

SUBMISSION 161

459 Dog Trap Road
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The Secretary,
Joint Standing Committee on Electoral Matters
Parliament House
Canberra ACT 2600

Joint Standing Committee on Electoral Matters
Submission No. 161
Date Received 19-5-2005
Secretary <i>[Signature]</i>

As a supplementary submission to my submission No. 123 currently before the Committee, please find attached a paper I wrote in 1990 that sought to reconcile apparent discrepancies between published statutory reports of enrolments with records supplied to the Parliament of transactions effected during the close of rolls period prior to the 11 July 1987 Federal elections. This 31-page paper is titled:

**Was the Surge in Enrolments that Occurred
Just Prior to the 1987 Federal Elections a
Manifestation of the Manipulation of
Enrolments?**

My 1990 paper refers to several submissions made to the Inquiry into the Conduct of the 1987 Federal Elections by the Australian Electoral Commission. It is all but essential that these references be on hand for the arguments in my paper to be understood. Those AEC submissions were:

"Conduct of the 1987 Election" dated September 1988.
(Printed in Hansard of the Committee proceedings of Monday 10 October 1988.)

"Statistics Relating to Roll Maintenance Activities" dated 25 October¹ 1988. (Committee Hansard pages S00685 to S00746)

"1987 Election: Close-of-Roll Rush and Marginal Divisions" dated 30 December 1988. (Committee Hansard pages S01022 to S01036)

¹ **Erratum?** Throughout my 1990 paper I refer to this AEC submission as being dated 17 October 1988; wrongly, it would seem, as the copy of Hansard I now have clearly shows its date as being 25 October 1988. However, it may be that there is some confusion on my part between proof Hansard and the final version of the Committee Hansard, as I note on page 7 of my paper (in line 4) a reference to a page 00428 of JSC Hansard as containing a table attached to this AEC submission. This page number seems to bear no relation to the pages numbered 00685 to 00746, nor does it seem that it would have arisen as a typographical error in transcription. Could it have been that when I originally wrote the 1990 paper I was working from an earlier submission of the same statistics dated 17 October 1988? I do seem to recall working from an A4 size document, as opposed to the smaller page size of the Hansard now at hand.

This supplementary submission is made because on pages 28 and 48 of my submission No. 123 I refer to **an apparent discrepancy of over 200,000 enrolments in the attempt at reconciliation of roll transactions** at roll close for the 1987 elections: the supplementary submission points out the exact nature of the discrepancy and the anomalies related thereto **directly from the official figures.**

Further relevance is given to this supplementary submission by the seemingly related suggestion made by former Electoral Commissioner, Professor Emeritus Colin Hughes, in the concluding paragraph on page 11 of his submission No. 69 that Section 58 (1) (b) of the Commonwealth Electoral Act be amended to add the numbers of additions and deletions in each Division to the monthly gazettal of enrolment statistics. In this context I draw attention to the suggestion I made in the concluding five lines of paragraph 47 on page 25 of my 1990 paper, especially with regard to the **format** of such gazettal of enrolment transaction statistics, a suggestion that slightly amplifies that of Professor Hughes.

Accompanying my 1990 paper are several foldout tabulations that may be helpful in placing the discrepancies and anomalies pointed out in submission 123 and this supplementary submission in context. They are:

Section 58 Enrolment Certificates Summary – October 1984 to May 1990. (One page, with notes relating to compliance or otherwise with the requirements of the CEA.)

Distribution of Section 58 Certificate Report Dates 1986 and 1987. (Four pages.)

Enrolment as a Percentage of the Eligible. (Five pages, showing Divisions grouped by State. Note that this tabulation accepts at face value the AEC-supplied figures for 1981, figures that in certain respects have been challenged in submission 123.)

None of these tabulations were compiled in 1990.

Yours Faithfully,



David Patton

⊙ **WAS THE SURGE IN ENROLMENTS THAT OCCURRED JUST
PRIOR TO THE 1987 FEDERAL ELECTION A MANIFESTATION
OF THE MANIPULATION OF ENROLMENTS?**

DAVID PATTON

FEBRUARY 1990

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FOREWORD

The main body of this paper deals with an analysis of apparent discrepancies between published statutory reports of enrolments and records of transactions effected during the close of rolls period prior to the 1987 Federal elections. In order to understand the significance of these discrepancies, it is necessary to understand the relevant requirements of the Commonwealth Electoral Act 1918, as amended.

Section 58 of the Act requires a monthly reporting of the enrolments in every electoral Division throughout Australia. Sub-section (2) of Section 58 is noteworthy in that it essentially allows enrolments, at least in theory, to move between 'stocktake' dates. Should this in fact occur, the monthly certificates could either over-state or under-state the number of enrolments Australia-wide. It could also be that if broadly balancing transfers in the two directions possible with respect to any two States reporting on different days of the month are made, enrolments could effectively disappear from the published reports with no discernible changes being recorded in the overall level of enrolments shown in those reports. This paper does not attempt to suggest the actual mechanism or pathway whereby such theoretical events could have occurred, it simply notes the evidences consistent with it appearing to have happened that have been revealed through analysis of the Australian Electoral Commission's own testimony to the Joint Standing Committee on Electoral Matters of the Commonwealth Parliament.

Investigation over a considerable period has revealed that the adoption by the Australian Electoral Commission of a **centralised** computerised roll-keeping system has effectively destroyed the ability of any interested person or political party to maintain any practical scrutiny over the roll maintenance activities of Divisional offices of the Commission, especially just before an election. To make matters worse, it appears as if the adoption of this **centralised** system by the Commission may be contrary to law.

Divisional Returning Officers have no real control over the reporting of enrolment numbers, and no completely up to date knowledge of the names on their divisional rolls. This was the case in 1987 under the COM II system, and it remains the case today under the RMANS system of computerised roll keeping. This reflects a situation that is contrary to the Act. Section 7 of the Act says:

- "7. (1) The functions of the Commission are
- (a) to perform functions that are permitted or required to be performed by or under this Act, not being functions that
 - (i) a specified person or body, or the holder of a specified office, is expressly permitted or required to perform; ..."

The Commission's Central Office effectively runs the enrolment system, with Divisional offices simply processing claims, maintaining limited records, and conducting habitation reviews when instructed. An up-to-the-minute record of the changes in enrolments, the reasons for those changes, **and the original evidences justifying them**, is not held in the Divisional office. The DRO is no longer able to answer for the state of his Divisional roll, as Section 107 requires that he be able to do. Section 32 of the Act says:

"32. There shall be a Divisional Returning Officer for each Division, who shall be charged with the duty of giving effect to this Act within or for his Division subject to the directions of the Electoral Commissioner...."

It should go without saying that the Utah vs Pataky legal principle that regulations made under an Act must not be effectively contrary to any express provisions of that Act should apply to any instructions given by the Electoral Commissioner in relation to the DROs' keeping of the rolls. Other Sections of the Act, notably 90, 107, and 111 impose very specific duties upon DROs in relation to roll keeping with which the past and present centralised roll keeping systems would appear to be inconsistent. The bottom line of centralised roll keeping is that independent scrutiny of the process is no longer possible, whereas under unrepealed provisions of the Act it once was possible, and meant to be possible.

It is against this background of destruction of the ability to scrutinise the electoral rolls in any meaningful way that the discrepancies analysed in the main body of the paper must be considered. When published official statistics do not reconcile where they should be expected to, while at the same time associated anomalies such as enrolment of more than 100% of persons reasonably expected as being possibly qualified to enrol in a given State occur, there is cause for concern that at the least the enrolment system is not working properly, or, more seriously, that the electoral rolls have fallen prey to abuses that could ultimately result in fraudulently influenced election results. **With Parliaments composed at least in part of persons having, in unrecognised reality, no lawful right to be there, there would exist a situation in which the Constitution had been effectively sabotaged. Was such abuse to become endemic, betrayal of the interests of the Australian people as a result of the deception of the Sovereign in her grants could well be the result of legislation passed by such Parliaments.**

Chronology of Events 30 April 1987 - 12 August 1987

Date	Event
Thursday 30 April 1987	South Australia reports Divisional enrolments for the April 1987 Section 58 Certificate.
Thursday 7 May 1987	Amendments to the Commonwealth Electoral Act (notably to S. 102) passed in the Senate, where the legislation was introduced.
Wednesday 27 May 1987	Announcement of the 1987 General Elections.
Friday 29 May 1987	South Australia reports Divisional enrolments on the last working day in May for the May 1987 Section 58 Certificate. Amendments to the Commonwealth Electoral Act (notably to S. 102) passed by the House of Representatives.
Wednesday 3 June 1987	Amendments to the Commonwealth Electoral Act (notably to S. 102) receive the Royal Assent and become effective.
Friday 5 June 1987	Proclamation of the double dissolution of the Parliament.
Friday 12 June 1987	Rolls closed at 6:00 pm.
Friday 19 June 1987	Deadline for lodgement of copy with the Government Printer for issue 8 of the Government Notices edition (GN8) of the Commonwealth Government Gazette.
Wednesday 24 June 1987	Publication date of Gazette GN8, containing the April 1987 Section 58 certificate of Divisional enrolments across the Commonwealth.
Friday 26 June 1987	Deadline for lodgement of copy for Gazette GN9.
Wednesday 1 July 1987	Publication date of Gazette GN9, containing the May 1987 Section 58 certificate of Divisional enrolments across the Commonwealth.
Friday 3 July 1987	Deadline for lodgement of copy for Gazette GN10.
Wednesday 8 July 1987	Publication date of Gazette GN10, containing an arithmetically incorrect Section 58 certificate of Divisional enrolments across the Commonwealth for May 1987 , without any reference to it being an amendment to a previous gazettal of the May certificate.
Saturday 11 July 1987	Election day.
Friday 24 July 1987	Deadline for lodgement of copy for Gazette GN13
Wednesday 29 July 1987	Publication date of Gazette GN13, containing a second republication of an again arithmetically incorrect Section 58 certificate of Divisional enrolments for May 1987 .
Friday 7 August 1987	Deadline for lodgement of copy for Gazette GN15.
Wednesday 12 August 1987	Publication date of Gazette GN15, containing the fourth successive (and yet again arithmetically incorrect) Section 58 certificate of Divisional enrolments across the Commonwealth for May 1987 (again without reference to any previous gazettals), plus the Section 58 certificate of Divisional enrolments for June 1987 as at the common date of 12 June 1987 for all States and Territories.

ERRATUM

Page 5, paragraph 3.b.

The Australian Electoral Commission submission referred to as being dated 17 October 1988 was in fact dated 25 October 1988. Throughout the paper, where reference is made to the AEC submission of 17 October 1988, the date of 25 October 1988 should be substituted.

WAS THE SURGE IN ENROLMENTS THAT OCCURRED JUST PRIOR TO THE 1987 FEDERAL ELECTION A MANIFESTATION OF THE MANIPULATION OF ENROLMENTS?

Introduction

1. In a submission made on 20 December 1989 to the Joint Standing Committee on Electoral Matters of the Commonwealth Parliament, I drew attention to the fact that there had been four successive gazettals of the statutory monthly enrolment statistics for Australia relating to May 1987, all claiming different numbers of electors enrolled. There was a discrepancy of 204,880 enrolments for the whole of Australia between the first and the last certificate published, with the earlier certificate showing more than the later.

2. In the submission I stated that it was possible to interpret the published enrolment statistics in a manner that indicated that the Australian Electoral Commission may have misled the Joint Standing Committee on Electoral Matters with respect as to when a surge in enrolments, claimed to have followed the announcement of the 1987 general elections, had actually occurred. Further study of close of roll period transaction records has revealed that the Commission may well have been strictly correct in claiming a surge of new enrolments occurred after the announcement of the elections on 27 May 1987, but that same study raises the question as to whether an accumulation of unreported inter-state transfers of enrolments re-appeared just before the announcement of the elections, and if so, how that could have come about.

Source Documents

3. In an attempt to more fully understand the timing and character of the enrolment surge, I found the following documents to be useful:

a. The Australian Electoral Commission submission to the Joint Standing Committee on Electoral Matters, dated September 1988, and titled "Conduct of the 1987 Election". This submission was printed in Hansard of the Committee proceedings of Monday 10 October 1988, and the relevant part of it is the section titled "Enrolments" on page 4 of the submission, especially Table 2.

b. The Australian Electoral Commission submission to the Joint Standing Committee on Electoral Matters, dated 17 October 1988,

which consisted of three parts:

- i. A covering letter;
- ii. A tabulation of enrolment transactions titled "Roll Transactions Close-of-Roll Period " for all States and Territories;
- iii. A table titled" Total Transactions 1985-88".

c. Section 58 monthly enrolment certificates as published in Commonwealth Government Gazettes GN 8, 9, 10, 13, and 15 of 1987.

4. **Inconsistency of Layout.** The layout of the respective tables is not exactly the same, so only part of the information is directly comparable for the period under study. It would have been of more assistance if the layout adopted for "Roll Transactions Close-of-Roll Period" could have been used throughout, with an additional distinction between intra-state and inter-state transfers.

5. **Incompleteness.** No totals for the tabulations in the "Roll Transactions Close-of-Roll Period" were printed: had they been, internal discrepancies and discrepancies with other published records with which the transactions ought to have reconciled would have been more immediately obvious to the Committee and the public.

6. **Destruction of Records.** The covering letter to the 17 October 1988 submission contains the admission that the tape used to produce the statistics of Table 2 of the Commission's submission of September 1988 had been wiped, and that the reconstructed statistics of the 17 October 1988 submission did not start at exactly the same points for the period under study. This is truly appalling: **if there is one thing that a centralised computerised enrolment record system, notwithstanding its lack of lawful warrant, should be capable of, it is the rapid manipulation of data for just such an exact reconstruction as was to be expected of testimony to a Committee of the Parliament by the Commission.** To be fair, there appears to have been a partial exception from this criticism: the close-of-roll statistics for South Australia appear to have commenced at the same time as the period under study, and as a consequence they have been extremely revealing.

6A. **Inconsistency of Layout II.** An examination of the tables accompanying the Commission's 30 December 1988 submission (pages S 01027 and S 01036 of the JSC Hansard) will reveal that the additions to the roll for the four months preceding the close-of-roll were, **in the sole case of South Australia**, not segregated into new

enrolments and transfers in. The question begs to be asked why this was so, especially in the light of the fact that such a break-up **was** able to be given for the period from 30 April to 12 June 1987 in the table that accompanied the Commission's 17 October 1988 submission (on page 00428 of the JSC Hansard), and in the light of the deduction able to be made that there were only 863 **new** enrolments in South Australia between 30 April and 27 May 1987, whilst during the same period there were 18,606 transfers-out. Could it have been that a possible revelation of circumstances showing around three quarters of the net growth of 12,272 enrolments over December 1986 in South Australia must have been due to transfer-in of enrolments from inter-State would have in some way been seen as anomalous and therefore unacceptable to the Commission? (See paragraph 16. on page 9 of this paper.)

Preliminary Observations on Roll Transactions Close-of -Roll Period

7. **Imbalance of Transfers** It is apparent that, across Australia, transfers-out exceed transfers-in by 3398. Given that a close of rolls for an election was involved, it would seem that all outstanding transactions would be searched for with more than ordinary care to ensure the completeness of the rolls, that is, to avoid improper disfranchisement of electors, which is a possible consequence of an imbalance such as this. Whilst the number of unbalanced transfers is not great, should such an imbalance be disproportionately related to marginal seats, such possible disenfranchisement could improperly alter the outcome in some Divisions, and in a close general election, the formation of the country's government. The cause of this imbalance requires an explanation.
8. **Similarities with other Discrepancies.** A notable similarity exists between the total transfers-in for Australia, 204,946 , and the difference between the first (GN9) gazettal and last (GN15) gazettal of the total Australian enrolments reported for May 1987, 204,880. There is also a similarity between the imbalance between transfers-in and transfers-out in South Australia, 3,434, and the total imbalance for Australia of 3,398 for the same transactions. These two similarities may be seen to have significance once the implications of other aspects of the South Australian enrolment transactions are recognised.
9. **A Benchmark.** South Australia was the only State to report its May enrolments in the Commonwealth Government Gazette **after** the announcement of the 1987 Federal elections. As a consequence an officially reported benchmark exists as at Friday 29 May 1987 which is of assistance in determining when certain transactions must have occurred. It is perhaps an appropriate place to mention that **the enrolments recorded in the four separate gazettals of the May certificate for South Australia were the only ones to remain unaltered throughout.**

Observations Resulting from Comparison of Submissions

10. **Transfers-Out.** It is apparent that the bulk of the 208,344 transfers-out shown in the Roll Transactions Close-of-Roll Period had been transacted **prior** to 27 May 1987, the date the election was announced. This left only 32,025 being transacted between 27 May and 12 June 1987, when the rolls closed. Of the 32,025 processed after 27 May, nearly half (13,622) were from South Australia alone.

