Australians** by imposing different rules for overseas Australians that make it difficult to enrol and keep your vote.

At the last election only 39,816 overseas Australian voted. This is less than 7% of the approximately 577,255 Australians living permanently or working overseas, including 165,000 in London.<sup>1</sup>In a democracy that prides itself on a near universal voter participation, only 7% of any group of citizens being able to vote is unacceptable.

This submission will detail that in 2022 Federal;

- **only 6% of overseas Australians were able to register to vote**<sup>2</sup> as overseas voter prior to the 2022 election due to the discriminatory nature of Commonwealth Electoral Act making it harder for Overseas Australian to vote and the failure of the AEC to actively promote voting in Overseas citizens.
- **59.3% less people voted where the AEC axed in person voting**, at the 69 overseas voting locations postal voting was the only option.

This submission calls for the:

1. Commonwealth Electoral Act to amended so that Overseas voters can enrol to vote and stay enrolled on the same basis as all citizens.
2. All overseas diplomatic missions operate as pre polling stations for the same period as elections in Australia.
3. That the AEC be mandated to actively promote enrolment and voting to overseas Australians.

## Electoral law discriminates against overseas Australians

Every election ALP Abroad comes into contact with large numbers of overseas Australians citizens who wish to vote but cannot because of the operation of the Commonwealth Electoral Act has excluded them from voting. Overseas Australians have a strong sense of connection with Australia and almost always intend to return one day. They are shocked to find that the democracy they are proud of discriminates against them as citizens specifically for being overseas.

### How the Electoral Act discriminates against Overseas Australians

Overseas Australians are discriminated against by provisions of the Section 94 and 94a of the Commonwealth Electoral Act because it specifically places limitations on their right to vote that do not apply to other Australian citizens. Citizens who are overseas have different rules for enrolling to vote and staying enrolled.

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<sup>1</sup> [https://en.wikipedia.org/wiki/Australian\\_diaspora](https://en.wikipedia.org/wiki/Australian_diaspora) and London UK office of National statistics

<sup>2</sup> 34,000 according to email from AEC January 2022.

Rules for enrolling to vote are different for Overseas Australians in that:

- They need to enrol as overseas voters if they are going overseas for an extended period.
- There is a three year limit on enrolling to vote as an overseas voter from overseas when leaving Australia.
- Once they are off the electoral roll they cannot get back on the roll unless they return to Australia for at least 1 month.

The law also treats Australians who are enrolled to vote as overseas voters differently in a way that seems designed to discourage them from exercising their right to vote in that:

- It is not compulsory to vote as an overseas voter, unlike other voters.
- Overseas voters must re-enrol to vote **every year** after being enrolled to vote as an overseas voter for up to six years to keep their vote before being taken off the roll after six years. The AEC does not even provide a reminder to overseas voters on the need to re-enrol.
- They must indicate when they are planning to return when applying for an overseas vote, something many voters have no idea of when they leave Australia.

### **Only 6% of Overseas Australians enrol to vote under existing law**

**Only 6% of overseas Australians were registered to vote** as overseas voters prior to the 2022 election.

That only 34,000 voters enrolled is largely the result. Australians are raised in a culture of universal compulsory voting assume that they will always be able to vote when overseas and are unaware that they have to take special steps to keep their vote and when eventually they become aware find it difficult to keep themselves enrolled.

Australian citizens have a fundamental right to be enrolled to vote in elections taking place in their country and the law needs to be changed to enshrine that right. The current system has effectively restricted the franchise of overseas Australian citizens to those who can overcome the barriers to voting currently in place.

### **Recommendations on changing the Commonwealth Electoral Act**

That the Commonwealth Electoral Act be amended so that:

- 1) Any Australian citizen can enrol to vote as overseas voter at any time. This requires specifically the removal of the requirement of section 94A(2)(c) "must be made within 3 years of the day on which the applicant ceased to reside in Australia".
- 2) Once enrolled, overseas enrolment remains valid, subject to the same provisions of other enrolled voters.
- 3) That the provisions of the act that make voting compulsory for all other voters applies to overseas voters (this would include provision for distance from polling station as reason not to have voted)

## **Every DFAT station should be a polling station**

The Australian Electoral Commission core role established by parliament is "*deliver the franchise: that is, an Australian citizen's right to vote*" for overseas Australians. In axing 67 in person polling stations in 2022 the AEC failed in its duty to parliament and caused a massive decline in the number of Overseas Australians voting. To ensure every Australian that the franchise is delivered in future, in future operation of every diplomatic and trade mission of the Australian government should be mandated to operate as polling station where Australians can vote in person.

