

Australian Electoral Commission

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

DUAL AND MULTIPLE VOTING

Canberra

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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 1998 Federal Election", as advertised on 23 January 1999 in all major national newspapers. It is supplementary to previous AEC submissions:

- submission No 88 entitled "The Conduct of the 1998 Federal Election", of 12 March 1999 (volume 3);
- submission No 159, entitled "The Admissibility of Provisional Votes", of 23 March 1999 (volume 4);
- submission No 176, entitled "AEC Responses to other Submissions and to Hearings", of 4 May 1999 (volume 7);
- submission No 210, entitled "Further AEC Responses to other Submissions and to Hearings", of 23 July 1999 (volume 10); and
- submission No 232, entitled "Petitions to the Court of Disputed Returns", of 28 September 1999 (not yet bound).

1.2 As for previous JSCEM inquiries, the AEC is providing the JSCEM with the latest statistics on dual and multiple voting investigations and prosecutions as soon as such statistics are available at a meaningful level. The information provided in this submission is correct to 3 October 1999, but the results may continue to change over time as court proceedings are completed and more information becomes available following investigations and referrals.

1.3 Under section 339(1A) of the Electoral Act and section 130(1A) of the Referendum Act, it is an offence to vote more than once at the same election or referendum. The penalty for the offence is 10 penalty units, which under section 4AA of the *Crimes Act 1914* is equivalent to \$1,100. The *Electoral and Referendum Amendment Act 1998* amended the Electoral Act and the Referendum Act to provide in sections 339(1B) and 130(1B) respectively that it is now a strict liability offence to vote more than once at the same election or referendum.

1.4 Prosecutions for multiple voting in relation to the 1998 federal election cannot be commenced in the courts after 3 October 1999, one year after polling day for the election, under the limitation provided in section 15B(1) of the *Crimes Act 1914* for the prosecution of offences that carry less than a maximum penalty of 6 months imprisonment.

1.5 In this submission the AEC has made one recommendation for amendments to the *Commonwealth Electoral Act 1918* ("the Electoral Act") and the *Referendum (Machinery Provisions Act 1984* ("the Referendum Act"), which is additional to the 29 recommendations made in submission No 88, the one recommendation made in submission No 159, the five recommendations made in submission No 176, the three recommendations made in submission No 210, and the one recommendation made in submission No 232.

2. Overview

2.1 Multiple voting is taken very seriously by the AEC, if only because any concentration of such activity in a single House of Representatives Division, sufficient to affect the result of the election, could well result in that election being voided by the Court of Disputed Returns. Further, if enough Divisions, particularly marginal Divisions, were targeted for multiple voting, as part of a widespread and organised conspiracy, this could conceivably result in a change of government.

2.2 There are comprehensive checks and balances in the Electoral Act, and in AEC administrative procedures, that ensure that instances of multiple voting are detectable. Individual cases of multiple voting are prosecuted after every federal election, but there is no evidence that the result in any federal election since the establishment of the AEC in 1984 has been compromised by widespread and organised fraudulent enrolment and voting, despite the claims to the contrary made by critics of the federal electoral system.

2.3 The evidence from the 1998 federal election demonstrates that there was no widespread and organised attempt to defraud the federal electoral system by multiple voting. Those instances of multiple voting that did occur show no pattern of concentration in any Division, marginal or otherwise, and the level of multiple voting was not sufficient to have overturned the result in any Division in Australia.

2.4 As for previous inquiries, this JSCEM has received a number of submissions claiming that the federal electoral system is subject, either actually or potentially, to a widespread and organised conspiracy to defraud the results of elections (see for example submissions No 161 and No 164, and oral evidence of 14 May 1999). The AEC has responded to these submissions in part 10 of submission No 88, in part 40 of submission No 176, and in parts 3 and 46 of submission No 210.

2.5 As at past elections, these criticisms have been widely canvassed by on talk-back radio in metropolitan Sydney, in particular, where it is suggested that federal elections are compromised by multiple voting, thereby raising doubts about the legitimacy of government. The AEC has raised with previous JSCEMs the impact of talk-back radio in this regard (see AEC submission No 107 of 14 September 1993 and paragraph 9.6 of AEC submission No 129 of 7 February 1997 also at **Attachment 1**) and again observes that the periodic broadcasting of such misleading information could contribute to a decline in public confidence in the federal electoral system.

3. Detection and Prosecution of Dual and Multiple Voters

3.1 The procedures in place for the detection and prosecution of multiple voters are described in detail in the AEC publication, Electoral Backgrounder No 9, entitled "Multiple Voting", which was distributed to all candidates and registered political parties prior to the 1998 federal election, and is available in hard copy from all AEC Offices, and in electronic format on the AEC Internet site at www.aec.gov.au.

3.2 During the election period, identical copies of the Certified Lists of Voters for a Division are issued by the Electoral Commissioner to the relevant Divisional Returning Officer, who in turn supplies these lists to every issuing point at every polling booth for the 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 ballot papers.

3.3 If that elector then goes to another issuing point to cast another ordinary vote, either at the same polling booth later in the day or at a different polling booth, or casts a declaration vote, the result will be that another copy of the Certified List for that Division will be marked to signify that that person has been issued with ballot papers.

3.4 Immediately following polling day, each identical Certified List of Voters for each Division is scanned by computer to read the marks against the names on the Lists, in order to generate Divisional scanning reports of multiple marks against names, and reports of no marks against names, together with details identifying the issuing location of the Certified Lists. Another part of the scanning process detects errors, that have been notified by polling officials at the polling place, using the special clock marks for this purpose at the top of each page of the Lists.

3.5 Divisional staff firstly make a manual check of the scanning reports for their Divisions against the original Certified Lists. In this first round of checking and balancing 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.

3.6 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 indicating an error in marking off a name. In cases where a declaration vote is involved, checking may reveal 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.

3.7 The Divisional Returning Officer then proceeds to investigate the multiple marks that remain after the first two levels of manual checking by Divisional staff of the scanning reports against the original Certified Lists of Voters. 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 responses from apparent dual voters with those of apparent non-voters.

3.8 Many electors, or their close friends or family, provide a reason for casting more than one vote, that does not indicate any deliberate attempt to defraud the system. Such explanations might include elderly and confused electors who had forgotten that they had already voted by post and subsequently voted again at a polling booth on polling day. Other reasons may include language or literacy difficulties for those whose first language is not English.

3.9 Where there is no reasonable explanation for an elector casting more than one vote, then such cases are referred by the DROs to the Australian Electoral Officer (AEO) for the State/Territory for further consideration. A warning letter may be sent to some electors, informing them of the correct procedures and the penalties for voting more than once, and the matter is taken no further.

3.10 Other cases are referred by the AEO to the Australian Federal Police (AFP) for investigation. It is these final cases that remain after the elimination of accidental marking of the Certified Lists, polling official error in marking the Certified Lists, and instances where it has been decided that the matter should not be taken any further, that are of primary interest when examining the possibility of widespread and organised electoral fraud sufficient to affect the result in any Division.

3.11 Where a possible breach of the Act comes to the attention of the AEC, the matter may be referred to the AFP for investigation, and a brief of evidence may be referred to the Commonwealth Director of Public Prosecutions (DPP) for advice on whether a prosecution against the alleged offender should be instituted in accordance with the *Prosecution Policy of the Commonwealth*.

3.12 Because of the secrecy of the ballot, any multiple votes that may have been cast at an election must stay in the count. To many critics of the federal electoral system, such as Dr McGrath, the H S Chapman Society, Mr Alan Jones and Mr Brian Wilshire, this is of considerable concern because this apparently allows a fraudulent result to stand unresolved.

3.13 The H S Chapman Society therefore advocates the adoption of a system operating in the United Kingdom known as “limited vote tracing” (which is currently recommended for repeal in that country). This has already been addressed by the AEC in part 10.3 of AEC submission No 88, which is reproduced in this submission at **Attachment 2**. However, such critics appear to fail to understand or appreciate that there is an appropriate remedy under the Electoral Act if the result of the election were to be affected by the inclusion of multiple votes in the counting of ballot papers.

3.14 As explained in part 46 of AEC submission No 201, immediately following each electoral event, the Australian Electoral Officers in each of the States/Territory actively review all relevant information, such as polling booth reports, and statistical data arising from the election, particularly in marginal Divisions, to determine whether any electoral fraud is indicated, sufficient to have affected the result of any election. If such irregularities are discovered, the AEC is empowered to petition the Court of Disputed Returns under section 357 of the Electoral Act to seek an appropriate remedy. (The AEC petitioned the Federal Court under a similar provision after the 1993 ATSI election, when the AEC discovered inadvertent mishandling of declaration votes by polling officials in five electorates, to a degree sufficient to have affected the results.)

3.15 Section 355(e) of the Electoral Act provides that petitions disputing an election must be filed with the High Court within 40 days of the return of the writ for the election. The AEC takes very seriously its public responsibility to review any indicative evidence of electoral fraud in this time frame, and any person who believes that electoral fraud might have occurred in a particular Division is entitled to raise their concerns with the AEC in the first instance, for prompt investigation (see for example, part 10.2 in submission No 88).

3.16 Assuming that evidence of electoral fraud is uncovered by the AEC, sufficient to have affected an election result, then a petition to the Court will be considered by the Commission, within the terms of section 362 of the Electoral Act. The Court is then empowered to examine any evidence of illegal practices (such as multiple voting) and make appropriate orders for relief or remedy, which might include voiding the election and ordering a fresh election (for the House of Representatives) or a recount (for the Senate).

3.17 On the other hand, if the number of suspected multiple votes in an election does not exceed the winning margin, and therefore would not change the result, then there is no further action required, beyond identifying, investigating, and prosecuting the perpetrators, with the assistance and advice of the AFP and the DPP.

4. Joint Standing Committee on Electoral Matters

4.1 Every JSCEM inquiry into the conduct of federal elections, since the AEC was established in 1984, has concluded that there has been no widespread and organised attempt to defraud the federal electoral system, that instances of multiple voting that do occur show no pattern of concentration in any House of Representatives Division, marginal or otherwise, and that the level of fraud is not sufficient to have overturned the result in any Division in Australia.

