

## The Hon Peter Lindsay OAM

28 October 2016

Committee Secretary  
Joint Standing Committee on Electoral Matters  
Parliament House  
Canberra ACT 2600

Dear Secretary

### **Inquiry into the 2016 Federal Election**

Thank you for the opportunity to make a submission to this inquiry. This submission deals with the continuing improper voting practices on Palm Island.

Palm Island is located about 30Km off the North Queensland coast and lies 70Km North East of Townsville. It is in the Federal Division of Herbert and is one of the largest Indigenous communities in Australia. There are various conflicting estimates of the population size in the range of 3,000–3,500 residents.

Over the years and for various reasons, the community has seen continuing questionable elections.

A previous submission to JSCEM outlined alleged breaches of the Commonwealth Electoral Act 1918 under part xxi--electoral offences – section 326 (the bribery provision). At that election, party workers were offering indigenous voters T-shirts and McDonalds food vouchers as they entered the polling booth. There was a clear intention to influence or affect the vote of another person by giving a benefit to that other person.

At the 2016 election, one major Party did not have scrutineers at the Palm Island booth. After polling day, a highly respected member of a religious order called me to report that booth workers from the other major Party were telling voters that the way of voting had changed and that they would fill out their ballot paper for them. This is a breach of section 233 of the Act (Vote to be marked in private).

The extent of filling out another person's ballot paper by Party workers would appear to be confirmed by the highly unusual primary result for the Booth. Formal votes accounted for 86.35% of the total vote. Of these, the ALP received 72.09% and the LNP received just 7.44% of the total.

The sitting LNP Candidate lost the election by a margin of just 37 votes. If 19 voters had voted differently, the LNP would have won the seat and the question of a hung Parliament would have been put beyond doubt.

## RECOMMENDATION

With a long history of questionable voting practices on Palm Island, the Australian Electoral Commission needs to increase its scrutiny of the booth at subsequent elections to ensure voting is fair and lawful.

Thank you

The Hon Peter Lindsay OAM

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