

Electoral Commissioner

Letter to the Prime Minister and Leader of the Opposition: Counting

- Australian Electoral Commissioner, Tom Rogers

I am writing to you and other key stakeholders about the 'counting phase' of 2022 federal election: the largest and most administratively complex electoral event in Australia's history.

At around this point in every election for the last decade, entirely understandably, media and other stakeholder speculation focusses on AEC processes – in essence, the speed of the count. I thought it important to alert you to the very clear legislative dictates, and stark logistical realities, that underpin and constrain the counting process.

Polling night

On polling night, the AEC will count all votes cast in static polling places on election day. Those results will be published on the AEC website and will be fed to media outlets as the results are uploaded to our own website. As you know, this count is a huge undertaking involving tens of thousands of staff. Likewise, it is also our intent to count all pre-poll 'ordinary votes' on Saturday night – that is, pre-poll votes cast within their 'home' Division. These results will also be uploaded to our website and media outlets will be provided with this data. Given the very significant increase in pre-poll numbers, this will be complex and difficult, and it is possible that various exigencies in individual divisions may prevent the completion of that task. In any case, counting will stop at around midnight local time (many tens of thousands of workers may have been working for up to 18 hours at that stage – normal legislative health and safety requirements are not suspended for the election) and the last results for the day will be entered into the system and displayed at that time. House of Representatives counts unable to be completed on polling night will be finalised on Sunday.

Sunday

On Sunday, we will conduct a small postal count in most divisions. However, the main focus is to undertake a myriad of administrative tasks resulting from Saturday's polling, such as preparing the despatch of envelopes as a result of absentee voting (declaration votes cast outside their 'home' Division), sorting through all returned materials, and preparing Senate ballot papers for despatch to the scanning facility. These tasks prepare us for the further counting in the weeks post polling day – without completing these tasks, the count process will simply stall. This has been difficult to convey to the community; for understandable reasons, everyone wants the result straight away! However, the count, like the vote, is manual and involves a simply staggering amount of paper that has to be securely packaged and transported back to 'home' electoral divisions for counting – that logistical process itself is a mammoth task.

Two weeks following election day

By law – the AEC must also wait for 13 days after election day for postal votes to be returned. There has been a significant increase in postal votes this election – with 2.73 million postal vote applications compared to 1.5 million in 2019. In addition, the AEC will be processing the absentee vote envelopes once they have returned to their home division. The more votes in envelopes there are to process, the less likely it is that the AEC will be able to declare a result on the night. Given the increase in pre-poll and postal votes this election, there will likely be a large number of seats which won't be declared until after these processes have taken place. We have to make sure, absolutely, that the margin in the count is larger than the potential number of votes that are left to receive. There must be a mathematical impossibility, which we have to meet, before we can declare a seat.

Central Senate Scrutiny (CSS) sites in each state and territory will also be scanning all Senate ballot papers to capture millions of preferences. The Australian Senate count is among the world's most complex upper house counts. Every Senate ballot paper, and every preference marked by a voter, is manually keyed in and checked by a human operator - with candidate-appointed scrutineers able to observe this process. Once all the ballot paper data is received at the AEC, the AEC's Senate counting software runs the distribution of preferences before final results are determined. The process can take up to five weeks before it is completed.

The AEC is focussed on getting the process right, not rushed, and to complete the count lawfully so that all Australians can trust in the results. While Australians have become accustomed to having an outcome on election night, the AEC's role is to make a legal declaration of the final result in each House of Representatives and Senate contest to enable Members and Senators to take their place in Parliament. We take this process very seriously.

The AEC website includes information to explain the [counting process](#) simply so that all Australians can understand what is happening in count centres and CSS sites around the country on election night and the days and weeks following.

Finally, the AEC relies on a sustained workforce to count the votes. The AEC is not immune to the challenges associated with COVID to recruit and maintain staff. You will be aware the AEC has already experienced a nearly 15 per cent drop out in the last week alone. We are pulling out all the stops to work on election day and to count the votes in the days and weeks following.

The timetable for the federal election requires me to return the writs to the Governor-General on or before 28 June 2022. I will return the writs to the Governor-General once the declarations of the polls have taken place in all 151 electoral divisions.