11. **Objection Action.** There were **more** objections recorded in the period from 27 May to 12 June 1987 (48,887) than there were recorded for the **longer** periods covered by the Roll Transactions Close-of-Roll Period table (39,158). How could this discrepancy of 9,729 objections have occurred?

12. **New Enrolments.** There were more new enrolments recorded in Table 2 between 27 May and 12 June 1987 (302,958), than were recorded for the **longer** periods covered by the Roll Transactions Close-of-Roll table (295,569). The similarity of the discrepancy of 7,389 with the discrepancy of 7,409 remaining after the removal of the SA surplus from a comparison of the Section 58 certificate for 12 June 1987 and the total enrolments recorded in the election statistics for the 1987 election is notable. **Were names added after the roll closed?**

13. **Timing of South Australian Roll Transactions.** It is possible to segregate the pre-27 May 1987 transactions from the post-27 May transactions recorded in Table 2 of the Commission's September 1988 submission to the Joint Standing Committee. This has been done in the two tabulations set out below in the same format as the Commission's 17 October 1988 submission.

New Enrolments	Transfers-In	Transfers-Out	Objection	Death	Net Start
30 April - 12 June 1987:					
24,871	28,794	32,228	10	1,460	922,800
27 May - 12 June 1987:					
24,008	Not quoted	13,622	2	384	
By deduction, 30 April - 27 May 1987:					
863	?	18,606	8	1,076	

14. **Start Point for South Australian Statistics.** The net start figures shown in Roll Transactions Close-of-Roll Period Commencing 30 April 1987 for South Australia **correspond exactly** with the Divisional enrolments shown in the Section 58 certificate for 30 April 1987 as published in Commonwealth Government Gazette GN8 dated 24 June 1987. The Commission's claim, on page 2 of its covering letter to the 17 October 1988 submission, that:

" as the special tape generated to produce Table 2 at page 4 of the Commission's submission, 'Conduct of the 1987 Election', had been wiped there are now slight variations in commencing dates for the statistics which have had to be recovered from the COM II system and the SA system for the present purpose."

would seem not to have any relevance for the South Australian figures, other than as an acknowledgment of their separate origin. It would thus appear that, with respect to South Australia, the close of roll transaction record contained in the Commission's submission of 17 October 1988 should be a complete and accurate record capable of reconciliation with the close of roll Section 58 certificate for 12 June 1987. It does not reconcile, however. The net effect of the enrolment transactions for the whole period was to add 19,967 names to the rolls in South Australia, bringing about an expected total enrolment as at the close of rolls of 942,767. The official statistics of the 1987 elections recorded 942,880 enrolments in South Australia, while the Section 58 certificate for the close of rolls recorded only 941,747 enrolments.

15. **Pre-27 May Transfers-Out.** It has been claimed by the Commission that the announcement of the election acted as a trigger for an uncharacteristically large number of enrolment transactions in 1987. In South Australia, 18,606 transfers-out are recorded **before** 27 May 1987. How could it be said that these transfers were triggered by the announcement of the election? If it should prove to be that most of these transfers-out were inter-state transfers, then it would be even more extraordinary, given the relative stability of the South Australian population numbers. If the figures published in gazette GN9 for the other States were in fact reflective of the reappearance of unreported enrolments by way of inter-state transfer, then most transfers for Australia at large would have been effected between April and the May report dates, well before the election announcement.

16. **Pre-27 May New Enrolments.** It will be seen from the tabulation in paragraph 13 that there were only 863 new enrolments in South Australia between 30 April and 27 May 1987. Net enrolments in South Australia, however, are recorded as having increased over preceding months to April 1987 as follows:

Over December 1986, as at 30 January 1987, by	1,024
Over January 1987, as at 27 February 1987, by	2,668
Over February 1987, as at 31 March 1987, by	3,582
Over March 1987, as at 30 April 1987, by	<u>4,998</u>
Total increase over December 1986	<u>12,272</u>

If the new enrolments effected over this period were in any way comparable with the 863 effected between 30 April and 27 May 1987, then the only way net enrolments could have increased as reported in the Section 58 certificates is by a net surplus of transfers-in over transfers-out. **Such a net surplus could only have come from inter-state**, and itself would be just as anomalous as the pre-27 May transfers-out already spoken of; and if around 9,000 net increase in South Australian enrolments over the period January to April 1987 was due to the reappearance of unreported enrolments by way of inter-state transfer, then there may exist a pointer to why new enrolments for the 1987 close of roll period were around 300,000 when the suspect transfers-in were around 204,000. There were approximately 19,000 net additional enrolments to the South Australian rolls during the close of roll period, approximately twice the number of postulated 'reappearing' net inter-state transfers-in between January and April. The South Australian relationship is in line with the Australia-wide relationship, if the above is an anywhere near correct explanation of enrolment events.

Can Transfers-In be Determined for the Period 27 May - 12 June 1987 in SA?

17. The short answer to this question is 'not directly', because no transfers-in are quoted in Table 2 of the Commission's September 1988 submission to the Joint Standing Committee, but they can be reliably inferred. It is known, from the Section 58 certificate for May 1987, that net enrolments in South Australia increased by 10,069 between 30 April and 29 May 1987. Therefore there has to have been some combination of transactions that would have permitted this result by 29 May 1987.

18. **The Need for Balancing Transfers.** If every one of the 24,008 new enrolments was effected between 27 and 29 May 1987, there would still be a shortfall of 5,181 transfers-in required to make possible the net increase over April of 10,069 enrolments. For all of the 24,008 new enrolments recorded post-27 May to have been effected in just two days seems unlikely, so it is to be expected that even more than the minimum of 5,181 transfers-in would have to have occurred by 29 May 1987.

19. **Implications of Unbalanced Transfers.** There were 18,606 transfers-out recorded prior to 27 May 1987. The legitimacy of an unbalanced flow of this size would be immediately questioned: it would normally be expected that most transfers-out would have a balancing transfer-in because the bulk of transfers would be expected to be intra-state movements; any significant net movement into or out of the State would also be expected to be approximately balanced over the short term due to South Australia's relatively static population. Therefore it seems safe to assume that, whether most of the 18,606 pre-27 May transfers-out were in reality intra-state transfers, or whether they were inter-state transfers of questionable legality, there would have been a broadly corresponding number of transfers-in, even if only to mask such possible illegality. The transfers-in for the period 30 April to 27 May could well have been, say, 18,828, which

would have given net growth of 1 enrolment over that of 30 April 1987.

20. **A Surplus in NSW.** When the net effect of the transactions recorded in Roll Transactions Close-of-Roll Period is calculated for NSW and compared with the total shown in GN15 for 12 June 1987, a surplus of 10,068 is revealed. This surplus is so similar to the 10,069 enrolments by which South Australia's enrolments increased between 30 April and 29 May as to attract attention. NSW reported for May on the 22nd, so there was an interval during which a transfer-out from NSW could have been made in time to be reported in South Australia for 29 May 1987. It seems perfectly reasonable to assume a transfer-in from NSW of 10,068 enrolments; new enrolments alone would not have been sufficient to have accounted for the total net increase in South Australia by close of rolls, and the NSW enrolments finally recorded at close of rolls, although not matching this transaction exactly, did not include this surplus in that State at close of rolls. A transaction going in this direction during this interval could be the reportable half of a matching, 'unreportable' transaction occurring during the same interval in the opposite direction: **such matching flows of transfers could allow a double-counting of enrolments to offset temporary disappearances of corresponding numbers of enrolments in between report dates such that no inexplicable growth in total enrolments for Australia would become noticeable.** This is exactly the form of enrolment accountancy that is possible if advantage is taken of the imprudent laxity of the provisions of Section 58 (2) of the Commonwealth Electoral Act, which says:

"(2) Nothing in sub-section (1) shall be taken to require a determination under that sub-section to be made in respect of the several States and the Australian Capital Territory as at the close of the same day in a month. "

If it is permissible to move the stock while a stocktake is in progress, then it is possible to defeat the purpose of the stocktake. That is what sub-section 58 (2) effectively provides for.

21. **Timing of Transfers-Out.** Table 2 of the Commission's September 1988 submission, when read in conjunction with its 17 October 1988 submission, tells us that the bulk of transfers-out occurred prior to 27 May 1987. If we take that to mean 'shortly after the monthly report dates', in the case of South Australia, it would be consistent to expect most of the post-27 May transfers-out to have been effected by or near to 29 May. The enrolment transaction record as at 29 May 1987 may well have looked something like this:

New Enrolments	Transfers-In	Transfers-Out	Objection	Death	Net Start
As at 27 May 1987:					
863	18,828	18,606	8	1,076	922,800
As at 29 May 1987:					
+14,008	+10,068	+13,622	+2	+384	
14,871	28,896*	32,228	10	1,460	932,869

*Yes, there are 102 more transfers-in hypothesised than the total of 28,794 recorded for the whole close of roll period. A suggested reason for this discrepancy will be made plain in following argument.

22. **Possibility of Contrivance of Transaction Records.** If it is true that there were large but essentially balancing inter-state transfers of enrolments around 29 May 1987, then suspicions are raised as to the propriety of such transactions. Re-appearance of unreported enrolments would need to be accompanied by new enrolment claims to account for what would otherwise be an **anomalous** sudden growth in enrolments across Australia. If it was a fact that a transfer-in from NSW of 10,068 enrolments did occur, then Friday 29 May 1987 was the last working day of the month by which it could be reported. To comply with Section 58 of the commonwealth Electoral Act, perhaps there was a requirement as of the close of Friday 29 May 1987 that a print-out of total enrolment transactions be run: if there was to have been any contrivance of enrolment transactions to appear to authenticate a pre-determined outcome, then it is possible that a simply balancing 13,622 new enrolments were posted opposite the 13,622 transfers-out. That would have given the same net increase in enrolments by 29 May 1987, but would have aroused suspicion. There is also the problem that if there was in fact a transfer-in, **and reporting**, of 10,068 enrolments from NSW, then theoretically there cannot have been the 28,896 transfers-in over the whole period that this NSW transfer demands. That is what points to contrivance in the overall reporting of enrolment transactions with respect to South Australia for the close of roll period. The posting of 14,008 new enrolments together with 2 objections and 384 deaths would destroy any obvious correspondence with transfers-out, whilst leaving a round 10,000 new enrolments to be reported between 29 May and 12 June 1987, in apparent accordance with the steady net growth of previous months. It will be noted that 10,000 minus 102 gives 9,898, the number by which net enrolments grew between 29 May and 12 June 1987, according to the Commission's 17 October 1988 submission. If the documentation trail was able to be followed for all relevant transactions, 102 misdescriptions and/or anomalies would probably be found.

Close of Roll Discrepancies and the Possible Meaning of the GN9 Section 58 Certificate

23. **The 12 June 1987 Section 58 Certificate.** It has already been noted that the 941,747 enrolments recorded for South Australia in the Section 58 certificate for 12 June 1987 did not correspond with the 942,767 to be expected from the Roll Transactions Close-of-Roll Period record, nor with the 942,880 recorded in the official election statistics as being on the roll on 12 June 1987. Perhaps an explanation for this discrepancy is that at the close of Friday 12 June 1987 a print-out of enrolments for South Australian Divisions was run that showed only those transactions that had been

processed to that time: it would have been perfectly possible for enrolment or transfer applications to have been unprocessed in the hands of Divisional Returning Officers, having only been received shortly before the deadline for acceptances at the close of rolls. Such transactions would ultimately have been processed and properly resulted in names being added to or removed from the certified lists to be used for the elections, as the claims would have been **received** before the deadline, even though they had not been processed. If it was the case that such a print-out was produced on Friday 12 June 1987 at the close of operations for the day, then it would be reasonable for just such a print-out to have been produced in each State for the various report dates for the month of May 1987. In each case it would have been that the printout would have shown the net effect of all transactions processed to the respective dates. Presumably, the enrolments shown in the certificate published in gazette GN9 would have resulted from just such a procedure being followed in each State and Territory. The GN9 certificate tells us that a net 204,880 more enrolments **were already in the system** as the result of transactions effected **before** the various May report dates. **The original GN9 report for South Australia was never altered**, so its origination must have been regarded as **correct, or, alternatively, effectively unalterable**, by whatever authority caused the several successive, **and arithmetically incorrect**, published substitutions of the original GN9 Section 58 certificate for the month of May 1987. Analysis of the South Australian figures reveals a picture of enrolment transactions that are essentially anomalous, and at variance with some of the claims that have been made about enrolments at this time.

24. **Inter-State Transfers Predominate.** The essential point that emerges from an examination of the South Australian roll close period enrolment transactions is that the great bulk of transfers recorded appear to be inter-state movements of enrolments. These transfers seem to predominate over new enrolments between January and May in a manner that would not be expected. In any event, the dominant transaction amongst transfers would be expected to be **intra-state** transfers. In addition, these apparent inter-state transfers are broadly speaking balanced by comparable flows in the opposite direction.

25. **Timing of Transfers.** The timing of this disproportionately large number of transfer transactions is also a cause for concern. They occurred in almost every case **before** the announcement of the elections. It could be that accumulated unreported inter-state transfers, an accumulation possible between the staggered monthly reporting dates that were a feature of the published Section 58 certificates over preceding months, re-appeared during the month before the announcement of the elections. If this did happen, **a surge in net enrolments would have been expected, and this in fact happened** if it is accepted that there was any routine operational reason whatever for the figures that appeared in the Section 58 certificate published in gazette GN9: this edition of the gazette reported 204,880 more enrolments for Australia than the 'corrected' GN15 edition, and there were 204,946 transfers-in reported for Australia in the close of roll

enrolment transactions.

26. **Re-appearance of Unreported Transfers: Accounting Problems.** Any postulated bank of unreported enrolments re-appearing in the system would result in an apparently unexplained surge in total Australian enrolments. Since it has to be assumed that each such unreported enrolment was at some point to all intents and purposes legitimately on a roll somewhere, **one way of accounting for its re-appearance could be by arranging for an enrolment application with consistent relevant details to be lodged in the State to which it had been transferred when it re-appeared.** There was an unprecedented surge in new enrolments between 27 May and 12 June 1987. I am advised that the Australian Electoral Commission used private contractors to process new enrolment claims at the time of the 1987 election. It is also interesting that, following the 1987 elections, the rolls on display at NSW Head Office of the Commission consisted of reference copies of the 1987 certified lists **for NSW Divisions only**, and copies of the 1984 print of the rolls for all Divisions elsewhere in Australia. Nowhere was it possible to refer at the same time to a 1984 roll and a 1987 certified list for all States and Territories. I am advised this was the situation, relatively speaking, in other State Head Offices

27. **A Cover Story?** The sudden introduction of any large number of new enrolments would itself require some explanation if it was not to arouse suspicions of manipulation of enrolments. The explanation that has been offered was that the announcement of the election triggered interest in enrolling, and in fact it appears that the bulk of the **new enrolment claims** were lodged after the announcement. The problem posed by the GN9 Section 58 certificate was that the **net increase** was revealed as having happened **before** the announcement of the election, **separated in time by statutory documentation** from the only believable explanation of the new enrolments, the **announcement** of the election, **after which** the new enrolment claims had to appear. In such a scenario, a document like GN9 would have to be cancelled, if in fact there was any manipulation of enrolments contrary to law. The fact is, the certificate in GN9 was superseded, and that fact raises the question as to whether there was any deliberation within the Commission, or within any other organisation with effective access to the Commission's record keeping system, towards the end of manipulating enrolments.

28. **The GN9 Certificate and Queensland Enrolments.** If the figures quoted in GN9 were to be used as a basis for computation, Queensland enrolments would have increased by a net 50,291 enrolments between 27 April 1987 and 25 May 1987. If we are to believe the AEC testimony in its submission of 30 December 1988 to the Joint Standing Committee, new enrolments plus transfers-in for the same period only came to 26,971, so even without any removals by way of death, objection action or transfer-out-of-state, the enrolments quoted in GN9 would have included 23,320 enrolments that had appeared to have come onto the roll without warrant, or alternatively, had not been

reported when they should have been in previous Section 58 certificates; in either case a seriously unsatisfactory situation. Plainly, such a result would have been unacceptable, and perhaps constitutes a reason why GN9 was considered to be wrongly compiled, which was presumably the reason it was superseded by the GN 15 gazetta.

