

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
BUDGET ESTIMATES 2017

Australian Federal Police

Question No. BE17-040

Senator Macdonald asked the following question on 25 May 2017:

Ms Close: That is correct. Of the assessment that we undertook with the Electoral Commission, we accepted 76 cases for investigation. Some of those were in the seat of Herbert. We then did have some actions and activities in Herbert. We had a raft of investigators speaking to all the people we suspected may have undertaken multiple voting. From that, 70 matters have now been finalised and six matters are still be investigated.

CHAIR: Six are still being investigated?

Ms Close: Yes.

CHAIR: Is the Electoral Commission aware of this? Because I am sure that is not their evidence.

Ms Close: I do not know what—

CHAIR: What their evidence is is irrelevant to what your evidence is. Yours, I am sure, would be absolutely accurate.

Ms Close: And I do not know what the Electoral Commissioner referred to there of course, but those six relate to the whole of Australia as well.

CHAIR: Are there any in Herbert?

Ms Close: I would have to take that on notice.

The response to the honourable Senator's question is as follows:

- On 27 July 2016, the AFP received a letter of referral from the AEC alleging 42 instances of multiple voting in the Division of Herbert in the 2016 Federal Election.
- Of the 42 instances of alleged multiple voting, there was no allegation or instance of more than two votes cast by one person.
- Given the margin of 37 votes separating the candidates, AEC advised the possibility existed for the multiple votes to have impacted the election results in Herbert.
- On 28 July 2016, the AFP deployed 15 members to Townsville to conduct the investigation, in collaboration with AEC.
- On 4 August 2016, the AFP concluded investigations into the matter having made contact with all 42 individuals referred by the AEC.
- AFP enquiries revealed:
 - 33 of 42 multiple votes were potentially attributable to polling place anomalies;

- 5 of 42 multiple votes were potentially attributable to voter confusion in the form of identified medical, mental health or language issues; and
- 4 of 42 multiple votes revealed no obvious explanation or additional evidence.
- The AFP determined there was insufficient evidence to identify any breaches of Commonwealth law, and advised the AEC of the outcomes in advance of the due date for the return of writs, being 8 August 2016.
- This investigation is now finalised.