4.2 For example, in investigating the conduct of the 1984 federal election, the JSCEM reviewed the statistics on 'dual voting/personation' and noted in Report No 2 of December 1986 that although there was an increase in numbers over the 1983 federal election, this was probably due to a higher detection rate as the result of improved administrative procedures flowing from the overall reforms to the electoral system of 1983/84.

4.3 In investigating the conduct of the 1987 federal election, the JSCEM concluded in Report No 3 of May 1989 that allegations of fraudulent enrolment and voting, such as cemetery voting, were characteristically supported only by insubstantial anecdotal information, and no compelling evidence of widespread and organised fraud was available. It was also reported that public awareness of multiple voting had probably been aroused by the widely-publicised prosecution of an individual who voted six times at the 1987 election, apparently in order to test the integrity of the electoral system.

4.4 In the same Report, the JSCEM again noted an increase in multiple voting statistics for the 1987 election and concluded that this was probably due to the introduction of computerised scanning of Certified Lists of Voters, leading to a further improvement in detection rates by the AEC. In examining possible methods that might be introduced to further inhibit multiple voting, such as computerised voting, enrolment and voter identification, locality voting, and increased penalties, the JSCEM concluded that most of these methods would increase costs and inconvenience for the vast majority of voters. However, the JSCEM did recommend an increase in penalties for all electoral offences.

4.5 The Liberal Party and National Party members of this JSCEM dissented from the majority conclusion and recommended that the AEC be required to examine and report in detail on the introduction of a system of 'locational voting' similar to the precinct voting system in the United States.

4.6 In investigating the conduct of the 1990 federal election the JSCEM noted in the Report of December 1990 an increase in multiple voting statistics but again concluded that there was no factual data to substantiate allegations of widespread multiple voting, or to support allegations of cemetery voting. It was noted that with the tight security checks built into the AEC computerised scanning systems to detect multiple voting and cemetery voting it would be very difficult for fraudulent voting to escape detection by the AEC.

4.7 Following the 1993 federal election, the JSCEM examined the increase in multiple voting statistics and concluded in the Report of November 1994 that there was no pattern across Divisions that might indicate organised fraud. The JSCEM also examined allegations of cemetery voting and noted that there was no evidence to support a single possible case. The majority of the JSCEM concluded that:

In brief, all objective evidence indicates that fraud is not a significant occurrence and did not influence the result of the 1993 federal election. The Committee therefore believes that many of the proposed changes to enrolment and voting procedures should be judged critically in terms of their cost, administrative problems and inconvenience to voters....Therefore this report does not support several of the changes examined during the Inquiry, such as requiring proof of identity for enrolment and voting purposes, use of a 'voter card', closure of electoral rolls as soon as an election is called, or the re-introduction of subdivision voting....

4.8 The Liberal Party and National Party members of this JSCEM dissented from the majority conclusion on fraudulent enrolment and voting in the following way:

We believe that this conclusion is too complacent given the evidence to the Committee which indicates cases of multiple voting. We are also concerned that under existing procedures there are opportunities for irregular and incorrect enrolment.

4.9 The dissenters went on to recommend a requirement for proof of identity at enrolment, continuous roll review, re-introduction of subdivisional voting, a trial of voter cards at a by-election, and the involvement of other government departments and private enterprise in what is now commonly termed "data-matching".

4.10 Following a change of government at the 1996 federal election, the JSCEM again received allegations of fraudulent enrolment and voting, and concluded in the Report of June 1997:

The inquiry did not reveal improper enrolment or voting sufficient to affect any result at the election. However, it is unacceptable that the most fundamental transaction between a citizen and the government - the act of choosing the government at a democratic election - is subject to a far lower level of security than such lesser transactions as opening a bank account, applying for a passport, applying for a driver's licence or registering for social security benefits, to name but a few.

4.11 The JSCEM went on to recommend an array of electoral integrity measures including more stringent enrolment witnessing requirements, documentary proof of identity for enrolment, expanded matching of enrolment data, cross-checking of citizenship through naturalisation, close of rolls for new enrolments at the issue of the writ, and for transfer of enrolment on the third day after the issue of the writ, re-introduction of subdivisional voting, and amendment of the multiple voting offence.

4.12 The ALP members of this JSCEM dissented from the majority recommendations on fraudulent enrolment and voting in the following way:

The Committee has not been presented with any substantive evidence indicating the existence of electoral fraud. It has been limited to anecdote and hearsay.... Despite a dearth of evidence that alleged loopholes are being abused, there are, in the Majority Report, serious new moves to complicate enrolment. The outcome will be discouragement of prospective and past re-enrolling voters.

The Democrat member of this JSCEM also dissented from the recommendation to re-introduce subdivisinal voting.

4.13 The Government responded to the recommendations of the 1996 JSCEM with the *Electoral and Referendum Amendment Act 1998* which amended the Electoral Act to make multiple voting a strict liability offence, in the expectation that this would improve the rate of convictions for multiple voting (see later).

4.14 Further, the Government Response to the recommendations of the 1996 JSCEM in relation to improving electoral integrity, was the passage on 29 September 1999 of the Electoral and Referendum Amendment Bill [No 2] 1998. This Bill is currently awaiting Royal Assent, but the electoral integrity provisions will not come into force until Proclamation, which is likely by mid-2000, and the passage of detailed Regulations.

4.15 The electoral integrity measures proposed by the Bill include:

- revised enrolment procedures
- upgraded witnessing requirements for enrolment
- requirement for proof of identity and citizenship for new enrollees

5. Report on Suspected Dual Voting

5.1 The reporting of statistics in this submission follows the format that the AEC adopted in submission No 129 of 7 February 1997, on dual and multiple voting, to the previous JSCEM inquiry into the conduct of the 1996 federal election. Suspected dual voting and suspected multiple voting cases are reported separately because the AEC is of the view that in many cases the reasons for dual voting and multiple voting are categorically different. That is, most dual voting cases are not deliberate attempts to defraud the electoral system, and do not result in investigations or prosecutions. Critics of the electoral system who inflate multiple voting statistics by adding in the much larger dual voting statistics are providing a seriously misleading picture of the extent of deliberate fraudulent voting at federal elections.

5.2 The data presented in this submission starts at the point when the AEC has eliminated all official errors in the marking of the Certified Lists of Voters, including matching apparent non-voters with apparent dual voters, and has arrived at a list of actual suspects for further investigation.

5.3 **Table 1** in the Appendix shows each individual case of suspected dual voting at the 1998 federal election, including the electoral Division in which the case occurred, 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 (#).

5.4 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.

5.5 In addition, on the basis of anecdotal information that many cases of dual voting may be connected with old age and frailty, those electors who are aged 70 years or over are marked with a @ sign. It is recognised that many elderly voters value their right to vote very highly, so no adverse inference is intended by this identifying symbol. The age of 70 has been chosen because this is the age at which, under Victorian State electoral law, electors are no longer required to vote (which may have a flow-on impact at federal elections).

5.6 **Table 2** in the Appendix provides a summary of the information on the individual cases of suspected dual voting listed in Table 1 in the Appendix. The following information of interest is extracted.

- There were **966** cases of suspected dual voting detected by the AEC: 233 cases from NSW; 466 cases from Victoria; 248 cases from Queensland; five cases from Western Australia; eight cases from South Australia and six cases from the ACT.

- Of the 966 cases of suspected dual voting detected by the AEC nationally, the AFP was unable to accept 928 cases (**96%**). That is, the AFP was unable to accept for investigation 199 cases from NSW; 466 cases from Victoria; 248 cases from Queensland; one case from Western Australia; eight cases from South Australia and six cases from the ACT.
- Of the 966 cases of suspected dual voting detected by the AEC nationally, 385 cases (**40%**) involved two **ordinary** votes. Of the 233 NSW cases detected, 124 cases (**53%**) involved two ordinary votes; of the 466 Victorian cases detected, 128 cases (**27%**) involved two ordinary votes; of the 248 Queensland cases detected, 129 cases (**52%**) involved two ordinary votes.
- Of the total 966 cases of suspected dual voting detected by the AEC nationally, 545 cases (**56%**) involved electors with a non-Anglo surname, suggesting possible language/cultural difficulties. Of the 233 NSW cases detected, 171 cases (**73%**) involved electors with a non-Anglo surname; of the 466 Victorian cases detected, 292 cases (**63%**) involved electors with a non-Anglo surname; of the 248 Queensland cases detected, 76 cases (**31%**) involved electors with a non-Anglo surname.
- Of the 966 cases of suspected dual voting detected by the AEC nationally, only 121 (**13%**) involved electors 70 years or older at the time of the election. Of the 233 NSW cases detected, 5 cases (**2%**) were aged 70 or more; of the 466 Victorian cases detected, 55 cases (**12%**) were aged 70 or more; of the 248 Queensland cases detected, 60 cases (**24%**) were aged 70 or more. That is, there would not appear to be any significant positive correlation between dual voting and old age.

5.7 In summary, because of resource limitations, the AFP could not accept for investigation the majority of suspected dual voting cases detected by the AEC, and as a consequence the AEC was unable to take any further action. The administrative burden involved in assembling evidence sustainable in a court of law, including interviewing the many hundreds of detected dual voters, the majority of whom probably did not set out to defraud the system, and none of whom had any impact on the result of the election, is quite beyond the skills and resources of Divisional offices in the AEC.

5.8 It is notable that the total number of suspected dual voter cases detected by the AEC at the 1998 federal election (966) is nearly four times the number reported for the 1996 federal election (239). It could be concluded by some that this represents a massive increase in electoral fraud, but such a conclusion would be both incorrect and misleading. In fact, the increase is largely due to a change in the method of reporting the statistics derived at Divisional and State Head Office level that go to make up the national statistics.

5.9 Following the 1996 federal election, not all State Head Office reports included all cases of dual voting detected, only those that had some prospect of being accepted by the AFP for investigation. By contrast, for the 1998 federal election, this oversight has been corrected, and State Head Offices have reported all cases of suspected dual voting detected at the Divisional level (many of which were dealt with routinely by a warning letter), as well as those that were referred to the AFP for investigation (the bulk of which were rejected).

6. Report on Suspected Multiple Voting

6.1 The reporting of statistics in this submission follows the format that the AEC adopted in submission No 129 of 7 February 1997 on dual and multiple voting to the previous JSCEM inquiry into the conduct of the 1996 federal election. Suspected dual voting and suspected multiple voting cases are reported separately because the AEC is of the view that in many cases the reasons for dual voting and multiple voting are categorically different. That is, most dual voting cases are not deliberate attempts to defraud the electoral system, and do not result in investigations or prosecutions. Critics of the electoral system who inflate multiple voting statistics by adding in the much larger dual voting statistics are providing a seriously misleading picture of the extent of deliberate fraudulent voting at federal elections.

