

The Chairman,

Joint Standing Committee on Electoral Matters.

My name is Victor John Batten, an elector on the Roll for the seat of Berowra.
Please find attached my Submission to the Enquiry into the 2013 Federal Election.

I have long held the view that our electoral system has become so out-dated it has over the past 30 years become an easy target for fraud as faults were found and remained uncorrected.

In today's technological age there should be no excuse for this.

I am surprised that governments have neglected to address this for so long. One needs to justify why the highlighting of various cases or aspects have not been explained by the AEC leaving the impression that it may be in someone's best interests to ignore the problem.

I am not surprised that inequities have been uncovered, only that there are not more of them either uncovered or unreported or both.

If this enquiry can bring about change I would be willing to assist out in any way that I can.

This report recommends that three basic levels of action are considered.

The first is a suggestion that this Committee oversight a "White Paper" of the {For} and {Against} arguments for such things as:-

Compulsory voting,

Optional preference voting,

Re-run elections,

Independent AEC versus an EC responsible to Parliament through a Minister.

These can then be discussed in the community and may form Election Promises.

The second group of submissions requests that the Law as enacted be applied or legislative statements be made to justify denying the clear intention of the Parliament. These include:-

A voter advising their name, address and whether they have voted before prior to receiving ballot papers.

A voter stating in their handwriting, the reason for an absentee vote (one not in a booth on Election Day).

Voters not needing to advise the AEC when they change their address.

Scrutineers being denied or hampered in fulfilling their duties.

Allowing an official to decide that each Division is also the only Sub-Division of a Division.

The third group represent an updating of basic assumptions underlying the Acts.

The value of deposits.

The value of monetary penalties.

The number of referees.

How many SPC union delegates from Shepparton assisted a candidate in Griffith, Queensland election?
Did SPC pay them for their time involuntarily?
Did the candidate they assisted need to declare the value of the "donation"?

Toyota and maybe SPC pay for 10 training days per year for each union delegate employed.
For a major company to allow a staff member to work on an election campaign, the employer must declare the donation.

In NSW, it adds to the \$100,000 cap of expenditure allowable per electorate.

It is my understanding that such costs are NOT counted for union officials working in an electorate.

My question is: - how many union employees or delegates worked on the Griffith election?

How many Toyota union delegates worked on it?

We know SPC delegates worked on the election. How many? And at what cost?

Should ballot papers have a thread embedded which sets off an alarm if a threshold is crossed. In Western Australia, there were over 10,000 more votes cast for the Senate. Where are the missing Reps votes which must have been issued?

Each entry on the Electoral Roll includes a distinct number, name, address and age of the voter. I recommend that a barcode of the number be printed on the Roll. This will be scanned onto a Master Roll for the Electorate prior to issue of the ballot paper. There were about 30,000 multiple votes cast at the last reported election. This has been done in South Africa for many years and was trialed in the ACT.

How many multiple votes were cast at the September 2013 election?

How many multiple votes were counted at the September 2013 election?

What were the numbers for the Griffith election? Did either number exceed the winning margin?

In respect of the "table cloths", South Australia passed legislation in November 2013 and NSW passed legislation in 2009 to minimize the problems encountered by voters. Either or both forms of legislation should be incorporated in this Act.

Senator Brown tabled a Bill several years ago which changed preference allocation to the voter. The remaining Green Senators have expressed a desire for this Bill to be enacted.

Victor John Batten

There are two attachments expanding on the above.

Hard copy will be posted to your mailing address

AEC Report on Sept 7 2013 Election.

At the high end, the Australian Electoral Commission claims there are numerous voters who voted up to seven times, with one person alleged to have voted nine times, another 12 times and one 15 times.

"We sent inquiry letters to 18,770 electors who had multiple marks recorded beside their names," AEC acting head Tom Rogers told a Senate estimates hearing on Tuesday.

Replies are still being processed but more than 8200 have been ruled out as "official error".

Another 1979 people have admitted voting more than once.

