

ATTACHMENTS

Opening address by the Electoral Commissioner at the JSCEM public hearings of 15 November 2000

1. This inquiry into the Integrity of the Electoral Roll was requested by the Special Minister of State, Senator Chris Ellison, on 23 August 2000, in response to allegations by Ms Karen Ehrmann of organised branch-stacking in the Queensland ALP. Minister Ellison was concerned that such activities could impact on the integrity of the Commonwealth Electoral Roll, which is managed under the Joint Roll Arrangements between the Commonwealth and the various States and Territories.

2. The committee called for submissions on 9 September, with a closing date of 15 October. The AEC submission was filed on 17 October 2000, and after being released by the committee on 31 October, is now available on the AEC website.

3. Unlike other political parties, the Queensland ALP apparently requires evidence of electoral enrolment for party members to vote in internal party preselection ballots. Within the federal Division of Herbert, in north Queensland, in 1996 to 1997, branch-stacking activities for State preselection ballots resulted in fraudulent enrolments being lodged with the AEC by Ms Ehrmann, Mr Foster and Mr Kehoe. The suspect enrolments were initially detected by AEC staff in the Division of Herbert and successful prosecutions followed for forging and uttering.

4. During her sentencing, Ms Ehrmann alleged that she was only a “bit-player” in a larger ALP conspiracy to stack party branches in Queensland for preselection purposes. Following legal advice on Ms Ehrmann’s allegations by Mr McMurdo QC, the Queensland Criminal Justice Commission established the Shepherdson inquiry into possible official misconduct and criminal activities. On the first day of the Shepherdson inquiry, which is still in progress, Ms Ehrmann alleged that there was an “insider” in the “Electoral Commission” who was providing “white cards” as official acknowledgment that party members were enrolled and could vote in preselection ballots.

5. As a result of this new allegation about the existence of an “Electoral Commission insider”, the AEC determined that an independent inquiry was necessary, and on 12 October the Commonwealth Ombudsman agreed that his office would conduct such an inquiry, which is now in progress.

6. This committee would also be aware that the Queensland Legal, Constitutional and Administrative Review Committee is also inquiring into the Prevention of Electoral Fraud, and tabled its Report in the Queensland Parliament yesterday. In its report the Queensland committee recommends that the Queensland Electoral Commission be provided with extra resourcing to enable it to establish computerised data-matching systems with other Queensland agencies, and to make the relevant information available to the AEC to improve the integrity of the Commonwealth Electoral Roll.

7. At the same the time as this inquiry into the Integrity of the Electoral Roll was commenced, there was to have been a parallel inquiry into Electoral Funding and Disclosure. The AEC filed a submission for the FAD inquiry on 17 October, but now understands that this inquiry has been postponed so that the committee can concentrate on the Integrity inquiry. The AEC hopes that the FAD inquiry will be restored to the committee’s agenda as there are some critical issues to be addressed

in the funding and disclosure regime under the Electoral Act before the next federal election.

8. The Integrity inquiry has resulted in intense press speculation on the issue of electoral fraud, and there have been allegations made of electoral fraud going back more than a decade. On 4 November, a journalist, Mr Chris Griffith published allegations in the *Courier Mail* of electoral fraud at the 1987 federal election in the Division of Fisher. Mr Griffith's report was based on allegations made by an ALP "insider" who, according to all reports, remains unidentified. On 6 November, the Prime Minister referred these allegations to the Australian Federal Police. The AFP have already been in touch with the AEC and have been provided with AEC files from 1987 that relate to the Division of Fisher.

9. It is difficult for the AEC to make any comment on this matter whilst an AFP investigation is underway, but it is necessary to put on the record in this parliamentary forum, that the AEC holds no evidence on its files of any organised electoral fraud at the 1987 Fisher election that would have affected the election result.

10. The AEC is concerned about the impact on public confidence in the electoral system of the canvassing of unsubstantiated and anonymous allegations of electoral fraud, over a decade after the event. Electoral legislation allows a period of 40 days for challenges to be taken to the Court of Disputed Returns. This strict timetable was recently affirmed by the High Court, which remarked on the necessity for election disputes to be resolved quickly in order to avoid instability in government.

11. The winning margin at the 1987 Fisher election was some 700 votes. After scanning of the certified lists, 200 multiple marks were recorded by the AEC, and 188 of these were recorded as official errors because they could be matched with apparent non-voters. There remained 11 cases of possible multiple voting for which no conclusive evidence could be found, and one case was referred to the AFP for investigation. Even if all 200 marks had been substantiated as multiple voting, this would not have been nearly enough to have affected the 700 vote winning margin. Further, there were no complaints made to the AEC of any impersonated voting, or any other method of defrauding votes.

12. A petition by Mr Colin Smith was filed with the Court of Disputed Returns against the Fisher election, but this related to issues of bribery, and electoral advertising, and not to the defrauding of votes. The petition was not progressed through the court and was apparently abandoned by the petitioner.

13. The AEC files from the period show press reports of allegations of electoral fraud made by an unidentified person at a National Party meeting in Toowoomba. Mr Chris Griffith, who was responsible for the recent *Courier Mail* reports, was active in the press in 1989 in calling for these allegations to be properly investigated. The file also shows that the then Electoral Commissioner, Dr Colin Hughes, invited anyone who had evidence of electoral fraud to bring it forward to the AEC, or to test their claims in the Court of Disputed Returns. No such evidence was forthcoming.

14. The AEC understands that this committee may have the power to summon Mr Griffith to find out the identity of the "ALP insider" who has made these allegations, and to question this person about the veracity of the claims made. The AEC believes that such a course of action should be seriously considered by this committee, despite the fact that an AFP investigation is already in train.

15. As part of the AEC submission to this inquiry, Attachment 20 lists 71 cases of possible enrolment fraud detected by the AEC over the past decade. Some of the reported Queensland cases, detected and referred to the AFP well before this inquiry got underway, have now been concluded and convictions recorded. However, three of these cases (Qld15-17), uncovered as part of normal continuous roll updating procedures in the Divisions of Bowman, Ryan and Moncrieff, have now been reported in the press as being new cases of enrolment fraud arising in the context of this current inquiry.

16. This less than accurate press reporting has contributed to an atmosphere of severe crisis in the federal electoral system, reflected on radio talkback and the letters columns of the newspapers, that the AEC believes is not justified by the facts. The enrolment fraud cases, investigated by the AEC, the AFP and the DPP over the past decade, and already reported to this committee, do not reveal any underlying organised conspiracy against federal elections. The AEC is willing to assert once again that there is no evidence that any federal election since the establishment of the AEC in 1984 has been subjected to any widespread and organised conspiracy that would have affected the results of those federal elections.

17. This committee would be aware that the Government is presently negotiating with the States to bring in regulations to enforce new enrolment witnessing and identification provisions in the *Electoral and Referendum Amendment Act 1999*. In paragraph 6.8 of the AEC submission of 17 October to this inquiry, the AEC advised that, as long ago as 1996, it had indicated its conditional support for any such reforms in a submission to the committee. That is, the AEC has no objection to such a reform of the enrolment system, provided it imposes no cost or inconvenience on electors, and provided that there is a sufficiently broad class of enrolment witnesses.

18. In relation to the convictions of Andy Kehoe, Shane Foster and Karen Ehrmann for enrolment forgery in the Division of Herbert, the Special Minister of State said in a media release of 23 August that "the .. amendments would have made this type of fraud virtually impossible." However, in paragraph 6.2 of the AEC submission of 17 October, the AEC said that it was unable to agree with the Minister that the new provisions would have made the fraud perpetrated by Kehoe/Foster/Ehrmann virtually impossible.

19. I would like to take this opportunity to clarify this difference of opinion between the AEC and the Minister, relating as it does only to the particular forgery convictions in the Division of Herbert.

- The *Electoral and Referendum Amendment Act (No.1) 1999* contains provisions that have yet to be proclaimed. Proclamation has been delayed pending finalisation of associated regulations and consultation with State and Territory governments concerning complementary legislation.
- two of the provisions yet to be proclaimed relate to the witnessing of applications for enrolment and the requirement for proof of identity to be provided with certain applications for enrolment.
- when proclaimed the new proof of identity requirements will apply only to those persons enrolling for the first time.
- when proclaimed the new witnessing provisions will apply to all new enrolments and transfers of enrolment involving a change of subdivision (which for most States and the ACT means a change of Division).
- it is unlikely that either the new proof of identity provisions or the new witnessing provisions would have prevented the sort of enrolment fraud seen in

the Kehoe/Foster/Erhmann cases, because they did not involve new enrolments, and because they would probably have fitted one of the class of witnesses prescribed in the draft regulations.