### **How axing of in Person voting cut voter participation by 59.3%**

Thousands of overseas Australians were unable to vote in 2022 Federal election due to the AEC's decision to close 67 of the overseas in person polling stations where voting had been held in the 2019 election.

A postal vote only service in these locations meant that far fewer Australians voted. A comparison of the AEC's published overseas voting data for both elections (see Appendix A) show a,

- **35.9% Overall decrease in 2022 overseas vote.** The AEC overseas vote tally for the 2022 election was 39816, a figure that is lower by 22,022 votes from the 61838 votes cast in 2019. This is a 35.9% decrease from 2019.
- **38.37% decrease at the 86 2019 overseas polling stations:** The AEC in 2022 has published votes received in person and from postal votes from 103 polling locations while they have only published votes in person and postal votes received from 86 in person locations in 2019. There is no published record of postal votes received from the other mostly smaller location for 2019. A "like for like" comparison between the 86 2019 polling places and the same places in 2022 shows 23,730 less votes cast, a decrease of 38.37%.
- **13.45% decrease in overseas votes cast at 18 locations in person locations.** The 18 places where people could vote in person and by post in 2019 and 2022 showed a decline in total vote from 28 489 in 2019 to 24 657 in 2022, a decrease across the 18 posts of 3832 votes, a decline of 13.45%.
- **59.3% decrease in overseas votes cast at 69 overseas voting locations where in person voting was axed in 2022.** The total overseas vote received decreased at the 69 posts that had in person voting in 2019 and only postal in 2022 from 33 379 in 2019 to 13451 in 2022, a decrease of 59.3%.

**The average decline on votes was four times higher at locations with only a postal vote option.** While there are variations between locations about votes cast (six of the 19 in person and postal vote options had an increase) that can be put down to less tourists and Australians returning home, the average decline being four times higher where there was only a postal vote option can only be reasonably attributed to the loss of in person voting.

The axing of 67 overseas voting election by the Australian Electoral Commission for the 2022 election cause a drop in the Australians voting in the effected polling centres of **59.3% less people voting.**

In the 2007 Federal Election, 104 of Australia's overseas DFAT offices served as polling stations and the number remained as about 100 for the F 2010 ,2013 and 2016 before declining to 86 in 2019. It would be a wonderful advertisement for Australian democracy as well as basic right fulfilled for every Australian overseas mission to be a polling station.

### **AEC decision requires scrutiny parliamentary scrutiny**

The axing of in 67 in person polling stations is a major decision that requires scrutiny. 67 polling stations is more polling stations that the average Federal electorate and over 32,000 votes were cast in person at these polling stations in the 2019 elections.

ALP Abroad wrote to the Electoral Commissioner on the 11<sup>th</sup> and then again on the 13<sup>th</sup> challenging the decision to axe the polling stations and asked him to specifically explain

- 1) *the process by which you determined which stations to close or remain open for each individual location,*
- 2) *on what basis the determination was made for each location to close or remain open.*
- 3) *In providing the reason for the closure, please indicate who was involved in the decision and how the public was consulted. Each decision to close a polling station should refer to how this maximises electoral participation with reference to the Australian Electoral Commissions role to "deliver the franchise: that is, an Australian citizen's right to vote"*

The reply from the Deputy Commissioner did not answer these questions about how they made a decision, made an opaque reference to Covid without even directly acknowledging that in person polling stations were being closed, instead that they would receive and "enhanced postal vote service."

ALP Abroad again asked the Commissioner Tom Rogers for the reasons for each polling station being closed to be explained and directly challenged the AEC to explain what public health reason there could be to

- *Close Washington, Los Angeles and Chicago while keeping open New York and San Francisco*
- *Close Wellington while keeping open Auckland*
- *Close Singapore, one of our largest booths, where the Covid situation is no worse than Australia's*
- *Close all three Canadian polling stations where Covid is no worse than Australia.*

The Commissioner chose not to reply. The AEC instead chose to describe axing in the 67 in person voting as an "enhanced" system and ignored the many complaints of overseas Australians about being able to vote at their polling station that were widely reported in the news media<sup>3</sup>. The Australian Electoral Commissioner in his post-election report actually called the Overseas voters as having received a "boosted service".<sup>4</sup>

Parliament has mandated the AEC to "deliver the franchise: that is, an Australian citizen's right to vote" The JSCEM should require him to account for the decision to close each polling station and disclose the full process and basis and decision in each case.

