

Australian Electoral Commission

**SUPPLEMENTARY SUBMISSION TO THE JOINT STANDING
COMMITTEE ON ELECTORAL MATTERS**

DUAL AND MULTIPLE VOTING

Canberra

7 February 1997

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Attachments

- Attachment A:** AEC Submission No 84 of 16 September 1996:
extract pages 14-15.
- Attachment B:** AEC Submission No 79 of 21 September 1990:
Multiple Voting Action as at 30 July 1990
- Attachment C:** AEC Submission No 115 of 19 October 1993:
Report of Multiple Marks on the Certified Lists
used at the Election held on 13 March 1993
- Attachment D:** AEC Submission No 30 of 29 July 1996:
extract page 77
- Attachment E:** McGrath, Amy. "Risks of Electoral Fraud".
The Australian National Review, June 1996,
pages 10-11
- Attachment F:** Jones, Alan. "Votes Count - But How Often?".
Sun Telegraph (NSW), 25 February 1996,
page 59
- Attachment G:** AEC Submission No 30 of 29 July 1996:
extract pages 86-88

1. Preamble

1.1 This supplementary submission by the Australian Electoral Commission (AEC) is presented to the Joint Standing Committee on Electoral Matters (JSCEM) in response to its "Inquiry into the 1996 Federal Election" as advertised on Saturday 22 June 1996 in all major national newspapers. The submission is supplementary to the major AEC submission, "The Conduct of the 1996 Federal Election", presented to the JSCEM on 29 July 1996.

1.2 At previous public hearings the AEC undertook to provide the JSCEM with the latest statistics on multiple voting investigations and prosecutions as soon as such statistics became available at a meaningful level. The AEC has therefore waited until the very end of the submission period in order to provide the JSCEM with the most up-to-date information. It should be understood that the information provided in this submission is correct to 31 January 1997, and will change over time as more investigations, referrals and court proceedings are completed.

1.3 The AEC has no hesitation in submitting that the federal electoral system is "user-friendly". It has been deliberately shaped that way over the past decade by the recommendations of previous parliamentary committees, and citizens generally appear to appreciate a system that can service some 11 million voters, in a very restricted time frame, with the minimum of fuss.

1.4 Those who argue that the federal electoral system is also "abuser-friendly" have yet to bring forward any evidence that such abuse is occurring on a scale large enough to put the integrity of any federal election in the past decade into serious question.

1.5 The evidence from the 1996 federal election is that there was no widespread and organised attempt to defraud the electoral system, that those instances of suspected multiple voting that did occur showed no pattern of concentration in any Division, marginal or otherwise, and that the level of suspected multiple voting was not sufficient to have overturned the result in any Division in Australia.

1.6 However, in recognition of the interest that this JSCEM has in tightening up some aspects of the system to improve integrity, the AEC has already provided submission No 98 of 23 October 1996, entitled "Enrolment and Voter Identification".

2. The Offence of Wilfully Voting More Than Once

2.1 The term “multiple voting” is usually applied to the offence of wilfully voting more than once at a federal election, and usually also includes reference to “dual voting”, or voting twice only at a federal election. However, because the reasons for dual voting are generally quite different to those for multiple voting, this submission is entitled “Dual and Multiple Voting”, and provides separate statistics for suspected dual and multiple voting, even though the term “multiple voting” may occasionally be used for the sake of brevity to cover both forms of voting.

2.2 Under section 339(1)(j) of the Commonwealth Electoral Act 1918 (CEA) a person shall not “wilfully vote more than once at the same election”. The penalty is imprisonment for 6 months. However, under the Crimes Act 1914 it is possible for a court to apply a pecuniary penalty upon conviction rather than a term of imprisonment.

2.3 The implications of the presence of the word “wilfully” in section 339(1)(j) should not be underestimated in any examination of multiple voting investigations, prosecutions, and conviction rates. Effectively, if a suspect flatly denies that he or she voted more than once, then without any independently-sourced evidence of a suspect’s deliberate intention to defraud the system, the matter can proceed no further. This issue has been addressed in the AEC submission No 84 of 16 September 1996 at pages 14-15 (Attachment A).

2.4 It should be noted that contrary to practice in some other countries where numbered ballot papers or similar such “protections” operate, and procedures enable the recognition of genuine as opposed to fraudulent votes, the CEA precludes the removal of any possible multiple votes from the count. The odd possible multiple vote may, for example, be discovered as early in the process as the preliminary scrutiny of declaration votes. However, it is only when the final election result is known that an assessment is made by the AEC of the likelihood that any possible multiple votes could have affected that final result. The AEC will then give consideration to formally disputing the result of the election.

2.5 Under section 357 of the CEA the Electoral Commission is entitled to file a petition with the Court of Disputed Returns disputing the result in any Senate election for a State or Territory, or any House of Representatives election for a Division. This provision, which was inserted in the CEA in 1983, has not been invoked by the AEC to date, because in every election since that time there has been no evidence that multiple voting could have affected the result in any Division (a primary criterion for a petition to succeed). However, it may be of interest that a similar provision in the Aboriginal and Torres Strait Islander Act 1989 allowed the AEC to petition five of the 1993 ATSIC Regional Council elections because the results had been affected by polling official error in relation to the handling of declaration vote envelopes.

3. Methods of Reporting Dual and Multiple Voting

3.1 Following every federal election the AEC reports to the JSCEM on multiple voting investigations and prosecutions - see Attachment B for the 1990 report and Attachment C for the 1993 report. Over the past decade, the AEC has gone to considerable lengths in JSCEM submissions and public hearings to explain the process by which such statistics are generated, and has attempted to demonstrate to the JSCEM that multiple voting at federal elections is relatively easy to detect through a series of standard procedures, and that there is no evidence of any widespread and organised conspiracy to defraud the federal electoral system by multiple voting - see Attachment D.

3.2 Despite these efforts by the AEC to make the process of multiple voting investigations as transparent and accessible as possible to the public, there remain a number of critics of the AEC and the federal electoral system, who appear to be unable or unwilling to understand the multiple voting statistics as generated, and persist in misinterpreting or misrepresenting the levels of multiple voting at each federal election in order to support their own personal or political agendas - see, for example, Attachments E and F.

3.3 Through various avenues, including Letters to the Editor, submissions to parliamentary committees, public meetings, and talk-back radio, these critics have mischievously distorted the statistics on multiple voting, promoting an overall impression that federal elections in Australia are hopelessly compromised by widespread and organised multiple voting, which leads to the obvious conclusion that the Governments thereby elected are probably illegitimate. It is significant that the majority of these conspiracy theories are promoted in the city of Sydney, as any survey of the relevant written submissions to this and previous JSCEMs will attest.

3.4 Because of this systematic and deliberate misrepresentation by others of the multiple voting statistics presented by the AEC at past federal elections, the AEC proposes to discontinue the previous reporting method for future federal elections. For the 1996 federal election, the AEC has reported once more in the previous format, that is, an account of the progressive elimination of "multiple marks" on Certified Lists; but has also provided two alternative and more informative reports on the cases that remain after this elimination process, and which are investigated as suspected dual voting and suspected multiple voting cases. It is this latter method of reporting that will be the standard method of reporting in future.

3.5 In reporting on the suspected dual voters and suspected multiple voters in this submission, a set of related variables, such as language/cultural and geographical factors are also discussed. This analysis is not exhaustive, nor is it statistically sophisticated. The intention is simply to provide the JSCEM with some alternative possible explanations for the data, to measure against the alarmist conclusions drawn by others in the past from "multiple marks" reports.

4. Procedures for Investigation of Multiple Marks

4.1 The process whereby the AEC and the Australian Federal Police (AFP) investigate possible dual and multiple voting at federal elections involves a complex and lengthy process of elimination of the indicative data known as “multiple marks” on the Certified Lists of Voters. This process is not generally understood, which leads to a considerable degree of misinterpretation and misrepresentation of the actual levels of multiple voting at federal elections. The process is explained in detail below.