21. In conclusion, it is my view that the federal electoral system is in very good shape, and I have no reason to dispute the conclusions reached by previous AEC submissions, JSCEM reports, and Court of Disputed Returns decisions, that no federal election result since 1984, when the AEC was established, has been affected by widespread and organised electoral fraud.

22. The AEC submission of 17 October to this committee concludes that there should be no need for any radical changes to the federal electoral system, such as the early close of rolls or the introduction of voter identification or subdivisional voting. The AEC is concerned that such major changes could have negative impacts on the franchise, in particular.

23. However, the AEC has recommended an increase in the penalties for electoral fraud offences, and an upgrading of the computerised systems used to maintain the integrity of the roll. Needless to say, the upgrading of these computerised enrolment systems would require increased resourcing for the AEC.

24. Such increased resourcing for the AEC would have to be accompanied by specific legislative measures enabling guaranteed and continuing access to a wider range of data sources than is currently available to the AEC for data-matching purposes, including from Commonwealth agencies such as the ATO and from State and Territory agencies.

AEC Staff Employment Procedures

The AEC employs ongoing and non-ongoing staff (previously known as permanent and temporary staff) in addition to employing tens of thousands of election casuals during a federal election period. The ongoing and non-ongoing staff are employed under the *Public Service Act 1999*, and the election casuals are employed under the Electoral Act.

At present, all ongoing and non-ongoing employees of the AEC are subject to a police (convictions) check by the Australian Federal Police. There are currently no security checks of AEC staff undertaken by any other agencies, such as ASIO. However, under section 22 of the Public Service Act, security/character checks could be considered by the AEC if the JSCEM so recommends.

Election casuals are employed under section 35(1)(a)(i) of the Electoral Act, and must complete an application form which declares that they are not affiliated with any political party. Election casuals are provided with an "Employee Information Booklet" which details the terms and conditions of their employment, including:

- confidentiality of personal Information and other official data;
- contraventions of section 323 of the Electoral Act; and
- Crimes Act offences and the information privacy principles under the *Privacy Act 1988*.

Election casuals must also sign an acceptance of offer and undertaking form which states they have read and understood the terms and conditions of their employment.

Section 35(3) of the Electoral Act provides that the terms and conditions of employment of persons under section 35(1)(a)(i), such as election casuals, are such as are from time to time determined by the Commission after consultation with the Public Service Board. That is, security/character checks by the Australian Federal Police could be made mandatory for election casuals under this provision.

However, the AEC employs some 60,000 casuals during election periods. The cost of an AFP security/character check is \$32.73 per check. That is, the total cost of such checks for each electoral event, assuming they could be undertaken in the short time available after the announcement of an election, would be \$1,963,800.

All staff, ongoing, non-ongoing and election casuals are made aware that it is a condition of employment within the AEC that they must not be politically active. The standard employment contract for ongoing and non-ongoing staff members contains this clause:

Please note that as the AEC must maintain strict political neutrality, any person who is, and is seen to be, active in political or electoral affairs, and intends to publicly carry on this activity, cannot be considered for engagement.

Further, such an employment contract may be terminated (amongst other things) for:

Engaging in any conflicting business (this may include being involved with a political party) or having an interest in any business other than the AEC, either directly or indirectly, without the written approval of the AEC.

A copy of the standard contract for non-ongoing staff together with a copy of the letter of engagement for ongoing staff are provided at the end of this Attachment.

The standard employment contract for election casuals contains the following undertaking:

I will not actively engage in political or electoral affairs during the period of employment with the AEC. I acknowledge the importance of the Commission and its staff being seen to be, as well as being, completely impartial and politically neutral.

The AEC is currently reviewing its procedures in relation to the political neutrality undertaking made by staff consequent upon recommendation 1 of the June 2000 JSCEM Report. The AEC is developing an undertaking that will be used when engaging all staff, that is, ongoing and non-ongoing staff as well as staff employed under the Electoral Act such as election casuals.

Apart from section 202A of the Electoral Act, which requires electoral officials and scrutineers to make undertakings in an approved form, the following provisions of the Electoral Act are relevant:

Section 323 - Officers and scrutineers to observe secrecy

A person who is, or has been, an officer or a scrutineer shall not, except for the purposes of Part XVII, either directly or indirectly, divulge or communicate any information with respect to the vote of an elector acquired by him or her in the performance of functions, or in the exercise of powers, under this Act or the regulations in a manner that is likely to enable the identification of the elector.

Penalty: \$1,000 or imprisonment for 6 months, or both

324 - Officers not to contravene Act etc.

A person who, being an officer, contravenes:

a provision of this Act for which no other penalty is provided; or
a direction given to him or her under this Act;

is guilty of an offence punishable on conviction by a fine not exceeding \$1,000.

On page EM14 of the transcript of 15 November 2000, Mr Dacey was asked by Mr Somlyay whether the above provisions had ever been invoked. Mr Dacey said that he was not aware of any instances, in the last 16 years, or of a situation where they needed to be invoked. Further research has uncovered the following case where the provisions could have been invoked, as the election casual involved (the OIC of a polling place) directly disobeyed a direction given to him by the relevant DRO. The facts are as follows.

On polling day, 2 March 1996, the OIC at Yokine West polling place in the Division of Stirling (WA) ran out of declaration envelopes. He therefore asked 17 declaration

voters to fill out a piece of paper with all relevant details, issued the ballot papers for the home Divisions, and then attached the substitute declarations to the completed ballot papers for later attention.

Later in the day, when a supply of extra declaration envelopes arrived at the polling place, the OIC directed polling staff to transcribe the details of the 17 voters onto declaration envelopes. The staff thought that the ballot papers and the substitute declarations were to be placed in the unsigned declaration envelopes. The OIC had indicated to the DRO who visited around that time that he intended forging the signatures. The DRO states that he emphatically told the OIC that this was not to be done. The DRO then had to leave urgently for another polling place.

However, the OIC took it upon himself to then copy the signatures of the 17 voters onto the declaration envelopes. A polling official who had been present at the time telephoned the Australian Electoral Officer for Western Australia on 7 March 1996 to discuss the issue. After her conversation with the AEO WA, the complainant contacted the Commonwealth Ombudsman. The Ombudsman referred the complaint back to the AEC. On 11 April 1996, the AEC referred the matter to the AFP for investigation as a possible offence against section 336(3) of the Electoral Act.

On 11 February 1997 the AFP advised the AEC that the DPP had concluded that a prosecution of the offender would not be in the public interest. The offender was formally cautioned by the DPP, and the DPP suggested that the AEC could protect against future offences by the alleged offender by taking care not to offer the offender future employment at election time.

Example Letter Of Engagement - Ongoing Employee

NOTICE OF ENGAGEMENT AS AN ONGOING APS EMPLOYEE UNDER SECTION 22 (2)(a) OF THE *PUBLIC SERVICE ACT 1999*

I am pleased to advise that you have been selected for employment as an ongoing APS employee under s.22 (2)(a) of the *Public Service Act 1999* with the Australian Electoral Commission.

Details of your employment and the duties on which you will be initially engaged are set out in the attached proposed Notice of Engagement. Commencement of your employment is conditional upon the Electoral Commissioner or appropriate delegate signing a formal Notice of Engagement in the form attached.

Your employment will commence on DATE and you will be expected to attend for duties on that date unless otherwise agreed. If you fail to attend for work on the commencement date specified in this letter, or within such time as may otherwise be agreed, the Notice of Engagement will not take effect.

Your employment is subject to the fulfilment of various pre-engagement checks. These are listed in the Notice of Engagement and include the provision of copies of your birth certificate, educational qualifications (if applicable), marriage certificate (if applicable) and proof of Australian citizenship or evidence that citizenship is being actively sought. You will also be required to complete a period of probation of three months as noted in the proposed Notice of Engagement. During this period your conduct, work performance and your ability to meet the medical standard for engagement will be assessed. You will also be required to undergo a security clearance.

The terms of your engagement will be as specified in the proposed Notice of Engagement and those which apply generally to APS Employees. The *Public Service Act 1999* applies to your employment, and you should familiarise yourself with the provisions of that Act, in particular, sections 10 (APS Values), 13 (The APS Code of Conduct), 25 (Assignment of Duties), and 29 (Termination of Employment). Your conditions of employment are described in the Australian Electoral Commission Agreement 1998 - 2000 (attached).

Please note that as the AEC must maintain strict political neutrality, any person who is, and is seen to be, active in political or electoral affairs, and intends to publicly carry on this activity, cannot be considered for engagement.

Information Privacy Principles

Your address and telephone number will be kept on your personnel file, on the AEC's Personnel Management System (PERSPECT), and on a consolidated list of officers for your State or Territory. In accordance with Information Privacy Principle (IPP) 11, this information may be accessed in circumstances in which disclosure is required or authorised by or under a law. Generally, however, this information is used for a number of purposes which may include the forwarding of payslips and group certificates during absences, or as a contact in the event of an emergency. Upon your commencement you will be asked to confirm your agreement to this information being disclosed by Personnel under such circumstances.