### **Recommendations on overseas polling stations**

That the Joint Standing Committee on Electoral Matters

- 1) Support mandating diplomatic and trade mission be a in person polling location in line with previous practise.
- 2) Require the AEC Commissioner to disclose
  - the process by which it determined which overseas polling stations to close or remain open for each individual location,
  - on what basis the determination was made for each location to close or remain open.
  - In providing the reason for the closure, indicate who was involved in the decision and how the public was consulted. Each decision to close a polling station should refer to how this maximises electoral participation with reference to the Australian Electoral Commissions role to "deliver the franchise: that is, an Australian citizen's right to vote"

## **Promoting Overseas Enrolment**

The Australian Electoral does not adequately promote overseas voting.

In fact, the AEC encourages overseas Australians not to vote. The first thing that the overseas voting section of the AEC website tells you is to fill an overseas notification so you don't have to vote. If you ignore this and click on the button "vote from overseas" it takes you to a page that says "unable to vote."<sup>5</sup>

The AEC needs to actively promote overseas voting enrolment, They need to have a target of achieving parity between the levels of overseas enrolment and the rest of the population.

### **Recommendation on promoting overseas enrolment**

- 1) The AEC be given a specific remit to promote enrolment and voting as overseas voters to every Australian leaving the country and those who the AEC is aware have left.

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<sup>3</sup> ABC <https://www.abc.net.au/radionational/programs/breakfast/multiple-overseas-polling-booths-to-close/13854606>

<sup>4</sup> AEC 2022 Election in Review [https://www.youtube.com/watch?v=QgCH\\_UoX4Og&t=356s](https://www.youtube.com/watch?v=QgCH_UoX4Og&t=356s)

<sup>5</sup> <https://www.aec.gov.au/overseas/enrolment.htm>

## Appendix A: 59.3% drop in voting where in person voting axed

Thousands of overseas Australians were unable to vote in 2022 Federal election due to the Australian Electoral Commission's (AEC) decision to close 67 of the overseas in person polling stations where people had been able to vote in the 2019 election. A postal vote only service in these locations meant that far fewer Australians voted. This is demonstrated by a comparison of the AEC's published overseas voting data for both elections that show a,

- **35.9% Overall decrease in 2022 overseas vote.** The AEC overseas vote tally for the 2022 election was 39816, a figure that is lower by 22,022 votes from the 61838 votes cast in 2019. This is a 35.9% decrease from 2019.
- **38.37% decrease at the 86 2019 overseas polling stations:** The AEC in 2022 has published votes received in person and from postal votes from 103 polling locations while they have only published votes in person and postal votes received from 86 in person locations in 2019. There is no published record of postal votes received from the other mostly smaller location for 2019. A "like for like" comparison between the 86 2019 polling places and the same places in 2022 shows 23,730 less votes cast, a decrease of 38.37%.
- **13.45% decrease in overseas votes cast at 17 locations in person locations.** The 17 places where people could vote in person and by post in 2019 and 2022 showed a decline in total vote from 28 489 in 2019 to 24 657 in 2022, a decrease across the 17 posts of 3832 votes, a decline of 13.45%.
- **59.3% decrease in overseas votes cast at 67 overseas voting locations where in person voting was axed in 2022.** The total overseas vote received decreased at the 69 posts that had in person voting in 2019 and only postal in 2022 from 33 379 in 2019 to 13451 in 2022, a decrease of 59.3%.

The average decline on votes was **four times higher** at locations with only a postal vote option. While there are variations between locations about votes cast (six of the 17 in person and postal vote options had an increase) that can be put down to less tourists and Australians returning home, the average decline being four times higher where there was only a postal vote option can only be reasonably attributed to the loss of in person voting.