Marking of Certified Lists of Voters

4.2 Identical copies of the Certified Lists of Voters for a Division are supplied to every issuing point at every polling booth for that Division. The Certified Lists contain the names and addresses of every enrolled elector in the Division. When an elector is issued with a set of ballot papers, their name is marked off the Certified List of Voters held at that issuing point. The marking-off process involves drawing a short line between two arrow marks (called “clock marks”) against the name of the elector, to signify that that person has been issued with a set of ballot papers.

4.3 If that elector then goes to another issuing point, either at the same polling booth or a different polling booth, or additionally casts a declaration vote, then another copy of the Certified List for that Division will also be marked to signify that that person has been issued with a set of ballot papers.

Computerised Scanning of Certified Lists

4.4 Immediately following polling day, each identical Certified List of Voters for each Division is optically scanned by computer to read the marks against the names on the Lists, in order to generate scanning reports of multiple marks against names, and reports of no marks against names, together with identifying details of the relevant Certified List in each case.

Manual Checks - Accidental Marks and Official Error

4.5 Divisional staff then make a manual check of the scanning reports for their Divisions against the relevant Certified Lists. In this first round of checks it is discovered in many cases that multiple marks listed in the scanning reports are the result of accidental marks on the original Certified Lists that have nothing at all to do with either official or voter error, or deliberate multiple voting. That is, the marks may turn out to be the result of dust specks, coffee stains, or a mark pressed too hard from the previous page. These multiple marks, which are the result of accidental contamination of the Lists, are then eliminated from further investigation.

4.6 Divisional staff then proceed to manually check the remaining multiple marks on the scanning reports against the original Certified Lists and other documents, for reported polling official error and other official errors. The Officer-in-Charge of a polling booth may have reported in his or her return that a mistake in marking-off a Certified List was made, or there may be

notations in the margins of Lists certifying an error. In cases where a declaration vote is involved, checking usually reveals that the wrong name has been marked off on the declaration voter Certified List. This stage results in more eliminations of multiple marks from further investigation.

DRO Investigations - Matches with Apparent Non-Voters

4.7 The Divisional Returning Officer (DRO) then proceeds to investigate the multiple marks that remain after the first two levels of elimination through manual checking by Divisional staff of the scanning reports against the original Certified Lists of Voters. The DRO writes to each elector against whose name more than one mark is shown, to seek details of the polling places at which, or the method of declaration vote by which, the votes were apparently recorded.

4.8 This correspondence between the DRO and electors with more than one mark against their names, and similar correspondence with electors with no marks against their names, provides information in many cases that will lead to the elimination of more multiple marks from further investigation, on the basis of polling official error. That is, a match may be discovered between an elector with more than one mark against his or her name, and an elector, with a similar name on the line above or below on the Certified List, with no mark against his or her name. A large number of multiple marks are eliminated from further investigation by this process of matching-up apparent dual voters with apparent non-voters.

DRO Investigations - Denials and Excuses

4.9 If an elector with more than one mark against his or her name writes back to the DRO and denies that he or she cast more than one vote, and there is no evidence of accidental marking of the Certified List or of polling official error, then the DRO has no alternative but to accept this declaration, and the matter cannot be taken any further. Under section 339(1)(j) of the CEA it is an offence to *wilfully* vote more than once at an election. Without proof of wilful intent, neither the DRO, the AFP, nor the Court can progress such a case.

4.10 Many electors, or close friends or family, may write back to the DRO admitting that more than one vote was cast, but for reasons that should not invite prosecution. Such reasons might include an elderly and confused person forgetting that they had cast a postal vote and subsequently also voting at a polling booth on polling day, and mistakes made by new citizens, persons with language or literacy problems, or those who do not properly understand the voting system. The DRO then writes to such persons advising the correct procedures and the penalties for wilfully voting more than once, and the matter is taken no further. Again, the elimination of these cases will further significantly reduce the list of multiple marks for further investigation.

AFP Investigations

4.11 If the elector writes back to the DRO indicating that more than one vote might have been cast deliberately, or if the elector fails to respond to repeated correspondence from the DRO, then such cases are referred to the Australian Federal Police (AFP) for official investigation. It is these final cases that remain after eliminating: (a) accidental multiple marks; (b) multiple marks that result from official error; (c) multiple marks that result from the unintentional and/or excusable actions of voters; (d) and the multiple marks that have produced unequivocal denials and cannot be otherwise explained; that should be of primary interest when examining the possibility of electoral fraud and reviewing the integrity of the electoral system.

4.12 As detailed above in relation to DRO investigations, if a suspect whose case has been sent to the AFP for investigation denies categorically that more than one vote was cast then, without any independently-sourced evidence, the case can proceed no further. This situation is of concern to the AEC, and as discussed elsewhere, section 339(1)(j) of the CEA should be amended to remove the qualifier “wilfully”, so that the onus is on the suspect to establish to the satisfaction of the court that he or she did not cast multiple votes. It is understood that such reversal of the onus of proof is accepted in other areas of the law where knowledge of the facts is peculiar to the defendant. However, as also discussed later in this submission, careful consideration should be given to the impact such a legislative change may have on suspected dual voters.

4.13 The AFP will accept for investigation most suspected multiple voting cases. However, in most suspected dual voting cases the AFP generally concludes that, due to resource constraints, it cannot investigate, and consequently these cases cannot be taken any further by the DRO. As discussed elsewhere in this submission, it may be possible by increasing the penalty levels for such offences to improve the acceptance rate of dual voting cases for investigation by the AFP. However, as mentioned above the implications for dual voters need careful consideration.

Prosecutions and Convictions

4.14 If, after investigation of cases of suspected dual and multiple voting referred by the AEC, the AFP is able to provide an evidence brief that indicates the offence of dual or multiple voting may have been committed, then either the AEC or the AFP will provide this evidence to the Director of Public Prosecutions (DPP), from whom advice is obtained on whether it is in the public interest to prosecute, and from whom assistance is obtained in court proceedings for prosecution of the offence.

5. Report on Multiple Marks

5.1 At Attachment C is copy of the AEC submission No 115 of 19 October 1993 to the previous JSCEM, entitled "Report of Multiple Marks on the Certified Lists used at the Election held on 13 March 1993". As noted earlier in this present submission, the AEC is of the view that reporting only in this format may be contributing to misunderstanding of the extent of actual multiple voting, and by the resultant irresponsible exaggeration of such statistics, possibly leading to an undermining of public confidence in the integrity of the federal electoral system.

5.2 As a consequence, this will be the last time that the AEC will routinely provide a report on multiple marks. However, in order to avoid any perceptions arising that the AEC is suddenly changing its reporting methods in order to disguise faults in the system, the AEC produces in Table 1 of the Appendix, a report on multiple marks for the 1996 federal election, as at 31 January 1997.

5.3 A comparison of the 1996 data on multiple marks, in Table 1 of the Appendix, with the 1993 data on multiple marks, at Attachment C, shows the following:

- In **1993** there were **14,172** letters (and 3,242 reminders) sent by DROs to electors asking for an explanation of the multiple marks against their names on the Certified Lists. In **1996** there were **15,626** letters (and 3,242 reminders) sent by DROs to electors asking for an explanation. (Note that the equal number of reminders sent out in 1993 and 1996 is a coincidence.)
- Following correspondence with electors, in **1993** there were **7,173** matches made with apparent non-voters. In **1996** there were **7,223** matches made with apparent non-voters, and these multiple marks were therefore eliminated from further investigation.
- In **1993** there were **5,769** instances where evidence from correspondence was inconclusive. In **1996** there were **6,312** instances where evidence from correspondence was inconclusive. The majority of these cases involved electors denying that they voted more than once. The AEC is unable to progress such cases any further without independently-sourced evidence of a deliberate intention to vote more than once.
- In **1993** there were **535** electors who admitted in correspondence with the DRO to voting more than once. In **1996** there were **986** electors who admitted in correspondence with the DRO to voting more than once.
- In **1993**, of the **535** electors who admitted to voting more than once in correspondence with the DRO, no further action was taken in **443** cases, and the remaining **92** cases were referred to the AFP for investigation. In

1996, of the **986** electors who admitted to voting more than once in correspondence with the DRO, no further action was taken in **926** cases, and **60** cases were referred to the AFP for investigation. Those instances where the DRO took no further action mainly involved genuine misunderstandings such as, for example, an elderly person casting both a postal vote as well as an ordinary vote on polling day, or a new citizen assisting a disabled relative by casting a vote in their name.