29. **Inter-State Movement of Australian Electors.** The Australian Bureau of Statistics has published a study called "Internal Migration, Australia - 12 Months ended 31 May 1987", catalogue number 3408.0. This study states that only around 10% of all moves made within Australia are inter-State moves. It is thus to be expected that only around 10% of the 11,519 transfers-in shown in the Queensland figures for the period 27 April to 25 May 1987 would have been from outside the State. Correspondingly, it is to be expected that for the remaining transfers-in(10,367) there would have been matching transfers-out from elsewhere in Queensland during this period reported in the enrolment transaction figures. This, in turn, would mean that Queensland enrolments should have been expected to have increased by a net 39,924 enrolments between 27 April and 25 May 1987 on the acceptance of the GN 9 figures for May 1987, or by a net 16,694 enrolments on the alternative acceptance of the GN 15 figures. The problem is that neither expected figure corresponds with the net increases in enrolments of 50,291 or 10,911 that can be calculated from the GN 9 or GN 15 Section 58 certificates respectively. All of this says that inter-State transfers must comprise a significantly greater proportion of enrolment transactions than would reasonably be expected, and greater by a factor of either 23 or 6, depending upon which certificate you wish to believe was truly relevant.

30. **Similarities between Net Enrolment Increases and New Enrolment.**

There is a marked similarity between new enrolments (15,542) and the net increase in enrolments to be expected (16,694) on the basis of the acceptance of the GN 15 figures for May 1987. Could this similarity mean that the bulk of what have been described as new enrolments were in reality transfers-in from other States? **The Commission admits that such a misdescription can occur** when a claimant fails to state their previous address on what is, to the claimant, a transfer of enrolment to another State, **but which is treated by the Commission as a new enrolment.** (Reference: AEC submission 88/0873 dated 30 December 1988 paragraph 1. - Hansard JSC p. S 01022). Could the Queensland enrolment figures initially reported in gazette GN 9 constitute evidence of a massive 'thimble and pea' trick against the genuinely enrolled and voting electors of Australia, and against the laws of the land that are supposed to ensure honestly conducted elections?

31. **The GN 9 Certificate and NSW Enrolments.** On the basis of the figures published in GN 9, NSW enrolments increased by a net 67,289 between 24 April 1987 and 22 May 1987. A table attached to the Australian Electoral Commission's submission to the Joint Standing Committee dated 30 December 1988, titled '1987 Enrolment

Transactions 4 Months Preceding Close of Roll and Close of Roll Rush', sets out the total numbers of new enrolments and transfers-in, State by State, for each of the statutory reporting periods covered by the Section 58 certificates for the same period. The layout of the table does not at first glance reveal this information, but by reference to the Commission's submission dated 17 October 1988, and by a little calculation applied to the groupings of Divisions, the information can be reliably obtained. New enrolments in NSW during this period were 21,280 and the transfers-in were 33,824. Without taking any account of removals by way of transfer-out, death, or objection action, it is apparent that a discrepancy of at least 6,185 enrolments more than could be accounted for appeared in the GN 9 certificate. It is thus easy to see why the GN 9 certificate could be considered to have been wrong for NSW, if the information derivable from the table mentioned above was available to those compiling the GN 9 certificate **at the time it was compiled**. If, however, it is accepted that GN 9 was a correct record of enrolments as at 22 May 1987 in NSW, and that the new enrolments and transfers-in shown for the period 22 May to 12 June 1987 were in fact applicable to the **previous** reporting period (ie. the one **ending** 22 May 1987), then it would have to have been that 105,275 enrolments, a little more or less, left the NSW rolls between 24 April and 22 May 1987. Accepting also the figures quoted for removals by reason of death and objection action in the Commission's 17 October 1988 submission for the period 22 May to 12 June 1987 as in fact relating to the **previous** reporting period, then it would have to be accepted that 74,737 enrolments had been transferred-out, inter-State, during this period. **Such a figure for transfers-out, inter-State, would have been equivalent to virtually the entire number of electors who left NSW during the 30 months between the close of rolls for the 1984 Federal elections and the close of rolls for the 1987 Federal elections**, according to calculations based upon the ABS study 'Internal Migration Australia - 12 Months Ended 31 May 1987'. As such, it would have been absolutely anomalous.

32. **The GN 15 Certificate and NSW Enrolments.** Since the GN 9 certificate was superseded, GN15 therefore has to be accepted as the officially correct account of enrolments as at 22 May 1987 in NSW. This certificate tells us that NSW enrolments **decreased** by a net 3,231 enrolments between 24 April and 22 May 1987, **contrary to the trend** of net increases of 14,787 enrolments, 8,277 enrolments, 7,883 enrolments in the three previous reporting periods. According to the table accompanying the Commission's submission to the JSC dated 30 December 1988, there were 27,280 new enrolments effected in NSW between 24 April and 22 May 1987 and 33,824 transfers-in of unspecified origin. Assuming, on the basis of the ABS study, that around 10% of the transfers-in would have come into NSW from other States, net enrolments in NSW would have been expected to have risen by around 30,662 enrolments before the associated removals. Such removals could only have been by reason of death, objection action, or transfer-out inter-State. The Commission did not supply a detailed break up of removals for this period comparable with that supplied for the period 22 May to 12 June

1987 in its 17 October 1988 submission to the Committee. Perhaps the Committee could require the Commission to provide full information on roll transactions for the four months preceding the close of rolls table already provided.

33. **The GN 15 Certificate for June 1987.** NSW enrolments increased by a net 67,217 enrolments between 22 May and 12 June 1987. During this period there were 101,209 new enrolments effected in NSW, and 71,355 transfers-in of unspecified origin. Assuming around 10% of the 71,355 transfers-in to have had an inter-State origin, in accordance with the Australian Bureau of Statistics study 'Internal Migration, Australia - 12 Months Ended 31 May 1987', enrolments in NSW would have been expected to have risen by around 108,345 before the relevant removals for reasons of death, objection action, and transfers out of State. Deaths accounted for 3,772 removals, while objection action removed 26,766 enrolments according to the Commission's testimony in its 17 October 1988 submission to the Joint Standing Committee. That means that theoretically 10,590 enrolments must have been transferred out of State during this period. It should not be forgotten that the calculation of this theoretical 10,590 transfers out of State derives in part from an **estimate**, the notional 7,136 or 10% of the recorded transfers-in expected to have had an inter-State origin. The transfers out of State could just as easily have been 10,068 enrolments, the discrepancy between the record of close of roll enrolment transactions and the record of enrolments in the GN 15 certificate for June 1987 for NSW. **What would be truly anomalous would be the circumstance of the whole of the out of State transfers having gone to just one State, South Australia.** Yet that is what it appears may have happened, as explained in paragraph 20 of this paper. It seems that this analysis of enrolment transaction records leaves a choice of anomalies: around 75,000 transfers out from NSW in just one month to inter-State destinations, or around 10,000 transfers out, being **all** of the transfers-out inter-State for that month, **to just one State, South Australia.**

34. **The GN 9 Certificate and Tasmanian Enrolments.** If the figures quoted in GN 9 were to be used as a basis for computation, Tasmanian enrolments would have been shown to have increased by a net 7,756 enrolments between 24 April and 22 May 1987. The Commission has testified that new enrolments totalled 1,976 transactions and transfers-in totalled 2,216 transactions for this period, so even without any removals by way of death, objection action, or transfer-out-of-State, the net increase in enrolments derived from an acceptance of the GN 9 figures would have included 3,564 enrolments that would have appeared to have come onto the roll without warrant. Assuming the figures provided by the Commission for the April - May period were set in concrete at the time the GN 9 certificate was compiled, a reason thus existed for regarding it as necessarily being wrong so far as the Tasmanian figures were concerned. The extreme similarity of the net growth in enrolments shown in the GN 9 certificate (7,756) with that shown in the GN 15 certificate for May - June (7,254) is notable, especially when it is considered that the GN 15 figure for April - May showed a net growth of only 243

enrolments as a consequence of this amendment.

35. **The GN 9 Certificate and Western Australian Enrolments.** Acceptance of the GN 9 certificate for Western Australia would have meant that a net increase in enrolments of 37,412 would have occurred in that State during April - May 1987. The GN 15 certificate which replaced GN 9 showed a net increase of only 1,605 enrolments for the same period, with a net increase of 35,807 enrolments being shown as occurring during May - June 1987. The most immediately striking thing about the net increase finally shown is its similarity with the notional 36,000 unlawful enrolments deduced as being on the Western Australian rolls in 1986 in a previous submission to the Committee titled 'Statistical Evidence for the Stacking of the Western Australian Rolls', dated 27 May 1989.

36. **Concentration of Transactions in Time in South Australia.** It is possible to derive from the Commission's testimony to the Committee that there were 87,363 roll transactions involving addition or removal of names on the South Australian rolls between 30 April and 12 June 1987. Further analysis of this testimony reveals that around 90% of close-of-roll transactions involving additions or removals of names on the South Australian rolls are indicated as having been effected by Friday 29 May 1987. (See argument and reasoning in paragraphs 13 to 22 of this paper.) Around 90% of all such transactions had been thus effected by the twenty first working day of the thirty one working days in the whole close-of-roll period. Of this 75,000+ transactions, it would seem as many as between 34,000 to 38,000 were effected between 27 and 29 May 1987, thus by within two days of the announcement of the elections. Either distribution of transactions seems to be an inordinate concentration of activity at such a time, and in the latter case, especially in such a short time.

37. **Concentration of Transactions in Time all over Australia?** If it is reasonable to extrapolate from this case and say 'South Australia ought not to have been all that different to Australia at large so far as the extent and timing of enrolment transactions in the month or so prior to the close of rolls is concerned', then it could with justification be suggested that everywhere else in Australia, just after the various May 1987 statutory report dates and **before** the announcement of the elections, the bulk of new enrolments and transfer transactions also took place. That at least the transfer transactions appear to have been processed into the centralized roll records before the announcement of the elections seems to be what the figures in the GN 9 edition Section 58 certificate attests to, and the figures for South Australia, as previously noted in paragraph 9, never changed from the GN 9 edition of the Gazette through editions GN 10 and GN 13 to GN 15.

38. **Opportunities for Checking Accuracy of Statutory Reports.** South Australia was the last State to report its enrolments for May 1987, which it did on Friday

29 May 1987, with Western Australia having reported on Tuesday 19 May, NSW, Victoria, Tasmania, ACT and NT having reported on Friday 22 May, and Queensland having reported on Monday 25 May 1987. One would have thought that there was sufficient time for any errors or inconsistencies in other States' reports to have been detected before sending particulars of the May 1987 Section 58 certificate to the Government Printer for publication in the GN 9 edition of the Gazette. Copy for that edition would appear not to have been lodged until Friday 26 June 1987, 14 days after roll close, and 29 days after the last State, South Australia, had reported for May 1987.

39. **Non-Compliance with the Commonwealth Electoral Act.** Now 29 days seems an inordinately long time to have waited before the enrolment figures for May 1987 were set in concrete, so to speak, by the lodgement of copy with the Government Printer for gazettal. Indeed, it must be asked whether such a delay constitutes a non-compliance with Section 58 (1)(c) of the Commonwealth Electoral Act, which, speaking with respect to Divisional enrolments, imposes a duty upon the Electoral Commissioner "forthwith after the end of each month" to:

"(c) Cause a statement setting out the matters so ascertained and determined to be published forthwith in the Gazette. "

The word "forthwith" is twice used in this context, and is defined by the Collins Concise English Dictionary as "at once". Were these provisions of the CEA to have been complied with fully, many of the uncertainties surrounding, and hence much of the questionability of, enrolment transactions at such a critically important time would have been placed beyond doubt in full public view, where it has always been accepted that electoral administration generally must be seen to be.

40. **Were Roll Close Records Finalised and Available by 26 June 1987?**

There is every reason for expecting that even the June 1987 statutory enrolment figures, given that there was a roll close on 12 June 1987, should have been available with associated transaction records to the Commission's Central Office before the copy for the May 1987 enrolment figures was, in the event, sent to the Government Printer for publication in the Gazette. Was this to have been so a cross check of enrolment transaction records with the May certificate figures ought certainly to have been possible. The need for such a cross check should have stood out very plainly, because a simple comparison of total enrolments would have shown an unbelievably small net growth in enrolments of only 15,280 for the whole of Australia during a period when the Commission's offices had been reportedly swamped with enrolment claims! The cross check that this unbelievable lack of growth should have provoked would have revealed the anomalies that have been described in paragraphs 28, 31 and 34 of this paper. However, it is evident that either no cross check was made as to the consistency of the

May 1987 Section 58 certificate with the transaction records, or, alternatively, the close of roll figures were still not available 14 days after the rolls had closed, because the Commission went ahead with publication of the May 1987 figures in the GN 9 edition of the Gazette in its now demonstrably inconsistent form. It seems, since subsequently some form of revision was done that resulted in successive amendment of the Section 58 certificate for May 1987, that it has to be concluded that the necessary figures were not available as at 26 June 1987 to those in the Commission responsible for publication of the monthly certificates.

41. **Can the Statutory Reports be Believed?** Were the roll close figures not to have been finalised and available to relevant Commission staff until more than 14 days after roll close, as it appears they were not, it would only be natural to ask why this should have been so. One reason that has by inference, if not expressly, been given is that due to general pressure of work upon Commission staff as a result of the purportedly unexpected volume of enrolment claims, final processing results were not back from the assorted private contractors, State Head Offices and Divisions that had become involved in handling them, by 26 June 1987. There is, however, a problem with this explanation, and it is this: the Section 58 certificate for June 1987 published in the GN 15 edition of the Gazette attests that, for all of Australia, all but 6,777 enrolments that appeared in the certified lists for the elections had been processed and were on the rolls by 12 June 1987. If this was truly so, why would the figures not have been available to those responsible for the compilation and publication of the statutory monthly enrolment reports? The GN 15 edition of the Gazette was dated Wednesday 12 August 1987, which would in the normal course of events have meant that copy had to have been lodged by Friday 7 August 1987: again, because of non-compliance with Section 58 of the CEA, the situation exists whereby the June 1987 figures were not published until August, and as a result were not 'set in concrete' until after the election was over! The question left in the mind of any person observing the electoral process as a scrutineer could be **"were the May and/ or June 1987 enrolment figures cooked after the event to make the books appear to balance?"**

42. **A Scenario for Manipulation of Enrolments.** Acceptance for the moment of the hypothesis that manipulation of enrolments may have been occurring does offer an explanation for close-of-roll figures still not being available by 26 June 1987. It is this: that if enrolments were being manipulated, being selectively placed in Divisions where it had been assessed by the manipulators that they were most needed to produce a given result, then this process would probably have been delayed as long as possible before the final printing of the certified lists in order that late trends in opinion polling or genuine enrolment could be accommodated. It is a matter of fact that the Section 58 certificate for June 1987 published in Gazette GN 15 has the roll close date of 12 June 1987 on it, but records enrolments significantly different to those that appeared on the certified lists for the same Divisions. It is also a matter of fact that the close-of-roll

transaction record supplied with the Commission's 17 October 1988 submission to the Committee, when calculated out as to what the final figures on the roll for the elections **ought** to have been, much more closely matches the certified lists than the Section 58 certificates for June 1987 having the same date. The latter circumstance is consistent with there having been a long delay before figures for June 1987 were finalised in each Division, and such a long delay is, although not of itself proof thereof, completely consistent with the manipulation of enrolments.

43. **A Bug in the Program?** If it was indeed a fact that much of the apparently anomalous number of inter-State transfers prior to the elections in reality represented the re-appearance in the roll accountancy of enrolments that can be made to disappear in the manner described in the second paragraph of the Foreword and in paragraph 20 of this paper, then it would also be known how many 'new enrolment' claims would be needed to mask any anomalousness to their re-appearance. It could be that a bug could have been inserted in the roll management computer program instructing the computer to handle inter-State transfers having particular characteristics occurring between the staggered report dates of given pairs of States in any one month **such as to place them in what amounts to a suspense account that may not form part of the public, or even internal, records of the Commission.** Such a circumstance could explain the presence of transaction information in the (albeit unlawfully) centralised computerised roll management system that **resulted in the net effect on total enrolments necessarily being recorded** in the GN 9 Section 58 certificate at a point in time prior to the announcement of the elections, **even though enrolment claims intended to back up such net statistics may not have been lodged until after the various report dates, and in many cases after the announcement of the elections.** Allowed to stand, the GN 9 certificate would have constituted a most profound and damning inconsistency in the centralised roll management accountancy of the Australian Electoral Commission. So profound and damning was the inconsistency of the initially published certificate for May 1987 as to move one to speculate as to whether some factor in the overall election timetable had been overlooked by the postulated manipulators.