6.2 The data presented here starts at the point when the AEC has eliminated all official errors in the marking of the Certified Lists of Voters, and arrived at a list of suspected multiple voters for further investigation.

6.3 **Table 3** in the Appendix shows each individual case of suspected multiple voting at the 1998 federal election, including the electoral Division in which the case occurred, 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 (#).

6.4 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.

6.5 **Table 4** 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 **45** cases of suspected multiple voting detected by the AEC: 30 cases were from NSW; four cases were from Victoria; 10 cases were from Queensland and one case was from South Australia.
- Of the 45 cases of suspected multiple voting detected by the AEC, the AFP was unable to accept for investigation 28 (**62%**) cases: that is, the AFP rejected 22 of the 30 cases from NSW; all four cases from Victoria; and two out of the 10 cases from Queensland.
- Of the 45 cases of suspected multiple voting detected by the AEC, 35 cases (**78%**) involved **more than two ordinary votes**.
- Of the 45 cases of suspected multiple voting detected by the AEC, 24 cases, or **53%**, originated in inner or outer Sydney metropolitan Divisions.

- Of the total 45 cases of suspected multiple voting detected by the AEC, 12 cases under investigation by the AFP resulted in a denial by the elector that he or she voted more than once.

6.6 There is no pattern of concentration of suspected multiple voters in any particular Division, and there were not enough suspected multiple voters in any Division to have changed the result in any Division.

6.7 In summary, a majority of the suspected multiple voting cases detected by the AEC were rejected by the AFP for investigation because of limited resources, and therefore could not be taken any further by the AEC.

6.8 It is notable that the majority of suspected multiple voting cases across Australia were concentrated in metropolitan Sydney, suggesting that there may be some unusual local factor encouraging electors in Sydney to attempt to defraud the system. Although suspected multiple voters were concentrated in Sydney, they were not concentrated in any particular Division and it is apparent from the small numbers involved that there was no widespread and organised conspiracy to defraud the system.

7. Prosecutions for Dual and Multiple Voting

7.1 For the 1998 federal election, three prosecutions for suspected dual voting have been commenced, and are due for hearing on 26 October 1999 in Sydney. One case involves a pre-poll and an absent vote, the other two cases involve an ordinary and a postal vote. The Divisions involved are Bennelong and Prospect, in metropolitan Sydney.

7.2 The *Electoral and Referendum Amendment Act 1998* amended the multiple voting offence under the then section 339(1)(j) of the Electoral Act to remove the 6 months imprisonment penalty and replace it, in new section 339(1A), with a pecuniary penalty of 10 penalty units (which under section 4AA of the *Crimes Act 1914* is equivalent to \$1,100).

7.3 Prior to the 1998 amendments, under section 4B(2) of the *Crimes Act 1914*, it was possible for a court to apply a pecuniary penalty for voting more than once, instead of the term of imprisonment expressly provided for in the Electoral Act. However, since the establishment of the AEC in 1984, the courts have only ever applied pecuniary penalties, averaging around \$500 per offender.

7.4 Before the 1998 federal election, the offence of multiple voting in section 339(1)(j) of the Electoral Act read as follows:

A person shall not...wilfully vote more than once at the same election...Penalty: Imprisonment for 6 months.

7.5 In part 2.20 of submission No 84 of 16 September 1996 to the previous JSCEM, the AEC reported the following when asked by Senator Nick Minchin to present its view on the possible removal of the word "wilfully" from the offence of multiple voting:

2.20.1 From 1902 to 1983 the offence of multiple (or dual) voting under the CEA read: "voting more than once at the same election." In 1983 the Joint Select Committee on Electoral Reform recommended that the relevant provision be amended to read: "wilfully voting more than once at the same election." The recommended amendment was passed without debate by the Parliament and was apparently intended to prevent proceedings being initiated against those who might vote more than once without a clear and deliberate intention to defraud the electoral system.

2.20.2 However, it is now clear that prosecution of the offence under section 339(1)(j) of the CEA can provide difficulties because, barring an admission from the voter that he or she deliberately (or wilfully) voted more than once, it is impossible to prove intent.

2.20.3 The DPP advised the AEC on 22 July 1992 that there will be continuing problems in prosecuting multiple voters unless the provision is amended. The DPP advised that it should be up to the defendant, rather than the prosecution, to raise a defence of honest and reasonable mistake. The Criminal Law Branch of the Attorney-General's Department advised on 10 August 1992 that the word "wilfully" is a word of ambiguous meaning and should be avoided, and that the courts should be relied upon to decide whether the offence was committed intentionally or otherwise.

2.20.4 In summary, at present it is not possible to prosecute the offence of multiple voting in the majority of likely cases. Legal advice from both the DPP and the Attorney-General's Department confirms that the word "wilfully" could be deleted from section 339(1)(j) of the CEA without any great injustice occurring. Its deletion might be expected to result in an increased number of prosecutions, which together with a possible increase in the penalty, might contribute to a substantial deterrent effect on multiple voting. See also AEC submission No 30, page S213.

7.6 The AEC further addressed the issue of "wilfully" in submission No 129 of 7 February 1997 to the previous JSCEM, as follows:

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.

7.7 Recommendation 8 of the June 1997 JSCEM Report was as follows: "that in relation to multiple voting, the word "wilfully" be deleted from section 339(1)(j) of the Electoral Act". The Government accepted this recommendation.

7.8 However, the Office of Parliamentary Counsel subsequently expressed doubt that the mere removal of the word "wilfully" would be sufficient to achieve the result sought by the AEC, the JSCEM and the Government. Discussions between the AEC, the Criminal Law Branch of the Attorney-General's Department, and the Office of Parliamentary Counsel concluded that the logical effect, in legal terms, of deleting the word "wilfully" would be to render the provision a strict liability offence. The wording of the amendment to the Electoral Act was therefore adjusted to not only remove the word "wilfully" but also to expressly provide that multiple voting is now a strict liability offence. However, it would appear that an omission occurred in the legislative translation of the multiple voting offence into a strict liability offence.

7.9 After the amendment came into effect on 17 July 1998, the AEC was advised by the DPP on 22 July 1998 that section 339(1B) of the Electoral Act, making multiple voting a strict liability offence, was apparently drafted by the Office of Parliamentary Counsel in anticipation of the *Criminal Code Act 1995* (the Code) coming into operation on 16 March 2000. (At this stage, the Criminal Code does not have general application, but applies only in relation to those offences expressly identified in section 2.2 of the Code, or as otherwise applied.) There is no reference to the multiple voting offence in the Code, nor was there any reference to the application of the Code in the *Electoral and Referendum Amendment Act 1998*, which made multiple voting a strict liability offence under section 339(1B) of the Electoral Act.

7.10 In the absence of the current application of the Code to the strict liability offence of multiple voting, section 4(1) of the *Crimes Act 1914* applies the principles of the common law with respect to criminal liability in relation to offences against the laws of the Commonwealth. That is, until 16 March 2000 when the Code comes generally into effect, the multiple voting offence in the Electoral Act must be interpreted in accordance with the common law as to strict liability, rather than by the Code. On 27 August 1998 the Criminal Law Division of the Attorney-General's Department confirmed the DPP advice.

7.11 On 1 September 1998 the DPP further advised the AEC on the implications of the failure to include the strict liability aspect of the multiple voting offence in section 2.2 of the *Criminal Code Act 1995* at the same time as the amendment was made to the Electoral Act in 1998, and the consequent requirement to interpret the offence according to the common law on strict liability until 16 March 2000.

7.12 According to the DPP, at common law there is a presumption that *mens rea*, an evil intention, or a knowledge of the wrongfulness of the act, is an essential ingredient in every offence. The prosecution is therefore required to prove *mens rea*, establishing beyond reasonable doubt that the person knowingly or recklessly voted more than once in the same election (that is, "wilfully"). However, the presumption of *mens rea* can be displaced either by the words of the statute creating the offence or by the subject matter with which it deals. Because the Parliament has now expressly provided in the Electoral Act (but not the Code) that the offence against section 339(1A) is one of strict liability, the presumption of the mental element of *mens rea* has been displaced.

7.13 However, it is not correct to conclude from this that there is no mental element required to be proven by the prosecution in a strict liability offence. A principle has developed at common law that a defendant will not be guilty if he or she acted under an honest and reasonable belief in the existence of facts which, if true, would have made the act innocent. Provided there is evidence which raises this question, a person cannot be convicted unless the court is satisfied the defendant did not act under an honest and reasonable mistake.

7.14 This is sometimes referred to as a 'defence'. Whilst the defendant bears the evidential onus of raising the question in his or her defence in relation to a strict liability offence, once the question is raised, the prosecution must prove beyond reasonable doubt that the defendant did not act under an honest and reasonable mistake. That is, to establish an offence the prosecution must prove beyond reasonable doubt:

- that the person voted more than once in the same election and;
- if there is evidence raised that the person did so acting under an honest and reasonable mistake which, if true, would have made their conduct innocent, prove beyond reasonable doubt that the person did not act under that honest and reasonable mistake.

7.15 This is the common law situation that now prevails for all prosecutions for the strict liability offence of multiple voting at the 1998 federal election. However, the DPP advises that there may be little practical difference between the application of the common law or the Code to the strict liability offence of multiple voting offence. Although different language is employed in the Code, it is generally regarded as stating the common law position in relation to strict liability.

7.16 Whilst the strict liability aspect of the multiple voting offence effectively relieves the prosecution of the burden of having to prove full *mens rea* in relation to the conduct in question, it does not relieve the prosecution of having to establish the physical elements of the offence, such as the facts which ground the offence, and sufficient admissible evidence must be led to establish these matters beyond reasonable doubt. That is, the prosecution must prove that the person did in fact vote more than once.

7.17 In addition to the evidence of the factual circumstances, one of the matters that must be considered is any explanation provided by the person for the alleged conduct. It may be, in the light of any explanation given, that further investigation of the facts and circumstances would be necessary in order to consider whether there is sufficient evidence to rebut that explanation.