| Polling place | 2019 Pre-Poll | 2019 Postals | 2019 Total | 2022 Pre-Poll | 2022 Postal | 2022 Total | Change 19-22 |
|---------------|---------------|--------------|------------|---------------|-------------|------------|--------------|
| London        | 12952         | 476          | 13428      | 6827          | 4754        | 11,621     | -1807        |
| Hong Kong     | 5428          | 95           | 5523       | 0             | 1457        | 1457       | -3966        |
| New York      | 3325          | 16           | 3341       | 1901          | 736         | 2637       | -604         |
| Singapore     | 3212          | 58           | 3270       | 0             | 1012        | 1012       | -2268        |
| Berlin        | 1776          | 15           | 1787       | 986           | 645         | 1631       | -156         |
| Shanghai      | 1718          | 10           | 1728       | 0             | 0           | 0          | -1728        |
| Vancouver     | 1431          | 10           | 1441       | 0             | 446         | 446        | -995         |
| Bangkok       | 1248          | 6            | 1254       | 0             | 528         | 528        | -528         |
| Paris         | 1173          | 3            | 1176       | 702           | 616         | 1318       | 142          |



|                  |      |    |      |      |     |      |      |
|------------------|------|----|------|------|-----|------|------|
| Ho Chi Minh City | 1156 | 0  | 1156 | 1282 | 50  | 1332 | 176  |
| San Francisco    | 1116 | 23 | 1139 | 533  | 644 | 1197 | 58   |
| Tokyo            | 1053 | 25 | 1078 | 0    | 520 | 520  | 558  |
| Beijing          | 1058 | 0  | 1058 | 420  | 40  | 460  | -598 |
| Auckland         | 967  | 19 | 986  | 748  | 479 | 1228 | 242  |
| Guangzhou        | 973  | 9  | 982  | 592  | 43  | 635  | -338 |
| Taipei           | 943  | 10 | 953  | 564  | 179 | 743  | 210  |
| Manila           | 861  | 8  | 869  | 610  | 159 | 769  | -100 |
| Kuala Lumpur     | 850  | 14 | 864  | 0    | 343 | 343  | -521 |
| Washington       | 776  | 36 | 812  | 0    | 858 | 858  | 46   |
| Bali             | 779  | 3  | 782  | 698  | 42  | 740  | -42  |
| Port Moresby     | 763  | 11 | 774  | 591  | 46  | 637  | -137 |
| Los Angeles      | 730  | 24 | 754  | 0    | 565 | 565  | -189 |
| Phnom Penh       | 748  | 0  | 748  | 703  | 13  | 716  | -32  |
| Dublin           | 688  | 9  | 697  | 0    | 331 | 331  | -366 |
| The Hague        | 667  | 7  | 674  | 0    | 503 | 503  | -171 |
| Wellington       | 667  | 5  | 672  | 0    | 800 | 800  | 128  |
| Toronto          | 627  | 14 | 641  | 0    | 267 | 267  | -374 |
| Jakarta          | 622  | 15 | 637  | 0    | 219 | 219  | -418 |
| Rome             | 581  | 6  | 587  | 0    | 224 | 224  | 363  |
| Tel Aviv         | 501  | 8  | 509  | 0    | 56  | 56   | -453 |
| Dubai            | 496  | 9  | 505  | 0    | 98  | 98   | -407 |
| Vienna           | 470  | 8  | 478  | 0    | 196 | 196  | -282 |
| Copenhagen       | 448  | 7  | 455  | 0    | 231 | 231  | -224 |
| Lisbon           | 444  | 2  | 446  | 0    | 55  | 55   | -391 |
| Madrid           | 426  | 0  | 426  | 0    | 301 | 301  | -125 |
| Milan            | 403  | 7  | 410  | 0    | 129 | 129  | -129 |
| Seoul            | 408  | 1  | 409  | 0    | 186 | 186  | -223 |
| Stockholm        | 399  | 8  | 407  | 0    | 275 | 275  | -132 |
| Athens           | 382  | 0  | 382  | 0    | 62  | 62   | -320 |
| Dili             | 367  | 5  | 372  | 0    | 43  | 43   | -329 |
| Hanoi            | 359  | 1  | 360  | 0    | 32  | 32   | -328 |
| Suva             | 337  | 15 | 352  | 0    | 82  | 82   | -270 |