How 8,200 "official errors" were determined

I paraphrase Electoral Backgrounder of April 2010 on Multiple Voting

- 1) Votes are cast at booth, pre-poll or postal.
- 2) Votes are counted as formal
- 3) Rolls scanned from Issuing Point Rolls (from 1 to 6) in Polling Places (about 45) onto a master Divisional Electoral Roll (approx. 180 rolls into 1).
- 4) Divisional staff check to identify polling official error and other official errors. Checking may reveal that the wrong name had been marked off, or a match between a name and a similar name.

The Keelty Report includes the following.

29. The WA office did not adequately assure itself of the political neutrality of all persons

responsible for the transport and storage of components (ballots, parcels, boxes and pallets), ..personnel.

27. The AEC should continue to assure itself, to the best of its ability, of the political neutrality of all persons, ...having contact with a ballot paper (other than electors at the time of voting).

Observations

"We take it very seriously," Mr Rogers said.

Liberal senator Dean Smith said such a high number of repeated votes could not be put down to "electoral literacy".

"That seems to me a very blatant abuse of the process," he said.

Read more: <http://www.smh.com.au/federal-politics/political-news/some-australians-voted-more-than-once-in-federal-election-aec-20140226-33g7l.html#ixzz2uRu66GTS>

Lets read Mr Rogers statement again. Of 18,770 multiple votes, 8,200 were “errors and 1,979 admitted voting more than once. What about the other 8,591?

Lets talk averages over the 150 electorates. (18770/150 is **125.1**). {8200/150 is **54.66**} and [8591/150 is 57.27]. Are any of these numbers significant when compared to winning margins?

I have long held the view that our electoral system has become out-dated. In today's technological age there should be no excuse for this.

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If this enquiry can bring about change I would be willing to help out in any way I can.

I have tested the Electoral Roll many times and found it is inaccurate.

Program 1.1: Electoral Roll Management

Program Objective – Voter entitlement for Australians and support for electoral events and redistributions through maintaining an accurate and up-to-date electoral roll.

This report has three basic levels of action.

The first is a suggestion that this Committee oversight a “White Paper” of the {For} and {Against} arguments

These can then be discussed in the community and may form Election Promises.

The second group of submissions are requesting that the Law as enacted be applied or legislative statements be made to justify denying the clear intention of the Parliament. These include:-

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The following quotes from the Act, form the basis of my request that the Committee consider these sections for enquiry and possible action.

(3) The Commission may do all things necessary or convenient to be done for or in connection with the performance of its functions.

SECT 79 Subdivisions

- (1) Subject to subsection (2), the [Electoral Commission](#) may, by notice published in the *Gazette* : (a) [divide](#) a [Division](#) into such [Subdivisions](#) (if any) as are specified and set out the boundaries of each [Subdivision](#) so specified. (Change “may” to “shall”.)

SECT 100 Claims for age 16 enrolment

- (1) A person who: (a) has turned 16, but is under 18, years of age.

SECT 101 Compulsory enrolment and transfer

- (1) .. every person who is entitled to be enrolled for any [Subdivision](#), whose name is not on the [Roll](#), shall forthwith fill in and sign a claim and [send](#) or deliver the claim to the [Electoral Commissioner](#).

SECT 102 Action on receipt of claim

- (iii) in the case of a claim for transfer of an enrolment from the [Roll](#) for another [Subdivision](#)--delete the name of the claimant from the [Roll](#) for that other [Subdivision](#);

SECT 103 Penalty on officer neglecting to enrol claimants

- (1) Any [officer](#) who receives a claim for [enrolment](#) or transfer of enrolment and who fails to do everything necessary on his or her [part](#) to be done to secure the enrolment of the claimant in pursuance of [the claim](#) shall be guilty of an offence.

Penalty: \$1,000. (Has this kept pace with inflation?)

SECT 103A Updating or transferring a person's enrolment without claim or notice from the person

SECT 127 Party not to be registered during election

During the period commencing (one year before) on the day of the issue of the writ for a [Senate election](#) or a [House of Representatives election](#) and ending on the day on which the writ is returned, no action shall be taken in relation to any [application](#) for the [registration](#) of a [political party](#).