The following forms are attached with this letter for completion by you and should be returned to Human Resource Management.

[Note: Include whatever is listed in Notice of Engagement]

If you wish to be engaged as an ongoing APS employee, please complete the following details and return the original to me at the above address. You should retain a copy for your records.

PROSPECTIVE EMPLOYEE TO COMPLETE:

Family name	
Given name(s)	
Date of Birth	

Signature: _____ date ____/____/____

[Note: Prospective Employee to sign and date above and return as notification of acceptance]

Yours sincerely

Delegate of the Electoral Commissioner

Notice of Engagement

As Delegate of the Electoral Commissioner under the *Public Service Act 1999* (the Act), I, NAME:

- engage the person who is specified below as an ongoing APS employee under section 22 of the Act;
- allocate the classification specified below to that employee under subsection 5(1) of the Public Service Classification Rules 1999; and
- assign the duties specified below to that employee under section 25 of the Act.

This Notice of Engagement will take effect on the DATE, provided the employee takes up duty on that day, or if another day is agreed, it will take effect on that other day.

As delegate of the Electoral Commissioner under subsection 77(2) of the *Public Service Act 1999*, I nominate NAME to occupy position number P/N, with effect from DATE.

XXXXXXX

Delegate of the Electoral Commissioner
DATE

Full name	
AGS No.	
Category	Ongoing
Classification	
Job ID No.	
Commencement Date	
Employment location on commencement	West Block, Queen Victoria Terrace, Parkes ACT 2600
Hours per week	37 hours and 30 minutes
Salary on commencement	
Local designation and/or position identifier; or Section 77 position number or other identifier, if applicable	'Not Applicable'
Probation period	Three months
Conditions	Citizenship Security and character clearances Health clearance
Terms of employment	Australian Electoral Commission Agreement 1998-2000 (attached) <i>Public Service Act 1999</i>
Duties	As per the attached duty statement

Example Of Non-Ongoing Contract Of Employment

CONTRACT FOR NON-ONGOING EMPLOYMENT
under section 22(2)(b) of the *Public Service Act 1999*
by the AUSTRALIAN ELECTORAL COMMISSION

You have been selected for employment as a non-ongoing APS employee under s22(2)(b) of the *Public Service Act 1999* (the Act) as an CLASSN,PN,SECTION, part/full time hours with the Australian Electoral Commission (AEC). The work to be performed by you is referred to in this letter as the "Duties", as outlined in the attached Duty Statement.

You should familiarise yourself with the provisions of the Act, in particular, sections 10 (APS Values), 13 (The APS Code of Conduct), 25 (assignment of duties) and 29 (Termination of Employment). This is available on the PSMPC website – www.psmpc.gov.au.

Your period of employment will commence on DATES TO DATES unless earlier terminated by the AEC in accordance with this letter. X(Your employment is subject to the fulfilment of various pre-engagement checks. These are listed at page 5 of this contract and include the provision of copies of your birth certificate, and proof of Australian citizenship.) If you fail to attend for work on the commencement date specified above, or within such time as may otherwise be agreed, this contract will not take effect or proceed.

Depending on operational requirements there may be the possibility of extension. For any extension you will be notified five (5) working days prior to the extension taking effect. If you have not been notified of any extension five (5) working days before the end date of the contract, then the contract will cease on the nominated end date stated above, *i.e.* DATES.

You should not presume that the Contract will be extended.

Please note that as the AEC must maintain strict political neutrality, any person who is, and is seen to be, active in political or electoral affairs, and intends to publicly carry on this activity, cannot be considered.

Information Privacy Principles

Your address and telephone number will be kept on your personal file, on the AEC's Personnel Management System (PERSPECT), and on a consolidated list of officers for your State or Territory. In accordance with Information Privacy Principle (IPP) 11, this information may be accessed in circumstances in which disclosure is required or authorised by or under a law. Generally, however, this information is used for a number of purposes that may include the forwarding of payslips and group certificates during absences, or as a contact in the event of an emergency. Signing of this contract confirms your agreement to this information being disclosed by Personnel under such circumstances.

Your Obligations

In performing the Duties, you must:

- Comply with the AEC's Code of Conduct;

- Comply with all reasonable directions given by the AEC or the manager to whom you report;
- Be available to perform the Duties during ordinary business hours;
- Work the hours necessary for the efficient and competent performance of the Duties;
- Use all of your knowledge, expertise, experience and efforts in performing the Duties;
- Keep the AEC properly informed of all matters arising out of, or relating to the performance of the Duties;
- Not be involved, or have any interest, whether directly or indirectly, in any other conflicting business or occupation without the AEC's prior written agreement;
- Not accept, or solicit any payment, inducement or other benefit in any form whatsoever for any act or favour given in connection with any transaction in which the AEC is involved;
- Be registered or licensed in accordance with the requirements of any applicable legislation for the purposes of, or incidental to, the performance of the Duties
- Comply with any relevant statutory and lawful requirements of governmental, public and other competent authorities for the purposes of, or incidental to, the Duties.

The AEC may, at its discretion, reasonably vary or alter the Duties during the term of your non-ongoing employment.

You must perform the Duties at the AEC's offices in Central Office, Canberra.

Salary and Benefits

Your salary will be paid in accordance with the attached Schedule. You will be entitled to the benefits and allowances as set out in the Schedule.

Termination

Subject to the following, your employment terminates on the date as set out above.

Notice of Termination

Your non-ongoing employment may be terminated by either you or the AEC, giving at least (2,3or4) weeks written notice to the other party. Where the AEC exercises its right to terminate your non-ongoing employment, your salary for at least (2,3or4) weeks may be paid in lieu of notice.

The period of notice given to you by the AEC or the payment in lieu of notice shall be the limit of the AEC's obligations to you if your non-ongoing employment is terminated in these circumstances. The AEC may, in its sole discretion, accept less than (2,3or4) weeks notice from you in the event that you elect to terminate this Agreement.

Termination for Cause

Your non-ongoing employment may be terminated by the AEC by written notice with immediate effect if at any time you breach a term of this letter including:

- The provisions of the AEC Certified Agreement and Policies (all of which may be amended from time to time) which are incorporated into this Agreement by reference;
- Failing to comply with reasonable and lawful directions of the AEC or a person authorised by the AEC to give such directions;

- Committing any act of dishonesty including fraudulent misuse of the AEC funds, equipment or resources;
- Committing any act or omission likely to cause serious harm or damage to the reputation or business of the AEC either directly or indirectly;
- Engaging in any conflicting business (this may include being involved with a political party) or having an interest in any business other than the AEC, either directly or indirectly, without the written approval of the AEC;
- Wilfully neglecting the Duties;
- Breaching any term of this contract which the AEC considers to be an important term;
- Committing an act of bankruptcy or insolvency;
- Being convicted of a criminal offence which affects his or her capacity to perform the Duties or which could, or is likely to, bring the AEC into disrepute;
- Committing any other act that amounts to serious misconduct.

The AEC is not liable to compensate you for any part of the unexpired portion of this Agreement in the event of termination by the AEC in these circumstances.

Probation

Your non-ongoing employment will initially be subject to a probationary period of (2,3or4) weeks during which time it may be terminated on one day's notice.

Intellectual Property and Confidential Information

The ownership of any material, including intellectual property rights, brought into existence by you during the course of performing the Duties ("Contract Material") vests upon its creation in the AEC. You must assign all present and future ownership and intellectual property rights in respect of the Contract Material to the AEC. You must do anything necessary to give effect to, or to provide to the AEC evidence of, that assignment.

Any material provided or made available by the AEC to you for the purposes of the Duties ("AEC Material"), and any intellectual property rights in relation to any of the AEC Material, shall remain the property of the AEC. On the expiration or earlier termination of your non-ongoing employment, you must return all the AEC Material to the AEC or as otherwise directed by the AEC.

You must ensure that the Contract Material, the AEC Material and any other confidential information relating to the Duties in your possession or control is:

- Used only for the purposes of properly performing the Duties and, except as required by compulsion of law, only provided to people who have a "need to know"; and
- Stored in an appropriately secure fashion.

Immediately on the completion of the Duties or the termination of your non-ongoing employment by the AEC, or on the receipt by you of a notice from the AEC so requiring, you must deliver, or arrange for the delivery, to the AEC of all Contract Material and the AEC Material in your possession or under your control.

You must use the AEC Material only in accordance with any conditions on use of which you are notified by the AEC.

You must not do anything which may cause the AEC to breach its obligations under the Privacy Act 1988.