|              |     |    |     |     |     |     |      |
|--------------|-----|----|-----|-----|-----|-----|------|
| Geneva       | 334 | 10 | 344 | 0   | 344 | 344 | 0    |
| Malta        | 323 | 2  | 325 | 0   | 32  | 32  | -293 |
| Chicago      | 314 | 0  | 314 | 0   | 372 | 372 | 58   |
| New Delhi    | 287 | 17 | 304 | 0   | 223 | 223 | -81  |
| Yangon       | 270 | 13 | 283 | 0   | 21  | 21  | -262 |
| Santiago     | 277 | 3  | 280 | 0   | 22  | 22  | -258 |
| Warsaw       | 231 | 6  | 237 | 0   | 98  | 98  | -139 |
| Port Vila    | 229 | 1  | 230 | 140 | 2   | 142 | 88   |
| Brussels     | 222 | 2  | 224 | 0   | 170 | 170 | -54  |
| Honiara      | 208 | 12 | 220 | 0   | 81  | 81  | -139 |
| Belgrade     | 209 | 3  | 212 | 0   | 51  | 51  | -161 |
| Apia         | 187 | 1  | 188 | 0   | 12  | 12  | -176 |
| Honolulu     | 184 | 2  | 186 | 0   | 59  | 59  | -127 |
| Ottawa       | 178 | 4  | 182 | 0   | 206 | 206 | 24   |
| Kathmandu    | 180 | 0  | 180 | 0   | 11  | 11  | -169 |
| Vientiane    | 162 | 9  | 171 | 0   | 22  | 22  | -149 |
| Abu Dhabi    | 167 | 0  | 167 | 0   | 39  | 39  | -128 |
| Zagreb       | 163 | 3  | 166 | 0   | 54  | 54  | -112 |
| Doha         | 159 | 0  | 159 | 0   | 36  | 36  | -123 |
| Pretoria     | 138 | 15 | 153 | 0   | 71  | 71  | -62  |
| Nairobi      | 147 | 0  | 147 | 0   | 23  | 23  | 123  |
| Chennai      | 141 | 5  | 146 | 0   | 0   | 0   | -146 |
| Lima         | 141 | 0  | 141 | 0   | 16  | 16  | -125 |
| Nauru        | 137 | 0  | 137 | 86  | 0   | 86  | -51  |
| Istanbul     | 133 | 0  | 133 | 0   | 0   | 0   | -133 |
| Mumbai       | 128 | 1  | 129 | 0   | 172 | 172 | -47  |
| Beirut       | 117 | 9  | 126 | 0   | 19  | 19  | -107 |
| Ulaanbaatar  | 119 | 2  | 121 | 0   | 0   | 0   | -121 |
| Mexico City  | 119 | 0  | 119 | 0   | 40  | 40  | -79  |
| Amman        | 110 | 3  | 113 | 0   | 9   | 9   | -112 |
| Buenos Aires | 96  | 4  | 100 | 0   | 15  | 15  | 85   |
| Moscow       | 97  | 0  | 97  | 0   | 0   | 0   | 97   |
| Bogota       | 95  | 0  | 95  | 0   | 36  | 36  | -59  |
| Nuku'alofa   | 66  | 2  | 68  | 0   | 1   | 1   | -67  |

|                     |              |             |              |              |              |               |               |
|---------------------|--------------|-------------|--------------|--------------|--------------|---------------|---------------|
| Accra               | 64           | 0           | 64           | 53           | 2            | 55            | -9            |
| Kuwait              | 54           | 0           | 54           | 0            | 15           | 15            | -39           |
| Tarawa              | 41           | 1           | 42           | 0            | 0            | 0             | -42           |
| Harare              | 37           | 0           | 37           | 0            | 15           | 15            | -15           |
| Sao Paulo           | 36           | 0           | 36           | 0            | 3            | 3             | -33           |
| Bandar Seri Begawan | 34           | 1           | 35           | 30           | 12           | 42            | 7             |
| Pohnpei             | 21           | 0           | 21           | 0            | 2            | 2             | -19           |
| Brasilia            | 14           | 2           | 16           | 0            | 5            | 5             | -11           |
| Port of Spain       | 13           | 1           | 14           | 0            | 5            | 5             | -11           |
| <b>Total</b>        | <b>60710</b> | <b>1132</b> | <b>61838</b> | <b>17466</b> | <b>20581</b> | <b>38,108</b> | <b>23,730</b> |

## Appendix B: Letter to Tom Rogers 13/4/2022



13/04/2022

To Tom Rogers  
Australian Electoral Commissioner  
Australian Electoral Commission  
10 Mort St, Canberra ACT 2601

Cc Paul Erickson. ALP National Secretary  
Senator Don Farrell Shadow Minister of State

### Closure of the 67 Overseas Polling stations

Dear Sir

I write to oppose in the strongest terms an apparent decision to close 67 overseas polling stations by the AEC and deprive approximately 25000 Australian citizens of their polling place. This letter follows an unanswered email sent to the AEC, the Deputy Commissioner and yourself on the 11/04/2022 seeking urgent clarification of the number of overseas that I sent after I started to receive reports that local embassies were advising that AEC had made a determination to close the local polling station in their city.