44. **Amendments to the Commonwealth Electoral Act in 1987.** A matter that requires comment relates to the impact upon the enrolment process of amendments to Section 102 of the CEA dealing with registration of enrolment claims **during the period between public announcement of an election and the close of the rolls.** These amendments were passed by the Parliament in Act No.35 of 1987 on Friday 29 May 1987, having first been introduced in the Senate and been passed by that House on 7 May 1987. Section 2 of this amending Act said:

"2.This Act shall come into operation on the day on which it receives the Royal Assent."

Act No.35 of 1987 received the Royal Assent on Wednesday 3 June 1987. It may have been assumed by a postulated manipulator that these amendments had become law on, or shortly after, 7 May 1987 unaware they had yet to pass the Representatives. The Commission's testimony to the Committee, upon careful analysis, seems to indicate that, across Australia, just after the various report dates for May 1987 and in most cases before the announcement of the elections, the bulk of new enrolments and transfer transactions took place. The Commission has also testified (on page 00010 of the JSC Hansard) that;

"705,907 enrolment transactions occurred between the announcement of the election on 27 May and the close of rolls on 12 June."

and further down on the same page that:

"The late surge of activity in enrolment caused temporary problems in some Divisions (eg in Western Australia) where processing beyond the capacity of the Divisional Offices had to be sent to the Commission's State Head offices for speedy action. "

Given that the Commission has claimed that it did process significant numbers of enrolment claims at its various State Head Offices, and that it is possible to derive from its testimony to the Committee that the majority of the close-of-roll transaction workload was processed within just a couple of days of the announcement of the elections on 27 May 1987, there seems to be a problem. Simply stated, the problem is this: how did the processing of these transactions by the State Head Offices have legal sanction in the light of the fact that the amendments to Section 102 of the CEA that made such processing lawful for the first time did not receive Royal Assent until 3 June 1987? **It would seem tens, if not hundreds, of thousands of names may have been added to and/or removed from the rolls in an unlawful manner at this time.** Had the amendments been effective as from their date of passage by the Senate, 7 May 1987, the witness of the GN 9 edition certificate would not have been a witness to anything definitely unlawful in the processing of such a flood of claims out of the sight of the individual Divisions to which they purported to relate, on the dates the testimony seems to indicate they were processed. With the circumstance of the unavoidable reality of the amendment not coming into effect until 3 June 1987, **evidence of large scale transfers having unequivocally occurred prior to it being possible to say that enrolment claims could have been processed anywhere other than in the offices of the Divisions to which they related would have been embarrassing.** For all of the new enrolments and transfers to have gone through the Divisional Offices may have resulted

in the surfacing of various anomalies, and/or the arousal of suspicions in the minds of Divisional Returning Officers that would have lead to further investigation into the bona fides of claims. Once it was possible to claim that an enrolment could have been effected anywhere in Australia after the announcement of the elections, a concerned DRO would have too many legitimate points of entry to his rolls for there to be any opportunity to use his local knowledge or instincts in identifying suspect enrolments. So far as enquiry by any other party is concerned into the bona fides of enrolment claims it is interesting to consider what purpose Section 390 of the CEA, in the light of the insertion of Section 391 in 1984, could serve in the concealment of enrolment abuses. The relevant provisions of these Sections are as follows:

"390. (1) A person who is, or has been, an officer shall not, except for the purposes of this Act, be required
(a) to produce in court a claim for enrolment or transfer of enrolment under this Act; or
(b) to divulge or communicate to a court any matter or thing in relation to a claim for enrolment or transfer of enrolment under this Act, being a matter or thing that has come under his notice in the performance of his duties or functions under this Act. "

and,

"391. (1) A claim for enrolment or transfer of enrolment under this Act may, with the approval of the Australian Electoral Officer or, in the Case of a claim relating to a Territory, the Electoral Commissioner, be destroyed if a record of the particulars contained in the claim is made and kept by microfilm or microfiche or in any other permanent form approved by the Australian Electoral officer or Electoral Commissioner, as the case may be.

(2) A record made and kept under sub-section (1) of particulars contained in a claim for enrolment or transfer of enrolment is admissible in evidence in any proceeding and is prima facie evidence of any such particular. "

Presumably signatures, handwriting, ink characteristics, and, possibly, latent fingerprints that would reside in the original documents can be reliably expected to have been destroyed. If a large number of enrolment claims were ever to become regarded as being of questionable legitimacy such forensic evidence would be amongst some of the most useful potentially available. In this context the Commission's submission to the Committee recorded on pages S 00928 to S 00931 of the JSC Hansard regarding a related matter is most interesting.

The Relevance of the 1987 Enrolment Anomalies to the Conduct of the 1990 Federal Elections

45. **Water Under the Bridge?** For the Australian Electoral Commission to be taken to task at this late stage for what might appear to be the technical oversight of possibly processing enrolment claims in anticipation of full lawful warrant, when it was clearly the Parliament's intention to change the law in this respect to permit what in actuality happened, could well be a case of splitting hairs in a matter that is water under the bridge anyway. Were it not for the fact that there are serious questions unresolved concerning the Commission's roll management, this would certainly be so. However, if it is the case that **enrolments were, and/or are continuing to be manipulated**, then the possible continued presence of tens or hundreds of thousands of unlawfully emplaced enrolments on Australian electoral rolls will have tainted the outcome of the 1990 Federal elections. The anomalies apparent could not have been revealed without the Commission's testimony to the Committee, in the form of the transaction statistics supplied as far after the event as 30 December 1988. As a consequence of this, it was not possible to complete this analysis until this relatively late date, lacking anything other than private resources with which to undertake the study. As it would seem that the Committee has remained unaware of these anomalies in the records and in the actual operation of some provisions of the Commonwealth Electoral Act related thereto, it has been considered appropriate to make this submission to the Committee late in the day though it may be.

46. **Arithmetical Errors in Certificates.** Each of the gazettals of enrolments that replaced the GN 9 gazettal of the May 1987 enrolments contained arithmetical errors, as was pointed out in my submission dated 20 December 1989. The Section 58 certificate for August 1988 published in Gazette GN 38 on 12 October 1988 contains an error in the total for Australia of 51,942 enrolments: the printed total was 10,311,017 but it should have been 10,362,959. It will be recalled that this was just prior to the 1988 Referenda, with 1 August 1988 being, I think, the roll close date for that electoral event. For what it is worth, the erroneous total of 10,311,017 was the printed total for Australia in an unpublished certificate in which report dates for various States and Territories were 22 July, 25 July, 26 July and 29 July 1988. In not publishing the July 1988 enrolments the Commission would appear to have failed to comply with the requirements of Section 58 of the CEA, but that in this context is almost by the way. The interesting thing is that these sort of errors in reports of enrolments only seem to occur around roll close periods, **and yes, you guessed it, it happened again in 1990**. The Section 58 certificate for February 1990 had a printed total for Australia of 10,235,429 enrolments, whereas in actuality it should have shown 10,435,429 as the total. Whilst enquiry of the responsible officer in the Commission as to the last mentioned error reveals that it is believed to have been simply a typographical error in compilation of the certificate, the circumstances of the (unpublished) July 1988 certificate total appearing

in the published August 1988 certificate **cause one to wonder as to whether documents may not have been altered or substituted unbeknown to the particular officer responsible for certificates between initial compilation and the later discovery of the error.** In other words the responsible officer sincerely believes that a typographical or addition error was made in his or her own work, and that the documents checked were in all respects the same ones as those from which he or she originally worked, but that this is a scenario that the Committee should not be prepared automatically, given the discrepancies and anomalies that surrounded the 1987 roll close, to accept.

47. **Enrolment Surges: 1987 and 1990.** The net surge in enrolments during the close-of-roll period in 1987 was 220,160 according to the Section 58 certificates. In 1990 the net surge between the February report dates and the roll close was 230,743 enrolments, in all respects a comparable surge to that of 1987. **The similarity of the surges encourages speculation that similar factors were in operation on each occasion,** and if it is accepted that there are some apparent anomalies awaiting explanation in relation to the 1987 Federal elections, then it seems highly likely that similar anomalies reside in the 1990 statistics also requiring explanation. In particular, it seems as if the large numbers of enrolment or transfer claims lodged at Divisional offices other than the ones to which the claims relate that was supposedly a feature of the 1987 enrolment surge occurred again in 1990. For example, the Division of Robertson recorded a net increase of 1,274 enrolments between the last print-out of its office copy roll dated 22 February 1990 and the roll close on Monday 26 February 1990, but during this same interval 3,038 claims were received in the Divisional office. These claims must have consisted of an indeterminate mixture of notifications of change of address or name within the Division, and claims for enrolment in or transfer to other Divisions. In all likelihood there were claims received by other Divisions that related to Robertson, so the net change in enrolments in Divisions is only likely to reflect less than half the total transaction activity during this period. The net surge in Robertson during the whole close-of-roll period between 1 February and 26 February 1990 was 2,193 enrolments as shown by the respective Section 58 certificates, published in Commonwealth Government Gazettes GN 7 dated 21 February 1990 and GN 11 dated 21 March 1990. The reason one can only speculate as to anomalies in the 1990 roll close is the same reason comments about the 1987 electoral event are so belated: roll transaction the statistics comparable to those the Committee as able to obtain from the Commission are necessary before any firm conclusions can be drawn. Perhaps the Committee could make the continuous reporting of roll transactions in the format of the Commission's 17 October 1988 submission a mandatory adjunct to the Section 58 certificates: this should be very easy with a computerised roll management system if it is operating smoothly.

48. **Certification of Enrolment as at 12 June 1987.** As at the close of the rolls for the 1987 Federal elections on 12 June 1987 there were two classes of certificates rendered with respect to enrolments throughout Australia. The first was that of the Electoral Commissioner under the terms of Section 58 of the Commonwealth Electoral Act, a certificate that was subsequently published in the Government Notices edition (GN15) of the Commonwealth Government Gazette on 12 August 1987. The second was a collection of 148 certificates comprising the certifications by each of the Divisional Returning Officers of the printed rolls to be used for the conduct of the poll, required under the terms of Section 208 of the CEA as it then was: these 148 certificates collectively covered all enrolments for Australia as at the close of 12 June 1987. The total number of electors shown as being enrolled should have been the same for each class of certificate, as no difference in qualifications for enrolment existed and the ultimate source of the numbers in each case by law had to be the same, that is, the 148 rolls required by the CEA to be kept by the 148 Divisional Returning officers collectively. However, the total number of electors recorded as being enrolled at this same point in time differed from one class of certificate to the other by a net 6,777 enrolments for the whole of Australia. It therefore follows that at least one certificate, or collection thereof, must have been incorrect as at the close of 12 June 1987.

49. **Reluctance of DROs to Certify Rolls.** It should be remembered of that it was over the issue of certification of the rolls that one of the two DRO representatives in the ACOA delegation at a pre-election conference held on 30 June 1987 by the AEC Central Office expressed a reluctance by many DROs to certify rolls over the production of which they had had no control. It was the potential embarrassment to the senior management of the Australian Electoral Commission that such a threat of refusal to certify the lists for conduct of the poll posed that in all likelihood led to the Commission's recommendation Number 10 on page 00031 of the JSC Hansard that:

" Accordingly the Commission recommends that s. 208 be amended to provide for the certification of certified lists by the Electoral Commissioner or an officer or officers appointed by him for that purpose."

The eight paragraphs of the Commission's submission that preceded the recommendation constitute a smokescreen thrown up by the Commission in front of the JSC to obscure the real issues behind the DROs' reluctance to certify the lists. The DROs' concerns had their roots in their awareness that the whole process of centralised roll-keeping was fraught with error, duplication and loss of control by DROs over what was on the rolls. Whether DROs were conscious of the **unlawfulness** of centralised roll-keeping I cannot say, but even if they were there existed obvious constraints to their individual or collective ability to speak up about the matter. Those that subsequently have spoken up regarding deficiencies in the RMANS system in Victoria

(34 out of 39 DROs) have paid for their responsible warnings by such things as being denied consideration for promotions or short term overseas duties. Many of the DROs concerns lay in the area of operation of the 1987 amendments to Section 102 of the CEA, amendments which permitted a flood of enrolment claims to be processed and added to or removed from Divisional rolls between the announcement of the elections on 27 May 1987 and the close-of-rolls on 12 June 1987 or even later, perhaps as late as the actual date of receipt of the lists for the conduct of the poll. **What a refusal by DROs to certify the lists would have constituted would have been a very public legal defect in the conduct of the 1987 Federal elections, the correction of which would have necessitated a proclamation by the Governor-General** under the terms of Section 286 of the CEA, and thereby brought the matter before the Parliament and the public at large.

50. **The History of the 1990 Amendment to Section 208 of the CEA.** In its report to the Parliament the JSC, on pages 74 and 75, endorsed the recommendation of the Commission regarding Section 208, the Commission's recommendation 10 becoming the JSC's recommendation 52. However, the Electoral and Referendum Amendment Bill before the Parliament right up until the last sitting day of the 35th Parliament made no reference to Section 208: any interested person would not have been alerted by the Bill to what could have been seen as an unwise change to the law in this respect. The change was contained in last minute amendments passed on the last sitting day of the 35th Parliament. Because this change was effected in this way there was little basis upon which members of the Parliament could have been alerted to the true situation created by these amendments, and no advice to the Parliament in the form of an Explanatory Memorandum relating to Section 208 existed prior to the submission of the amendments that would have explained their purpose to members. This situation was in striking contrast to that of the proposed amendments to Section 152 which contained an unconstitutional proposal in relation to the issuing of writs of which the Parliament was able to be warned simply because those proposals were contained in a public document able to be obtained far enough in advance of debate for the errors to be detected and explained to members.

51. **The Significance of Discrepancies between Certifications.** If evenly distributed amongst the Divisions, the net 6,777 more enrolments recorded on the certified lists for the 1987 elections, as opposed to the Section 58 certificate for 12 June 1987, would have resulted in approximately 46 more names per Division than had been otherwise certified appearing on the certified lists for the conduct of the poll. The additional names may not have been distributed evenly, and that could have meant that in some Divisions as many as, say, 100 or more additional names could have appeared on certified lists. In such of those Divisions as also happened to be relatively marginal Divisions, 100 or so names potentially able to be used to claim votes unlawfully could have been quite significant in influencing the outcome of an election in that Division. If

is important to note, however, that a **net** discrepancy may be indicative of only the **minimum** extent of the disparity: the existence of a net discrepancy may not reveal that many more names may have been deleted, whilst more yet (to the extent of 6,777) may have been added. That there was any difference at all between the two classes of certificate rendered as at the same day is cause enough for alarm: not only should the total number of names on the roll have been the same in each set of certificates, but the actual names recorded on rolls should have been identical with respect as to in which Divisions those names appeared. **The fact that there was a difference in the total number of enrolments certified opens the question as to whether in addition names were somehow moved around amongst Divisions, and thus appeared elsewhere than where in law they should have done.**¹

52. **The Source of the Figures.** The spectre of unlawful vote claims, and back of that, the manipulation of enrolments, can only raise its head in this case because two separate certifications of enrolments as of the close of the same day that should have been the same were not, and that disparity can only indicate the existence of a weakness in the system of roll management or enrolment accountancy. An enquiry of DROs as to why they certified different numbers of enrolments as at the close of the same day would reveal in all likelihood that they did not certify the Section 58 certificate figures at all, whilst their certification of the certified lists for the actual conduct of the poll was effectively by direction only, as they had had no direct control over the compilation of those lists for the conduct of the 1987 elections. The same enquiry would undoubtedly reveal the fact that it was the Electoral Commissioner, and immediately his ADP staff, who had certified both sets of figures, and that revelation would bring in its train a whole series of questions as to why the Commission was at that time undertaking tasks specifically allocated in the CEA to Divisional Returning Officers, contrary to the express provisions of Sections 7 and 32 of the Act. Even disregarding the apparent illegality of the Commission's having taken these roll management functions unto itself, it is all the more difficult to see when the one central office effectively compiled both certificates why the two certifications should have shown different numbers enrolled. The totals should have been produced by the pressing of the same button, so to speak.