- In **1993**, of the **414** electors who did not respond to correspondence with the DRO, no further action was taken in **318** cases, and the remaining **96** cases were referred to the AFP for investigation. In **1996**, of the **1,105** electors who did not respond to correspondence with the DRO, no further action was taken in **921** cases, and the remaining **184** cases were referred to the AFP for investigation. Those instances where the DRO took no further action mainly involved cases where other information indicated further investigation would be wasted, such as, for example, electors who had left their enrolled addresses without leaving any forwarding addresses.
- In **1993**, a total of **188** cases (plus 5 cases not involving correspondence) were referred to the AFP for investigation. In **1996**, a total of **302** cases (including 58 cases not involving correspondence) were referred to the AFP for investigation.
- As at 30 September 1993, some 6 months after the **1993** election, there were **174** cases where action was pending, **13** cases where no further action was taken as a result of the AFP investigation, and **1** case referred to the DPP for prosecution. As at 31 January 1997, some 10 months after the **1996** election, there were **22** cases where action was pending, **251** cases where no further action was taken, and **29** cases referred to the DPP for prosecution.

5.4 The AEC emphasises once again that the total number of multiple marks do not in any sense directly correspond with the total number of suspected dual and multiple votes, and it is strongly recommended that the reports and analyses provided later in this submission on suspected dual and multiple votes be the focus of attention for any examination of possible fraudulent activity at the 1996 federal election.

6. Report on Suspected Dual Voting

6.1 As mentioned earlier in this submission, the AEC has decided to adopt a new form of reporting on dual and multiple voting for this and future federal elections in order to avoid the misinterpretations and misrepresentations that have arisen in the past. The most obvious difference in reporting is that suspected dual voting and suspected multiple voting cases are separated out, because the AEC is of the view that in many cases the reasons behind dual voting and multiple voting are quite distinct. Further, the data presented does not cover “multiple marks” and the lengthy procedures used to eliminate accidental markings, polling official error, and voter error. The data presented here starts at the point when the AEC has arrived at a list of actual suspects which has been referred to the AFP for investigation.

6.2 Table 2 in the Appendix shows each individual case of suspected dual voting at the 1996 federal election, including their places of origin, the types of votes cast, and the current AEC/AFP/DPP/court action and outcomes. Where the political representation of a Division changed as a result of the election the Divisional name is marked with a hash (#).

6.3 Further, in order to provide some indicative information on possible reasons for dual voting, such as language/cultural difficulties, non-Anglo names have been marked in each case with an asterisk (*). The decision in each case on whether the name is non-Anglo is based only on the appearance of the name itself and involves no more than a subjective judgement for the purposes of an aggregate assessment. It will be noted that all names are coded. Had time permitted, it might also have been instructive to mark up those individuals over the age of, say, 75 years, to provide some indication of the impact of old age on the dual voting statistics.

6.4 Table 3 in the Appendix provides a summary of the information on the individual cases of suspected dual voting listed in Table 2 in the Appendix. The following information of interest is extracted:

- There were **239** cases of suspected dual voting referred to the AFP for investigation: 137 cases from NSW; 78 cases from Victoria; 9 cases from Queensland; 2 cases from Western Australia; one case from the Northern Territory; and 12 cases from the ACT.
- Of the 239 cases of suspected dual voting referred for AFP investigation, the AFP was unable to accept **194** cases or **81%**: that is, the AFP rejected 112 cases from NSW; 78 cases from Victoria; 3 cases from Queensland; and one from the Northern Territory.
- Of the total 239 cases referred for AFP investigation, 121 cases, or **51%**, involved two **ordinary** votes: of the 137 NSW cases referred for investigation, 71 cases, or **52%**, involved two ordinary votes; of the 78 Victorian cases referred for investigation, 42 cases, or **54%**, involved two ordinary votes.

- Of the total 239 cases referred for AFP investigation, 139 cases, or **58%**, involved electors with a non-Anglo surname, suggesting possible language/cultural difficulties. Of the 137 NSW cases referred for investigation, 79 cases, of **52%**, involved electors with a non-Anglo surname. Of the 78 Victorian cases referred for investigation, 54 cases, or **69%**, involved electors with a non-Anglo surname.

6.5 **In summary**, the majority of suspected dual voting cases were not accepted for investigation by the AFP and consequently no further action could be taken by the AEC. However, more than half the suspected dual voting cases involved electors with non-Anglo surnames, suggesting that language/cultural difficulties might be involved, rather than deliberate attempts to defraud the system.

6.6 The possibility of improving the AFP acceptance rate for electoral offences referrals, and providing a more realistic deterrent to potential offenders, by increasing the penalties for electoral offences, has been addressed by the AEC in submission No 30 of 29 July 1996 at pages 86-88 (Attachment G). An additional possible strategy for improving conviction rates by removing the word “wilfully” from the offence of voting more than once in section 339(1)(j) of the CEA, in order to improve prospects for conviction, has been addressed by the AEC in submission No 84 of 16 September 1996 at pages 14-15 (Attachment A).

6.7 However, it is important that the JSCEM give careful consideration to the implications of increasing penalty levels for dual voting, and/or reversing the onus of proof for dual voting, because it appears that many cases of dual voting may be due to misunderstanding rather than a deliberate intent to defraud.

6.8 The Director of Public Prosecutions (DPP) has an important role in advising the AEC as to whether it is in the public interest to pursue prosecution where offences appear to have been committed. It is unlikely that the DPP would consider it in the public interest to prosecute dual voters from ethnic backgrounds who clearly had language/cultural difficulties with the electoral system, or elderly and confused people who were misguidedly trying to perform their civic duty. Nevertheless, consideration should be given to the possibility of even one unjust prosecution proceeding under any changed legislative regime, which should be more properly confined to multiple voting cases.

6.9 Perhaps any proposed amendments to section 339(1)(j) in relation to the possible deletion of the word “wilfully” should only apply for multiple voting (voting more than twice) where it is generally understood that a simple misunderstanding is an unlikely defence.

7. Report on Suspected Multiple Voting

7.1 As mentioned earlier in this submission, the AEC has decided to adopt a new form of reporting on dual and multiple voting for this and future federal elections in order to avoid the misinterpretations and misrepresentations that have arisen in the past. The most obvious difference in reporting is that suspected dual voting and suspected multiple voting cases are separated out, because the AEC is of the view that in many cases the reasons behind dual voting and multiple voting are quite distinct. Further, the data presented does not cover “multiple marks” and the lengthy procedures used to eliminate accidental markings, polling official error, and voter error. The data presented here starts at the point when the AEC has arrived at a list of suspects which has been referred to the AFP for investigation.

7.2 Table 4 in the Appendix shows each individual case of suspected multiple voting at the 1996 federal election, including their places of origin, the types of votes cast, and the current AEC/AFP/DPP/court action and outcomes. Where the political representation of a Division changed as a result of the election the Divisional name is marked with a hash (#). The demographic status of each Division is also recorded in order to indicate whether suspected multiple voting is concentrated in any particular area, such as for example, the city of Sydney (which includes all inner and outer metropolitan Divisions in New South Wales).