I now understand that the AEC proposes to close the 65 polling stations detailed on the next page for the 2022 Federal election.

Can you as a matter of urgency advise whether this is correct, and provide your current list of proposed overseas polling stations as this has not yet been published on your website.

If you are proposing to close any polling place that operated in 2022, please advise

- 1) the process by which you determined which stations to close or remain open for each individual location,
- 2) on what basis the determination was made for each location to close or remain open.
- 3) In providing the reason for the closure, please indicate who was involved in the decision and how the public was consulted. Each decision to close a polling station should refer to how this maximises electoral participation with reference to the Australian Electoral Commissions role to *"deliver the franchise: that is, an Australian citizen's right to vote"*

The closure of 67 polling locations is number a huge number, more than the total number of polling stations in the Prime Ministers electorate of Cook. I appreciate that on rare occasions extreme circumstances arise where a polling station cannot be operated like the terrorist emergency that regrettably caused the Columbo polling station to be closed for security reasons in 2019. There is no justification for such a dramatic curtailment of the right to vote of Australians and you need to account for this. For example, Singapore is a peaceful democracy with a Covid situation no worse than Australia's, so why are its over 3200 voters having their polling location closed?

Voting is not due to open at Overseas polling places until May 9<sup>th</sup>, 26 days away. There is ample time to ensure that every overseas Australian can exercise their right to vote by opening the polling stations that operated in 2019. Overseas votes have made the difference in close seats, most recently in Herbert in 2016.

To protect the right to vote of all citizens, I ask you to act ensure that all the overseas polling locations from 2019 be again open in 2022.

Yours Sincerely



Paul Smith  
President ALP Abroad  
[www.alpabroad.org](http://www.alpabroad.org)  
44 7 939 240 228

| <b>Polling place proposed to be closed</b> | <b>Amount of vote cast 2019</b> |
|--|---------------------------------|
| Singapore                                  | 3,270                           |
| Vancouver                                  | 1,441                           |
| Bangkok                                    | 1,254                           |
| Tokyo                                      | 1,078                           |
| Kuala Lumpur                               | 864                             |
| Washington                                 | 812                             |
| Los Angeles                                | 754                             |
| Dublin                                     | 697                             |
| The Hague                                  | 674                             |
| Wellington                                 | 672                             |
| Toronto                                    | 641                             |
| Jakarta                                    | 637                             |
| Rome                                       | 587                             |
| Tel Aviv                                   | 509                             |
| Dubai                                      | 505                             |
| Vienna                                     | 478                             |
| Copenhagen                                 | 455                             |
| Lisbon                                     | 446                             |
| Madrid                                     | 426                             |
| Milan                                      | 410                             |
| Seoul                                      | 409                             |
| Stockholm                                  | 407                             |
| Athens                                     | 382                             |
| Dili                                       | 372                             |

|              |     |
|--------------|-----|
| Hanoi        | 360 |
| Suva         | 352 |
| Geneva       | 344 |
| Malta        | 325 |
| Chicago      | 314 |
| New Delhi    | 304 |
| Yangon       | 283 |
| Santiago     | 280 |
| Warsaw       | 237 |
| Port Vila    | 230 |
| Brussels     | 224 |
| Honiara      | 220 |
| Belgrade     | 212 |
| Apia         | 188 |
| Honolulu     | 186 |
| Ottawa       | 182 |
| Kathmandu    | 180 |
| Vientiane    | 171 |
| Abu Dhabi    | 167 |
| Zagreb       | 166 |
| Doha         | 159 |
| Pretoria     | 153 |
| Nairobi      | 147 |
| Chennai      | 146 |
| Lima         | 141 |
| Istanbul     | 133 |
| Mumbai       | 129 |
| Beirut       | 126 |
| Ulaanbaatar  | 121 |
| Mexico City  | 119 |
| Amman        | 113 |
| Buenos Aires | 100 |
| Moscow       | 97  |
| Bogota       | 95  |

|  |               |
|--|---------------|
| Kuwait                                   | 54            |
| Tarawa                                   | 42            |
| Harare                                   | 37            |
| Sao Paulo                                | 36            |
| Pohnpei                                  | 21            |
| Brasilia                                 | 16            |
| Port of Spain                            | 14            |
| Total Australians polling station closed | <b>32,193</b> |

