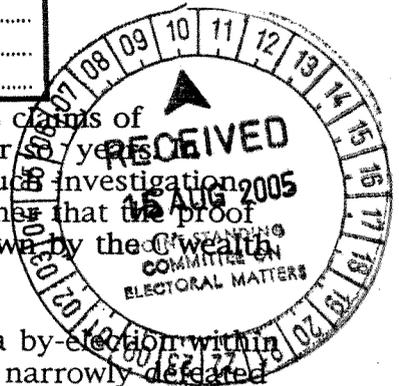


Joint Standing Committee on Electoral Matters
Submission No. 186
Date Received 14/8/05 SD
Secretary

FRIDAY 12 AUGUST 2005 - JCSEM

Members of this Committee will be familiar with the numerous claims of fraudulent voting which have been reported over the past 17 or so years. In several cases these have been dismissed by the AEC without much investigation. That does not mean that the claims were necessarily false - rather that the proof was difficult to obtain and prove within the parameters laid down by the Electoral Act.



Where the supporting evidence is not brought to the case for a by-election within the prescribed period and where the costs of preparation for a narrowly defeated candidate will sometimes be so immense that they decide to withdraw rather than continue, the evidence of personation, of wrongful allowance of incorrect votes or the exclusion of consideration where some voting papers were for the wrong electorate, means that real opportunities to clean up rorting are not followed up.

We have a couple of examples in a supplementary submission which support the view we took to carry out a review of part of the Parramatta electorate. They relate to the election in Swan in 1993 where the AEC failed to act on a report of significant fraudulent enrolment which must have reversed the result if confirmed and to the election recently, time and place to be discussed later confidentially if the members of the Commission agree.

The Mundingburra by election in 1996 brought about the fall of the Goss government elected in July 1995 as a result of fraud, uncovered in the evidence before Judge Ambrose who ruled that there were 52 votes which would have made a difference in the first ballot had personation and electoral official incompetence not occurred.

A comment to me by an AEC official was "Yes but that was not a Federal election", despite the fact that the State and Commonwealth used the same roll.

The 1999 State election in South Australia was notable for the recruitment of around 2100 in one day and fraudulent enrolment at Cooper Pedy involving unwitting and apparently some non existent aborigines.

Parramatta is a marginal seat where heavy migration and turnover of real estate gave a high rate of churn of the roll.

After Ross Cameron conceded defeat, his campaign manager granted us access to the Feedback pages for one subdivisional area, the Parramatta subdivision.

We had to accept that the pages of the Feedback roll contained an exact replica of the information which the AEC had supplied in accordance with Section 90 subsection (3) of the Act which we understood to be based on CRU. We were not aware of what modification may have taken place in the production of Feedback. Its value lay in being able to do street calling which enabled us to discover whether or not residents were those recorded on the Feedback roll and to check against the computerised roll at the AEC's State Head Office.

Our approach to selection of the sample has been covered in the reports 35 and 162. From the 3105 residences in this area covering 59 streets listed on 120 pages, we selected 14 pages containing 700 names.

These names were subsequently checked against the computer roll at the Campbell Street office of the AEC. Where residences were not recorded on the list, we called on the residents to check if they thought they were on the roll or if names were listed of people who did not reside there.

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e.g. In Arthur Street we discovered two residences where the residents were not on the Feedback roll. They both had tried to obtain postal votes without success . Both names were however on the computerised roll at Campbell Street.

In Wigram Street we were told by the resident that none of the four names listed on the role at that address were known to him, that he had lived there for 37 years and had no knowledge of them being registered at his residence.

Does this mean that the AEC had not sent mail to those four men checking why they had not voted? Or does it mean that they voted and therefore there was no signal to the AEC that their address on the roll, which we checked against the computerised roll, was invalid ?

Of the streets and residences called on, the names of 15 people not living at residential addresses are listed in Submission number 35. In addition, a further 10 possible names, such as the squatter at the house in Dixon Street were noted. These extra names of people were not used in the calculation of the opportunities for fraudulent voting in submission 162 although 30 of the empty residences in the area were used in calculating the figure

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AT AROUND THIS POINT THE CHAIRMAN REQUESTED THAT I STOP TO ALLOW TIME FOR QUESTIONS AND SUBMIT MY SPEAKING NOTES AS A SUPPLEMENTARY SUBMISSION

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of 5700 opportunities for fraudulent voting.
All the residents' names we checked , including one who moved out immediately after the election, are still on the roll as of 2 days ago.

It is the preparedness to do whatever it takes to win an election by what have been called immoral, unethical and dishonest actions, that has undermined the integrity both of our electoral system and of those who are the players in this game.

Some evidence of this is contained in the attached Statutory Declarations which I have just submitted.

The first deals with a case of suspected multiple voting, while the second deals with the election in Swan in 1993 and describes the sort of fraud we had been concerned could have occurred in Parramatta.

Conclusion

1. Neither the AEC's CRU nor the Liberal Party's Feedback roll were up to date at 8 September or 9 October 2004, or at 12 August 2005.
2. The opportunities for fraudulent voting appeared to be far in excess of the 1,157 margin of votes by which the seat changed elected representatives on 9 October 2004.
- 3 Unless proper identification at enrolment and at the polling booths are introduced, the opportunities for fraud will continue to be exploited.
4. The lack of a properly and efficiently maintained Habitation Review has undermined the accuracy of the CRU. This has left the public exposed to fraudulent voting from non eligible names being registered in the period coming up to an election and to multiple voting and personation at elections. Some evidence of this is contained in the attached Statutory Declarations which I have just submitted.



(a) The first Statutory Declaration, from Mr Alex Stewart, deals with a case of suspected multiple voting, confirmed to him by a Mr X, as a standard practice by the Australian Labor Party. Mr X does not want his name mentioned because he has already suffered retribution (damage to his property on several occasions) for standing against a Labor Party candidate, to the extent that his wife has fled their house in fear. We understand that he may give his name if he can be sure it will be treated in confidence.

(b) The Statutory Declaration by ex Senator Winston Crane with a supporting letter from a Mr Cedric Wyatt, describes a complaint concerning the election in 1993 of the current leader of the Opposition, Mr Kim Beazley. This report was given by (then) Senator Crane to Mr Peter Wells at the Liberal Party's Head Office in Perth who passed it on to the office of the AEC. It claimed that the election won by 278 votes by Mr Beazley should be investigated and a new election held because the new recent registrations were suspected to include around 1500 voters' names enrolled by an aboriginal woman, Ms Kickett. The AEC took no action even when later asked by Senator Crane. Why not ? It is suggested that the Committee gives serious consideration to calling former Senator Winston Crane with Mr Cedric Wyatt to expand on the Swan submissions.

These two cases describe some of the sorts of fraud we had been concerned could have occurred in the Parramatta election.

It appears that there is preparedness to do whatever it takes to win an election, by what have been called immoral, unethical and dishonest actions and either incompetence or complicity to conceal possible fraud by AEC officials, which has undermined the integrity both of our electoral system and of those who are the players in this game.

WBK
12.08.05