7.3 Table 5 in the Appendix provides a summary of the information on the individual cases of suspected multiple voting listed in Table 4 in the Appendix. The following information of interest is extracted:

- There were **63** cases of suspected multiple voting referred to the AFP for investigation: 56 cases from NSW; 1 case from Victoria; 4 cases from Queensland; 1 case from Western Australia; and 1 case from the ACT.
- Of the 63 cases of suspected multiple voting referred for investigation, the AFP was unable to accept **4** cases: that is, the AFP rejected 2 cases from NSW; 1 case from Victoria; and 1 case from Queensland.
- Of the 63 cases of suspected multiple voting referred for investigation, 60 cases, or **95%**, involved **more than two ordinary votes**.
- Of the 63 cases of suspected multiple voting referred for investigation, 43 cases, or **68%**, originated in inner or outer Sydney metropolitan Divisions.
- Of the total 63 cases of suspected multiple voting referred for investigation, 43 cases, or **68%**, have so far resulted in a denial by the elector to the AFP that he or she voted more than once. One of these cases involved 26 instances of suspected multiple voting by one individual in the Division of Mackellar.

- There is no pattern of concentration of suspected multiple voters in any particular Division, nor would any of the suspected multiple votes have been sufficient to change the result in any Division.

7.4 **In summary**, the majority of suspected multiple voting cases could not be taken any further because the electors involved denied that they had voted more than once. The majority of suspected multiple voting cases across Australia were concentrated in the city of Sydney, suggesting that there may be some unusual local factor encouraging electors in that city to attempt to defraud the system. Although suspected multiple voters were concentrated in the city of Sydney, they were not concentrated in any particular Division and there is no evidence to suggest that these cases involved an organised conspiracy to defraud the system.

8. Convictions for Dual and Multiple Voting

8.1 The AEC understands that in the past decade no convicted dual or multiple voter has been sent to jail. Instead, the courts have chosen in most cases to apply pecuniary penalties, averaging around \$500 per offender. In 1993, for example, there was only one prosecution for a breach of section 339(1)(j) of the CEA: a Tasmanian elector admitted to voting 4 times. The elector received a 3 year \$500 bond and no offence was recorded.

8.2 For the 1996 federal election the following convictions and penalties have so far been recorded:

(a) David Nigel Wright (NSW) - pleaded guilty to two offences under section 339(1)(b) and one offence under section 339(1)(j). Mr Wright was convicted on 3 July 1996, fined \$200 on each of the first two charges and \$350 on the remaining charge and ordered to pay \$50 court costs.

(b) Harry Michael Sotiriou (NSW) - pleaded guilty to one offence under section 339(1)(j). Mr Sotiriou was convicted on 25 November 1996, fined \$500 and ordered to pay court costs of \$50.

(c) Boris Mark Lenarcic (NSW) - pleaded guilty to one offence under section 339(1)(j). Mr Lenarcic was convicted on 25 November 1996, fined \$500 and ordered to pay court costs of \$50.

8.4 Under the Crimes Act 1914 it is possible for a court to apply a pecuniary penalty rather than a term of imprisonment on conviction. Section 4B(2) of the Crimes Act provides that:

Where a natural person is convicted of an offence against a law of the Commonwealth punishable by imprisonment only, the court may, if the contrary intention does not appear and the court thinks it appropriate in all the circumstances of the case, impose, instead of, or in addition to, a penalty of imprisonment, a pecuniary penalty not exceeding the number of penalty units calculated using the formula:

Term of Imprisonment x 5

where: "Term of Imprisonment" is the maximum term of imprisonment, expressed in months, by which the offence is punishable.

8.5 Section 4AA(1) of the Crimes Act provides that:

In a law of the Commonwealth or Territory Ordinance, unless the contrary intention appears: "penalty unit" means \$100.

8.6 The AEC recommended in submission No 30 of 29 July 1996 that a formal review of penalties for offences under the CEA be undertaken with the assistance of the Attorney-General's Department, with a view to bringing those penalty levels up to date and in line with penalty rates for similar offences under other Commonwealth statutes (Attachment G).

9. Summary

9.1 The AEC has decided to adopt a new form of reporting on dual and multiple voting for this and future federal elections in order to avoid the misinterpretations and misrepresentations that have arisen in the past. The new form of data presentation does not include an analysis of “multiple marks” and the lengthy procedures used to eliminate accidental markings, polling official error, and voter error.

9.2 Instead, the new form of data presentation starts at the point when the AEC has arrived at a list of actual suspects, and this list of suspects has been referred to the AFP for investigation. Further, suspected dual voting and suspected multiple voting cases are separated out for reporting purposes because the AEC is of the view that in many cases the reasons behind dual voting and multiple voting are quite different.

9.3 The evidence from the 1996 federal election is that there were no widespread and organised attempts to defraud the electoral system, and that suspected dual and multiple voting cases demonstrated no overall pattern of concentration in marginal or non-marginal Divisions.

9.4 In essence, the results for all 1996 House of Representatives Divisional elections were not affected by multiple voting. This conclusion is based on an examination of the evidence to date and is in accordance with the overview provided to the JSCEM in the first AEC submission to the JSCEM.

9.5 More than half of all suspected dual voters appear to have non-Anglo surnames, which suggests that language/cultural difficulties could be contributing to a misunderstanding of the electoral system in these cases, rather than indicating a deliberate intention to defraud the electoral system.

9.6 Two-thirds of all suspected multiple voters nationwide are concentrated in the Sydney metropolitan area. It is notable that the major critics of the federal electoral system are also concentrated in the Sydney area, and that at least one of these critics has the powerful medium of talk-back radio at his disposal. It is not possible of course to draw a direct causal connection between the message being relayed to the people of Sydney, that the federal electoral system is wide open to fraud, and the large number of suspected multiple voters who appear to be testing the system in that city, but such facts are suggestive indeed.

9.7 The majority of suspected dual voting cases were rejected by the AFP for investigation. The AEC has recommended elsewhere that the penalty levels for the offence of voting more than once be reviewed.

9.8 The majority of suspected multiple voters denied voting more than once. The AEC has recommended elsewhere that consideration be given to repealing the word “wilfully” from section 339(1)(j) of the CEA.

9.9 In recommending any such amendments to section 339(1)(j) of the CEA the JSCEM should exercise caution in making the same level of penalties or onus of proof apply to dual voters as to multiple voters, as it is possible that many dual voting cases are not deliberate attempts to defraud the federal electoral system.

9.10 The AEC would welcome the opportunity to investigate any serious allegations of dual or multiple voting at the 1996 federal election that might be independently provided to the JSCEM.

APPENDIX

Table 1: 1996 Federal Election: Multiple Marks Report as at 31 January 1997

Number of letters sent to electors by DROs requesting information on multiple marks [#] .		15626
Number of cases where a match with an apparent non-voter was made as a result of a reply to correspondence.	7223	
Number of replies where evidence was found to be inconclusive	6312	
Number of replies with admission of multiple voting	986	
Numbers of letters (first and second) returned undelivered (285) or not answered (828)	1105	
TOTAL		15626
Number of cases with admission of multiple voting		986
Number of cases where no further action taken	926	
Number of cases referred to AFP for investigation	60	
TOTAL		986
Number of cases where letter(s) not answered		1105
Number of cases where no further action taken	921	
Number of cases referred to AFP for investigation	184	
TOTAL		1105
Total number of cases referred to AFP for investigation		302*
Number of cases where no further action	251	
Number of cases referred to DPP for prosecution	29	
Number of cases where action is pending	22	
TOTAL		302

[#] There were 3242 reminder letters sent.

* This figure includes a further 58 cases which were referred directly to the AFP by the DRO without letters being sent.