## Appendix C: Deputy Commissioner reply



Paul Smith  
President, ALP Abroad  
22 Purcell Street  
London, United Kingdom

cc Paul Erickson, ALP National Secretary  
Senator the Hon. Don Farrell, Shadow Special Minister of State

Dear Mr Smith

Thank you for your email dated Monday 11 April and your letter dated Wednesday 13 April regarding overseas voting for the 2022 federal election. The Commissioner has read your correspondence and asked that I respond on his behalf.

The delivery of an election in a once-in-a-century pandemic is extremely complex, particularly as it involves working within a range of national and international public health responses. As a consequence the Australian Electoral Commission (AEC) has been working very closely with the Department of Foreign Affairs and Trade (DFAT) and Austrade on our possible overseas voting locations over the last 18 months. This regular engagement includes multiple risk assessments, regular engagement with overseas posts, monitoring adjustments to changing health orders and more recently adapting to growing security issues in some regions. The AEC is also trying to reduce the risk of communicating to voters that in-person voting service is available only then to have to remove that option due to changes in local health orders or furloughing of staff.

As a result of this challenging process and based on all of the available advice, the AEC has endorsed 19 posts for in-person voting. These 19 posts cover about 50 per cent of the votes that were taken in overseas posts in 2019. With the reduced number of Australians overseas compared to 2019 this offering is proportionately higher for this election.

Understanding that this a reduced in-person voting service for some Australians overseas the AEC has implemented an enhanced postal voting service for overseas electors. Overseas voters are being encouraged to apply to vote by post for the federal election through our social media channels, the AEC and Smartraveller websites. This will also mitigate any risks if their in-person location becomes unavailable at short notice. To improve delivery time and reliability, the AEC has contracted a point-to-point courier delivery solution for this election to send postal vote packs directly to overseas voters. Voters can continue to mail their votes back directly to Australia however, voters are being encouraged to mail their completed postal vote to Australian missions which will be collected and returned to the AEC by diplomatic mail.

The overseas environment remains very fluid and is subject to regular change. The AEC has no influence over the health orders of foreign countries and we have taken the advice of officials in those countries who are entrenched in the operating environment.

The AEC has informed the Special Minister of State, Minister for Foreign Affairs, Minister for Trade, Tourism and Investment, as well as the Shadow Special Minister of State of this revised overseas voting service for this election.

No new posts will be considered for in-person voting. DFAT and Austrade will continue to monitor the situation for those 19 posts should the local COVID situation deteriorate or for other impacts that may require a change in service arrangements.

The AEC will advise overseas voters of the Australian diplomatic posts where they can vote in person on the AEC and Smartraveller websites. The overseas posts that are currently able to offer in-person voting services, as well as the posts to which postal votes can be mailed have now been confirmed and available on our website.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jeff Pope', is written over a light blue circular stamp.

Jeff Pope  
Deputy Electoral Commissioner

13 April 2022



## Appendix D: Letter to Tom Rogers 14/4/2022



14/04/2022

To Tom Rogers  
Australian Electoral Commissioner  
Australian Electoral Commission  
10 Mort St, Canberra ACT 2601

Cc Paul Erickson. ALP National Secretary  
Senator Don Farrell Shadow Minister of State

### **Axing of 67 Overseas in person Polling stations**

Dear Sir

The decision of the AEC to axe 67 in person overseas polling booths, a larger number of polling places than exist in the Prime Minister's electorate of Cook, will leave 32,193 voters without a polling station. The axing of the polling places where 52% of overseas votes were cast in 2019 shows flagrant disregard by the AEC for its core role established by parliament to *"deliver the franchise: that is, an Australian citizen's right to vote"* for overseas Australian's.

The right of citizens to vote in person is sacred and any decision that impacts that fundamental right requires the highest degree of transparency. The letter I received yesterday (13/04/22) from the Deputy Commissioner was so lacking in transparency that it did not even state the number of polling stations to be axed. I have attached the list polling places to be axed and the number of votes cast in 2019 for your reference.