7.18 Accordingly, the new strict liability aspect of the offence of multiple voting, whether applied under the common law or the Code, does not provide any relief from the necessity for the offence to be properly investigated by the AFP, so that relevant and admissible evidence, including any explanation obtained from the alleged offender for the conduct under investigation, is provided to the DPP in order to decide if an offence is disclosed and if prosecution is in the public interest.

7.19 That is, the outcome of the amendment to the multiple voting offence to make it a strict liability offence does not remove the requirement for the AEC to refer such cases to the AFP for formal investigation, and to provide a brief of evidence to the DPP to decide whether prosecution is recommended. The improvement in terms of securing convictions for multiple voting will only become apparent once such cases have made it into the court, where a lesser level of proof will be required by the prosecution.

7.20 In further considering the possibilities for improving the chances of securing convictions for multiple voting, the AEC was advised on 8 September 1999 by the DPP that section 388 of the Electoral Act and 140A of the Referendum Act, which currently provide that averments of the prosecutor are deemed to be proved in the courts in relation to failure to vote and failure to enrol cases, could be amended to include the multiple voting offences under the Electoral Act and the Referendum Act. This would mean that certain evidence would not have to be independently proved (although this would not remove the requirement for the alleged offender to be given an opportunity to provide an explanation, as part of the evidence brief to the DPP).

7.21 However, it is understood that the level of the penalty of the offence in question has an impact on whether provisions such as section 388 can be approved by the Attorney-General's Department for application to the offence. That is, section 388 of the Electoral Act has been approved for application in relation to prosecutions for failure to vote and failure to enrol because the penalty level is only \$50. For the offence of multiple voting, for which the penalty level is currently \$1,100, it is understood that it is unlikely the Attorney-General's Department would approve the application of a provision such as section 388, allowing the averments of the prosecution to be deemed to be proved in multiple voting cases.

8. Penalty Level for Dual and Multiple Voting

8.1 It has become apparent over the past decade, that the level of the penalty for the multiple voting offence under the Electoral Act is set at such a relatively low level (6 months imprisonment or a pecuniary penalty averaging \$500 prior to 1998, and a pecuniary penalty of \$1,100 after 1998) that the AFP is unable to give the offence high enough priority for investigation, in a climate of limited resources. This impacts in turn on the number of prosecutions that finally reach the courts, and the number of convictions that the AEC is able to secure for the offence of multiple voting.

8.2 The level of penalties for offences under the Electoral Act has been a matter of concern to past JSCEMs, and in submission No 30 of 29 July 1996, the AEC provided an overview of the problem and recommended a review (**Attachment 3**). Recommendation 51 of the June 1997 JSCEM Report was as follows:

That a review of the level of penalties for offences under the Electoral Act and the Referendum Act be undertaken by the AEC with the assistance of the Attorney-General's Department, with a view to bringing the penalties into line with penalty rates for comparable offences under other Commonwealth statutes.

8.3 This recommendation of the 1996 JSCEM has not been progressed, as indicated at paragraphs 21.5 to 21.6 of AEC submission No 210 of 23 July 1999, for the following reasons. Firstly, the penalty units system is gradually being inserted into the Electoral Act to replace the old penalty system specifying actual dollar amounts for pecuniary penalties and in some cases, terms of imprisonment, as individual sections of the Act are amended (see for example section 91A(1AA)). The effect of these changes on the sentencing practices of the courts is still under observation, particularly in relation to the multiple voting offence in section 339(1A), for which the penalty units system is being applied by the courts for the first time for the 1998 federal election.

8.4 Secondly, it is understood by the AEC that the *Criminal Code Act 1995* will be gradually amended over the next few years in order to incorporate all similar criminal offences now spread throughout various Commonwealth statutes, including the Electoral Act. Section 326 of the Electoral Act, in relation to electoral bribery, for example, is apparently one such offence to be moved into the *Criminal Code Act 1995* in due course. This process will probably have the effect of standardising the penalty rates for similar offences presently in different statutes, and suggests that any movement at this stage to change penalty levels across the board in the Electoral Act would be premature.

8.5 Finally, the AEC has been informally advised by the Criminal Law Branch of the Attorney-General's Department that any review of the level of penalty levels in the Electoral Act would have to be conducted within given policy guidelines concerning desirable and specified penalty levels. The AEC is now of the view that such policy guidelines should more appropriately come from the JSCEM rather than the AEC, and should be evaluated by the JSCEM for each particular offence in question (see also paragraphs 21.5 to 21.6 in AEC submission No 210 of 23 July 1999).

8.6 At this stage, the JSCEM might consider whether the level of the penalty for multiple voting in section 339(1A) of the Electoral Act, and section 130(1A) of the Referendum Act, which currently stands at \$1,100, is just and sufficient, given the perceived relevance of the offence to the integrity of the electoral system, and the wider public interest involved. If the pecuniary penalty level of multiple voting were to be increased, it is also worth considering whether the pecuniary penalties for other offences relating to electoral fraud might also be increased. (It is understood that the offences in section 339 of the Electoral Act are not being considered for removal into the Criminal Code.)

8.7 The AEC therefore makes the following recommendation in relation to pecuniary penalty levels:

Recommendation 1: That the JSCEM consider increasing the pecuniary penalties for the offences under section 339 of the Electoral Act and section 130 of the Referendum Act, including the multiple voting offence.

8.8 Further (and this might require a comment from the Criminal Law Branch), the JSCEM could consider whether the penalty for multiple voting should be amended to additionally provide a term of imprisonment for a period of greater than 6 months. This would have the effect, under section 15B(1) of the *Crimes Act 1914*, of allowing prosecution of the offence to commence at any time.

8.9 At present the commencement of prosecutions for multiple voting is limited to one year after the commission of the offence, which means that AFP investigations have to be completed well within that period so that evidence briefs can be prepared for the purposes of prosecution. Despite their best efforts, it is apparent the AFP experiences difficulties in delivering in the time frames available, given other priorities in relation to more serious offences in the Commonwealth.

8.10 In addition, if any evidence comes to light after a period of one year that a person has voted more than once, then with an extended time frame consequent upon an imprisonment penalty greater than 6 months, prosecutions might still be possible well after the commission of the offence.

9. Summary

9.1 The AEC has continued with its new form of reporting on dual and multiple voting, introduced after the 1996 federal election, and will report in a similar manner in the future, in order to avoid the misinterpretations and misrepresentations that have arisen in the past when the AEC reported on "multiple marks" and the lengthy procedures used to eliminate accidental markings, polling official error, and voter error.

9.2 Instead, the data presentation starts at the point when the AEC has arrived at a list of actual suspects for further 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 1998 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 1998 House of Representatives Divisional elections were not affected by dual or 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 part 10.1 of AEC submission No 88 of 12 March 1999.

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. There is no evidence that aged and infirm electors are contributing inordinately to the dual and multiple voting statistics.

9.6 Over 50% of the suspected multiple voters nationwide are concentrated in the Sydney metropolitan area. As noted in AEC submission No 129 of 7 February 1997, where a similar result was obtained for the 1996 federal election, the major critics of the federal electoral system are also concentrated in the Sydney area, and at least two of these critics have the powerful medium of talk-back radio at their 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 number of suspected multiple voters who appear to be testing the system in that city, but such facts are suggestive indeed.

ATTACHMENTS

Attachment 1 – public confidence

Extract from AEC submission No 107 of 14 September 1993

During the election period, and on occasions since then, the issue of fraud was given considerable airing in sections of the media, particularly on talk-back radio shows. Commission staff made themselves available to discuss these issues on air, usually, however, with little success. The Minister, too, spoke with Alan Jones on radio 2UE about these matters in the immediate post-election period. Mr Jones and Brian Wiltshire from Radio 2GB have been persistent over the years in promoting the view that electoral fraud is rife in Australia and that such fraud is part of a wider conspiracy. I have attached transcripts and clippings which give an indication of the manner in which they have dealt with this topic.

On-air comments made by Mr Jones and Mr Wiltshire have contained direct or indirect references to a Report to the New South Wales Parliament in 1989 (*"Inquiry into the Operations and Processes for the Conduct of State Elections"*) which found, in relation to multiple voting, that current electoral practice had "opened up the opportunity for even greater abuse of the system" (page 42). No evidence of widespread electoral fraud was found, however. It is of some interest that this Report also makes the point that "over the years the public's confidence in the electoral system has been eroded due largely to misinformation which is peddled in the media and otherwise and to lack of information as to the checks and balances which do exist." (page 10).

In discussing concerns of electoral fraud with people like Messrs Jones and Wiltshire, and any members of the public who contact us on this issue, Commission staff explain the current procedures which are in place to ensure the integrity of the system. They then invite the complainants, should they not be satisfied with our explanations, to put their views, together with any evidence they may have, to your Committee.

Some individuals have done this but the major promoters of the view that the system is systematically being abused - who together have a very large radio audience - have once again not taken up this suggestion. In view of the potential damage the promotion of these views may do to public confidence in the election process I suggest that the Committee might consider inviting Messrs Jones and Wiltshire, in the public interest, to appear before the Committee and to provide the Committee with any evidence they may have for the claims they make.

Extract from Submission 129 of 7 February 1997

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.

Attachment 2 – limited vote tracing

Extract from AEC submission No 88 of 12 March 1999

10.3.1 On polling day for the federal election, 3 October 1998, the following editorial appeared in the *Sydney Morning Herald* newspaper (in relevant part):

Today, with people casting their votes for MPs to the Federal Parliament, the nation participates in a ritual that creates a civil and pleasant community. We have only to look at less fortunate nations where a change of government comes from the barrel of a rifle or from the dictatorship of one party to see the benefits that Australia enjoys from people taking for granted the integrity and validity of their secret vote. There is a necessary connection between a successful society and a society (such as Australia's) that allows for the decisive participation of its citizens to confirm a government for another term or to bring in the loyal opposition to take up its mandate.

We are – unfortunately - not good at remembering our history. Few people, therefore, will have heard of Henry Samuel Chapman, a judge, Colonial Secretary, Attorney-General of Victoria and a radical who drafted the world's first effective secret ballot legislation. This ballot became known in Australia as the "Victorian ballot" and in the United States where Chapman's concepts gained widespread acceptance as the "Australian ballot".