Table 2: 1996 Federal Election: Suspected Dual Voting Report as at 31 January 1997

New South Wales - Dual Voting

Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D1	NSW43*	Banks	marg ALP	inner metro		x	x			AFP rejected	NFA
D2	NSW97	Banks	marg ALP	inner metro		x	x			AFP rejected	NFA
D3	NSW32	Berowra	safe LP	outer metro			x	x		AFP rejected	NFA
D4	NSW67	Berowra	safe LP	outer metro	x		x			AFP rejected	NFA
D5	NSW102*	Berowra	safe LP	outer metro	x	x				AFP rejected	NFA
D6	NSW117*	Berowra	safe LP	outer metro	x			x		AFP rejected	NFA
D7	NSW3*	Blaxland	safe ALP	inner metro	xx					AFP rejected	NFA
D8	NSW20*	Blaxland	safe ALP	inner metro	x			x		AFP rejected	NFA
D9	NSW38*	Blaxland	safe ALP	inner metro	xx					AFP rejected	NFA
D10	NSW39*	Blaxland	safe ALP	inner metro	x		x			AFP rejected	NFA
D11	NSW41*	Blaxland	safe ALP	inner metro	xx					AFP rejected	NFA
D12	NSW62*	Blaxland	safe ALP	inner metro	x			x		AFP rejected	NFA
D13	NSW78*	Blaxland	safe ALP	inner metro	x		x			AFP rejected	NFA
D14	NSW99*	Blaxland	safe ALP	inner metro	xx					AFP rejected	NFA

Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D15	NSW111*	Blaxland	safe ALP	inner metro	x				x	AFP rejected	NFA
D16	NSW125	Blaxland	safe ALP	inner metro	x			x		AFP rejected	NFA
D17	NSW128*	Blaxland	safe ALP	inner metro	xx					AFP rejected	NFA
D18	NSW157*	Blaxland	safe ALP	inner metro	x	x				AFP rejected	NFA
D19	NSW172*	Blaxland	safe ALP	inner metro	x		x			AEC to DPP	pending
D20	NSW175*	Blaxland	safe ALP	inner metro	x	x				AEC to DPP	pending
D21	NSW81*	Bradfield	safe LP	inner metro	x		x			AFP rejected	NFA
D22	NSW115	Calare#	safe Indep	rural	xx					AFP rejected	NFA
D23	NSW116	Calare#	safe Indep	rural	xx					AFP rejected	NFA
D24	NSW145*	Charlton	fairly safe ALP	provincial	x			x		AFP rejected	NFA
D25	NSW28*	Chifley	safe ALP	outer metro	xx					AFP rejected	NFA
D26	NSW149	Chifley	safe ALP	outer metro	xx					AFP rejected	NFA
D27	NSW164	Chifley	safe ALP	outer metro	xx					AFP rejected	NFA
D28	NSW48	Cowper	safe NPrural		xx					AFP rejected	NFA
D29	NSW91	Cowper	safe NPrural					xx		AFP rejected	NFA

Case	Suspect	NSW	Seat	Demographic	Suspected Dual Votes	Investigation	Result
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No	ID	Division	Status	Rating	Ord	Post	PreP	Abs	Prov			
D30	NSW12*	Dobell	marg ALP	provincial	xx						AFP NFA	NFA
D31	NSW42	Dobell	marg ALP	provincial	xx						AFP rejected	NFA
D32	NSW51*	Dobell	marg ALP	provincial	x			x			AFP rejected	NFA
D33	NSW87*	Fowler	safe ALP	outer metro	xx						AFP rejected	NFA
D34	NSW107*	Fowler	safe ALP	outer metro	x				x		AFP rejected	NFA
D35	NSW113*	Fowler	safe ALP	outer metro	x	x					AFP rejected	NFA
D36	NSW189*	Fowler	safe ALP	outer metro	xx						AEC to DPP	pending
D37	NSW16	Grayndler	safe ALP	inner metro	x			x			AFP rejected	NFA
D38	NSW33*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
D39	NSW40*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
D40	NSW44*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
D41	NSW72*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
D42	NSW74*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
D43	NSW76*	Grayndler	safe ALP	inner metro	x			x			AFP rejected	NFA
D44	NSW80*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
D45	NSW84*	Grayndler	safe ALP	inner metro	xx						AFP rejected	NFA
Case	Suspect	NSW	Seat	Demographic	Suspected Dual Votes				Investigation	Result		

No	ID	Division	Status	Rating	Ord	Post	PreP	Abs	Prov		
D46	NSW105*	Grayndler	safe ALP	inner metro	x				x	AFP rejected	NFA
D47	NSW106*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D48	NSW108*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D49	NSW109*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D50	NSW120*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D51	NSW121*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D52	NSW138*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D53	NSW151*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D54	NSW155*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D55	NSW156*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D56	NSW158*	Grayndler	safe ALP	inner metro	xx					AFP rejected	NFA
D57	NSW165*	Grayndler	safe ALP	inner metro	x			x		AFP rejected	NFA
D58	NSW173*	Grayndler	safe ALP	inner metro	x	x				AEC to DPP	pending
D59	NSW186	Grayndler	safe ALP	inner metro	xx					AEC to DPP	pending
D60	NSW187*	Grayndler	safe ALP	inner metro			xx			AEC to DPP	pending
D61	NSW49	Greenway	marg ALP	outer metro	xx					AFP rejected	NFA
Case	Suspect	NSW	Seat	Demographic	Suspected Dual Votes				Investigation	Result	

No	ID	Division	Status	Rating	Ord	Post	PreP	Abs	Prov		
D62	NSW55	Greenway	marg ALP	outer metro	xx					AFP rejected	NFA
D63	NSW58*	Greenway	marg ALP	outer metro	xx					AFP rejected	NFA
D64	NSW59*	Greenway	marg ALP	outer metro	xx					AFP rejected	NFA
D65	NSW86	Greenway	marg ALP	outer metro	xx					AFP rejected	NFA
D66	NSW114*	Greenway	marg ALP	outer metro	x			x		AFP rejected	NFA
D67	NSW119	Greenway	marg ALP	outer metro	x			x		AFP rejected	NFA
D68	NSW160	Greenway	marg ALP	outer metro	x	x				AFP rejected	NFA
D69	NSW169	Greenway	marg ALP	outer metro	xx					AFP rejected	NFA
D70	NSW60	Hume	safe NP	rural			x			AFP rejected	NFA
D71	NSW122	Hume	safe NP	rural	xx					AFP rejected	NFA
D72	NSW174	Lindsay#	marg LP	outer metro	xx					AEC to DPP	pending
D73	NSW192	Lindsay#	marg LP	outer metro	xx					AEC to DPP	pending
D74	NSW193*	Lowe#	marg LP	inner metro				xx		AEC to DPP	pending
D75	NSW177*	Lowe#	marg LP	inner metro	x	x				AEC to DPP	pending
D76	NSW178*	Lowe#	marg LP	inner metro	x	x				AEC to DPP	pending
D77	NSW57	Lyne	safe NP	rural				xx		AFP rejected	NFA
Case	Suspect	NSW	Seat	Demographic	Suspected Dual Votes			Investigation	Result		

No	ID	Division	Status	Rating	Ord	Post	PreP	Abs	Prov		
D78	NSW126	Lyne	safe NP	rural		x	x		AFP rejected		NFA
D79	NSW166	Macquarie	fairly safe LP	outer metro	xx				AFP rejected		NFA
D80	NSW188	Macquarie	fairly safe LP	outer metro	x		x		AEC to DPP		pending
D81	NSW1*	Mitchell	safe LP	outer metro	xx				AFP NFA		NFA
D82	NSW30*	Mitchell	safe LP	outer metro	x			x	AFP NFA		NFA
D83	NSW65	Mitchell	safe LP	outer metro	xx				AFP NFA		NFA
D84	NSW85	Mitchell	safe LP	outer metro	x			x	AFP rejected		NFA
D85	NSW101	Mitchell	safe LP	outer metro	x			x	AFP rejected		NFA
D86	NSW124*	Mitchell	safe LP	outer metro	xx				AFP rejected		NFA
D87	NSW134	Newcastle	safe ALP	provincial	x			x	AFP rejected		NFA
D88	NSW112*	North Sydney#	safe LP	inner metro					xx	AFP rejected	NFA
D89	NSW133*	North Sydney#	safe LP	inner metro	x		x		AFP rejected		NFA
D90	NSW176	Page#	marg NP	rural		x	x		AEC to DPP		pending
D91	NSW11	Parkes	fairly safe NP	rural		xx			AFP rejected		NFA
D92	NSW181	Parkes	fairly safe NP	rural	xx				AEC to DPP		pending
D93	NSW182	Parkes	fairly safe NP	rural	xx				AEC to DPP		pending
Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes				Investigation	Result	
					Ord	Post	PreP	Abs	Prov		