Conflict of Interest

You warrant that, at the date of commencing performance of the Duties, no conflict of interest exists or is likely to arise in the performance of the Duties. If, during the term of your non-ongoing employment, you become aware that a conflict of interest or the risk of a conflict of interest has arisen, you must notify the AEC immediately in writing of that conflict or risk.

AEC Policies and Procedures

You must comply with all health, safety, security and other office policies or regulations (including the AEC smoke-free workplace policy) applying to the AEC premises which are advised to you from time to time.

The AEC may vary, change or terminate existing policies at its discretion and the AEC's exclusive right to develop and introduce new policies. A breach of the AEC's policies or procedures may amount to serious misconduct.

The following forms were completed and return to Personnel:

- ATO Tax File Number Declaration/Withholding declaration
- AEC Commencement Details form
- Consent to Obtain Personal Information form – Police Records Checks Information leaflet
- Information held in Personnel – information and acknowledgment form
- Personal Computer Software and Configuration Agreement
- Eligibility to join Public Sector Superannuation Scheme (PSS)
- Confidential Medical and Personal Statements for PSS – (if joining)
- AGEST membership application (only applicable if not nominating to join or not eligible to join the PSS)
- Equal Employment Opportunity Form
- AEC Policy on Acceptable Usage of Email and Internet

If you have any queries regarding your non-ongoing employment, please contact NAME/PH NO. Otherwise please sign below and return the contract.

I wish you success in your non-ongoing employment at the AEC.

Yours sincerely

Delegate of the Electoral Commissioner

I, NAME, hereby accept and agree to the above terms and conditions of employment.

Signed: _____ *Witnessed by:* _____
NAME: _____ *NAME:* _____

SCHEDULE

Name of employee:

AGS number:

Classification:

Position number:

Dates of employment:

Hours per week: part/full time (37.5 hrs/week and flextime provisions apply)

Base salary: \$ per annum (full time rate) unless varied as follows:

The terms and conditions of your employment will be varied in accordance with any changes to the AEC Certified Agreement or the relevant Industrial Agreement and Policies relating to the AEC.

You may be entitled to the following benefits and allowances:

Recreation Leave;

Personal Leave;

Long Service Leave;

Overtime;

Penalty payments where applicable;

Eligibility to join a superannuation fund

If aged 65 years or older, limited Workers Compensation is available

For the avoidance of doubt, provisions of the AEC Certified Agreement, which relate to voluntary and involuntary retirement, do not apply to you.

AEC Staff Security Arrangements

Access to RMANS is granted to authorised casual and permanent employees of the AEC and State Electoral Offices. In all cases, a record is held on the system showing User ID, including details of user name, user type, location (State/Territory), Divisional Office, State District (where appropriate), functions, elector matching permission and address modification permission and a contact phone number.

The method of communicating the requirement for system access, the information required to be provided and the requirement to notify a requirement for Divisional Office use varies between Head Offices.

In the Northern Territory, as the office is small and both the Divisional Office and the HO are located within the same building, a verbal request from an authorised person is sufficient with a record of access allowed being kept on file.

In Queensland a written request is required, this request is normally received as an email and provides information on name, access required and a date range for which the access is required.

In New South Wales, the ACT and South Australia, a written request is required. This request details name, access required and is accompanied by a form completed by the person to whom access is to be granted access. A sample of this form is at the end of this Attachment.

In Victoria, Tasmania and Western Australia, Divisional Returning Officers are allocated a block of User IDs for use by casual staff with passwords managed at the Head Office level, except in Tasmania where they are managed at the divisional level. For new permanent staff the requirement may be communicated either verbally or in writing.

Every time a user logs in to the system the message shown below appears.

Users may only access information required for the performance of their official duties.

The AEC has a computer code of conduct and this is made available to staff via the Intranet.

There are systemic constraints on the use of RMANS capabilities. These are the user type, functions elector matching and address update permission's attached to a user ID. For instance some users may only have enquiry access.

All users are required to follow procedures set out in the RMANS User Manual and in the General Enrolment Manual.

The system maintains a user audit trail on add, update and delete transactions for electors at the elector record level, for add, update and delete transactions for streets and localities at the street or locality record level and for add and last update at the address record level. There are other areas where some form of audit is held (that is, on the backup systems). There is no audit on the enquiry transaction.

There is no menu driven audit reporting by user ID. However, if this were to be required for a particular user ID then the AEC would be able to identify actions taken by a particular user for the transactions mentioned above. There is no menu driven audit reporting by user ID. The AEC would only investigate activities where there was a perceived need to do so.

The AEC believes that the level of audit available together with the constraints on system use attached to user ID have been generally sufficient. However as part of our ongoing production support, some enhancement of the audits is being considered.

Any requirement to audit enquires activity by user on the system would require additional system processing power, possibly increased storage capabilities, increased storage costs, extensive coding, maintenance and possibly additional staff to monitor activity. Coding is a one off cost, all the other increases would be ongoing. Subject to the development of proper specifications programming would not be expected to exceed \$1,000,000. Costs of increased system power, storage capabilities and cost are not reasonably estimated in the absence of programming specifications. The same applies to any increased staff costs. For instance, if the AEC has the ability to monitor but only does so where there is reason to suspect inappropriate activity, these costs may be absorbed into current staffing levels. If there is a requirement to monitor all activity as it happens, then additional staff would be required.

Authorised users who have the correct user type, function and elector matching permission can add, delete or update electoral records on their own with out any further system requirement for checking or authorisation by another userid. Were verification of this sort to be required staffing in Divisions may need to be increased.

Currently all enrolment cards are checked for completeness so that follow-up enquiries can be undertaken prior to any data entry. Depending on staffing arrangements in individual Divisions and the particular skills available, the pre-entry checking is undertaken by a different member of staff than the person actually doing data entry. Post entry, there is a facility in RMANS to allow a supervisor to check through enrolments entered sequentially in batches of 100. The post data entry checking is not mandatory at this stage but is already undertaken (generally by the DRO or Divisional Clerk) in a number of Divisions.

At regular intervals RMANS data integrity programs are run and reports provided to Divisions for follow up and amendment if necessary. These cover apparent duplicate enrolments, Address Register entries and Death Deletions.

AEC proforma for userids and passwords

By accepting and using an AEC User ID and Password, you agree to:

- promote and protect the integrity and security of any information accessed via your UserID.
- comply with data security policies, rules and procedures governing UserIDs and their use.
- never disclose your Password to anyone.
- never write your Password down.
- never use obvious Passwords that are easily identifiable with you.
- never share your UserID and Password with anyone.
- change Passwords regularly and don't re-use the same Password.
- LOG OUT of your terminal when not using it, and when it will be left unattended.
- report unauthorised attempts or breaches of security immediately to workplace Supervisors, and subsequently to the Security Administrator.
- ONLY access the information necessary for the performance of your official duties.

Full Name
(USE BLOCK LETTERS)

Signature

Division

Date

RMANS UserID required for period from to
(dates not needed for permanent staff)

Please send the completed form to:

*NSW IT Security Administrator
Enrolment Services Section*

Submission No 14 of 5 April 1988 from Colin Graham Smith

1. Introduction

The opportunity to make submissions into the conduct of the 1987 Federal Election is welcomed. I very much believe that it is of primary importance in a democracy to ensure that actions such as vote rigging and ballot-box stuffing that impinge on the fairness of elections should not be tolerated.

Most reasonable Australians would not argue against fair elections. Indeed, "fair play" is seen as one of the foundation stones of the Australian way of life. Yet, can we say that gross manipulations of the electoral system do not take place, or can not take place.

I took a personal interest in the last election, and have been disturbed by comments by those who should know, that the whole election was a giant fraud perpetrated on the people of Australia. I know that such statements will not be welcomed by the bureaucrats in the electoral office or by the Government of the day. Yet, history has often shown that the unpalatable, the uncomfortable, and the unquestionable have at times been found to be factual. Take for example, the enquiries into police wrong doing by police, only to be proven years later to be wrong. Also, take the Fitzgerald enquiry in Queensland at the present moment, and the thread of corruption that links all levels of our society – the judiciary, the police, the politicians and leading business men.

We would be burying our heads in the sand if we did not consider that corruption could not apply to our electoral system. It is up to society to prove that its electoral system is beyond reproach. It is not up to an individual voter to have to expose fraud in the system. The electoral system, like Caesar's wife, has to be seen to be beyond reproach.

2. Democracy under threat in Australia

What are the main thrusts of this submission? There are four main points which I wish to bring to the Enquiry's attention:

- (a) The state of the rolls and the simple way that vote-rigging can take place.
- (b) Events on the day of the election that patently showed that the electoral staff were not consistent in their dealings with different political groups.
- (c) Denial of basic electoral justice by certain local authorities before the election.
- (d) the inability of the ordinary voter to get a just hearing before the Court of Disputed Returns.