Chapman's ballot system was for a limited secret ballot that allowed votes to be traced, if they were contested. This system was superseded in Australia by the absolute secret ballot which was first put in place in South Australia in 1857. On the face of it, the South Australian reform seems to be an improvement. But is it? According to a pamphlet written for the H.S. Chapman Society by Charles Copeman: "This absolute secret ballot system fails to deter fraud, as votes cast are quite untraceable after the election. The limited system is traceable, with court-supervised scrutiny, and thereby the extent of fraudulent voting can be assessed."

After every election, there are accusations by candidates from all sides of politics about vote-rigging, electoral rorts and mistakes. Although these accusations are generally investigated, nothing seems to stop similar accusations being made at succeeding elections. Nothing is more certain, for instance, than that there will be accusations and questions asked by disgruntled candidates concerning the proper conduct of the ballot in today's election.....

H.S. Chapman's system for a limited secret ballot should, perhaps, be modernised and reinstated. It is used in Britain where voting rorts are harder to pull off, it seems, than in Australia.

10.3.2 The most authoritative recent commentary on the advantages and disadvantages of 'limited vote tracing', as proposed by the H S Chapman Society, is in Volume 1 of the Fourth Report of the United Kingdom Home Affairs Committee on Electoral Law and Administration, published on 10 September 1998.

10.3.3 In this report, the Committee recommended a number of electoral reforms for the United Kingdom that parallel systems and procedures already in operation in Australia, such as a rolling register for enrolment; allowing electors to vote at any polling booth in a constituency; the introduction of pre-poll voting; no voter identification; and the establishment of a permanent and independent Electoral Commission. The Committee explained the procedures for limited vote tracing in the United Kingdom as follows:

103. One of the existing measures in place to discourage and address impersonation is the vote tracing mechanism. Because the mechanism to some extent breaches the

principle of ballot secrecy, and because the problem it seeks to address is generally thought to be very minor, it has been argued by some that it should be discontinued.

104. The system is designed to enable a fraudulently cast ballot paper to be identified and discounted, if appropriate, to be replaced by a valid vote. To achieve this, the electoral registration number of the voter is noted on the counterfoil of the ballot paper. Since the ballot paper number is recorded on both the paper itself and the counterfoil, it becomes possible to trace the ballot paper submitted by a particular voter by locating the counterfoil on which the voter's registration number has been written, from which the number of the ballot paper issued to that person can be found and thus the ballot paper itself identified.

The counterfoils and ballot papers are secured and stored after the close of the ballot and may by law only be opened, so as to enable the vote tracing to be operated, pursuant to an order from an electoral court pursuant to a complaint. A court may order this if it is satisfied that a vote has been fraudulently cast (whether because of a case of impersonation or, potentially, because of bribery), and if it thinks appropriate because the result of the election could be affected. The vote, once identified, can then be subtracted from the declared total. In certain circumstances it is also possible for the discounted vote to be replaced by a valid vote.

If a registered voter has found, on attempting to cast a vote, that a vote has already been cast in their name, the presiding officer may give to him or her a fresh ballot paper of a different colour, which is stored separately (a 'tendered' vote). It is not counted in the main count, but if an election court so orders, it may be subsequently counted in place of a disallowed vote.

10.3.4 That is, limited vote tracing offers no improvement over the Australian electoral system in the detection and prevention of impersonation at the polling booth. What it does offer is a different *remedy* after the election. With limited vote tracing, assuming it has already been established that impersonation has occurred and the individuals concerned can be identified, impersonated votes can be traced and removed, the tendered vote substituted, and a new result declared by the Court. In the Australian electoral system, assuming it has already been established that impersonation has occurred and the individuals concerned can be identified, and there are sufficient fraudulent votes to have affected the election result, the Court of Disputed Returns has the option to void the election result, and a by-election follows.

10.3.5 However, in examining the history and operation of limited vote tracing the UK Committee concluded that, given that the procedure has not been fully invoked since 1911, and given concerns that civil liberties might be abused in the absence of a secret ballot, limited vote tracing should be abandoned:

105. A recent report on this issue by the Electoral Reform Society and Liberty indicated no case of the full vote tracing procedure being used since 1911 at a national election, though it has occasionally come into play at local elections because the majorities at such elections are very much smaller. This lack of use is not surprising; vote tracing is likely to arise only in a rare combination of circumstances, namely where the result of an election is extremely close, a case of impersonation (or bribery) can be proved, and one of the parties to an election is prepared to risk the expense of an election court to challenge the result.

106. The issue is consistently raised – often following a General Election – as to whether this system is an unreasonable breach of the fundamental principle that the ballot should be secret. It has been alleged, although without hard evidence, that the process has been abused by the security services in order to identify potential subversives. In written evidence to the Committee, the Minister has stated “In

practice, there are stringent controls on the sealing and storage of ballot papers and counterfoils after the election and I am not aware of any proven cases of unauthorised search of the stored documents. I know of course of the claims that have been made of systematic abuse on the part of the security services, but no evidence has been produced to support these claims....”.

107. Of course, this statement by the Minister does not rule out the possibility that the system has been abused. It might also be argued that, given how rarely the vote tracing mechanism appears to have been used, it is anyway unnecessary and could profitably be ended. Nevertheless, it is likely that it forms at least a small deterrent to would-be impersonators. The joint study of the issue by the Electoral Reform Society and by Liberty failed to produce an agreed view on the issue. Liberty argued that the system played little part in the prevention of impersonation, which should be addressed by other means, and that concerns about possible abuse of the system by state agencies outweighed the other considerations; they therefore concluded that the system should be abandoned. **We concur with Liberty’s view.**

10.3.6 The Australian electoral system would not be enhanced or improved by limited vote tracing. It is noteworthy that an experienced international electoral expert, Mr Ron Gould, the Assistant Chief Electoral Officer of Elections Canada, had the following to say in 1996 on the subject of limited vote tracing:

I have always argued vehemently that the placing of serial numbers on the ballots themselves is a serious threat to the secrecy of the vote as the numbers can provide an avenue to identifying how the voter has voted. This situation has actually taken place in Tanzania where I have been told that following the election, the ballots were examined to determine how voters had voted and those who had voted against the elected government were penalized accordingly.

It can be argued that, of course, in wonderfully democratic countries like Australia, New Zealand and the U.K., this kind of abuse of secrecy of the vote would be inconceivable. Unfortunately, situations do change and in certain circumstances, security requirements are used to justify all sorts of invasions of personal privacy (*extract from AEC submission No 91 of 23 October 1996*).

Attachment 3 – penalty levels

Extract from AEC submission No 30 of 29 July 1996

12.6.1 In the light of previous recommendations of the JSCEM, and the 1992 amendments to the Crimes Act 1914 inserting and amending sections 4AA, 4AB and 4B, the AEC is of the view that the level of penalties for offences under the CEA and the RMPA should be reviewed.

12.6.2 On 3 May 1989 the AEC made a submission to the JSCEM recommending an increase in the level of penalties for offences under the CEA. The AEC noted the 1987 prosecution and conviction, under section 336(3) of the CEA, of Mr Denis Hinton, Qld MLA, for signing another person's name on an enrolment application, for which he was fined \$400 in his absence.

12.6.3 The AEC had considerable difficulty at the time in obtaining the assistance of the Australian Federal Police (AFP) to investigate the Hinton matter because their prioritisation guidelines are to focus on major crime, which may be identified according to the level of penalty involved.

12.6.4 This problem remains to this day. Although the AEC appreciates the assistance of the AFP in investigating electoral offences, it is becoming increasingly difficult to obtain their agreement to the diversion of their resources to investigate many electoral offences, because the low levels of penalties under the CEA suggest low prioritisation relative to other major crime referrals to the AFP. Multiple voting under section 339(1)(j), for example, carries a penalty of only 6 months imprisonment, or under the Crimes Act 1914 an equivalent pecuniary penalty. At the 1996 federal election the AEC referred a batch of 55 cases of apparent multiple voting in New South Wales to the AFP but only 20 of these cases, all involving four or more multiple marks on the Certified Lists of Voters, were eventually accepted for investigation. The AEC has recently had constructive discussions with the AFP in an effort to obtain a better mutual understanding of each agency's concerns.

12.6.5 The AEC also found Mr Hinton's public response to his conviction and fine of considerable interest. Mr Hinton said that he had not attended the hearing "because it was of a minor nature" and subsequently said that "I have been convicted of a very minor charge of which the worst possible connotation could be that I misguidedly acted to do a good turn for some unknown person."

12.6.6 The AEC concluded its 1989 submission to the JSCEM as follows:

So long as the maximum penalties remain as light as they are, it is difficult to expect police to give electoral investigations high priority in competition with major crimes against person and property, to expect the courts to impose fines which are likely to be deterrent in their effect, and to consider sentences of imprisonment should the incidence of the offence now be deemed to require this, and to disabuse those who, like Mr Hinton, treat enforcement with contempt.

...A savage increase in penalties for both categories, enrolment and voting, of offences before the election would go part of the way to restoring public confidence in the integrity of the electoral system. Moreover, the existence of such penalties would disqualify, at least temporarily, those convicted of serious electoral offences and prevent them from sitting in Australian parliaments with a consequent serious deleterious effect on public confidence in the integrity of the political system.

12.6.7 In the May 1989 Report of the JSCEM on the conduct of the 1987 federal election and the 1988 referendum, recommendation 54 was that the penalties for offences under the CEA be substantially increased, with those penalties currently set at \$1,000 or six months imprisonment being increased to \$12,000 or imprisonment for not more than two years; and recommendation 55 was that all election penalties be subject to regular review.

12.6.8 On 30 April 1993 the Government Response to the 1989 JSCEM Report was tabled in Parliament. Recommendation 54, for an increase in the penalty levels for electoral offences, was not supported "at this time", but Recommendation 55, for a review of penalties for electoral offences, was accepted.

12.6.9 The AEC obtained legal advice from the Criminal Law Division of the Attorney-General's Department in 1992 and 1993 to the effect that the penalty levels for some offences under the CEA could be increased, and that all penalty levels in the CEA should be set by a formula involving penalty units indexed to account for inflation. The indexed penalty unit system was incorporated into the Crimes Act 1914 by the insertion in 1992 of sections 4AA and 4AB and an amendment to section 4B, and applies to the CEA and the RMPA as to most other Commonwealth statutes.