D94	NSW94*	Parramatta#	marg LP	inner metro	x			x		AFP rejected	NFA
D95	NSW154*	Parramatta#	marg LP	inner metro	xx					AFP NFA	NFA
D96	NSW191*	Paterson#	marg LP	rural	x		x			AEC to DPP	pending
D97	NSW2*	Prospect	safe ALP	outer metro			x	x		AFP rejected	NFA
D98	NSW19*	Prospect	safe ALP	outer metro	x		x			AFP rejected	NFA
D99	NSW46	Prospect	safe ALP	outer metro	xx					AFP rejected	NFA
D100	NSW69*	Prospect	safe ALP	outer metro	x			x		AFP rejected	NFA
D101	NSW179*	Prospect	safe ALP	outer metro	x			x		AEC to DPP	pending
D102	NSW183*	Prospect	safe ALP	outer metro	x	x				AEC to DPP	pending
D103	NSW184*	Prospect	safe ALP	outer metro	x	x				AEC to DPP	pending
D104	NSW185*	Prospect	safe ALP	outer metro	x	x				AEC to DPP	pending
D105	NSW79*	Reid	safe ALP	inner metro			xx			AFP rejected	NFA
D106	NSW45	Robertson#	marg LP	provincial			x	x		AFP rejected	NFA
D107	NSW83	Robertson#	marg LP	provincial	xx					AFP rejected	NFA
D108	NSW123	Robertson#	marg LP	provincial	xx					AFP rejected	NFA
D109	NSW161	Shortland	fairly safe ALP	provincial	xx					AFP rejected	NFA
Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		

D110	NSW9	Sydney	safe ALP	inner metro	x			x		AFP rejected	NFA
D111	NSW13*	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D112	NSW22	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D113	NSW56	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D114	NSW63	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D115	NSW96*	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D116	NSW98	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D117	NSW104*	Sydney	safe ALP	inner metro	x			x		AFP rejected	NFA
D118	NSW127	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D119	NSW131	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D120	NSW150*	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D121	NSW152*	Sydney	safe ALP	inner metro	xx					AFP rejected	NFA
D122	NSW159	Sydney	safe ALP	inner metro	x				x	AFP rejected	NFA
D123	Sydney	safe ALP	inner metro	NSW171*	xx					AFP rejected	NFA
D124	NSW34*	Throsby	safe ALP	provincial	x			x		AFP rejected	NFA
D125	NSW162	Throsby	safe ALP	provincial		x		x		AFP rejected	NFA

Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		

D126	NSW10	Wentworth	fairly safe LP	inner metro		x	x		AFP rejected	NFA
D127	NSW31	Wentworth	fairly safe LP	inner metro	xx				AFP rejected	NFA
D128	NSW50	Wentworth	fairly safe LP	inner metro		x	x		AFP rejected	NFA
D129	NSW66	Wentworth	fairly safe LP	inner metro	xx				AFP rejected	NFA
D130	NSW71	Wentworth	fairly safe LP	inner metro	xx				AFP rejected	NFA
D131	NSW132*	Wentworth	fairly safe LP	inner metro	xx				AFP rejected	NFA
D132	NSW18	Werriwa	fairly safe ALP	outer metro	xx				AFP rejected	NFA
D133	NSW21	Werriwa	fairly safe ALP	outer metro	xx				AFP rejected	NFA
D134	NSW26*	Werriwa	fairly safe ALP	outer metro	xx				AFP rejected	NFA
D135	NSW130	Werriwa	fairly safe ALP	outer metro	x			x	AFP rejected	NFA
D136	NSW142*	Werriwa	fairly safe ALP	outer metro	x			x	AFP rejected	NFA
D137	NSW153*	Werriwa	fairly safe ALP	outer metro	x			x	AFP rejected	NFA

Victoria - Dual Voting

Case No	Suspect ID	Victorian Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D138	Vic76	Ballarat	marg LP	provincial		x		x		AFP rejected	NFA
D139	Vic71*	Ballarat	marg LP	provincial	x			x		AFP rejected	NFA
D140	Vic7*	Batman	safe ALP	inner metro	xx					AFP rejected	NFA
D141	Vic12*	Batman	safe ALP	inner metro	xx					AFP rejected	NFA
D142	Vic31*	Batman	safe ALP	inner metro	x			x		AFP rejected	NFA
D143	Vic44	Batman	safe ALP	inner metro	xx					AFP rejected	NFA
D144	Vic67*	Batman	safe ALP	inner metro	xx					AFP rejected	NFA
D145	Vic29	Bendigo	marg LP	provincial			xx			AFP rejected	NFA
D146	Vic32*	Bendigo	marg LP	provincial	xx					AFP rejected	NFA
D147	Vic39	Bendigo	marg LP	provincial			xx			AFP rejected	NFA
D148	Vic42	Bendigo	marg LP	provincial		xx				AFP rejected	NFA
D149	Vic26*	Bruce#	marg ALP	outer metro	xx					AFP rejected	NFA
D150	Vic30*	Bruce#	marg ALP	outer metro		x		x		AFP rejected	NFA
D151	Vic40*	Bruce#	marg ALP	outer metro	xx					AFP rejected	NFA
D152	Vic41*	Bruce#	marg ALP	outer metro	xx					AFP rejected	NFA

Case No	Suspect ID	Victorian Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D153	Vic45*	Bruce#	marg ALP	outer metro	xx					AFP rejected	NFA
D154	Vic3*	Calwell	safe ALP	outer metro	x			x		AFP rejected	NFA
D155	Vic25*	Calwell	safe ALP	outer metro	xx					AFP rejected	NFA
D156	Vic34*	Calwell	safe ALP	outer metro	xx					AFP rejected	NFA
D157	Vic66*	Calwell	safe ALP	outer metro	x	x				AFP rejected	NFA
D158	Vic63*	Casey	fairly safe LP	outer metro		x	x			AFP rejected	NFA
D159	Vic5*	Corio	fairly safe ALP	provincial	xx					AFP rejected	NFA
D160	Vic58	Deakin	marg LP	outer metro	x		x			AFP rejected	NFA
D161	Vic55*	Deakin	marg LP	outer metro	xx					AFP rejected	NFA
D162	Vic11	Gellibrand	safe ALP	inner metro	x			x		AFP rejected	NFA
D163	Vic28*	Gellibrand	safe ALP	inner metro	x		x			AFP rejected	NFA
D164	Vic43*	Gellibrand	safe ALP	inner metro	xx					AFP rejected	NFA
D165	Vic50*	Gellibrand	safe ALP	inner metro		x	x			AFP rejected	NFA
D166	Vic61*	Gellibrand	safe ALP	inner metro	xx					AFP rejected	NFA
D167	Vic79*	Goldstein	safe ALP	inner metro	xx					AFP rejected	NFA
D168	Vic36*	Goldstein	safe ALP	inner metro	xx					AFP rejected	NFA
Case	Suspect	Victorian	Seat	Demographic	Suspected Dual Votes					Investigation	Result

No	ID	Division	Status	Rating	Ord	Post	PreP	Abs	Prov	Investigation	Result
D169	Vic16	Hotham	safe ALP	outer metro	x				x	AFP rejected	NFA
D170	Vic46*	Hotham	safe ALP	outer metro	x			x		AFP rejected	NFA
D171	Vic68	Hotham	safe ALP	outer metro	xx					AFP rejected	NFA
D172	Vic73*	Hotham	safe ALP	outer metro	xx					AFP rejected	NFA
D173	Vic75*	Hotham	safe ALP	outer metro	x			x		AFP rejected	NFA
D174	Vic77	Hotham	safe ALP	outer metro	xx					AFP rejected	NFA
D175	Vic60	Isaacs#	marg ALP	outer metro		x	x			AFP rejected	NFA
D176	Vic4*	Jagajaga	marg ALP	outer metro	xx					AFP rejected	NFA
D177	Vic21	Jagajaga	marg ALP	outer metro	x			x		AFP rejected	NFA
D178	Vic27*	Jagajaga	marg ALP	outer metro	xx					AFP rejected	NFA
D179	Vic22	Kooyong	safe LP	inner metro	x			x		AFP rejected	NFA
D180	Vic38*	Kooyong	safe LP	inner metro	xx					AFP rejected	NFA
D181	Vic62*	Kooyong	safe LP	inner metro	x		x			AFP rejected	NFA
D182	Vic64	Kooyong	safe LP	inner metro	xx					AFP rejected	NFA
D183	Vic35*	Lalor	safe ALP	outer metro	xx					AFP rejected	NFA
D184	Vic37*	Lalor	safe ALP	outer metro	xx					AFP rejected	NFA
Case No	Suspect ID	Victorian Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		