3. "Rigged" Rolls

3.1 Election doubts: There is a considerable body of opinion in the electorate that the last Federal Election was rigged from beginning to end. This has been said to have been achieved by persons unknown putting 100,000 dummy voters on the rolls in the twelve marginal seats. Even if the 100,000 were an exaggeration, and the number were only half that, it has to be agreed that a fraud of such magnitude could change the outcome of the election.

In this submission, I point out ways in which such a fraud could be perpetrated without trace, indicators of the likelihood that such fraud did take place, and grounds for suspecting a cover-up. Finally avenues are explored which could be used to safeguard future elections.

3.2 False Rolls: In the seat of Fisher it has been stated by some that 5000 names were added in the period just prior to the closing of the roll. In the rush to get the rolls printed, there was insufficient time to exhaustively check the validity of all such enrolments.

3.3 A Mechanism for fraud: Below are listed details of how a voting scam could work:

(a) Place dummy name on roll.

(b) On election day have groups of people visiting booths using different names, (obviously ensuring that there were no double-ups). For example, a person so involved (being a non-local) may be given 30 different booths using a different name at each. In such a way, recognition could not be avoided. There would be no record of duplicated voting and the electoral office would not be aware of any untoward actions.

(c) To get around the situation where the electoral office sends out acknowledgment cards, addresses of sympathisers would be used, and there would not be any returns of "address unknown" by the Australian Post.

3.4 Final Elimination of Trail: With three years before the next election, there is sufficient time for rolls to be cleaned up, either by the natural actions taken by the Electoral Office, or by more sophisticated methods.

4. Factors pointing at election scam

The following pointers indicate that a scam may have taken place:

(a) The voting across Australia showed the National-Liberal Party vote increased significantly. However, their representation in Parliament actually decreased. The ALP vote was unusually high, comparatively, in the marginal electorates.

(b) Large numbers of new voters were placed on the roll in marginal seats.

(c) Certain booths showed most peculiar and inexplicable voting trends, which are historically inconsistent and out of character.

(d) Copies of the electoral roll are not available for study.

(e) New electoral rolls will not be available until 1989. This means that the public is being denied the right to check the roll used on election day.

5. Methods for checking against fraud

5.1 Known methods of roll fraud: The normal techniques claimed for adding dummy voters on the roll is either:

(a) Enroll a number of fictitious names at the same address. Since the rolls are in alphabetic order of voter name, it would be next to impossible to pick up, by manual means, the fact that an excessive number of persons were enrolled at one address.

(b) Enroll names for fictitious addresses. With short streets, house numbers beyond the end of the street are selected, or house numbers of vacant blocks are used.

With the use of computers such possibilities can be checked for. There are relational data-base "engines" which will sort rolls by house numbers and street names in minutes. Large numbers of voters with the same address could be quickly isolated

and verified in the field. The case of non-existent addresses could be obtained by checking against local authority records (automatically).

5.2 Voter validation for Roll: One problem with the existing voting system is that voters do not have to produce birth certificates. If birth certificates were used for identification, and cross matching techniques were used, then it would be possible to establish that only legitimate voters were on the roll. A check against the deaths register would ensure that the names of dead persons were automatically removed.

5.3 Multiple voting: While the use of birth certificates may ensure that the roll only contains legitimate voters, there is nothing to prevent a voter from voting a number of times by going to different booths. The use of centralised computer systems could prevent such happenings, but would be expensive. However, there is nothing at present to prevent the unscrupulous from being elected by having supporters vote multiple times.

5.4 Physical Identification: Another method used in some undeveloped countries is to use a dye mark on the hands of the voters. This simple procedure ensures that a person cannot vote more than once. This is certainly a cheap and effective method.

6. Making electoral rolls open to scrutiny

The ability of the public to obtain copies of the electoral roll on electronic media would allow interested parties to check and verify the roll to their own satisfaction. Any problems could be passed on to the Electoral Commission. In this way, the population at large would be able to establish the credibility of the rolls.

7. Procedure for appeals

Having attempted to make an appeal to the Court of Disputed Returns, I can assure you that it is not a procedure for the faint-hearted. While complying with the Electoral Act to the best of my ability, I do not appear to be getting off first base. The procedure is so complicated that one needs to be an Einstein to be able to work out what is required. The whole appeal procedure needs to be reviewed, since its present effect is to intimidate the voter. As a result, matters which should have been brought out into the open are not being investigated.

8. Local government infringements

8.1 Sign By-laws: The Pine Rivers Shire Council in Queensland does not allow election signs of any type or description to be placed anywhere in that local authority, even on private property. There are those who are uncharitable enough to say that this procedure is to prevent others from getting their names known at election time, and thereby giving an unfair advantage to incumbent councillors.

8.2 Advantage to sitting councillor: In the case of Fisher at the 1987 Federal election, this by-law gave the Councillor who stood, and won, a significant advantage over one of his rivals, who was not known in the area. (This by-law was introduced immediately before the election.)

8.3 Electoral Act should over-ride council by-laws: In this enquiry, I would like to draw the attention of the Committee to the question of election signs. The Commonwealth Electoral Act makes special provision for electoral signs. However, if local authorities have the power of over-riding provisions of the Commonwealth Act, that Section of the Act is rather pointless.

9. Inconsistent rulings by electoral commission staff

On election day, I had occasion to visit three neighbouring booths to view for myself the difference of approach of the Returning Officers to the same circumstances. The polling booths were Petrie, Lawnton and Bray Park. The activity in question was the handing out of Wild Life Preservation and Wilderness Society how-to-vote cards:

(a) at Petrie, after phoning Peter Beattie, the Secretary of the ALP, (not the Electoral Office), the returning officer initially said that they could have a separate stand outside the Booth entrance. However, after further representation, the returning officer made the Wildlife Preservation Society and Wilderness Society remove their stand.

(b) at Lawnton, the returning officer directed that Wildlife and Wilderness Society helpers had also to hand out the ALP how-to-vote cards, which they did not do.

(c) at Bray Park, the returning officer refused to take any action whatsoever.

As the actions of this group had a significant outcome on the election, the results of the election is in the hands of returning officers of each booth, with their various interpretations of the electoral law. I believe that returning officer at each booth should act consistently. Otherwise we have Rafferty's rules as occurred in Fisher.

10. Conclusion

In making this submission, I am aware that I raise issues that may make the Members of the Committee uncomfortable. Perhaps I have disturbed some sacred cows, and my comments may be given the Australian short shrift – "If you can not win the argument, discredit the presenter". Whether the Committee takes such action, is in the hands of the Committee. If it is so short-sighted, then Australians will be the poorer.

In defence, I must say that I am a Fellow of the Australian Computer Society, I was a Senior Lecturer at the Queensland Institute of Technology for some eight and a half years. I have been involved with computers since 1961, and am fully aware of the potential of computer systems for abuse as well as good. Should your Committee wish to explore any of these matters further, I would only be too glad to assist.

Internal AEC Minute from Paul Dacey (a/g EC) to all AEOs on 5 January 2001

At the JSCEM public hearing on 15 November 2000, Senator Andrew Murray of the Australian Democrats asked whether all 148 Divisional Returning Officers had been asked for their personal views on the terms of the JSCEM inquiry into the Integrity of the Electoral Roll, before the AEC filed its submission No 26 of 17 October 2000 (see JSCEM Hansard transcript of 15 November 2000 on the Australian Parliament House website, at pages EM75 to EM79).

2. As you would be aware, following every federal election and in the context of an expected JSCEM inquiry, DROs are invited (usually through post-election operations conferences) to raise any suggestions for possible changes to operational procedures and as a consequence, to the Electoral Act. Such suggestions from DROs are checked by the AEOs to ensure that they would not conflict with other local operational procedures; are compatible with the overall framework of the legislation; and might be suitable for possible national implementation within the current agency environment.

3. Each AEO then provides Central Office with a single and authoritative set of recommendations which contribute towards the drafting of the major AEC submission to the JSCEM on the conduct of that federal election. Central Office then subjects those recommendations to further checking as necessary, particularly in relation to the legislative framework (which may involve seeking legal advice) and the current agency environment at the national level.

4. The final draft of the major AEC submission on the conduct of that federal election is then relayed back for final approval to all AEOs, and all other members of AEC Management Board, before being considered and approved by the Electoral Commissioner for filing with the JSCEM.

5. This detailed process of consultation and double-checking can take up to six months immediately following the federal election in question (polling day for the 1998 federal election was 3 October 1998 and the major AEC submission was filed on 12 March 1999), but ensures that all AEC recommendations that ultimately go forward to the JSCEM have the approval of the organisation as a whole. AEC supplementary submissions to the JSCEM, which can be filed over a period of a year, often require specialised input from particular AEOs, who may or may not consult with DROs in their State/Territory as necessary.