12.6.10 The issue of increasing penalty levels for selected electoral offences was not pursued any further by the AEC at that time due to other priorities. However, the AEC is of the view that it might now be appropriate to once again visit the penalty levels for selected offences in the CEA, with the assistance of formal legal advice from the Criminal Justice Branch of the Attorney-General's Department.

Recommendation No 32:

The AEC recommends that a formal review of the level of penalties for offences under the CEA and the RMPA be undertaken by the AEC 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.

APPENDIX

Table 1: 1998 Federal Election: Suspected Dual Voting Report as at 30 September 1999

New South Wales - Dual Voting

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D1	Banks	fairly safe ALP	inner metro	2					AFP rejected	NFA
D2	Banks	fairly safe ALP	inner metro		1	1			AFP rejected	NFA
D3	Barton	fairly safe ALP	inner metro	1			1		AFP rejected	NFA
D4	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D5	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D6	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D7	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D8	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D9	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D10	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D11	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA
D12	Barton	fairly safe ALP	inner metro	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D13	Bennelong	fairly safe LP	inner metro	2					AFP rejected	NFA
D14	Bennelong	fairly safe LP	inner metro	1	1				AFP rejected	NFA
D15	Bennelong	fairly safe LP	inner metro	2					AFP rejected	NFA
D16	Bennelong	fairly safe LP	inner metro			1	1		DPP prosecution	pending
D17	Bennelong	fairly safe LP	inner metro	1				1	AFP rejected	NFA
D18	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D19	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D20	Blaxland	safe ALP	inner metro	1			1		AFP rejected	NFA
D21	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D22	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D23	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D24	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D25	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D26	Blaxland	safe ALP	inner metro		1			1	DPP rejected	NFA
D27	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D28	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D29	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D30	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D31	Blaxland	safe ALP	inner metro	1				1	AFP rejected	NFA
D32	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D33	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D34	Blaxland	safe ALP	inner metro	1	1				AFP rejected	NFA
D35	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D36	Blaxland	safe ALP	inner metro	1		1			AFP rejected	NFA
D37	Blaxland	safe ALP	inner metro	2					AFP rejected	NFA
D38	Blaxland	safe ALP	inner metro		1		1		DPP rejected	NFA
D39	Calare	safe ind	rural		1		1		DPP rejected	NFA
D40	Calare	safe ind	rural		1		1		DPP rejected	NFA
D41	Chifley	safe ALP	outer metro	2					AFP rejected	NFA
D42	Chifley	safe ALP	outer metro	2					AFP rejected	NFA
D43	Chifley	safe ALP	outer metro	1	1				AFP rejected	NFA
D44	Chifley	safe ALP	outer metro	1	1				AFP rejected	NFA
D46	Chifley	safe ALP	outer metro	1	1				AFP rejected	NFA
D45	Chifley	safe ALP	outer metro	1	1				AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D47	Chifley	safe ALP	outer metro					2	AFP rejected	NFA
D48	Chifley	safe ALP	outer metro	2					AFP rejected	NFA
D49	Chifley	safe ALP	outer metro		1		1		DPP rejected	NFA
D50	Chifley	safe ALP	outer metro	2					AFP rejected	NFA
D51	Chifley	safe ALP	outer metro	1	1				AFP rejected	NFA
D52	Chifley	safe ALP	outer metro	2					AFP rejected	NFA
D53	Cook #	fairly safe LP	inner metro	1		1			AFP rejected	NFA
D54	Cook #	fairly safe LP	inner metro	1		1			AFP rejected	NFA
D55	Cook #	fairly safe LP	inner metro	1		1			AFP rejected	NFA
D56	Cowper	fairly safe NP	rural	1		1			AFP rejected	NFA
D57	Dobell	marg ALP	provincial	1				1	AFP rejected	NFA
D58	Dobell	marg ALP	provincial	2					AFP rejected	NFA
D59	Eden-Monaro	marg LP	rural	1			1		AFP rejected	NFA
D60	Eden Monaro	marg LP	rural	2					AFP rejected	NFA
D61	Farrer	safe NP	rural	2					AFP rejected	NFA
D62	Farrer	safe NP	rural		1	1			DPP rejected	NFA
D63	Farrer	safe NP	rural	1		1			AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D64	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D65	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D66	Fowler	safe ALP	outer metro	1	1				DPP rejected	NFA
D67	Fowler	safe ALP	outer metro	1			1		DPP rejected	NFA
D68	Fowler	safe ALP	outer metro	1			1		DPP rejected	NFA
D69	Fowler	safe ALP	outer metro	1			1		AFP rejected	NFA
D70	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D71	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D72	Fowler	safe ALP	outer metro	1		1			AFP rejected	NFA
D73	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D74	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D75	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D76	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D77	Fowler	safe ALP	outer metro	1				1	AFP rejected	NFA
D78	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D79	Fowler	safe ALP	outer metro	1				1	AFP rejected	NFA
D80	Fowler	safe ALP	outer metro	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D81	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D82	Fowler	safe ALP	outer metro	1			1		AFP rejected	NFA
D83	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D84	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D85	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D86	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D87	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D88	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D89	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D90	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D91	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D92	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D93	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D94	Fowler	safe ALP	outer metro	2					AFP rejected	NFA
D95	Fowler	safe ALP	outer metro	1			1		AFP rejected	NFA
D96	Fowler	safe ALP	outer metro	1			1		AFP rejected	NFA
D97	Gilmore	marg LP	rural	1		1			AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Queensland - Dual Voting

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D700	Blair	marginal LP	rural		1		1		AFP rejected	DRO warning
D701	Blair	marginal LP	rural	2					AFP rejected	DRO warning
D702	Blair	marginal LP	rural	1	1				AFP rejected	NFA
D703	Blair	marginal LP	rural	2					AFP rejected	NFA
D704	Blair	marginal LP	rural	2					AFP rejected	NFA
D705	Bowman #	marginal ALP	outer metro	1	1				AFP rejected	NFA
D706	Bowman #	marginal ALP	outer metro	1	1				AFP rejected	NFA
D707	Bowman #	marginal ALP	outer metro		1	1			AFP rejected	DRO warning
D708	Bowman #	marginal ALP	outer metro	2					AFP rejected	NFA
D709	Bowman #	marginal ALP	outer metro		1		1		AFP rejected	NFA
D710	Bowman #	marginal ALP	outer metro	2					AFP rejected	NFA
D711	Brisbane	marginal ALP	inner metro	1	1				AFP rejected	NFA
D712	Brisbane	marginal ALP	inner metro	1				1	AFP rejected	NFA
D713	Brisbane	marginal ALP	inner metro	1				1	AFP rejected	NFA
D714	Brisbane-	marginal ALP	inner metro	2					AFP rejected	NFA
D715	Brisbane	marginal ALP	inner metro	1			1		AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D716	Brisbane	marginal ALP	inner metro		1			1	AFP rejected	NFA
D717	Capricornia #	marginal ALP	provincial		1	1			AFP rejected	DRO warning
D718	Capricornia #	marginal ALP	provincial		1	1			AFP rejected	DRO warning
D719	Capricornia #	marginal ALP	provincial	1		1			AFP rejected	DRO warning
D720	Capricornia #	marginal ALP	provincial		1		1		AFP rejected	NFA
D721	Capricornia #	marginal ALP	provincial	1	1				AFP rejected	NFA
D722	Capricornia #	marginal ALP	provincial	1	1				AFP rejected	NFA
D723	Capricornia #	marginal ALP	provincial	2					AFP rejected	NFA
D724	Capricornia #	marginal ALP	provincial	1		1			AFP rejected	NFA
D725	Capricornia #	marginal ALP	provincial	1		1			AFP rejected	NFA
D726	Dawson	marginal NP	rural	2					AFP rejected	DRO warning
D727	Dawson	marginal NP	rural		1	1			AFP rejected	DRO warning
D728	Dickson #	marginal ALP	outer metro		1	1			AFP rejected	NFA
D729	Fadden	fairly safe LP	outer metro		1		1		AFP rejected	NFA
D730	Fadden	fairly safe LP	outer metro		1		1		AFP rejected	NFA
D731	Fadden	fairly safe LP	outer metro		1		1		AFP rejected	NFA
D732	Fadden	fairly safe LP	outer metro	1	1				AFP rejected	DRO warning