¹ It is to exactly this transpositioning of names between Divisions that John Mervyn Draper's Statutory Declaration relating to the 1987 general elections attests. If such transpositioning was to occur without it having been initiated by the person to whom the name belongs, two things would occur: first, the legitimately enrolled person would be effectively disfranchised, while second, an opportunity for virtually unchallengeable personation would be created in the Division to which the name had been unlawfully removed.

The Divisional Enrolments as a Percentage of the Eligible table should be used with caution. It is based upon the 1981 benchmark figures of the then Australian Electoral Office that were supplied to the Parliament by the AEC in Appendix II to its Submission dated 25 October 1988. The 1981 figures for the E%E are as good as the accuracy of the AEO figures from which they are calculated, and are only truly applicable to the 1981 census date.

The 1981 figures can be used to derive a constant, the ratio of eligibility to population for a Division, which can be applied to the population to **enrolment** ratios shown in Appendix I to give an enrolment as a percentage of eligibility table (the table set out below). The validity of the application of this constant to other Census dates rests upon there having been no significant changes to the age and citizenship distribution within the Divisions in question, even though population numbers may have changed. Needless to say it is not a

rigorous method of constructing an E%E table, but it may serve to illustrate trends.

Attention should be given to the fact that the columns headed E%P in this tabulation are labelled in the way the AEC has used this expression. The AEC has used it to mean "enrolment to population ratio", in contradistinction to the meaning of **eligible** to population ratio, the more meaningful expression. See footnote 15 on page 29 of **Australia-Aggregate Enrolment Levels 1947-1987** for a fuller explanation of this very important distinction. The table appears to show that, at least at Census dates before 1976, enrolment level percentages in the high 80s prevailed, consistent with the AEC survey-based research done in 1988-89. Commencing not later than the interval 1971-76, there has been an increase to near or above the maximum enrolment theoretically possible, a level at variance with the AEC research applying to those very years.

This table is compiled from information provided in Appendices I and II to the AFC Submission to the JSCEM dated 25 October 1988. This table, or one substantially like it, is what should have been submitted to the JSCEM by the AFC, as being essentially more revealing of discernible trends with respect to enrolment levels, trends that are anomalous with respect to the Commission's other research into enrolment levels.

WESTERN AUSTRALIA - ENROLMENTS AS A PERCENTAGE OF THE ELIGIBLE

Division	1961		1966		1971		Extrapolated %Eligible pre1973	1976		AEC Figures for 1981			1981		1986		
	E%P	E%E	E%P	E%E	E%P	E%E		E%P	E%E	Population	Potential	%Eligible	Enrolment	E%P	E%E	E%P	E%E
Brand																64.1	
Canning	49.3	65.9	50.7	71.9	48.3	68.5	70.5	60.3	79.1	101355	77225	76.2	73756	72.8	95.5	57.4	75.3
Cowan																57.4	
Curtin	59.6	82.1	57.9	79.8	57.6	79.3	72.6	65.3	82.7	89520	70719	79.0	63975	71.0	89.9	69.3	87.7
Forrest	46.5	76.4	52.6	86.4	55.7	81.5	60.9	56.1	85.2	106715	70229	65.8	66455	62.3	84.7	64.5	88.0
Fremantle	60.1	118.1	52.9	103.9	52.2	102.6	50.9	59.1	107.4	135168	74409	55.1	69530	51.4	93.4	62.8	114.1
Kalgoorlie	45.9	79.3	42.6	73.8	35.8	61.8	57.9	38.4	61.9	151906	94716	62.0	69003	45.8	74.9	44.6	71.6
Moore	48.6	98.4	49.2	99.6	46.6	98.4	49.4	72.4	135.6	152181	81277	53.4	75978	49.9	93.4	60.1	112.5
O'Connor										107912	69470	84.4	64906	60.1	93.4	63.9	99.3
Perth	56.9	86.0	54.4	82.2	51.1	77.2	66.2	60.0	83.8	100699	72126	71.6	66965	66.5	92.8	64.6	90.2
Stirling	51.3	97.2	50.1	94.9	49.6	93.9	52.8	52.7	92.3	123903	70752	57.1	66931	54.0	94.6	70.8	124.0
Swan	53.6	76.4	53.2	75.8	54.1	75.1	70.2	62.3	82.2	96630	73289	75.8	65842	68.1	89.8	65.5	86.4
Tangney								61.0	92.5	105267	72871	69.2	70416	66.9	86.6	70.9	102.4
Average		87.1		86.7		83.4			90.3						91.6		96.5

TASMANIA - ENROLMENTS AS A PERCENTAGE OF THE ELIGIBLE

Division	1961		1966		1971		Extrapolated %Eligible pre1973	1976		AEC Figures for 1981			1981		1986		
	E%P	E%E	E%P	E%E	E%P	E%E		E%P	E%E	Population	Potential	%Eligible	Enrolment	E%P	E%E	E%P	E%E
Bass	54.7	87.5	50.5	81.0	57.9	92.6	62.5	65.8	97.4	82393	55688	67.6	56096	68.1	100.8	70.0	103.6
Braddon	50.8	85.8	49.1	82.9	50.5	85.3	59.2	59.5	93.0	84355	53988	64.0	53895	63.9	98.8	67.9	106.1
Denison	58.9	88.2	57.3	85.8	58.1	87.0	66.8	66.5	92.1	80631	58237	72.2	55410	68.7	95.1	70.5	97.6
Franklin	48.8	82.6	51.2	86.6	53.6	90.7	59.1	63.1	98.6	86994	55675	64.0	56791	65.3	102.0	65.7	102.7
Lyons																65.5	
Wilmet	52.2	85.7	59.1	97.0	56.6	92.9	60.9	68.2	100.5	84129	55408	65.9	55298	65.7	99.8		
Average		86.0		86.7		89.7			95.3						99.5		102.5

Colour Key: Below 80% 80-85% 85-90% 90-95% 95-100% Over 100%

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The 1981 figures can be used to derive a constant, the ratio of eligibility to population for a Division, which can be applied to the population to **enrolment** ratios shown in Appendix I to give an enrolment as a percentage of eligibility table (the table set out below). The validity of the application of this constant to other Census dates rests upon there having been no significant changes to the age and citizenship distribution within the Divisions in question, even though population numbers may have changed. Needless to say it is not a

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SOUTH AUSTRALIA - ENROLMENTS AS A PERCENTAGE OF THE ELIGIBLE

Division	1961		1966		1971		Extrapolated %Eligible pre1973	1976		AEC Figures for 1981			1981		1986		
	E%P	E%E	E%P	E%E	E%P	E%E		E%P	E%E	Population	Potential	%Eligible	Enrolled	E%P	E%E	E%P	E%E
Adelaide	57.1	85.7	54.9	82.4	55.6	83.5	66.6	64.3	89.3	111480	80004	72.0	75516	67.7	94.0	68.8	95.5
Angas	53.6		54.2		56.6												
Barker	52.2	94.9	52.3	85.0	55.1	90.6	61.5	63.2	95.2	115666	76741	66.4	76470	66.2	99.7	67.0	100.9
Bonython	46.7	82.1	47.2	83.0	47.2	83.0	56.9	59.1	96.2	133844	82243	61.4	82622	51.9	100.7	61.7	100.4
Boothby	63.1	98.1	61.7	96.0	63.0	98.0	64.3	70.0	100.6	115088	80074	69.6	80439	69.9	100.5	65.4	99.7
Grey	48.3	81.2	47.8	80.3	47.7	80.2	59.5	57.3	89.1	122437	78712	64.3	73468	60.0	93.3	63.3	98.5
Hawker					59.0	83.8	70.7	71.6	93.8	100493	76685	76.3	75334	75.0	98.3	77.1	101.0
Hindmarsh	53.5	82.4	53.6	82.9	55.4	85.4	64.9	66.1	94.2	113749	79827	70.2	78426	68.9	98.2	72.4	103.2
Kingston	56.0	92.3	57.0	93.9	57.2	94.2	60.7	66.0	100.7	123379	80998	65.6	81743	66.3	101.1	64.3	98.1
Makin																	54.5
Mayo																	66.9
Port Adelaide	54.5	88.3	54.6	88.3	57.9	93.8	61.7	64.2	96.4	118644	77719	66.6	76244	65.4	90.2	68.8	103.3
Sturt	54.8	88.4	54.9	88.5	54.0	87.1	62.0	64.0	95.5	118868	79634	67.0	79343	66.7	99.6	71.2	106.3
Wakefield	56.4	88.7	55.0	86.5	58.3	91.7	63.6	57.0	97.5	112409	77251	68.7	75869	67.5	98.2	69.5	101.1
Average		87.2		86.7		88.3			95.3						98.4		100.7
Colour Key	Below 80%		80-85%		85-90%		90-95%		95-100%		101.0 Over 100%						

The Divisional Enrolments as a Percentage of the Eligible table should be used with caution. It is based upon the 1981 benchmark figures of the then Australian Electoral Office that were supplied to the Parliament by the AEC in Appendix II to its Submission dated 25 October 1988. The 1981 figures for the E%E are as good as the accuracy of the AEO figures from which they are calculated, and are only truly applicable to the 1981 census date.

The 1981 figures can be used to derive a constant, the ratio of eligibility to population for a Division, which can be applied to the population to **enrolment** ratios shown in Appendix I to give an enrolment as a percentage of eligibility table (the table set out below). The validity of the application of this constant to other Census dates rests upon there having been no significant changes to the age and citizenship distribution within the Divisions in question, even though population numbers may have changed. Needless to say it is not a

rigorous method of constructing an E%E table, but it may serve to illustrate trends.

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QUEENSLAND - ENROLMENT AS A PERCENTAGE OF THE ELIGIBLE

Division	1961		1966		1971		Extrapolated pre1973 %Eligible	1976		AEC Figures for 1981			1981		1986		
	E%P	E%E	E%P	E%E	E%P	E%E		E%P	E%E	Population Potential	%Eligible post1973	Enrolment	E%P	E%E	E%P	E%E	
Bowman	57.8	90.3	58.1	92.3	53.4	83.4	64.0	63.2	91.5	114571	79222	69.1	77563	67.7	98.0	58.3	84.4
Brisbane	57.5	84.2	56.2	82.3	57.4	84.0	68.3	68.5	92.8	93464	68962	73.8	67087	71.8	97.3	71.4	96.7
Capricornia	57.3	93.2	52.3	86.0	53.3	86.7	61.5	61.1	92.0	114190	75866	66.4	69871	61.2	92.1	59.1	89.0
Darling Downs	51.7	83.0	55.0	89.3	55.7	89.4	62.3	62.7	93.1	105809	71279	67.4	69550	65.7	97.5		
Dawson	52.4	87.5	50.2	83.8	50.1	83.6	59.9	54.5	84.2	136735	88455	64.7	73458	53.7	83.0	58.5	90.4
Fadden								52.5	83.0	149791	94980	63.4	88609	59.2	93.4	64.7	102.0
Fairfax																58.4	
Fisher	52.3	86.6	52.0	86.1	55.4	91.7	60.4	56.9	87.1	159669	104332	65.3	69270	55.9	85.5	57.5	88.0
Forde																61.5	
Griffith	57.6	85.5	56.1	83.2	58.8	87.2	67.4	63.0	86.4	103078	75134	72.9	64523	62.6	85.9	63.6	87.3
Groom																64.2	
Herbert	51.8	86.0	51.2	85.0	49.5	82.2	60.2	52.7	81.0	127624	83012	65.0	70806	55.5	85.3	56.5	86.9
Hinkler																61.9	
Kennedy	47.2	80.0	47.7	80.8	46.1	78.1	59.0	55.5	87.0	112030	71484	63.8	61779	55.1	86.4	56.8	89.0
Leichhardt	48.4	82.6	50.6	86.3	47.8	81.6	58.6	52.6	83.0	137719	87323	63.4	70010	60.8	80.1	51.5	81.2
Lilley	57.9	86.0	58.3	87.4	59.6	88.6	67.3	68.8	94.5	93944	68364	72.8	65048	69.2	95.1	71.6	96.4
McPherson	49.8	79.8	47.0	76.6	48.6	77.8	62.4	56.8	84.2	172631	116431	67.4	87347	50.6	75.0	52.9	78.4
Maranoa	49.1	82.4	51.9	87.1	54.6	91.6	59.6	60.6	94.0	106647	68769	64.5	65583	61.5	95.4	60.4	93.7
Moncrieff																55.8	
Moreton	51.6	78.3	52.9	80.3	59.5	90.3	65.9	65.8	92.4	93887	66879	71.2	64497	68.7	96.4	72.1	101.2
Oxley	54.6	94.5	54.2	93.8	47.5	82.2	57.8	54.5	87.3	128007	79955	62.5	76067	58.4	95.1	62.6	100.2
Petrie	56.7	91.6	57.2	92.4	53.3	86.1	61.9	60.6	90.5	114804	76838	66.9	75249	65.5	97.9	68.4	102.2
Rankin																53.8	
Ryan	56.5	86.7	57.2	87.7	55.7	85.4	65.2	68.0	86.5	103967	73248	70.5	72464	69.7	98.9	65.9	93.5
Wide Bay	57.6	91.6	57.7	91.7	57.6	91.6	62.9	58.4	85.9	123394	83909	68.0	71188	57.7	84.9	62.4	91.3
Average		86.1		86.1		85.6			88.8						90.7		91.9
Colour Key	Below 80%		80-85%		85-90%		90-95%		95-100%		101.0 Over 100%						

The Divisional Enrolments as a Percentage of the Eligible table should be used with caution. It is based upon the 1981 benchmark figures of the then Australian Electoral Office that were supplied to the Parliament by the AEC in Appendix II to its Submission dated 25 October 1988. The 1981 figures for the E%E are as good as the accuracy of the AEO figures from which they are calculated, and are only truly applicable to the 1981 census date.

The 1981 figures can be used to derive a constant, the ratio of eligibility to population for a Division, which can be applied to the population to **enrolment** ratios shown in Appendix I to give an enrolment as a percentage of eligibility table (the table set out below). The validity of the application of this constant to other Census dates rests upon there having been no significant changes to the age and citizenship distribution within the Divisions in question, even though population numbers may have changed. Needless to say it is not a

rigorous method of constructing an E%E table, but it may serve to illustrate trends.

Attention should be given to the fact that the columns headed E%P in this tabulation are labelled in the way the AEC has used this expression. The AEC has used it to mean “**enrolment to population ratio**”, in contrast to the meaning of **eligible to population ratio**, the more meaningful expression. See footnote 15 on page 29 of **Australia-Aggregate Enrolment Levels 1947-1987** for a fuller explanation of this very important distinction. The table appears to show that, at least at Census dates before 1976, enrolment level percentages in the high 80s prevailed, consistent with the AEC survey-based research done in 1988-89. Commencing not later than the interval 1971-76, there has been an increase to near or above the maximum enrolment theoretically possible, a level at variance with the AEC research applying to those very years.

This table is compiled from information provided in Appendices I and II to the AEC Submission to the JSCEM dated 25 October 1988. This table, or one substantially like it, is what should have been submitted to the JSCEM by the AEC, as being essentially more revealing of discernible trends with respect to enrolment levels, trends that are anomalous with respect to the Commission's other research into enrolment levels.