6. The current JSCEM inquiry was announced on 9 September 2000, with a deadline for submissions of 15 October 2000. This allowed barely one month for the AEC to draft and finalise a major submission to the inquiry. As drafting of the submission commenced, the focus was on analysing the events surrounding the forgery convictions in Queensland that led to the calling of the inquiry by the Special Minister of State, and his related concerns about delays in the passage of regulations for the *Electoral and Referendum Amendment Act 1999*, and the amassing of detailed information on incidents of possible fraudulent enrolment over the past decade, which required extensive file searches across the nation.

7. Because this special JSCEM inquiry focussed on the events in Queensland, and particular incidents of enrolment fraud nationally, there was never any consideration given at that time to specially seeking input from all DROs across the nation, through the usual extensive and time-consuming consultation process involved in the

preparation of submissions for JSCEM inquiries into the conduct of federal elections. However, Central Office did seek detailed information through the AEO for Queensland, from the DRO for Herbert, in relation to the fate of the forged Ehrmann/Kehoe/Foster enrolments in that particular Division. Further, all AEOs and State/Territory Head Offices were involved in the research and analysis required to identify incidents of possible enrolment fraud over the past decade, which required detailed input from relevant DROs.

8. On 3 October 2000, at a private briefing between the AEC and the JSCEM, the AEC was asked to include in the submission an overview of continuous roll updating (CRU) so as to inform JSCEM members about how it is being implemented. This was not read at that time as a general request to seek the views of all DROs on the subject of CRU, for inclusion in the AEC submission then in preparation.

9. You will recall that the final draft of the submission was provided to all AEOs for comment in the week of the October Management Board meeting in Adelaide, the same week as the submission was due for filing with the JSCEM. As it eventuated, the AEC was late in finalising the submission for filing, on 17 October 2000.

10. The request that Senator Murray has made, on page EM79 of the transcript of 15 November 2000, is as follows:

Could I please request, through the chair, that the AEC ask, by whatever method you want, all DROs to have a look at that submission and see if they have anything further to add or any additional information which could be used by you in your supplementary submission. I ask you to do that bearing in mind your independence, because I was interested by both the quality and thoughtfulness contained in the two DROs submissions that I saw. It may well be that they could amplify or make additional information available.

11. Senator Murray is referring to the submissions filed with the JSCEM by Mr Peter Wilkinson, Divisional Clerk Lilley (submission No 10); Mr Mark Lamerton, DRO McPherson (submissions No 35 and 48); Mr Graham Smith, DRO Forde (submission No 36); and Mr Bob Patching, DRO Rankin (submission No 47).

12. These AEC staff in Queensland filed their submissions with the JSCEM as private citizens, without the knowledge of the AEC, and are all critical in one way or another of AEC management and operations. In particular, the three Queensland DROs cast doubt on the effectiveness of CRU from their own Divisional perspective and recommend the re-instatement of full-scale door-knocking. Mr Lamerton, Mr Smith and Mr Patching appeared before the JSCEM at a public hearing on 5 December 2000, and the Hansard transcript of their evidence is available on the Australian Parliament House website.

13. It might be of related interest that three other Queensland Divisional staff, Mr Steve Brown, DRO Herbert, Ms Bronwyn Madden, DRO Hinkler, and Mr Greg Shields, Divisional Clerk for Fisher, previously gave evidence to the JSCEM at the public hearing of 15 November 2000, and were generally supportive of CRU.

14. You would be aware, as Senator Murray clearly is, that the JSCEM cannot direct the AEC in the performance of its functions. However, the AEC wishes to cooperate with the JSCEM in this inquiry, as in any other, and accordingly, it would be appreciated if you would consider Senator Murray's request and comply in whatever way you think appropriate in your State/Territory.

15. We have delayed forwarding Senator Murray's request of 15 November 2000 to you for action, so as to allow the Queensland DROs who made submissions as private citizens an opportunity to be heard by the JSCEM on 5 December, and so as to allow for the Christmas break. Given that you might approach this request in different ways, depending on your local circumstances, it is unlikely that you will be in a position to respond by the time the AEC is ready to file the supplementary submission currently in preparation, responding to all other submissions and questions on notice, and due to be filed at the end of January. However, you could keep in mind that indications are that the JSCEM might be finalising submissions around March.....

Letter from Mark Cunliffe (a/g EC) to JSCEM Chairman on 30 November 2000

On 28 November 2000, in an email from the JSCEM Secretariat, the AEC was advised that the JSCEM would be holding its next public hearings into the Integrity of the Electoral Roll on Tuesday 5 December 2000 at 11.30 am.

The AEC was advised that the JSCEM would be inviting the following DROs to appear: Mr Bob Patching, Mr Peter Wilkinson, Mr Mark Lamerton, and Mr Graham Smith. Contact details (and current position) for Mr Patching were requested.

The AEC advised the JSCEM Secretariat by return email on 29 November of the following:

- Mr Peter Wilkinson is not and never has been a DRO. He is an APS2 in the Division of Lilley.
- Bob Patching was not the DRO for Rankin at the 1996 federal election. During most of the period 22 September 1995 to 2 May 1996, Mr Don Robinson was acting DRO Rankin.
- Mr Patching's contact details as current DRO Rankin are ph: 07 3290 2009 and fax: 3208 1020.

The AEC assumes that Mr Wilkinson, Mr Lamerton and Mr Smith will be invited to attend the 5 December JSCEM hearing on the basis of their private submissions, Nos 10, 35 and 36, respectively. Since they are appearing as private citizens, the AEC is assuming that any transport or accommodation costs for their travel to Canberra will be met either by the JSCEM or by them personally, rather than by the AEC.

The AEC has not been advised to date by the JSCEM Secretariat that any private submission has been filed with the current inquiry by Mr Patching. Accordingly, subject to any advice to the contrary, the AEC has assumed that the JSCEM invitation to Mr Patching is based on his private submission No 88 of 18 September 1996. Again, the AEC is assuming that, as a private citizen, any transport or accommodation costs for his travel to Canberra will be met by the JSCEM or by Mr Patching himself.

The AEC would propose that all four AEC staff members would be granted 'other leave' with pay from their AEC duties so that they can appear before the 5 December JSCEM hearing as private citizens, subject to them making application for leave in the usual way. The AEC will be providing copies of this letter to all four staff members.

Finally, the AEC draws your attention to the attached AEC submissions in response to private submissions to previous JSCEM inquiries by Mr Patching and Mr Smith. It would be appreciated if copies of this letter and the attachments could be provided to all members of the JSCEM.

Courier Mail allegations of electoral fraud in Fisher 1987:

The Courier-Mail, 4 November 2000, "Labor squads hit rural poll booths", Chris Griffith

A fleet of suspicious cars filled with ALP campaigners who were voting at different polling booths made the National Party suspicious about voting rorts in Fisher at the 1987 federal election. Graham Smith, then secretary of the National Party's Fisher divisional council, said booth workers had noted several cars each containing three to four people pulling up at tiny rural polling booths in what seemed a well-organised operation. "About three to four people got out of each car when they drove up. They raced into the booth, voted, raced out and took off in a cloud of dust," Mr Smith said.

Dairy farmer Bruce Page, who ran incumbent National Party Member Peter Slipper's campaign, also recalls the mysterious cars. "A couple of booth workers said the men in the cars had not bothered taking how-to-vote cards and walked past them to vote. People at another booth said they'd seen those cars too," he said. Mr Page said he also was alarmed when, after the election, hundreds of National Party campaign letters personally addressed to voters freshly enrolled in Fisher were returned to sender.

The H.S. Chapman Society, a national organisation which studies fraud, forgery and corruption in Australian elections, said revised electoral laws in 1983 had created a Pandora's box of potential new rorts. Society president Amy McGrath said one reform, to allow voters to enrol after an election was called, had opened "a huge window of opportunity" for parties to "parachute" names from safe to marginal seats knowing the new enrolments could not be checked until after the poll.

Another sinister rort, she said, came from allowing federally registered political parties to obtain copies of the AEC's "habitation index" - the electoral roll in address order. The habitation index traditionally was used by electoral commission staff to perform house to house checks of enrolments. New names would be added and old ones deleted beside addresses. But in the hands of crooked party workers, the habitation index allowed door-knocking campaigners to identify people who had left their addresses but were still on the roll. Votes could be cast in their names with little prospect these people would turn up in to vote themselves.

"The foot-soldiering wasn't any longer as innocent as it looked. It became skulduggery," Dr McGrath said. "An even more sinister aspect is that once identified, the names, if not removed from the roll, could be used again to rort the next election. It's a case of recheck the roll and reuse."