D185	Vic17	La Trobe	marg LP	outer metro			x	x		AFP rejected	NFA
D186	Vic2*	Mallee	safe NPrural					xx		AFP rejected	NFA
D187	Vic24*	Mallee	safe NPrural		x	x				AFP rejected	NFA
D188	Vic54	Mallee	safe NPrural		x	x				AFP rejected	NFA
D189	Vic8*	Maribyrnong	safe ALP	outer metro		x		x		AFP rejected	NFA
D190	Vic69*	Maribyrnong	safe ALP	outer metro		xx				AFP rejected	NFA
D191	Vic9*	Melbourne	safe ALP	inner metro		x		x		AFP rejected	NFA
D192	Vic20	Melbourne	safe ALP	inner metro		x		x		AFP rejected	NFA
D193	Vic33*	Melbourne	safe ALP	inner metro		xx				AFP rejected	NFA
D194	Vic47*	Melbourne	safe ALP	inner metro		xx				AFP rejected	NFA
D195	Vic72*	Melbourne	safe ALP	inner metro		xx				AFP rejected	NFA
D196	Vic14	Melb Ports	fairly safe ALP	inner metro		xx				AFP rejected	NFA
D197	Vic18	Melb Ports	fairly safe ALP	inner metro		x			x	AFP rejected	NFA
D198	Vic57*	Melb Ports	fairly safe ALP	inner metro		xx				AFP rejected	NFA
D199	Vic59	Melb Ports	fairly safe ALP	inner metro		x			x	AFP rejected	NFA
D200	Vic13	Menzies	safe LP	outer metro			x	x		AFP rejected	NFA
Case No	Suspect ID	Victorian Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		

D201	Vic53	Menzies	safe LP	outer metro	xx			AFP rejected	NFA
D202	Vic65*	Menzies	safe LP	outer metro	xx			AFP rejected	NFA
D203	Vic19*	Scullin	safe ALP	outer metro	xx			AFP rejected	NFA
D204	Vic70*	Scullin	safe ALP	outer metro	xx			AFP rejected	NFA
D205	Vic78	Wills#	marg ALP	inner metro	x		x	AFP rejected	NFA
D206	Vic1*	Wills#	marg ALP	inner metro	xx			AFP rejected	NFA
D207	Vic6*	Wills#	marg ALP	inner metro	xx			AFP rejected	NFA
D208	Vic10*	Wills#	marg ALP	inner metro	x		x	AFP rejected	NFA
D209	Vic15	Wills#	marg ALP	inner metro	x		x	AFP rejected	NFA
D210	Vic23*	Wills#	marg ALP	inner metro	xx			AFP rejected	NFA
D211	Vic48*	Wills#	marg ALP	inner metro	xx			AFP rejected	NFA
D212	Vic49*	Wills#	marg ALP	inner metro	x		x	AFP rejected	NFA
D213	Vic51*	Wills#	marg ALP	inner metro	x		x	AFP rejected	NFA
D214	Vic56*	Wills#	marg ALP	inner metro	xx			AFP rejected	NFA
D215	Vic74*	Wills#	marg ALP	inner metro	xx			AFP rejected	NFA

Queensland - Dual Voting

Case No	Suspect ID	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D216	Qld4	Capricornia#	marg NP	provincial	x	x				AFP rejected	NFA
D217	Qld8	Herbert#	fairly safe LP	provincial	x		x			AFP rejected	NFA
D218	QLD2	Leichhardt#	marg LP	rural	xx					AFP elector denied	NFA
D219	Qld6	Leichhardt#	marg LP	rural	xx					AFP elector denied	NFA
D220	Qld9	Leichhardt#	marg LP	rural	x		x			AFP elector denied	NFA
D221	Qld13*	Leichhardt#	marg LP	rural	x		x			AFP elector denied	NFA
D222	Qld12	Lilley	marg LP	inner metro	xx					AFP NFA	NFA
D223	Qld10	Oxley	marg Ind	outer metro					xx	AFP rejected	NFA
D224	Qld3	Wide Bay	safe NP	rural	x	x				AFP actioned	pending

Western Australia - Dual Voting

Case No	Suspect ID	West Aust Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D225	WA2	Brand	marg ALP	provincial	xx					AFP elector denied	NFA
D226	WA3	Fremantle	marg ALP	provincial			x	x		AFP to DPP NFA	NFA

South Australia - Dual Voting

No cases of suspected dual voting have been found to date in South Australia

Tasmania - Dual Voting

No cases of suspected dual voting have been found to date in Tasmania

Northern Territory - Dual Voting

Case No	Suspect ID	North Terr Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D227	NT1	NT	marg CL	rural		x	x			AFP rejected	NFA

Australian Capital Territory - Dual Voting

Case No	Suspect ID	ACT Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
D228	ACT6	Canberra	fairly safe ALP	inner metro	xx					AFP elector denied	NFA
D229	ACT7*	Canberra	fairly safe ALP	inner metro	x		x			AFP NFA	NFA
D230	ACT10*	Canberra	fairly safe ALP	inner metro	x			x		AFP NFA	NFA
D231	ACT3	Fraser	fairly safe ALP	inner metro	xx					AFP actioned	pending
D232	ACT4	Fraser	fairly safe ALP	inner metro	xx					AFP elector denied	NFA
D233	ACT12*	Fraser	fairly safe ALP	inner metro	x		x			AEC to DPP	NFA
D234	ACT13*	Fraser	fairly safe ALP	inner metro	x		x			AEC to DPP	NFA
D235	ACT1	Namadgi	marg ALP	inner metro	x		x			AFP elector denied	NFA
D236	ACT2	Namadgi	marg ALP	inner metro	x		x			AFP elector denied	NFA
D237	ACT8*	Namadgi	marg ALP	inner metro	xx					AFP actioned	pending
D238	ACT9	Namadgi	marg ALP	inner metro	x		x			AFP elector denied	NFA
D239	ACT11	Namadgi	marg ALP	inner metro			x	x		AEC to DPP	NFA

Divisions which changed political representation at the 1996 federal election

* Non-anglo surnames

Table 3: 1996 Federal Election - Summary - Suspected Dual Voters

State/ Terr	Dual Voters	Non- Anglo	Dual Ordinary	Dual Postal	Dual Pre-poll	Dual Absent	Dual Prov	AFP reject	Elector denied
NSW	137	79	71	2	1	1	3	112	0
Vic	78	54	42	1	2	0	1	78	0
Qld	9	1	3	0	0	1	0	3	4
WA	2	0	1	0	0	0	0	0	1
NT	1	0	0	0	0	0	0	1	0
ACT	12	5	4	0	0	0	0	0	0
Total	239	139	121	3	3	2	4	194	5

Table 4: 1996 Federal Election: Suspected Multiple Voting Report as at 31 January 1997