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D733	Fairfax	marginal LP	rural	1	1				AFP rejected	NFA
D734	Fairfax	marginal LP	rural		2				AFP rejected	NFA
D735	Fairfax	marginal LP	rural		2				AFP rejected	NFA
D736	Fairfax	marginal LP	rural		2				AFP rejected	NFA
D737	Fairfax	marginal LP	rural		2				AFP rejected	NFA
D738	Fairfax	marginal LP	rural		2				AFP rejected	DRO warning
D739	Fairfax	marginal LP	rural	2					AFP rejected	NFA
D740	Fairfax	marginal LP	rural	1	1				AFP rejected	NFA
D741	Fairfax	marginal LP	rural	2					AFP rejected	NFA
D742	Fairfax	marginal LP	rural	1			1		AFP rejected	NFA
D743	Fisher	safe LP	provincial	1			1		AFP rejected	NFA
D744	Fisher	safe LP	provincial	1			1		AFP rejected	NFA
D745	Fisher	safe LP	provincial	2					AFP rejected	NFA
D746	Forde	marginal LP	rural	1			1		AFP rejected	NFA
D747	Forde	marginal LP	rural	1			1		AFP rejected	NFA
D748	Forde	marginal LP	rural	2					AFP rejected	NFA
D749	Forde	marginal LP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D750	Forde	marginal LP	rural	2					AFP rejected	NFA
D751	Griffith #	marginal ALP	outer metro		1	1			AFP rejected	DRO warning
D752	Griffith #	marginal ALP	outer metro	1	1				AFP rejected	DRO warning
D753	Griffith #	marginal ALP	outer metro	1	1				AFP rejected	DRO warning
D754	Griffith #	marginal ALP	outer metro	1	1				AFP rejected	DRO warning
D755	Griffith #	marginal ALP	outer metro	1	1				AFP rejected	DRO warning
D756	Griffith #	marginal ALP	outer metro		1		1		AFP rejected	NFA
D757	Griffith #	marginal ALP	outer metro		1	1			AFP rejected	NFA
D758	Griffith #	marginal ALP	outer metro	2					AFP rejected	NFA
D759	Griffith #	marginal ALP	outer metro	2					AFP rejected	NFA
D760	Griffith #	marginal ALP	outer metro	1			1		AFP rejected	NFA
D761	Griffith #	marginal ALP	outer metro	1			1		AFP rejected	NFA
D762	Groom	safe LP	provincial	1		1			AFP rejected	DRO warning
D763	Groom	safe LP	provincial	1			1		AFP rejected	NFA
D764	Groom	safe LP	provincial	2					AFP rejected	NFA
D765	Herbert	marginal LP	provincial	1	1				AFP rejected	DRO warning
D766	Herbert	marginal LP	provincial	1		1			AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D767	Herbert	marginal LP	provincial			1	1		AFP rejected	DRO warning
D768	Herbert	marginal LP	provincial	1				1	AFP rejected	NFA
D769	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D770	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D771	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D772	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D773	Herbert	marginal LP	provincial	1				1	AFP rejected	NFA
D774	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D775	Herbert	marginal LP	provincial	1			1		AFP rejected	NFA
D776	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D777	Herbert	marginal LP	provincial	1			1		AFP rejected	NFA
D778	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D779	Herbert	marginal LP	provincial	1	1				AFP rejected	NFA
D780	Herbert	marginal LP	provincial	2					AFP rejected	NFA
D781	Herbert	marginal LP	provincial	1	1				AFP rejected	NFA
D782	Hinkler	marginal NP	rural	2					AFP rejected	NFA
D783	Hinkler	marginal NP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D784	Hinkler	marginal NP	rural		1		1		AFP rejected	NFA
D785	Hinkler	marginal NP	rural		1	1			AFP rejected	DRO warning
D786	Hinkler	marginal NP	rural		1	1			AFP rejected	DRO warning
D787	Hinkler	marginal NP	rural	2					AFP rejected	NFA
D788	Hinkler	marginal NP	rural	2					AFP rejected	NFA
D789	Hinkler	marginal NP	rural	2					AFP rejected	NFA
D790	Hinkler	marginal NP	rural	2					AFP rejected	NFA
D791	Kennedy	safe NP	rural	1	1				AFP rejected	NFA
D792	Kennedy	safe NP	rural	2					AFP rejected	NFA
D793	Kennedy	safe NP	rural	2					AFP rejected	NFA
D794	Kennedy	safe NP	rural	2					AFP rejected	NFA
D795	Kennedy	safe NP	rural	2					AFP rejected	NFA
D796	Kennedy	safe NP	rural	2					AFP rejected	NFA
D797	Kennedy	safe NP	rural	2					AFP rejected	NFA
D798	Kennedy	safe NP	rural	2					AFP rejected	NFA
D799	Kennedy	safe NP	rural	2					AFP rejected	NFA
D800	Kennedy	safe NP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D801	Kennedy	safe NP	rural	2					AFP rejected	NFA
D802	Kennedy	safe NP	rural	2					AFP rejected	NFA
D803	Kennedy	safe NP	rural	2					AFP rejected	NFA
D804	Kennedy	safe NP	rural	2					AFP rejected	NFA
D805	Kennedy	safe NP	rural	2					AFP rejected	NFA
D806	Kennedy	safe NP	rural	1				1	AFP rejected	NFA
D807	Kennedy	safe NP	rural	2					AFP rejected	NFA
D808	Kennedy	safe NP	rural	1	1				AFP rejected	NFA
D809	Kennedy	safe NP	rural	1			1		AFP rejected	NFA
D810	Kennedy	safe NP	rural	2					AFP rejected	NFA
D811	Kennedy	safe NP	rural	2					AFP rejected	NFA
D812	Kennedy	safe NP	rural	2					AFP rejected	NFA
D813	Kennedy	safe NP	rural	1	1				AFP rejected	NFA
D814	Kennedy	safe NP	rural	2					AFP rejected	NFA
D815	Kennedy	safe NP	rural	2					AFP rejected	NFA
D816	Kennedy	safe NP	rural	2					AFP rejected	NFA
D817	Kennedy	safe NP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D818	Kennedy	safe NP	rural	2					AFP rejected	NFA
D819	Kennedy	safe NP	rural	2					AFP rejected	NFA
D820	Kennedy	safe NP	rural	1			1		AFP rejected	NFA
D821	Kennedy	safe NP	rural	1			1		AFP rejected	NFA
D822	Kennedy	safe NP	rural	1			1		AFP rejected	NFA
D823	Kennedy	safe NP	rural		1		1		AFP rejected	NFA
D824	Kennedy	safe NP	rural	1			1		AFP rejected	NFA
D825	Kennedy	safe NP	rural	2					AFP rejected	NFA
D826	Kennedy	safe NP	rural	2					AFP rejected	NFA
D827	Kennedy	safe NP	rural	2					AFP rejected	NFA
D828	Kennedy	safe NP	rural	1		1			AFP rejected	NFA
D829	Kennedy	safe NP	rural	2					AFP rejected	NFA
D830	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D831	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D832	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D833	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D834	Leichhardt	marginal LP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D835	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D836	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D837	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D838	Leichhardt	marginal LP	rural	1	1				AFP rejected	NFA
D839	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D840	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D841	Leichhardt	marginal LP	rural	2					AFP rejected	NFA
D842	Leichhardt	marginal LP	rural		1	1			AFP rejected	DRO warning
D843	Leichhardt	marginal LP	rural	1	1				AFP rejected	NFA
D844	Leichhardt	marginal LP	rural	1	1				AFP rejected	NFA
D845	Lilley #	marginal ALP	inner metro	1	1				AFP rejected	NFA
D846	Lilley #	marginal ALP	inner metro		1		1		AFP rejected	NFA
D847	Lilley #	marginal ALP	inner metro		1		1		AFP rejected	NFA
D848	Lilley #	marginal ALP	inner metro	1	1				AFP rejected	NFA
D849	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D850	Lilley #	marginal ALP	inner metro	1	1				AFP rejected	NFA
D851	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D852	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D853	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D854	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D855	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D856	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D857	Lilley #	marginal ALP	inner metro	2					AFP rejected	NFA
D858	Longman	marginal LP	rural	1	1				AFP rejected	NFA
D859	Longman	marginal LP	rural	2					AFP rejected	NFA
D860	Longman	marginal LP	rural	2					AFP rejected	NFA
D861	Longman	marginal LP	rural	2					AFP rejected	NFA
D862	Longman	marginal LP	rural	2					AFP rejected	NFA
D863	Longman	marginal LP	rural	2					AFP rejected	NFA
D864	Longman	marginal LP	rural	2					AFP rejected	NFA
D865	Longman	marginal LP	rural	1		1			AFP rejected	NFA
D866	Longman	marginal LP	rural	2					AFP rejected	NFA
D867	Longman	marginal LP	rural	2					AFP rejected	NFA
D868	Longman	marginal LP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D869	Longman	marginal LP	rural	1	1				AFP rejected	DRO warning
D870	Longman	marginal LP	rural	2					AFP rejected	NFA
D871	Maranoa	safe NP	rural	1	1				AFP rejected	DRO warning
D872	Maranoa	safe NP	rural	1			1		AFP rejected	DRO warning
D873	Maranoa	safe NP	rural	1	1				AFP rejected	DRO warning
D874	Maranoa	safe NP	rural	2					AFP rejected	NFA
D875	Maranoa	safe NP	rural	2					AFP rejected	NFA
D876	Maranoa	safe NP	rural	2					AFP rejected	NFA
D877	Maranoa	safe NP	rural	2					AFP rejected	NFA
D878	Maranoa	safe NP	rural	2					AFP rejected	NFA
D879	McPherson	fairly safe LP	provincial	2					AFP rejected	NFA
D880	McPherson	fairly safe LP	provincial	2					AFP rejected	NFA
D881	McPherson	fairly safe LP	provincial	2					AFP rejected	NFA
D882	McPherson	fairly safe LP	provincial	2					AFP rejected	NFA
D883	McPherson	fairly safe LP	provincial		1		1		AFP rejected	NFA
D884	McPherson	fairly safe LP	provincial		1			1	AFP rejected	NFA
D885	McPherson	fairly safe LP	provincial		2				AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D886	McPherson	fairly safe LP	provincial	1		1			AFP rejected	NFA
D887	McPherson	fairly safe LP	provincial	2					AFP rejected	NFA
D888	McPherson	fairly safe LP	provincial	2					AFP rejected	NFA
D889	Moncrieff	safe LP	provincial		1		1		AFP rejected	DRO warning
D890	Moncrieff	safe LP	provincial	1	1				AFP rejected	NFA
D891	Moncrieff	safe LP	provincial		1		1		AFP rejected	DRO warning
D892	Moncrieff	safe LP	provincial		2				AFP rejected	DRO warning
D893	Moncrieff	safe LP	provincial	1		1			AFP rejected	NFA
D894	Moreton	marginal LP	inner metro		1		1		AFP rejected	NFA
D895	Moreton	marginal LP	inner metro		1	1			AFP rejected	DRO warning
D896	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D897	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D898	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D899	Moreton	marginal LP	inner metro	1			1		AFP rejected	NFA
D900	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D901	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D902	Moreton	marginal LP	inner metro	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D903	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D904	Moreton	marginal LP	inner metro	2					AFP rejected	NFA
D905	Moreton	marginal LP	inner metro	1				1	AFP rejected	NFA
D906	Oxley #	fairly safe ALP	outer metro		2				AFP rejected	NFA
D907	Oxley #	fairly safe ALP	outer metro	1				1	AFP rejected	DRO warning
D908	Oxley #	fairly safe ALP	outer metro		1		1		AFP rejected	DRO warning
D909	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D910	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D911	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D912	Oxley #	fairly safe ALP	outer metro	1			1		AFP rejected	NFA
D913	Oxley #	fairly safe ALP	outer metro	1			1		AFP rejected	NFA
D914	Oxley #	fairly safe ALP	outer metro	1			1		AFP rejected	NFA
D915	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D916	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D917	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D918	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D919	Oxley #	fairly safe ALP	outer metro	1			1		AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D920	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D921	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D922	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D923	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D924	Oxley #	fairly safe ALP	outer metro	2					AFP rejected	NFA
D925	Oxley #	fairly safe ALP	outer metro	1				1	AFP rejected	NFA
D926	Petrie	marginal LP	outer metro				2		AFP rejected	DRO warning
D927	Petrie	marginal LP	outer metro	1	1				AFP rejected	DRO warning
D928	Petrie	marginal LP	outer metro	1	1				AFP rejected	DRO warning
D929	Petrie	marginal LP	outer metro	1	1				AFP rejected	NFA
D930	Petrie	marginal LP	outer metro	1			1		AFP rejected	NFA
D931	Petrie	marginal LP	outer metro	2					AFP rejected	NFA
D932	Rankin	fairly safe ALP	outer metro	2					AFP rejected	NFA
D933	Rankin	fairly safe ALP	outer metro	2					AFP rejected	NFA
D934	Rankin	fairly safe ALP	outer metro	2					AFP rejected	NFA
D935	Wide Bay	marginal NP	rural	1	1				AFP rejected	DRO warning
D936	Wide Bay	marginal NP	rural	1	1				AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D937	Wide Bay	marginal NP	rural	1	1				AFP rejected	NFA
D938	Wide Bay	marginal NP	rural			1	1		AFP rejected	DRO warning
D939	Wide Bay	marginal NP	rural	1	1				AFP rejected	NFA
D940	Wide Bay	marginal NP	rural		2				AFP rejected	NFA
D941	Wide Bay	marginal NP	rural	2					AFP rejected	NFA
D942	Wide Bay	marginal NP	rural	2					AFP rejected	DRO warning
D943	Wide Bay	marginal NP	rural	2					AFP rejected	DRO warning
D944	Wide Bay	marginal NP	rural	2					AFP rejected	NFA
D945	Wide Bay	marginal NP	rural	2					AFP rejected	NFA
D946	Wide Bay	marginal NP	rural	1			1		AFP rejected	NFA
D947	Wide Bay	marginal NP	rural	2					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Western Australia – Dual Voting