Dr McGrath said it was commonly believed the Hawke government had won the 1987 election because of its clever, skilful and professional targeting of marginal seats. "But there also was a belief that the ALP 'targeted' marginal seats in 1987 with a kind of professionalism different from that espoused," she said. She said Melbourne author Frank Hardy had repeatedly claimed that "some unnamed friends" of his in the ALP had boasted they had finally swung a federal election by "rorting" the system.

But former federal electoral commissioner Professor Colin Hughes, in a paper entitled *The Illusive Phenomenon of Fraudulent Voting Practices*, said the lodging of large numbers of fraudulent votes would require a huge workforce of party workers

withdrawn from usual polling places. They would have to avoid booths where they might be recognised.

The Courier-Mail, 4 November 2000, "Labor's foot soldier", Hedley Thomas

We are in a wide and diverse residential, commercial and rural sprawl north of Brisbane. This middle Australia: signage for caravan parks looms large. For the self-confessed electoral rorter, a Labor figure with a proven track record in state and federal campaigns, caravan parks are like manna from heaven. "There are rows and rows of vans – and the number of people you can get out of them is unbelievable", he says.

Today this man, a Labor foot soldier veteran, reveals a dirty little secret. His claims - that he and others helped to rot the 1987 election in the federal seat of Fisher won by Michael Lavarch, as well as several other federal and state elections - raise an ugly spectre.

If Lavarch, who is not accused of any wrongdoing, was the unknowing beneficiary of a poll corrupted by party zealots, how did it happen? How many elections have been influenced by fraud? How have the rorts influenced the shape of governments in a democracy, robbing voters and candidates of a rightful result? How can the rot be stopped?

The story of electoral fraud may be as old as Australian politics. Its genesis in this context goes back four weeks when our source, after reading a feature in The Courier-Mail about Labor's convicted and jailed electoral rorter Karen Ehrmann, made contact to vent his Indignation. He was angry, he explained, because Ehrmann had been sentenced to three years for rotting Labor's Internal preselection contests. Her abandonment by Labor heavyweights and her conviction and jailing were unfair, he added, because rotting was something he and others did willingly and frequently in elections.

"They (the Labor Party) should have been in there protecting this woman, but they have thrown her to the wolves," he said. "A lot of other members feel this way, but party loyalty prevents them speaking out. But loyalty protects the guilty." Almost as an aside he mentioned the federal seat of Fisher and said: "Michael Lavarch won that seat, the most marginal seat in Australia, and if the rorts were not done he would not have won that seat."

We made an agreement for him to elaborate on his claims, but he went to ground. When we next made contact, during the recess of the Shepherdson CJC Inquiry which has been uncovering electoral fraud. In Labor preselection contests, he explained his problem. "The problem is, I don't want to go to jail like Karen Ehrmann. The real people are not going to be caught. Its just the lackeys who will be caught and go to jail."

He was at first reluctant to expand on electoral fraud in state and federal seats, describing it as justifiable if it meant beating the Nationals and Liberals. "They have been rotting it for years, we just had to do it better," he said, referring to the National Party's state gerrymander which had compromised Labor's electoral prospects. "I think that's what it all stemmed from - the gerrymander. It's endemic. It's across the board. You do it for the cause. And you do it to beat the other bastards because they do it too. The general public would not believe the extent of it."

While the gerrymander did not affect federal seats such as Fisher in 1987, the insider said the National party's incumbent "slimy (Peter) Slipper deserved to be got rid of." Nor did he appear motivated by any grudge against either Lavarch or the campaign team, describing him as a top candidate "who never rorted a preselection", and those who helped him as "good people".

Establishing his bona fides was not difficult. He has been a Labor man for many years; he has documentation proving his involvement in the 1987 campaign for Fisher; he has a name, address and a career. For reasons including fear of prosecution, he maintains anonymity. The most disturbing aspect of his accounts of corrupting elections is the matter-of-fact way in which he says it occurs.

Don't be surprised - such chicanery was routine, he emphasises. Don't assume Fisher was an exception - it has been going on for years in numerous seats. And as a rorter, don't fear being found out - the bureaucrats charged with managing the electoral roll were not aware of what was unfolding.

Then he explained how electoral rorting contributed to, and perhaps sealed, Lavarch's win in Fisher. The rort he used was simple. During a campaign, teams of workers with lists of enrolled voters and copies of a street directory fan out. Each team member has a designated area to cover. At every household, the foot soldiers introduce themselves and give a short spiel about the merits of the candidate. "We were doing two things: introducing the candidate and doing checks as to who was on the roll and who wasn't," he says.

The electoral roll is organised alphabetically. Political parties, however, routinely receive the names of voters in a format which organises enrollees by street addresses. It means a campaign worker with instructions to canvass a street can get out with a list of all the people who are enrolled as being residents of that street. While making small talk with the residents, the campaign worker intent on rorting votes asks questions to discover if the roll is accurate. Often, particularly in rental properties and caravan parks, the tenants have moved elsewhere. But their names remain on the roll.

"You find that people have obviously moved on somewhere, to another areas," he says. These names are underlined. On polling day, those campaign workers who are in on the rort divide the names and give each of them a vote. The workers regarded as "too straight" to get involved would never hear about it. "From each of the branches there were only so many you could trust to get on with the job, no questions asked," he says.

In a marginal seat the potential to swing a result is obvious. If just a handful of workers of a total campaign team of 100 are in on it, the rorting can be quite significant. Some zealots would quietly compete to get the most names. If eight workers had each come up with 45 names in Fisher, it could have been enough to rort it. Since our first conversations, the insider says he cannot be certain Lavarch would not have won unaided.

"We rorted it to ensure he got up," he says. Casting the rorted votes is easy. Front up to a polling booth (in Fisher in 1987 there were more than 60) and utter the name of the person being impersonated. Then move on to a neighbouring booth to impersonate someone else from the list. And so on.

"The odds of being caught are small," he says. "I have no doubt you could have voted three or four times (per name), but I never took that chance." On polling day In

Fisher, he recalls, there were many female names on the roort list, but a lack of women in on the scam. One of the team suggested, half-joking, that some of the men pose as women to vote. "But we got one young girl of 16 from Young Labor who thought It was quite exciting. She voted 14 times."

It is a system that flows, according to the insider, from a sub-culture which condones rorting because it is better than losing. It is orchestrated with a wink and a nudge – nothing on paper. And the names of the people who get a vote without knowing it are transferred between state and federal elections.

Letter from Mr Alan Jones to Electoral Commissioner, 28 November 2000

If I understand the situation correctly, you are employed by the taxpayers of Australia to ensure that the Australian people have a system of voting which is free and fair.

I have received a partial transcript of the proceedings of 15 November 2000. It would be easy to reach the conclusion that you are less interested in doing your job than in attacking somebody who points out the shortcomings of the system you are supposed to administer.

Your gratuitous description of me as a "shock jock" is pathetic and insulting. I'd back my credentials against yours any day. And at least I've had some measure of success. There wouldn't be too many people who'd argue that of you! And certainly your language hardly puts you in the "pass" category. And what do you mean by having to "buy time" on my programme? Perhaps the comment is a further manifestation of your ignorance.

I suggest you open your bureaucratic mind to the possibility that as a citizen, I'm entitled to want a free and fair electoral system in this country. You should also be aware that I speak not only on my behalf but on behalf of the listeners to Australia's most popular radio programme and on behalf of the viewers of Australia's most popular television morning programme.

Mr Becker, when people are devoid of argument they normally resort to the language of personal vilification. I shall maintain my view, confirmed by the behaviour in Queensland that under your administration, and that of your colleagues, our electoral system is anything but free and fair.

Letter from Electoral Commissioner to Mr Alan Jones, 11 December 2000

I refer to your letter of 28 November 2000, in which you express your concern about my use of the term "shock jock" whilst providing oral evidence on 15 November 2000 to the Joint Standing Committee on Electoral Matters (JSCEM), as part of its inquiry into the Integrity of the Electoral Roll.

You describe my use of this term as "pathetic and insulting", and "the language of personal vilification" and question my reference to possibly having to "buy time" on your program, which you describe as "a further manifestation of [my] ignorance". You say that you will maintain your view that under my administration, "our electoral system is anything but free and fair".

I regret that my use of the term "shock jock" has personally offended you, but I must say that, in my understanding, it is a term of common parlance in Australia and overseas, when referring to talkback radio hosts. For example, in an article written by Margot Saville and published on page 3 of the *Sydney Morning Herald* on 18 November 2000, another Sydney talkback radio host, Mr Stan Zemanek of radio 2GB, was so described. Further, in the book "Talkback: Emperors of Air", by Phillip Adams and Lee Burton, published by Allen & Unwin in 1997, the term is liberally used, including with reference to yourself.