VICTORIA - ENROLMENT AS A PERCENTAGE OF THE ELIGIBLE

Division	1961		1966		1971		Extrapolated pre1973 %Eligible	1976		AEC Figures for 1981			1981		1988		
	E%P	E%E	E%P	E%E	E%P	E%E		C%P	E%E	Population	Potential	%Eligible	Enrolment	E%P	E%E	E%P	E%E
Aston																61.7	
Balaclava	82.3	91.9	84.8	95.6	83.1	93.1	87.8	73.5	100.1	94673	89508	73.4	68049	71.8	97.8		
Ballaarat	55.5	90.2	54.6	88.8	56.1	91.2	61.5	65.2	98.0	105784	70357	66.5	69914	86.1	99.4	85.9	99.1
Batman	58.4	92.1	55.4	87.4	50.6	79.8	63.4	61.6	89.8	111984	76811	68.6	72835	66.0	94.8	64.0	93.3
Bendigo	57.4	91.8	56.6	90.5	57.9	92.6	62.5	65.2	96.5	108725	72113	67.6	71482	67.0	98.2	70.7	104.6
Bruce	48.4	84.8	48.0	84.1	50.1	87.7	57.1	57.6	93.4	126203	77840	61.7	75827	60.2	97.6	64.3	104.3
Burke					43.4	78.9	55.0	50.5	85.0	132861	78828	59.4	77939	58.7	98.8	58.4	98.3
Calwell																80.8	
Casey					52.2	91.6	57.0	60.8	98.3	124116	76529	61.7	74463	60.0	97.3	57.9	93.9
Chisholm	64.5	97.4	65.8	99.4	63.7	96.2	66.2	71.7	100.3	99905	71005	71.5	72808	73.3	102.5	73.6	102.9
Corangamite	54.2	88.9	54.1	83.7	58.8	96.4	61.0	65.1	98.6	106844	70528	66.0	70940	66.4	100.8	69.1	104.7
Corio	51.4	85.5	51.3	85.4	53.5	89.0	60.1	62.8	96.8	113056	73484	65.0	74920	66.3	102.0	67.2	103.4
Darebin	51.7		50.3														
Deakin	50.9	86.4	50.2	85.2	55.3	93.9	58.9	61.9	97.1	126108	80365	63.7	81625	64.7	101.5	70.5	110.6
Diamond Valley					50.1	89.3	56.1	57.0	94.1	126976	78151	60.6	77843	60.4	99.7		
Dunkley																68.0	
Fawkner	80.0		56.0														
Flinders	56.0	91.7	55.3	90.5	55.0	90.0	61.1	66.9	99.7	118509	78348	66.1	78976	66.6	100.7	66.3	100.3
Gellibrand	54.3	93.9	53.4	92.4	52.0	90.0	57.8	59.4	95.1	119395	74538	62.4	72908	61.1	97.9	65.5	104.9
Gippsland	51.4	85.8	51.7	86.3	54.1	90.3	59.9	64.2	99.1	110804	71787	64.8	71369	64.4	99.4	65.1	102.0
Coldstream																71.3	
Henley	60.7	89.8	58.4	87.9	60.3	89.2	67.6	71.1	97.3	96199	70278	73.1	69941	72.7	98.6	72.6	99.4
Higgins	63.8	91.8	62.1	89.4	57.7	83.0	69.5	74.4	99.0	94655	71116	76.1	69671	73.6	98.0	71.1	94.6
Higinbotham	55.7		56.4														
Holt					47.1	84.4	55.8	58.4	97.3	142034	85255	60.0	82442	58.0	96.6	57.6	96.0
Hotham					55.7	98.2	56.7	57.8	94.3	130253	79810	61.3	78643	60.4	96.6	62.7	102.3
Indi	48.6	86.2	50.3	83.0	53.0	87.5	60.6	61.5	94.0	110630	72349	65.4	69757	63.1	96.5	61.9	94.7
Isaacs	59.0	91.2	55.3	86.6	60.0	92.7	64.7	68.3	97.7	103227	72150	69.9	73918	71.8	102.4	72.6	103.9
Jagajaga																66.3	
Kooyong	59.0	88.1	60.0	87.6	60.2	87.9	68.5	72.0	97.3	98452	72883	74.0	71658	72.8	98.3	72.1	97.4
Lalor	41.0	76.5	41.5	77.4	44.2	82.5	53.6	53.7	92.8	147434	85343	57.9	83132	56.4	97.4	55.0	96.0
La Trobe	51.4	91.6	51.5	91.3	50.1	89.3	56.1	57.2	94.4	128445	77859	60.8	78278	59.4	96.0	60.4	99.6
McEwen																56.9	
McMillan	60.1	84.3	51.2	86.2	53.8	90.6	59.4	64.1	99.8	112801	72430	64.2	71426	63.3	98.6	62.3	97.0
Mallee	52.3	85.3	51.7	84.3	54.1	88.3	61.3	62.2	93.9	104929	69532	66.3	67681	64.5	97.3	66.4	100.2
Maribyrnong	56.7	97.4	57.0	97.9	54.0	92.8	58.2	59.7	94.9	121818	78863	62.9	75407	61.9	98.4	65.7	104.4
Melbourne	51.3	87.7	47.7	81.5	41.6	71.1	58.5	51.9	82.1	136571	86355	63.2	66780	48.9	77.3	54.0	85.4
Melbourne Ports	58.1	87.0	53.6	80.2	50.3	76.3	66.8	63.0	87.3	110606	79835	72.2	67249	60.8	84.2	63.8	88.4
Menzies																66.6	
Murray	51.9	88.3	51.2	87.1	53.7	91.3	58.8	61.8	97.3	109707	89694	63.5	70324	64.1	100.8	67.4	102.1
Scullin	42.5	79.0	39.0	72.5	50.5	93.9	63.8	57.5	98.8	139374	81128	58.2	78114	56.0	96.2	67.8	116.5
Stratton																62.5	
Wannon	55.4	89.6	54.5	88.2	57.6	93.2	61.3	65.5	98.0	100054	66854	68.8	67541	67.5	101.0	68.9	103.1
Wills	53.6	90.1	51.0	85.7	48.6	81.7	59.5	59.6	92.6	117348	75555	64.4	73942	63.0	97.8	64.6	100.3
Wimmera	59.0		57.5		58.6												
Yarra	52.2		49.5														
Average		88.4		87.2		88.6			95.5						97.8		100.2
Colour Key																	
		Below 80%		80-85%				85-90%		90-95%		95-100%		100% Over 100%			

The Divisional Enrolments as a Percentage of the Eligible table should be used with caution. It is based upon the 1981 benchmark figures of the then Australian Electoral Office that were supplied to the Parliament by the AEC in Appendix II to its Submission dated 25 October 1988. The 1981 figures for the E%E are as good as the accuracy of the AEO figures from which they are calculated, and are only truly applicable to the 1981 census date.

The 1981 figures can be used to derive a constant, the ratio of eligibility to population for a Division, which can be applied to the population to **enrolment** ratios shown in Appendix I to give an enrolment as a percentage of eligibility table (the table set out below). The validity of the application of this constant to other Census dates rests upon there having been no significant changes to the age and citizenship distribution within the Divisions in question, even though population numbers may have changed. Needless to say it is not a

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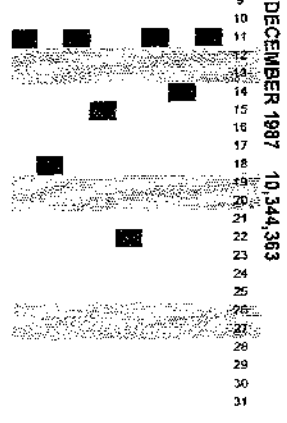
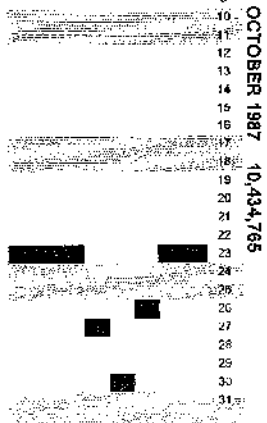
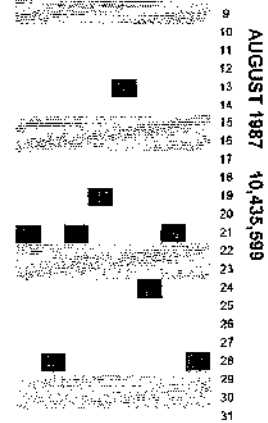
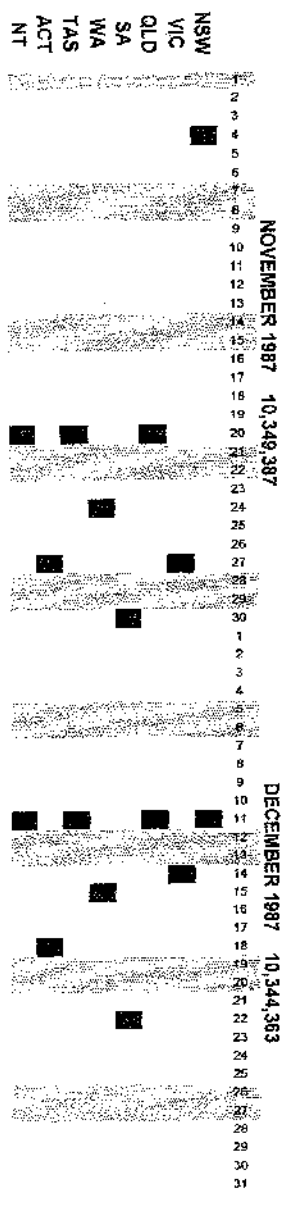
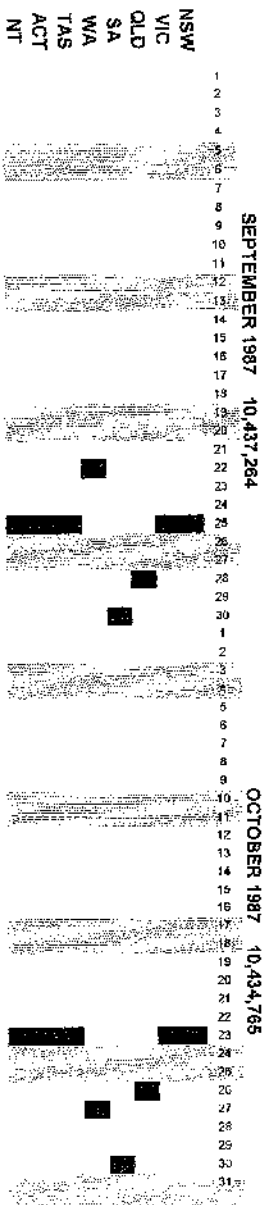
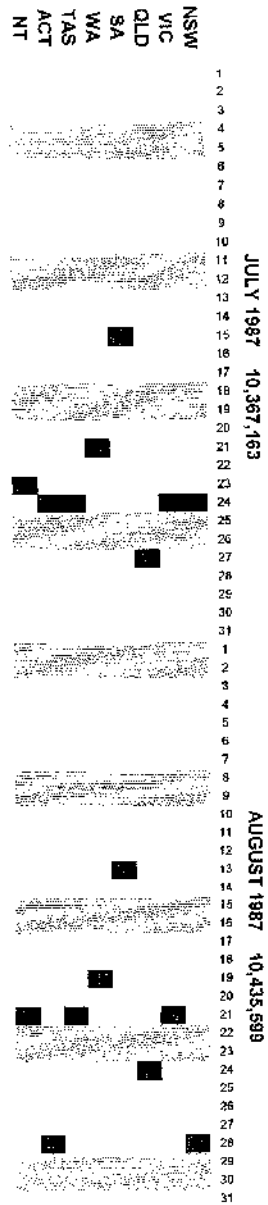
This table was compiled from information provided in Appendices I and II to the AEC Submission in the JSCEM dated 25 October 1988. This table, or one substantially like it, is what should have been submitted to the JSCEM by the AEC, as being essentially more revealing of discernible trends with respect to enrolment levels, trends that are anomalous with respect to the Commission's other research into enrolment levels.

