

Joint Standing Committee on Electoral Matters  
Parliament House  
Canberra 2600

1/7/02

Attn: The Secretary

Dear Sir or Madam,

I would like my previous letter, dated February 6<sup>th</sup> 2002 I believe, and this one to be considered as submissions to this enquiry.

I did not vote at the 2001 Federal election because of the allegations I made in my previous letter.

The AEC has acted, and has been allowed to act,

- contrary to the Public Service Code
- against the best interest of the public
- with at best, a tainted policy or at worst corrupt acquiescence
- extremely cautiously, to the point of being inert, when it came to prosecuting companies which breached the CEA by using electronic versions of the electoral rolls for commercial purposes
- with inexplicable laxity in having no register of purchasers and no signed agreements from the purchasers given the restrictions on end use imposed by the CEA.

Although hardly unique amongst government agencies the AEC has offered conflicting answers to the questions

- Can a company be punished for using microfiche copies of the rolls for commercial purposes?
- Did the sale of the microfiche incur a loss to the public purse?
- What were the reasons for starting the sale of microfiche?
- What were the reasons for stopping the sale of microfiche?

Yours Faithfully



Neil Worrall

Joint Standing Committee on Electoral Matters
Submission No. .... 131
Date Received .... 5/7/02
Secretary .... <i>SP</i>

P.O Box 78, Daw Park, S.A. 5041

**Fiat Justitia, ruat coelum**

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Parliament House  
Canberra 2600

Joint Standing Committee on Electoral Matters	
Submission No. ....	131
Date Received .....	5/9/02
Secretary .....	<i>[Signature]</i>

February 6, 2002

Dear Sir or Madam,

The AEC has been selling microfiche copies of the Electoral roll between 1990 and March 2000.

I allege, and contend, that when the AEC did so it

- was as a direct result of lobbying by, and pressure from, sections of the business community interested in data mining and demographic profiling
- breached it's fiduciary responsibilities by providing the microfiche at a substantial loss to the Australian taxpayer. This translates to a direct, and illegal, subsidy to the businesses involved. The figure I was quoted was \$250,000. Although it is almost academic, it is unclear to which time period and geographic area this applied.
- breached fundamental principles of the Privacy Act (1988) in relation to the use and dissemination of information for purposes other than for which it was provided
- breached at least one section of the Electoral Act (1918). As other sections have been amended to incorporate the word 'microfiche' this word is conspicuous by it's absence from the section relating to the sale of the 'print' roll. In a letter from the AEC, dated October 24 2001, it was stated 'Currently, the AEC does not sell the public electoral roll in microfiche format as the CEA provides no specific authority for the AEC to sell public rolls in these formats, only in printed formats'
- knowingly and willingly provided commercial enterprises with the bonus of more detailed information than is contained on the print version
- was without the benefit of any legal foundation

In a letter from the AEC, dated July 26 2001, it was stated 'Severe penalties apply for misuse or commercial use of electoral roll information *provided in electronic format*' but I know of no company being prosecuted for this.

I was told initially that this practice was stopped because of the losses being sustained but when I asked, in writing, the reason suddenly became one of social concern and public pressure. If that is true, and I have my doubts, it is shameful that this concern for public wellbeing took ten years to manifest itself.

If these Acts are not merely windowdressing to provide us with the illusion of protection then who is enforcing them and why has no action been taken in over ten years?

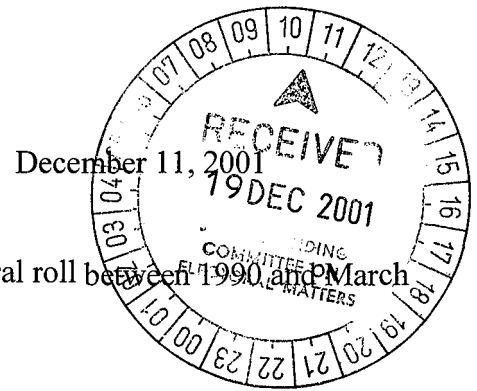
I believe that this issue is worthy of your investigation. The AEC must be brought to account so that it is no longer inclined, for whatever reason, to interpret the CEA in such a cavalier fashion.

Yours Faithfully



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Are these Acts merely windowdressing to provide us with the illusion of protection?

If not, who is enforcing them and why has no action been taken in over ten years?

If attempts are made to justify the position by use of superficial legal technicalities then I will know the answers to these questions.

The truth will set us free, but first it will make us miserable.

Yours

Neil Worrall