In my letter to you yesterday, I requested that you detail,

1. the process by which you determined which stations to close or remain open for each individual location,
2. on what basis the determination was made for each location to close or remain open.
3. In providing the reason for the closure, please indicate who was involved in the decision and how the public was consulted. Each decision to close a polling station should refer to how this maximises electoral participation with reference to the Australian Electoral Commissions role to *"deliver the franchise: that is, an Australian citizen's right to vote"*

The AEC response to my letter failed to answer these questions that you must answer in a democracy. I again request that you answer in detail the questions set out above.

Reading the list of stations to be axed, it is clear that there is no compelling public health case to

- Close Washington, Los Angeles and Chicago while keeping open New York and San Francisco
- Close Wellington while keeping open Auckland
- Close Singapore, one of our largest booths, where the Covid situation is no worse than Australia's
- Close all three Canadian polling stations where Covid is no worse than Australia.

Attempting to defend in person polling station closures that put bureaucratic convenience ahead of the right of Australians to vote will make the AEC look ridiculous. Rather than defend the indefensible, I urge you to direct your officers to open every polling station unless there is an extraordinarily compelling public interest reason not to.

Voting is not due to open at Overseas polling places until May 9<sup>th</sup>, 25 days away. There is ample time to ensure that every overseas Australian can exercise their right to vote by opening their local in person polling station.

Yours Sincerely



Paul Smith  
President ALP Abroad  
[www.alpabroad.org](http://www.alpabroad.org)  
44 7 939 240 228

| <b>Polling place to be closed by AEC</b> | <b>Votes cast in 2019 at station proposed for closure</b> |
|--|---|
| 1. Hong Kong                             | 5,523   |
| 2. Singapore                             | 3,270   |
| 3. Shanghai                              | 1,728   |
| 4. Vancouver                             | 1,441   |
| 5. Bangkok                               | 1,254   |
| 6. Tokyo                                 | 1,078   |
| 7. Kuala Lumpur                          | 864   |
| 8. Washington                            | 812   |
| 9. Los Angeles                           | 754   |
| 10. Dublin                               | 697   |
| 11. The Hague                            | 674   |
| 12. Wellington                           | 672   |
| 13. Toronto                              | 641   |
| 14. Jakarta                              | 637   |
| 15. Rome                                 | 587   |
| 16. Tel Aviv                             | 509   |
| 17. Dubai                                | 505   |
| 18. Vienna                               | 478   |
| 19. Copenhagen                           | 455   |
| 20. Lisbon                               | 446   |
| 21. Madrid                               | 426   |

|                 |     |
|-----------------|-----|
| 22. Milan       | 410 |
| 23. Seoul       | 409 |
| 24. Stockholm   | 407 |
| 25. Athens      | 382 |
| 26. Dili        | 372 |
| 27. Hanoi       | 360 |
| 28. Suva        | 352 |
| 29. Geneva      | 344 |
| 30. Malta       | 325 |
| 31. Chicago     | 314 |
| 32. New Delhi   | 304 |
| 33. Yangon      | 283 |
| 34. Santiago    | 280 |
| 35. Warsaw      | 237 |
| 36. Brussels    | 224 |
| 37. Honiara     | 220 |
| 38. Belgrade    | 212 |
| 39. Apia        | 188 |
| 40. Honolulu    | 186 |
| 41. Ottawa      | 182 |
| 42. Kathmandu   | 180 |
| 43. Vientiane   | 171 |
| 44. Abu Dhabi   | 167 |
| 45. Zagreb      | 166 |
| 46. Doha        | 159 |
| 47. Pretoria    | 153 |
| 48. Nairobi     | 147 |
| 49. Chennai     | 146 |
| 50. Lima        | 141 |
| 51. Istanbul    | 133 |
| 52. Mumbai      | 129 |
| 53. Beirut      | 126 |
| 54. Ulaanbaatar | 121 |
| 55. Mexico City | 119 |

|  |               |
|--|---------------|
| 56. Amman                                      | 113           |
| 57. Buenos Aires                               | 100           |
| 58. Moscow                                     | 97            |
| 59. Bogota                                     | 95            |
| 60. Nuku'alofa                                 | 68            |
| 61. Kuwait                                     | 54            |
| 62. Tarawa                                     | 42            |
| 63. Harare                                     | 37            |
| 64. Sao Paulo                                  | 36            |
| 65. Pohnpei                                    | 21            |
| 66. Brasilia                                   | 16            |
| 67. Port of Spain                              | 14            |
| <b>Total voters at closed polling stations</b> | <b>32,193</b> |