NSW - ENROLMENTS AS A PERCENTAGE OF THE ELIGIBLE

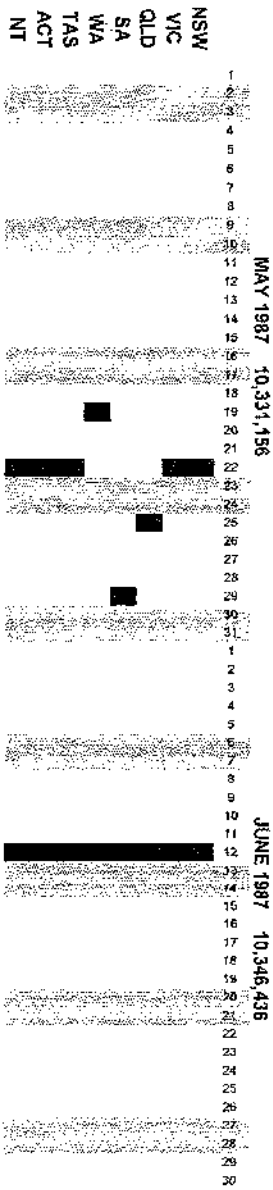
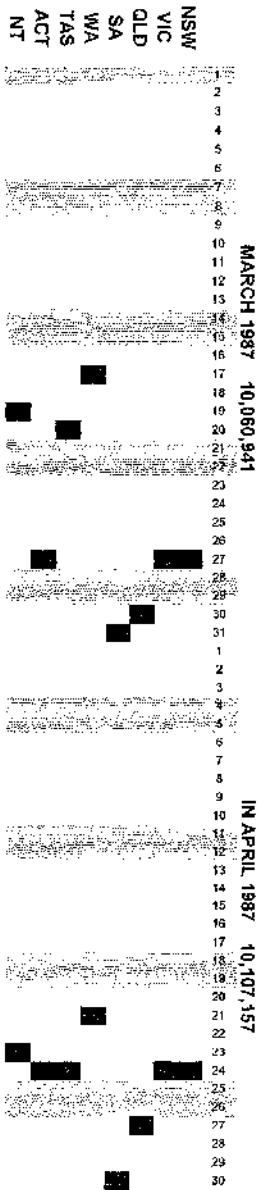
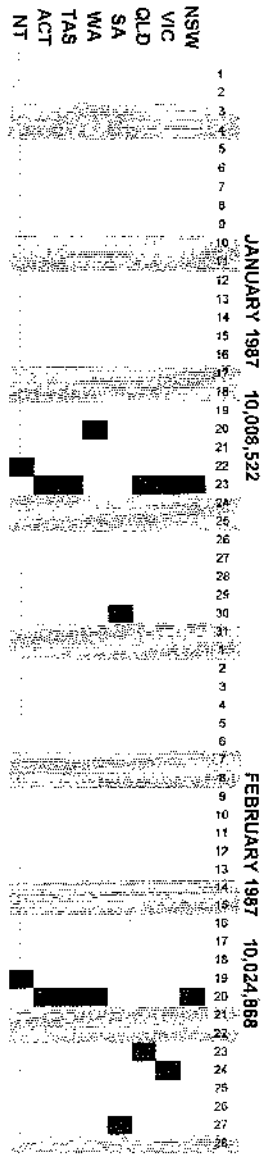
Division	1961		1966		1971		Extrapolated %Eligible pre1973	1976		AEC Figures for 1981			1981		1986		
	E%P	E%E	E%P	E%E	E%P	E%E		E%P	E%E	Population	Potential	%Eligible	Enrolled	E%P	E%E	E%P	E%E
Banks	53.9	84.2	55.1	86.1	58.3	91.1	64.0	67.7	97.9	104585	72322	69.2	73372	70.2	101.5	72.1	104.3
Barton	63.5	93.5	64.5	95	66.1	97.3	67.8	74.5	101.5	84704	69544	73.4	68570	72.4	86.6	72.1	98.2
Bennelong	57.5	86.7	57.8	87.2	58.3	87.9	66.3	70.1	97.8	102729	73667	71.7	71790	68.9	97.5	68.1	95.0
Berowra					55.4	91.3	80.7	68.7	104.8	109548	71824	65.6	70853	64.7	96.7	65.7	100
Blaxland	55.7	93.8	56.2	94.6	56.3	94.8	59.4	68.3	106.4	107333	88895	64.2	72438	67.5	105.2	60.9	94.9
Bradfield	61.4	101.7	60.6	100.3	58.1	98.2	60.4	66.2	101.4	108617	70933	65.3	72777	67.0	102.6	69.1	105.8
Calare	54.6	88.8	53.7	87.5	55.3	90.1	61.4	63.9	96.3	112073	74811	66.4	72923	64.6	97.3	63.4	95.6
Chifley					44.8	84.7	52.9	52.7	92.1	144924	82913	57.2	79021	54.5	95.3	52.7	92.1
Charlton																	68.0
Cook					59.2	91.6	61.6	69.0	98.6	105769	73851	69.8	74214	70.2	100.5	72.9	104.4
Cowpar	54.3	85.1	54.9	86.1	54.8	85.9	63.8	62.2	90.1	132760	91648	69.0	80520	60.6	87.8	62.9	91.1
Cunningham	46.3	80.7	47.2	82.2	47.3	82.4	57.4	56.7	91.5	130942	81140	62.0	79455	60.7	88.0	65.4	105.5
Dalry	54.0		53.5														
Darling	50.1		50.9		52.3												
Dobell																	63.7
Dundas								66.7	96.6	109456	75459	68.9	73081	66.8	96.9	68.1	98.8
East Sydney	55.0		55.3														
Fdon-Monaro	50.5	81.1	50.8	81.5	51.5	82.7	62.3	59.9	88.0	125091	84289	67.4	75450	60.3	89.5	59.0	87.6
Evans	65.1		62.2		54.2												
Farrer	52.7	87.1	51.4	85.0	54.1	89.4	60.5	60.9	93.1	120239	78612	65.4	73347	61.0	93.3	63.0	96.4
Fawcett																	54.4
Gilmore																	64.8
Grayndler	57.0	97.8	50.4	85.4	43.6	74.8	58.3	59.8	95.1	118235	74384	62.9	67348	57.0	90.6	56.5	89.8
Gwydir	51.0	85.3	52.0	87.0	53.2	89.0	58.8	58.8	96.9	122083	78962	64.7	72810	59.5	92.0	62.0	95.9
Hughes	54.9	92.7	55.5	93.8	54.3	91.7	59.2	62.7	97.9	124931	79972	64.0	77383	61.9	96.7	60.7	94.8
Hume	54.4	89.2	54.8	89.0	56.7	93.0	61.0	63.5	96.4	108767	71638	65.9	70231	64.6	98.1	64.7	98.2
Hunter	57.2	92.0	57.7	92.8	57.9	93.1	62.2	64.3	95.6	128772	96596	67.2	81926	63.6	94.6	62.4	92.8
Kingsford-Smith	57.7	95.5	56.5	93.5	53.7	88.9	60.4	63.3	96.9	111637	72905	65.3	70993	63.6	97.4	63.5	97.2
Lang	58.4		58.1		52.8												
Lawson	53.5		55.2														
Lindsay																	58.4
Lowe	59.4	96.1	57.5	93.0	57.4	92.9	61.8	64.7	96.9	113051	75459	68.7	71299	63.1	94.5	64.8	97.1
Lyne	52.6	83.5	53.8	86.4	60.0	95.2	63.0	63.1	92.7	126967	86427	68.1	80582	63.5	93.3	63.5	93.3
Macarthur	46.2	77.6	45.4	78.0	51.2	86.1	69.5	60.4	93.9	133265	85883	64.3	81598	61.2	95.2	63.5	98.6
Macquellan	54.9	87.4	55.8	88.9	55.6	88.5	62.8	67.8	99.7	107687	73188	68.0	71421	66.3	97.8	67.2	98.9
Macquarie	53.5	93.7	55.7	97.5	55.5	97.2	57.1	57.6	93.2	150957	93290	61.8	88371	58.5	94.7	58.3	94.3
Mitchell	46.0	82.6	47.8	85.8	50.6	90.8	55.7	57.1	94.9	146928	87858	60.2	65146	58.3	96.9	59.3	98.6
Newcastle	58.4	85.1	58.5	85.3	56.4	82.2	68.6	71.3	96.5	98310	72938	74.2	70324	71.5	96.4	70.6	95.2
New England	53.4	87.7	53.3	87.5	53.6	88.0	60.9	63.2	96.1	110189	72508	65.8	70844	64.3	97.7	64.5	98.0
North Sydney	64.0	90.7	62.8	89.0	64.5	91.4	70.6	72.1	94.4	103802	79269	76.4	66946	66.4	87.0	65.2	85.4
Page																	60.9
Parkes	63.4		56.4														64.0
Parramatta	54.3	89.2	55.3	90.8	55.4	91.0	60.9	62.3	94.6	115132	76789	65.8	73133	63.5	96.5	64.9	98.6
Paterson	55.9	91.8	55.8	91.3	56.2	92.3	60.9	64.2	97.5	113245	74536	65.6	71512	63.1	95.9		
Phillip	64.8	94.7	63.9	93.4	57.1	83.5	68.4	68.2	92.2	108770	80434	73.9	67878	62.4	84.4	61.1	82.6
Prospect					47.9	90.9	52.7	51.6	90.6	157777	88827	56.9	77890	49.4	88.8	58.6	94.4
Reid	49.4	83.3	51.5	86.8	53.9	90.9	59.3	62.6	97.7	112541	72086	64.1	69071	61.4	96.8	61.5	96.0
Richmond	53.9	85.8	53.8	85.7	55.6	88.5	62.6	62.0	91.4	137734	93432	67.8	81484	59.2	87.3	59.9	86.3
Riverina	50.4	82.0	49.7	80.8	52.6	85.5	61.5	61.9	93.1	111338	74044	66.5	71036	63.8	95.9		
Riverina-Darling																	56.0
Robertson	57.3	88.2	57.9	89.1	61.9	95.2	65.0	69.4	98.8	128022	90513	70.2	87110	67.5	96.1	66.0	94.0
St George	63.0	99.1	61.9	97.3	60.5	95.1	63.6	67.8	98.7	105559	72518	69.7	70192	59.9	86.7	66.3	96.5
Shoalhaven	58.0	91.9	57.4	91.0	56.5	89.5	63.1	66.4	97.3	119192	81351	68.3	80489	76.3	111.5	72.0	105.5
Sydney					46.3	73.3	63.2	55.3	86.9	123158	84175	88.3	89023	56.0	81.9	57.4	84.0
Warringah	63.2	92.5	63.8	93.4	62.2	91.1	66.3	72.4	98.0	99596	73590	73.9	67819	68.1	92.2	69.2	93.7
Watson	55.7		53.6														
Wentworth	64.4	95.3	64.2	95.0	58.9	87.1	67.6	65.0	89.0	110139	80413	73.0	70463	64.0	87.7	60.0	82.2
Werriva	42.7	80.0	42.9	80.3	43.2	80.9	53.4	53.2	92.1	163963	94711	57.8	87293	53.2	92.1	50.5	87.4
West Sydney	48.4		47.2														
Average		89.0		89.0		91.2			95.3						94.8		95.3
Colour Key		Below 60%		80-85%				85-90%		90-95%		95-100%		100% Over 100%			

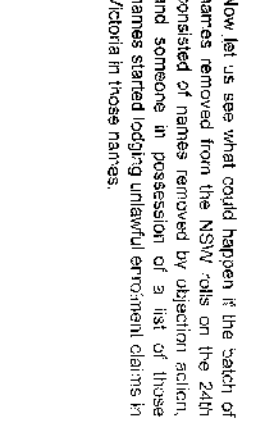
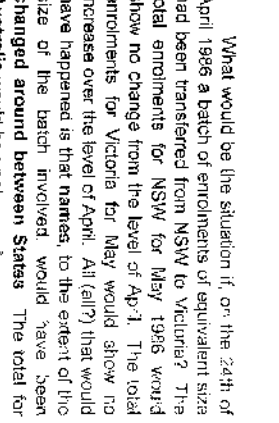
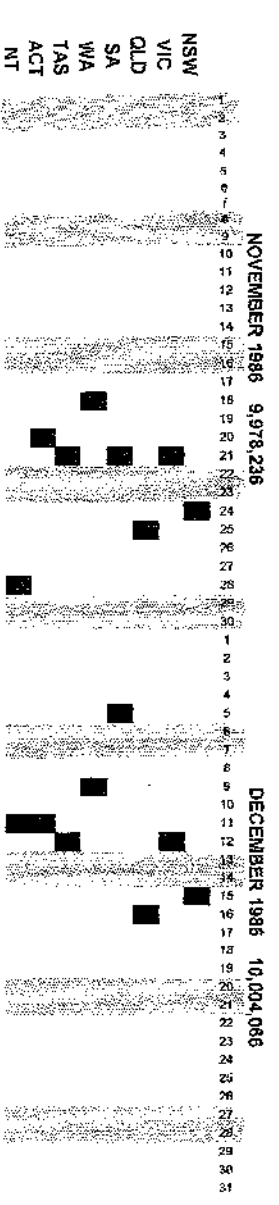
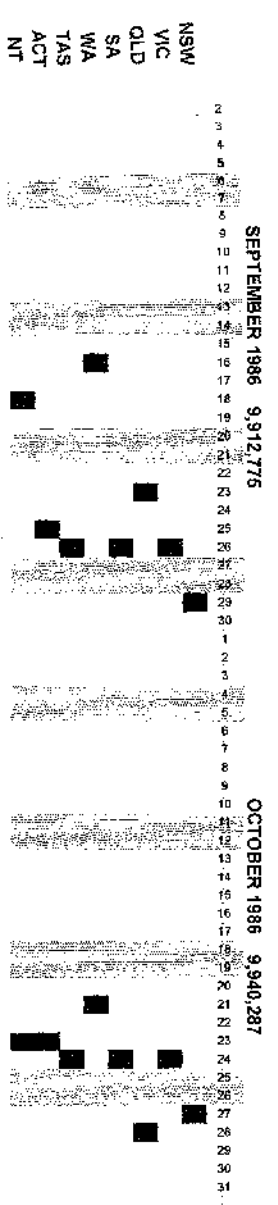
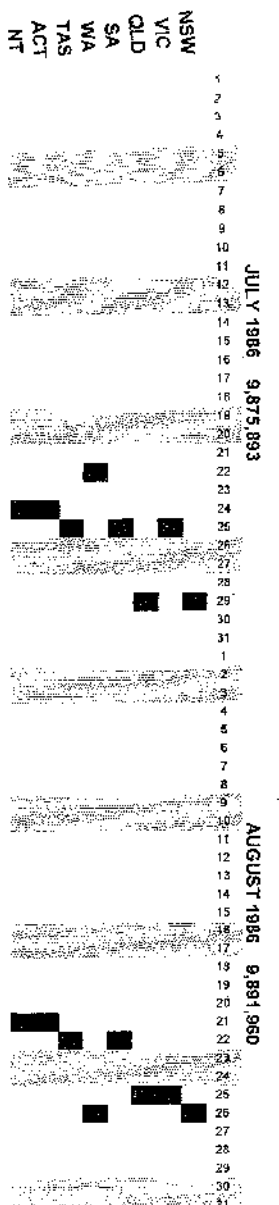
SECTION 58 ENROLMENT CERTIFICATES SUMMARY-OCTOBER 1984 TO MAY 1990

Line Number	Month & Year	Total Australia	Change from Previous Report	Change from Last Roll	Gazette Number	Gazette Date	Notes
1	Oct-84	9,719,880		347,816	\$ 476	Mon 12 Nov 84	
2	2-Nov-84	9,866,266	146,386	494,202	\$ 508	Mon 3 Dec 84	Roll Close for 1 Dec 84 Federal elections
3	Dec-84	9,886,772	19,506	19,506	\$ 9	Fri 11 Jan 85	
4	Jan-85	9,832,598	46,826	66,832	\$ 58	Wed 27 Feb 85	
5	Feb-85	9,955,402	22,804	89,136	\$ 103	Fri 29 Mar 85	Tasmania shown as at 28 Jan. Typographic error
6	Feb-85	9,955,402	N/A	89,136	\$ 116	Thu 4 Apr 85	Correction of S 103 gazettal.
7	Jul-85		5,346	83,790	\$ 151	Mon 6 May 85	NSW figures not authoritative-industrial dispute.
8		9,950,056			\$ 163	Fri 17 May 85	NSW figures supplied verifying total not printed
9	Apr-85	9,947,604	-2,452	81,339	\$ 175	Fri 24 May 85	
10	May-85	9,918,331	-29,273	52,065	\$ 267	Thu 4 Jul 85	
11	Jun-85	9,890,606	-27,725	24,340	\$ 292	Fri 26 Jul 85	
12	Jul-85	9,859,684	-30,922	-6,582	\$ 358	Wed 4 Sep 85	
13	Aug-85						Gazettal not found by me
14	Sep-85	9,819,878	-39,808	-46,388	\$ 432	Tue 22 Oct 85	
15	Oct-85	9,804,507	-15,371	-61,759	\$ 502	Fri 29 Nov 85	
16	Nov-85	9,817,884	13,377	-48,362	\$ 7	Tue 14 Jan 86	
17	Dec-85	9,826,196	8,312	-40,070	\$ 37	Tue 4 Feb 86	
18	Jan-86	9,843,624	17,428	-22,642	\$ 68	Mon 24 Feb 86	
19	Feb-86	9,858,955	15,331	-9,311	\$ 147	Thu 3 Apr 86	
20	Mar-86	9,868,056	11,101	1,790	\$ 198	Fri 2 May 86	
21	Apr-86	9,871,643	3,587	5,377	\$ 242	Mon 26 May 86	
22	May-86	9,871,700	57	5,434	\$ 327	Fri 4 Jul 86	
23	Jun-86	9,868,087	-5,613	-179	\$ 388	Tue 5 Aug 86	
24	Jul-86	9,875,893	9,806	9,827	\$ 445	Thu 4 Sep 86	
25	Aug-86	9,891,960	16,067	25,894	\$ 503	Thu 2 Oct 86	
26	Sep-86	9,912,775	20,815	46,509	\$ 584	Fri 14 Nov 86	
27	Oct-86	9,940,287	27,512	74,021	\$ 652	Thu 18 Dec 86	
28	Nov-86	9,978,236	37,949	111,970	\$	Tue 3 Feb 87	No number printed for special gazette.
29	Dec-86	10,004,066	25,830	137,800	\$	Tue 10 Feb 87	No number printed for special gazette.
30	Jan-87	10,008,522	4,456	142,266	\$ 57	Tue 31 Mar 87	
31	Feb-87	10,024,868	16,346	158,602	\$ 73	Tue 5 May 87	
32	Mar-87	10,060,941	36,073	194,575	\$ 91	Thu 21 May 87	
33	Apr-87	10,107,157	46,216	240,891	GN 8	Wed 24 Jun 87	Note publication in a different edition of the gazette.
34	May-87	10,331,156	223,999	464,890	GN 9	Wed 8 Jul 87	
35	May-87	10,330,247	-909	463,981	GN 10	Wed 8 Jul 87	Republication arithmetically incorrect
36	May-87	10,259,724	-70,523	393,453	GN 13	Wed 29 Jul 87	2nd republication also arithmetically incorrect.
37	May-87	10,126,276	-133,448	260,010	GN 15	Wed 12 Aug 87	3rd republication again arithmetically incorrect.
38	12-Jun-87	10,346,436	220,160	480,170	GN 15	Wed 12 Aug 87	Roll Close for 11 Jul 87 Federal elections.
39	Jul-87	10,367,163	20,727	20,727	GN 18	Wed 2 Sep 87	
40	Aug-87	10,435,599	68,436	89,163	GN 20	Wed 16 Sep 87	
41	Sep-87	10,437,264	1,665	90,828	GN 29	Wed 18 Nov 87	
42	Oct-87	10,434,765	-2,499	88,329	GN 29	Wed 18 Nov 87	
43	Nov-87	10,349,387	-85,378	2,851	GN 2	Wed 20 Jan 88	
44	Dec-87	10,344,383	5,024	-2,073	GN 5	Wed 24 Feb 88	
45	Jan-88	10,343,687	-776	-2,849	GN 10	Wed 23 Mar 88	
46	Feb-88	10,360,901	17,314	14,465	GN 12	Wed 13 Apr 88	
47	Mar-88	10,273,191	-87,710	-73,245	GN 18	Wed 25 May 88	
48	Apr-88	10,287,745	14,554	-58,691	GN 19	Wed 1 Jun 88	
49	May-88	10,298,105	10,360	-48,331	GN 28	Wed 3 Aug 88	
50	Jun-88	10,300,798	2,693	-45,638	GN 38	Wed 12 Oct 88	Unpublished draft found in Qld Supreme Court library.
51	Jul-88	10,311,017	10,219	-35,419	GAZWEK	undated	SA figures as at 29 Jul. Arithmetical error of 51,842
52	Aug-88	10,311,017	0	-35,419	GN 38	Wed 12 Oct 88	
53	Sep-88	10,452,127	141,110	141,110	GN 44	Wed 23 Nov 88	
54	Oct-88	10,494,013	41,886	182,996	GN 4	Wed 1 Feb 89	
55	Nov-88	10,508,189	14,176	197,172	GN 4	Wed 1 Feb 89	
56	Dec-88	10,506,323	-1,866	195,306	GN 4	Wed 1 Feb 89	SA figures for Nov repeated.
57	Jan-89	10,516,526	10,203	205,909	GN 12	Wed 6 Apr 89	No NSW figures for Jan. Feb hours given.
58	Feb-89	10,515,044	-1,482	204,027	GN 19	Wed 24 May 89	
59	Mar-89	10,564,546	49,502	263,629	?	undated	Unpublished draft.
60	Apr-89	10,667,258	102,712	356,241	GN 25	Wed 5 Jul 89	WA figures as at 3 May
61	May-89	10,701,764	34,506	390,747	GN 28	Wed 26 Jul 89	Tasmania figures as at 1 Jun
62	Jun-89	10,741,668	39,904	430,651	GN 29	Wed 2 Aug 89	Qld as at 1 Jul. WA as at 5 Jul.
63	Jul-89	10,437,762	-303,906	126,745	GN 32	Wed 23 Aug 89	SA only. All other states Aug dates.
64	Aug-89	10,461,435	23,673	150,418	GN 36	Wed 20 Sep 89	Tasmania as at 5 Sep.
65	Sep-89	10,320,201	-141,234	9,184	GN 38	Wed 11 Oct 89	NSW as at 3 Oct.
66	Oct-89	?	?	?	?	?	Gazettal not found by me.
67	Nov-89	10,356,825	36,624	-45,908	?	undated	Unpublished draft. All states as at 1 Nov.
68	Dec-89	10,393,864	27,039	72,847	?	undated	Unpublished draft. SA as at 30 Nov.
69	Jan-90	10,422,137	38,273	111,120	GN 2	Wed 17 Jan 90	SA as at 21 Dec. All the rest as at 3 Jan.
70	Feb-90	10,236,423	-185,714	-75,509	GN 7	Wed 21 Feb 90	Arithmetical error of 200,000.
71	Mar-90	10,668,172	430,749	355,155	GN 11	Wed 21 Mar 90	SA as at 27 Feb. All the rest as at 7 Mar.
72	Apr-90	10,680,486	14,314	359,469	GN 16	Wed 25 Apr 90	SA as at 23 Mar. All the rest as at 2 Apr.
73	May-90	10,749,748	69,262	438,731	GN 20	Wed 23 May 90	SA as at 30 Apr.