SECT 129 Parties with certain names not to be registered

- (1) The [Electoral Commission](#) shall refuse an [application](#) for the [registration](#) of a [political party](#) if, in its opinion, the name of the [party](#) or the [abbreviation](#) of its name that it wishes to be able to use for the purposes of this Act (if any):

(c) is the name, or is an [abbreviation](#) or acronym of the name, of another [political party](#)

(d) (Remove next two words) so nearly resembles the name, or an abbreviation or acronym of the name, of another political party that is likely to be confused with or mistaken for that name or that abbreviation or acronym, as the case may be; or

(da) is one that a reasonable person would think suggests that a connection or relationship exists between the party and a registered party if that connection or relationship does not in fact exist; or

SECT 200DI Questions to be put to voter

(1) A voting officer must ask the voter the following questions:

- (a) What is your full name?
- (b) Where do you live?
- (c) Have you voted before in this election?

SECT 200DM Voter not entitled to vote again etc.

After the voter has been given a ballot paper:

(a) the voter is not entitled to remove the ballot paper from the voting place; and

(b) the voter is not entitled to vote again in the same election.

208 Certified lists of voters

- (1) The Electoral Commissioner must arrange for the preparation of a list of voters for each Division and must certify the list. (Sub-Division)

210 Printing of Senate ballot papers

- (1) In printing the ballot papers to be used in a Senate election:
- (e) where similarity in the names of 2 or more candidates is likely to cause confusion the names of those candidates may be arranged with such description or addition as will distinguish them from one another;

218 Provisions relating to scrutineers

- (2) A scrutineer shall not be prevented from entering or leaving a polling booth during the polling,,,,,,

231 (5) Subject to section 235, if a person claiming to vote to whom questions are put under this section:

- (a) refuses to answer fully any question so put; or
 - (c) answers a question specified in paragraph (1) (c) in the affirmative;
- the person's claim to vote shall be rejected.

232 Voters to be recorded

- (1) Immediately after handing a ballot paper to a person whose name is on the certified list of voters, or an approved list of voters, available at a polling place, the presiding officer or a polling official at the place must:
- (a) place a mark against the person's name on the certified list; or (and)
 - (b) record electronically against the approved list the fact that the person has been handed a ballot paper.

238 Spoilt ballot papers

- (3) An officer who has cancelled a spoilt ballot paper shall:
- (a) write "spoilt" on the back of the ballot paper;

245 Compulsory voting

- (1) It shall be the duty of every elector to vote at each election.
- (ii) if the elector failed to vote—give the DRO a valid and sufficient reason for the failure; or
 - (iii) pay to the DRO a penalty of \$20. (Inflation)
- (15) An elector is guilty of an offence if the elector fails to vote at an election. Penalty: \$50.

270 Certain votes with non-consecutive numbers to be formal

- (1) Where a ballot paper in a Senate election:
- (a) has the number 1 in the square opposite to the name of a candidate and does not have that number in the square opposite to the name of another candidate;
 - (b) has:
 - (i) in a case where there are more than 9 candidates in the election—in not less than 90% of the squares opposite to the names of candidates, numbers in a sequence of consecutive numbers commencing with the number 1 or numbers that with changes to no more than 3 of them would be in such a sequence; or

287 Interpretation (1) In this Part, unless the contrary intention appears:

associated entity means:

- (a) an entity that is controlled by one or more registered political parties; or
- (b) an entity that operates wholly, or to a significant extent, for the benefit of one or more registered political parties; or (Get-Up or Palmer's Coolum)

325 Officers not to influence vote

- (1) A person who, being an officer other than an Antarctic officer, does any act or thing with the intention of influencing the vote of another person, is guilty of an offence punishable on conviction by a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months, or both. (inflation)

329 Misleading or deceptive publications etc.

- (1) A person shall not, during the relevant period in relation to an election under this Act, print, publish or distribute, or cause, permit or authorize to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of a vote.
- (4) A person who contravenes subsection (1) is guilty of an offence punishable on conviction:
 - (a) if the offender is a natural person—by a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months, or both;