Case No	WA Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D948	Canning #	marginal ALP	outer metro	1	1				AFP investigated	NFA
D949	Canning #	marginal ALP	outer metro	1	1				AFP investigated	NFA
D950	Canning #	marginal ALP	outer metro		1			1	AFP investigated	NFA
D951	Canning #	marginal ALP	outer metro		1			1	AFP investigated	NFA
D952	Canning #	marginal ALP	outer metro	1			1		AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

South Australia - Dual Voting

Case No	SA Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D953	Bonython	safe ALP	outer metro	2					AFP rejected	NFA
D954	Bonython	safe ALP	outer metro	2					AFP rejected	NFA
D955	Bonython	safe ALP	outer metro	1	1				AFP rejected	NFA
D956	Bonython	safe ALP	outer metro	2					AFP rejected	NFA
D957	Boothby	fairly safe LP	outer metro				2		AFP rejected	NFA
D958	Hindmarsh	marginal LP	inner metro	1	1				AFP rejected	NFA
D959	Mayo	marginal LP	rural		2				AFP rejected	NFA
D960	Sturt	fairly safe LP	inner metro	1	1				AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Tasmania - Dual Voting

No cases of suspected dual voting were detected in Tasmania.

Northern Territory - Dual Voting

No cases of suspected dual voting were detected in the Northern Territory.

ACT - Dual Voting

Case No	ACT Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
D961	Fraser	safe ALP	inner metro	2					AFP rejected	NFA
D962	Fraser	safe ALP	inner metro	1	1				AFP rejected	NFA
D963	Fraser	safe ALP	inner metro			1	1		AFP rejected	NFA
D964	Fraser	safe ALP	inner metro	1		1			AFP rejected	NFA
D965	Fraser	safe ALP	inner metro	1	1				AFP rejected	NFA
D966	Fraser	safe ALP	inner metro	1		1			AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

@ Voter aged 70 years or more

Table 2: 1998 Federal Election - Summary - Suspected Dual Voters

State/ Terr	# Dual Voters	Non- Anglo Name	* Aged >= 70 yrs	Dual Ordinary	Dual Postal	Dual Pre-poll	Dual Absent	Dual Prov	AFP Rejected	Elector Denied to AFP
NSW	233	171	5	124	0	1	0	1	199	0
Vic	466	292	55	128	7	1	7	3	466	0
Qld	248	76	60	129	9	0	1	0	248	0
WA	5	2	0	0	0	0	0	0	1	0
SA	8	4	0	3	1	0	1	0	8	0
Tas	0	0	0	0	0	0	0	0	0	0
NT	0	0	0	0	0	0	0	0	0	0
ACT	6	0	1	1	0	0	0	0	6	0
Total	966	545	121	385	17	2	9	4	928	0

1996 Federal Election - Summary - Suspected Dual Voters

State/ Terr	Dual Voters	Non- Anglo Name	Dual Ordinary	Dual Postal	Dual Pre-poll	Dual Absent	Dual Prov	AFP Rejected	Elector Denied to AFP
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

The nearly fourfold increase in detected dual voters from the 1996 to the 1998 election is mainly because AEC State/Territory Head Offices are now reporting all suspected dual voting cases, not just those fitting criteria for investigation agreed with local branches of the AFP.

* The category of 'Aged Dual Voters' was not analysed for the 1996 election.

Table 3: 1998 Federal Election: Suspected Multiple Voting Report as at 30 September 1999

New South Wales - Multiple Voting

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
M1	Banks	fairly safe ALP	inner metro	4					AFP rejected	NFA
M2	Banks	fairly safe ALP	inner metro	3					AFP rejected	NFA
M3	Barton	fairly safe ALP	inner metro	2	1				AFP rejected	NFA
M4	Bradfield	safe LP	inner metro	3					AFP rejected	NFA
M5	Bradfield	safe LP	inner metro	2				1	AFP rejected	NFA
M6	Chifley	safe ALP	outer metro	3					AFP rejected	NFA
M7	Cook #	fairly safe LP	inner metro	3					AFP rejected	NFA
M8	Eden-Monaro	marginal LP	rural	6					AFP rejected	NFA
M9	Eden-Monaro	marginal LP	rural	3					AFP rejected	NFA
M10	Fowler	safe ALP	outer metro	2		1			AFP rejected	NFA
M11	Fowler	safe ALP	outer metro	3					AFP rejected	NFA
M12	Grayndler	safe ALP	inner metro	9					AFP - voter denied	NFA
M13	Grayndler	safe ALP	inner metro	9					AFP - voter denied	NFA
M14	Grayndler	safe ALP	inner metro	3					AFP rejected	NFA
M15	Lindsay	marginal LP	outer metro	4					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

Case No	NSW Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
M16	Lindsay	marginal LP	outer metro	2	1				AFP rejected	NFA
M17	Lowe #	marginal ALP	inner metro	7					AFP rejected	NFA
M18	Mitchell	safe LP	outer metro	2			1		AFP rejected	NFA
M19	Parkes	marginal NP	rural	3					AFP rejected	NFA
M20	Prospect	safe ALP	outer metro	2			1		AFP rejected	NFA
M21	Prospect	safe ALP	outer metro	3					AFP rejected	NFA
M22	Reid	safe ALP	inner metro	3					AFP rejected	NFA
M23	Reid	safe ALP	inner metro	3					AFP rejected	NFA
M24	Reid	safe ALP	inner metro	3					AFP rejected	NFA
M25	Reid	safe ALP	inner metro	3					AFP rejected	NFA
M26	Robertson	marginal LP	provincial	1	1	1			AFP rejected	NFA
M27	Robertson	marginal LP	provincial	1	1	1			AFP rejected	NFA
M28	Throsby	safe ALP	provincial	10					AFP - voter denied	NFA
M29	Watson	safe ALP	inner metro	3					AFP rejected	NFA
M30	Wentworth	fairly safe LP	inner metro	3					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

Victoria - Multiple Voting

Case No	Victorian Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
M31	Bruce	fairly safe ALP	outer metro	4					AFP rejected	NFA
M32	Deakin	marginal LP	outer metro	2		1			AFP rejected	NFA
M33	Gellibrand	safe ALP	inner metro	3					AFP rejected	NFA
M34	Maribyrnong	safe ALP	outer metro	2	1				AFP rejected	NFA

Queensland - Multiple Voting

Case No	Queensland Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
M35	Blair	marginal LP	rural	10					AFP - voter denied	NFA
M36	Forde	marginal LP	rural	10		2			AFP rejected	NFA
M37	Leichhardt	marginal LP	rural	4					AFP - voter denied	NFA
M38	Leichhardt	marginal LP	rural	4					AFP - voter denied	NFA
M39	Leichhardt	marginal LP	rural	4					AFP - voter denied	NFA
M40	McPherson	fairly safe LP	provincial	6					AFP - voter denied	NFA
M41	McPherson	fairly safe LP	provincial	3					AFP - voter denied	NFA
M42	McPherson	fairly safe LP	provincial	3					AFP - voter denied	NFA
M43	Oxley #	fairly safe ALP	outer metro	5					AFP - voter denied	NFA
M44	Oxley #	fairly safe ALP	outer metro	3					AFP rejected	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

South Australia - Multiple Voting

Case No	SA Division	Seat Status	Demographic Rating	Suspected Dual Votes					Investigation	Result
				Ord	Post	PreP	Abs	Prov		
M45	Hindmarsh	marginal LP	inner metro	12					AFP - voter denied	NFA

* Voters with a non-Anglo name

Divisions which changed political party at the 1998 federal election

Western Australia, Tasmania, Northern Territory and Australian Capital Territory - Multiple Voting

No cases of multiple voting were detected in Western Australia, Tasmania, the Northern Territory or the Australian Capital Territory.

Table 4: 1998 Federal Election - Summary - Suspected Multiple Voters

State/ Terr	Multiple voters	Sydney Metro	Multiple Ordinary	Multiple Postal	Multiple Pre-poll	Multiple Absent	Multiple Prov	AFP Rejected	Elector Denied
NSW	30	24	22	0	0	0	0	22	3
Vic	4	-	2	0	0	0	0	4	0
Qld	10	-	10	0	1	0	0	2	8
WA	0	-	0	0	0	0	0	0	0
SA	1	-	1	0	0	0	0	0	1
Tas	0	-	0	0	0	0	0	0	0
NT	0	-	0	0	0	0	0	0	0
ACT	0	-	0	0	0	0	0	0	0
Total	45	24	35	0	1	0	0	28	12

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 Rejected	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