DISTRIBUTION OF SECTION 58 CERTIFICATE REPORT DATES 1987

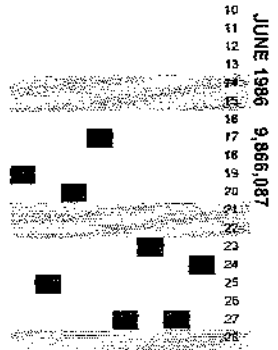
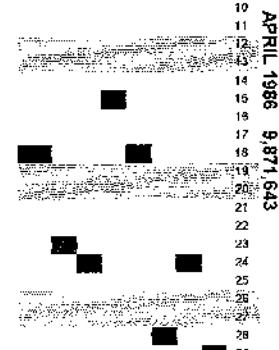
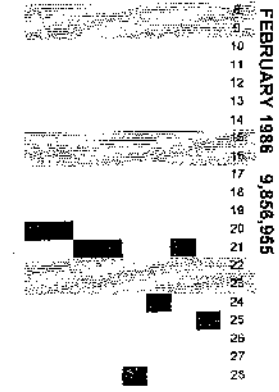
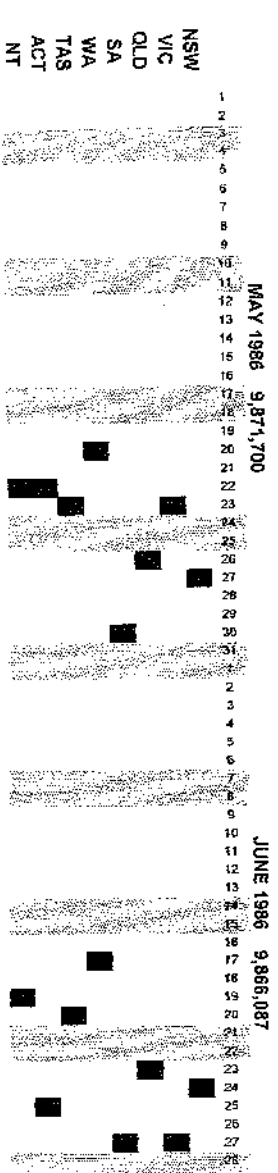
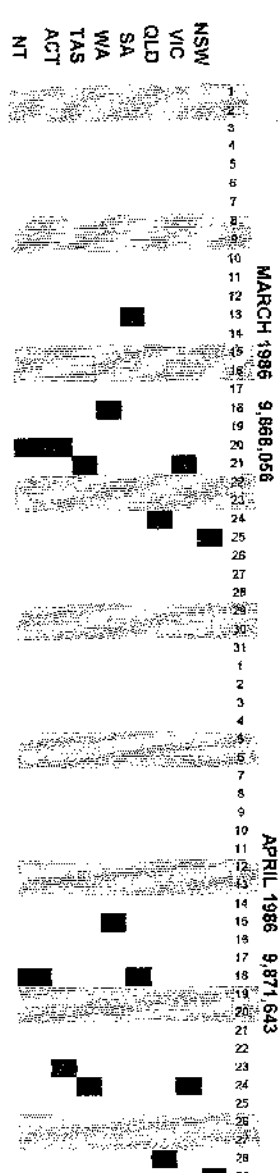
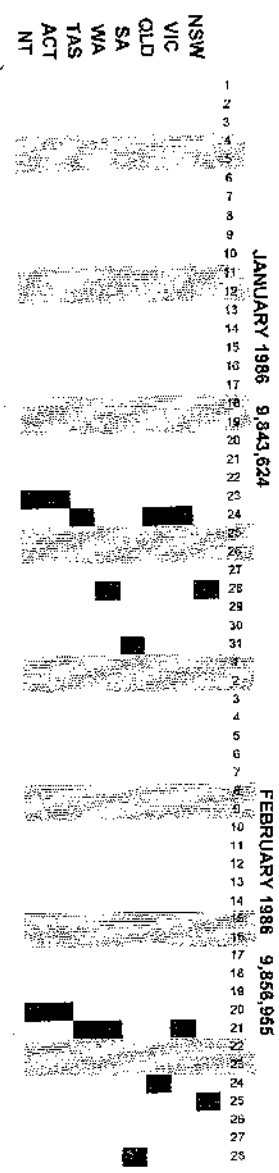




What would be the situation if, on the 24th of April 1986 a batch of enrolments of equivalent size had been transferred from NSW to Victoria? The total enrolments for NSW for May 1986 would show no change from the level of Apr-1. The total enrolments for Victoria for May would show no increase over the level of April. All (all?) that would have happened is that names, to the extent of the size of the batch involved, would have been changed around between States. The total for Australia would be unchanged.

Now let us see what could happen if the batch of names removed from the NSW rolls on the 24th consisted of names removed by objection action, and someone in possession of a list of those names started lodging unlawful enrolment claims in Victoria in those names.

DISTRIBUTION OF SECTION 58 CERTIFICATE REPORT DATES 1986



COMMENTS

The first thing to observe with respect to the report dates is that in all but a few cases they are staggered. This staggered reporting, at least in theory, permits the monthly totals for enrolments Australia wide to be either overstated or understated. Even without anything else improper occurring with respect to enrolment accountability, this situation is one that could lead to seriously misleading information being published upon which redistribution decisions depend.

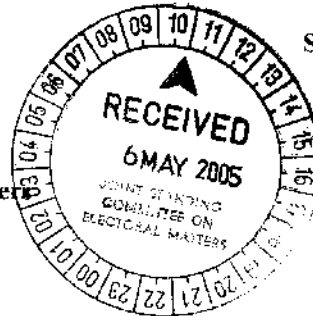
For example, a batch of enrolments forming part of the total enrolments reported in Victoria on the 24th of April could be transferred on the 25th to NSW, where they would in turn comprise part of the total enrolments reported for that State on the 29th. In this circumstance, the transfer of a batch of enrolments that might not in any other way be improper would result in the total enrolments shown for Australia for the month of April 1986 being overstated.

In the following month, May 1986, if nothing else by way of enrolment change had occurred, enrolments for Victoria would be lower to the extent of the size of the batch of enrolments that had been transferred to NSW on the 25th of April. The total enrolments for NSW for May 1986 would show no increase over that of April 1986. The total enrolments for Australia for May, would be down on that for April 1986.

459 Dog Trap Road
Somersby NSW 2250

Friday 20 May 2005

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



The covering letter to my supplementary submission dated Monday 16 May 2005 refers to my 1990 paper as consisting of 31 pages. I have only just realised that I would only have sent the first 28 pages of the paper with that letter, as I have not recently been distributing pages 29 to 31, those pages constituting a postscript to the paper.

The reason the postscript has been withheld from distribution is that **it contains a piece of faulty logic and an unjustified imputation** that the ALP government elected in 1983 may have knowingly intended to benefit from claimed weaknesses introduced into the electoral system between 1983 and 1987. I have appended an endnote to the postscript explaining the fault and withdrawing the imputation. Indeed, it would have to be observed that the very reason the 1987 double dissolution election was held was the failure of the Senate to pass the Australia Card Bill. That legislation was subsequently passed by the Parliament elected at the 1987 elections. It seems most unlikely that a government that sought the introduction of such an identity card (**which, had it actually been introduced, may have made electoral fraud much more difficult to perpetrate on a large scale**) would have had any knowing involvement in rendering the electoral process more susceptible to unlawful manipulation.

As the postscript did originally accompany the paper in 1990, it is only proper that the Committee should be able to see it, warts and all. Please find the three missing pages attached.

Yours Faithfully,

David Patton

POSTSCRIPT

The Australian Bureau of Statistics publication No. 3101.0, Australian Demographic Statistics September Quarter 1988, shows the estimated resident population of South Australia, as at 30 June 1987, to be 1,394,200 persons (Table 2, page 3). By interpolation, the population as at 31 May 1987 has been estimated at 1,393,100 persons.

The 1986 Census of Population and Housing for South Australia, STE 4, shows 63.3% of the population to be Australian citizens over the age of 18 years. Exhaustive analysis of the age, country of birth, and citizenship records available from the 1986 Census relating to Western Australia revealed 4.86 percentage points of total population to be persons over 18 having British citizenship, and therefore being potentially eligible to be on an electoral roll. It has been assumed that not less than this 4.86% of population may also likewise be eligible to be enrolled in South Australia, bringing the total percentage of the population potentially eligible for enrolment to 68.16%.

Calculation of Extent of Enrolment

South Australian Population as at 31 May 1987	1,393,100
68.16% of population " " " " "	949,537
Enrolment in South Australia as shown in Section 58 certificate in GN 15, dated 12 August 1987, as at 29 May 1987.	932,869
Percentage enrolled of the potentially eligible	98.25 %

Australian Electoral Commission research shows only 85.4% of eligible enrol.

When the additional 10,011 enrolments that were ultimately recorded on the rolls that closed on 12 June 1987 are taken into account, the percentage enrolled of the maximum possible rises to 99.3%. It has also been assumed that every single holder of British citizenship has remained on an electoral roll since 25 January 1984; this will not in fact have happened, even though it is impossible to be sure how many British citizens have either dropped off the rolls, or had never become enrolled in Australia in the first case. Should it be that half of the 4.68% of population comprised of British citizens 18 or over were not in fact enrolled, then the percentage of electors enrolled of the possible would have been 103%, a plainly impossible result.

Indications of the Real Surge in Enrolment Prior to the 1987 Election

The net growth in enrolments for the whole of Australia during the close of roll period, according to the Commission's table that accompanied its 17 October 1988 submission, was 242,123 enrolments. Net growth according to the Section 58 certificates was 220,160 enrolments. When the 204,880 enrolment discrepancy between GN9 and GN15 is subtracted from the net growth of 220,160 there exists a remainder of 15,280. Perhaps this remainder of 15,280 represents the real extent of new enrolments that occurred in the period between the announcement of the election on 27 May 1987 and the close of rolls on 12 June 1987, for the whole of Australia. You could even add to this 15,280 the additional enrolments recorded in the election statistics, an additional 6,777 enrolments, which would bring the genuine new enrolments during this period to 22,057 for Australia.

Comparison of the respective Commission tables shows that only 863 new enrolments occurred in South Australia between 30 April and 27 May 1987, while the discrepancy between the net result of transactions for the period 30 April to 12 June 1987 and enrolments actually shown in the election statistics was 113 enrolments. When these figures are added to the 1,020 enrolments difference between the net result of transactions and the 12 June 1987 Section 58 certificate, it is reasonable to believe the genuine level of new enrolments in South Australia for the period 30 April to 12 June 1987 to have been around 1,996 enrolments. Such a figure would be consistent, having regard to South Australia's population, with the postulated level for Australia at large. This corroboration brings into the most serious question the authenticity of the bulk of what have been represented as new enrolments for the close of roll period.

Potential for Manipulation of Election Results. If it is accepted that as much as 15% of all enrolments for one reason or other have no lawful warrant to be on the roll, and yet remain there, in South Australia that could mean as many as 140,000 enrolments could be being used to distort genuine election results. There are many reasons for assuming that not all such enrolments would be being manipulatively used, but the problem still remains. Just the 204,880 enrolment discrepancy that there is reason to believe represented the reappearance of unaccounted for transfers represents 2% of total Australian enrolments; disposed of in marginal seats such a figure is more than significant, it could be decisive of the outcome of a general election. However, ~~given that those suspect 204,880 enrolments were in fact disposed of in broad proportion to a constant proportion of the ALP vote in different divisions is an indicator that a much greater body of unlawfully manipulated enrolments subsist in the Australian electoral rolls, and may have for quite some time.~~^{endnote}

But Wait, There's More! The theoretically available 15% of total possible enrolments that may be being centrally and manipulatively used to distort genuine electoral results is not the limit for enrolment based fraud opportunity. If a name legitimately on a Divisional roll in one location is moved other than at the instigation of that elector, and emplaced on a different Divisional roll perhaps quite distant from that elector's real place of residence, then that elector will have been effectively disfranchised. All the genuine owner of the name will know, come election day, is that their name is not on the roll. The disfranchised elector **may** claim a section vote, which **may or may not** end up being admitted into the count. If a centrally maintained list of such unlawfully moved names was to exist, those in possession of it would have a basis for virtually unchallengeable personation in the Divisions to which real names of real Australian electors had been moved. A vote claimed by personation is **without question admitted** to the count in the other Division. The total number of names on Divisional rolls within a State need not exceed the number of persons theoretically qualified for enrolment therein for there to exist the potential for perhaps as much as 25 - 30% of vote claims in any Division, at any electoral event, to be fraudulent. I say 'perhaps' because I do not have at least one essential tool, a complete archive of printed electoral rolls together with their associated printed supplementary lists, (due to the policy pursued by the AEC since 1984 of not printing electoral rolls as prescribed by law, and then, compounding the offence, of not actually conducting elections using properly printed rolls as the bases of the certified lists) for determining the actual extent of transpositioning of names that may have occurred.

endnote May 2005. *Although originally part of this paper, the postscript on pages 29 to 31 has had very limited distribution. The strike-through text in the seventh paragraph of the postscript constitutes faulty logic and is not supported by any real evidence. The logical fault lies in failure to recognise that the ALP contests virtually all Divisions at a general election, and that its vote after the distribution of preferences is typically between 45% and 55% of the official valid vote cast. Consequently, whatever proportion of the total vote cast may be thought to have its origin in electoral improprieties, so long as it is present in each Division it is going to bear a relatively constant relationship to the ALP vote, and, for that matter, to the vote for the Coalition parties. There is no way of knowing how any unlawfully claimed vote may be disposed of, only that it is improper and distorting of what would otherwise be the true result of an election. I guess the struck-through text simply reveals a biased assumption on my part that the government that introduced legislation that seemed at the time (1983-1987) to increase the opportunities for electoral fraud intended to benefit by such fraud. A longer view (such as that in Submission 123 to the 2004 Election Inquiry) calls such an assumption into profound question.*

The principal thrust of this paper is that there is evidence to indicate that a sophisticated and powerful system of unlawful electoral manipulation may be operating in Australia. The electoral system is certainly exposed to it. Perhaps governments are routinely made and unmade electorally by unlawful manipulation on **both sides** of the political fence. Perhaps a substantial amount of public policy on **each** side of the political fence is somewhat remotely, but nevertheless effectively, determined by a single manipulative agency, with the chosen political vehicle being blessed or not blessed electorally as it delivers the policies wanted by those doing the manipulating. Perhaps in this way a façade of choice of political alternatives is on apparent offer to the voting public at election times. Perhaps in this way it is possible to preserve the public credibility of electoral outcomes and the appearance of having retained the consent of the governed, when that consent in reality may not be being given by the majority of the governed.