New South Wales - Multiple Voting

Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Multiple Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
M1	NSW15	Banks	marg ALP	inner metro	x6					AFP elector denied	NFA
M2	NSW25	Banks	marg ALP	inner metro	x6					AFP elector denied	NFA
M3	NSW110	Banks	marg ALP	inner metro	x4					AFP elector denied	NFA
M4	NSW148	Banks	marg ALP	inner metro	x3					AFP elector denied	NFA
M5	NSW29	Barton	marg ALP	inner metro	x4					AFP elector denied	NFA
M6	NSW163	Bradfield	safe LP	inner metro	x3					AFP elector denied	NFA
M7	NSW35	Calare#	safe Indrural			x3				AFP elector denied	NFA
M8	NSW93	Calare#	safe Indrural			x6				AFP elector denied	NFA
M9	NSW4	Chifley	safe ALP	outer metro	xx			x		AFP rejected	NFA
M10	NSW14	Chifley	safe ALP	outer metro	x3					AFP elector denied	NFA
M11	NSW190	King-Smith	safe ALP	inner metro	x3					AEC to DPP	pending
M12	NSW52	Dobell	marg ALP	provincial	x3					AFP elector denied	NFA
M13	NSW137	Dobell	marg ALP	provincial	x3					AFP elector denied	NFA
M14	NSW23	Gilmore#	fairly safe LP	rural	x3					AFP elector denied	NFA

Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Multiple Votes				Prov	Investigation	Result
					Ord	Post	PreP	Abs			
M15	NSW129	Grayndler	safe ALP	inner metro	x3				AFP NFA	NFA	
M16	NSW146	Grayndler	safe ALP	inner metro	x3				AFP elector denied	NFA	
M17	NSW77	Greenway	marg ALP	outer metro	x8				AFP elector denied	NFA	
M18	NSW135	Hughes#	marg LP	outer metro	x3				AFP elector denied	NFA	
M19	NSW147	Hunter	fairly safe ALP	rural	x3				AFP elector denied	NFA	
M20	NSW7	King-Smith	safe ALP	inner metro	x3				AFP elector denied	NFA	
M21	NSW73	King-Smith	safe ALP	inner metro	x4				AFP elector denied	NFA	
M22	NSW136	King-Smith	safe ALP	inner metro	x3				AFP DPP	convicted	
M23	NSW170	King-Smith	safe ALP	inner metro	x			xx	AFP NFA	NFA	
M24	NSW17	Lowe#	marg LP	inner metro	x3				AFP rejected	NFA	
M25	NSW47	Lowe#	marg LP	inner metro	x3				AFP NFA	NFA	
M26	NSW54	Lowe#	marg LP	inner metro	x4				AFP elector denied	NFA	
M27	NSW70	Lowe#	marg LP	inner metro	x4				AFP elector denied	NFA	
M28	NSW88	Lowe#	marg LP	inner metro	x5				AFP elector denied	NFA	
M29	NSW89	Lowe#	marg LP	inner metro	x5				AFP elector denied	NFA	
M30	NSW168	Lowe#	marg LP	inner metro	x3				AFP elector denied	NFA	
Case	Suspect	NSW	Seat	Demographic	Suspected Multiple Votes				Investigation	Result	

No	ID	Division	Status	Rating	Ord	Post	PreP	Abs	Prov		
M31	NSW82	Macarthur#	safe LP	rural				x3		AFP DPP	convicted
M32	NSW95	Macarthur#	safe LP	rural	x3					AFP NFA	NFA
M33	NSW180	Macarthur#	safe LP	rural	xx	x				AEC to DPP	pending
M34	NSW36	Mackellar	safe LP	outer metro	x26		x			AFP elector denied	NFA
M35	NSW92	Mackellar	safe LP	outer metro	x4					AFP to DPP	pending
M36	NSW8	Macquarie#	fairly safe LP	outer metro	x5					AFP NFA	NFA
M37	NSW167	Macquarie#	fairly safe LP	outer metro	x4					AFP DPP	convicted
M38	NSW118	Parkes	fairly safe NP	rural	x3					AFP elector denied	NFA
M39	NSW27	Parramatta#	marg LP	inner metro	x6					AFP NFA	NFA
M40	NSW143	Parramatta#	marg LP	inner metro	x3					AFP elector denied	NFA
M41	NSW144	Parramatta#	marg LP	inner metro	x3					AFP elector denied	NFA
M42	NSW6	Prospect	safe ALP	outer metro	x3					AFP elector denied	NFA
M43	NSW37	Prospect	safe ALP	outer metro	x4					AFP elector denied	NFA
M44	NSW140	Prospect	safe ALP	outer metro	x3					AFP NFA	NFA
M45	NSW141	Prospect	safe ALP	outer metro	x3					AFP NFA	NFA

Case No	Suspect ID	NSW Division	Seat Status	Demographic Rating	Suspected Multiple Votes				Prov	Investigation	Result
					Ord	Post	PreP	Abs			

M46	NSW53	Reid	safe ALP	inner metro	x3	AFP elector denied	NFA
M47	NSW139	Reid	safe ALP	inner metro	x4	AFP elector denied	NFA
M48	NSW5	Richmond#	fairly safe NP	rural	x6	AFP elector denied	NFA
M49	NSW68	Richmond#	fairly safe NP	rural	x3	AFP NFA	NFA
M50	NSW100	Robertson#	marg LP	provincial	x4	AFP elector denied	NFA
M51	NSW64	Sydney	safe ALP	inner metro	x3	AFP elector denied	NFA
M52	NSW24	Warringah	safe LP	inner metro	x9	AFP elector denied	NFA
M53	NSW61	Warringah	safe LP	inner metro	x3	AFP elector denied	NFA
M54	NSW103	Warringah	safe LP	inner metro	x3	AFP elector denied	NFA
M55	NSW75	Wentworth	fairly safe LP	inner metro	x3	AFP elector denied	NFA
M56	NSW90	Wentworth	fairly safe LP	inner metro	x3	AFP elector denied	NFA

Victoria - Multiple Voting

Case No	Suspect ID	Victorian Division	Seat Status	Demographic Rating	Suspected Multiple Votes				Prov	Investigation	Result
					Ord	Post	PreP	Abs			
M57	Vic52	Wills#	marg ALP	inner metro	x3				AFP rejected	NFA	

Queensland - Multiple Voting

Case No	Suspect ID	Queensland Division	Seat Status	Demographic Rating	Suspected Multiple Votes				Prov	Investigation	Result
					Ord	Post	PreP	Abs			
M58	Qld1	Brisbane	marg ALP	inner metro	x4				AFP elector denied	NFA	
M59	Qld5	Maranoa	safe NP	rural	x		xx		AFP rejected	NFA	
M60	Qld7	Brisbane	marg ALP	inner metro	x8				AFP elector denied	NFA	
M61	Qld11	Rankin	marg ALP	outer metro	x3				AFP elector denied	NFA	

Western Australia - Multiple Voting

Case No	Suspect ID	West Aust Division	Seat Status	Demographic Rating	Suspected Multiple Votes				Prov	Investigation	Result
					Ord	Post	PreP	Abs			
M62	WA1	Canning	marg LP	outer metro	x3				AFP elector denied	NFA	

South Australia - Multiple Voting

No cases of suspected multiple voting have been found to date in South Australia

Tasmania - Multiple Voting

No cases of suspected multiple voting have been found to date in Tasmania

Northern Territory - Multiple Voting

No cases of suspected multiple voting have been found to date in the Northern Territory

Australian Capital Territory - Multiple Voting

Case No	Suspect ID	ACT Division	Seat Status	Demographic Rating	Suspected Multiple Votes					Investigation	Result
					Ord	Post	PreP	Abs	Prov		
M63	ACT5	Namadgi	marg ALP	inner metro	x3					AFP NFA	NFA

Divisions which changed political party at the 1996 federal election

Table 5: 1996 Federal Election - Summary - Suspected Multiple Voters

State/ Terr	Multiple voters	Sydney Metro	Multiple Ordinary	Multiple Postal	Multiple Pre-poll	Multiple Absent	Multiple Prov	AFP reject	Elector denied
NSW	56	43	54	0	0	2	0	2	39
Vic	1	0	1	0	0	0	0	1	0
Qld	4	0	3	0	0	1	0	1	3
WA	1	0	1	0	0	0	0	0	1
NT	0	0	0	0	0	0	0	0	0
ACT	1	0	1	0	0	0	0	0	0
Total	63	43	60	0	0	3	0	4	43