As you would be aware, my reference to buying time on your program was in the context of the Australian Broadcasting Authority (ABA) Report of February 2000, entitled "Commercial Radio Inquiry", elsewhere referred to as the "cash-for-comment"

inquiry. My understanding is that you would not describe yourself as a professional news journalist but rather as being in the business of commercial entertainment.

I am advised that despite your concerns about these comments of mine, your producer, Ms Lyndal Sutton, has approached the AEC a number of times in the past fortnight, in my absence overseas and on my immediate return, asking whether I would agree to being interviewed on your program.

Given the obvious antipathy you have towards me personally, and towards the Australian Electoral Commission as an organisation, as evidenced by your broadcasts over recent years and in your recent letter, I do not believe that the public interest would be served by my appearance on your program, particularly during the proceedings of the current JSCEM inquiry. The AEC is presently answering to a committee of the Federal Parliament about its administration of the federal electoral system. As you would be aware, you are equally entitled to put your views about me and the AEC to the same committee.

I have also decided that, during the course of the current JSCEM inquiry, the AEC Director of Information, Ms Anthea Wilson, who was personally vilified by Mr Zemanek on air shortly before his departure from radio 2GB, should not accept any further invitations to appear on radio 2GB talkback programs, or any invitations to appear on your own talkback program. However, the AEC remains willing to respond in writing to any background queries producers/researchers from either radio station might have about electoral matters.

For your information, Attachment 1 is part 7 of AEC submission No 26 of 17 October 2000, which makes mention of your broadcasts about electoral matters over the past decade. The attachments to this part can be accessed on the AEC website at www.aec.gov.au.

Finally, in the light of the commentary provided below and in the attachments to this letter, you might reconsider the following statements that were monitored by the AEC in a broadcast of yours on 29 November 2000 at 6.02 am:

"...according to an affidavit signed by one of the Dickson scrutineers, well over 100 votes were suddenly found in a polling booth at Albany Creek. All of them were for Cheryl Kernot. But at the close of polls she said she's lost. Suddenly she was a winner, the newly-elected member for Dickson. But the scrutineer maintained that there were only 7 of the 3,730 issued ballot papers missing at the completion of counting. So where do these votes come from? But they were counted....."

This allegation was not put in the form of a petition or an affidavit before the Court of Disputed Returns. The allegation was addressed at part 26 of AEC submission No 176 (Attachment 2), and the June 2000 JSCEM Report made no finding in support of the allegation.

"I talked later last year about a computer hacker - common knowledge, but you don't read this on the front page of the paper - who broke into the Electoral Commission's computer system on January 6, 1993, just before the announcement of the March Federal Election. Now this system is the Electoral Commission's nerve centre, it controls the electoral rolls. Of course understand, this for those who don't like the stories, is conspiracy stuff. You know, we're into some sort of mindless conspiracy, as if I'm some kind of dope that would parade this for the sake of parading it. I'm simply saying,

these issues have never been addressed or answered. This happened, the hacker broke in and it's the thing that controls the electoral management system and the election process. Now the detail of that would be beyond most of us in our capacity to understand it, but it controls all that business. So by gaining the 'super user' status, by getting into it, he was able to do whatever he liked to the system, including - he could have - modified the systems operations, altered the computer files. He was caught, but it took four years before he faced the courts and no-one, no-one except Frank Walker - same Frank Walker, yep. The man from the left in New South Wales, who then went to the Federal Parliament, was Minister for Admin Services - he was the only person who was told of the break-in. The public weren't. Now in that election less than two months after the break-in, almost 500,000 new names were added to the rolls. None of those names were checked as to their validity or authenticity. They should have been. And then several times during the enrolment process, the computer system broke down. Several times on election night it broke down. Anthony Green who is a psephologist - an electoral commentator - with the ABC, said that each time the computer resumed, the numbers changed. The computer broke down, the numbers changed. And when they finally came back on line, the prediction of a Labor loss proved to be premature and they were now winning. The count had miraculously reversed in Labor's favour and Paul Keating won the election nationwide over John Hewson, that election by just 1,200 votes. When the hacker finally appeared before the courts four years later, the Electoral Commission was forced to admit that the offence was great enough to have compromised the entire 1993 election. That's what they said. But they said, no it didn't in any way, affect the result. It didn't in any way affect the result."

This is a substantial misrepresentation of the facts. There is no evidence to support the allegation that the hacker gained entry to the election night computer system and compromised the 1993 federal election result. This matter was addressed in submission No 128 of 24 January 1997 (Attachment 3) and the June 1997 JSCEM Report made no adverse finding.

"...and again in that 1993 election there were 53,000 more votes for the Senate than there were for the House of Representatives. Huge imbalance which doesn't normally happen."

Such differences occur at every federal election, and do not necessarily indicate any irregularities. This matter was addressed in AEC submission No 127 of 19 November 1993 (Attachment 4), and the November 1994 JSCEM Report made no adverse finding.

"...and then when a bloke called Alasdair Webster from out here in Western Sydney - the seat of Macquarie - launched a petition in the High Court, the Labor Government immediately legislated to prevent any individual in Australia challenging the result of a whole election."

The Federal Parliament did not legislate to prevent any individual in Australia challenging the result of a whole election, following Mr Webster's petition to the Court of Disputed Returns. The Chief Justice of the High Court of Australia, sitting as the Court of Disputed Returns, decided in *Muldowney v AEC (1993) 114 ALR 513*, that in accordance with section 355(c) of the *Commonwealth Electoral Act 1918*, anyone who files a petition disputing against an election must be qualified to vote in that election. Mr Webster was qualified to vote in the election for the Division of Macquarie and disputed that election by petition to the Court of Disputed Returns.

The Webster petition was addressed in Attachment 19 to AEC submission No 26 of 17 October 2000 (Attachment 5). The JSCEM has made no adverse finding on this matter.

“...and in the case of Dickson that I talked about - Cheryl Kernot - it was found that 813 addresses had more than five different names listed, 813. Multiple listing at the one address and 49 addresses were on vacant caravan lots. What's the Electoral Commission done about any of that? Nothing, absolutely nothing. There we are, you tell me what you think.”

This allegation appears to be derived from a submission to the JSCEM by the “Enterprise Council” after the 1993 election in the Division of Dickson. This and similar allegations were addressed in AEC submission No 140 of 14 January 1994 (Attachment 6), and no adverse findings were made in the November 1994 JSCEM Report.

Letter from Mr Alan Jones to Electoral Commissioner, 15 December 2000

I am in receipt of your rather foolish and utterly inadequate and self-justifying letter of December 11.

As I'm going on holidays, which status you seem to enjoy at taxpayers' expense far too often, I will leave a more detailed response for my return. But rest assured, this matter will be raised, in terms of how I see the issues, when I return.

Your pathetic explanation of “me tooism” in relation to “shock jock” taken from texts written by people who've never commanded an audience in radio, perhaps gives a clear indication of the intellectual disposition which you offer the crucial subjects that I'm addressing.

I am neither a professional news journalist, whatever that is, or in the business of commercial entertainment. I'm a broadcaster with, if I may say so, significant credentials to undertake that task, and I operate on commercial radio. And I'd be careful what weight you give to any so-called cash for comment reference to my efforts. I have never received money for saying or not saying anything and it would be in your best interests to understand that. I'm a little tired of people regarding headlines as truth.

To the matter of substance, I note your unpreparedness to be interviewed on the programme. I can well understand why. You simply wouldn't be able to answer the questions I'd raise. That is your decision.

However, I note you say you're answerable to a committee of the Federal Parliament. I would have thought it would be obvious to blind Freddy that the parliament may be peopled by individuals who've won their place there as a direct consequence of your body failing in its duties.

I have put my views in the past to a Senate committee, but all we get in return are apologies the like of which you have embraced.

However, the one thing you need to understand, Mr. Becker, is this matter won't go away. You won't always be able to pretend that what is, is satisfactory. Be assured, change will be forced upon the system in spite, if not because of, your endeavours. I repeat, I shall be raising these issues on my programme when I return. You're welcome to a copy of anything I say.

(Sydney Morning Herald, 30 May 1990, "Alan Jones: why I quit Liberal race", Tom Burton)

Sydney radio announcer Alan Jones has revealed how an offer from media owner Kerry Packer led him to withdraw from Liberal Party preselection for the seat now held by the Opposition Leader, Dr John Hewson. Speaking at a fund-raising lunch at the North Sydney Rugby League Club, Mr Jones told an audience of 350 why he gave up the preselection race for the blue-ribbon Liberal seat of Wentworth in mid-1986.

Wentworth is an eastern suburbs seat which spans Sydney's most select harbourside suburbs as well as the inner city. The seat had been held by Mr Peter Coleman and was being contested by a large field after Mr Coleman had indicated he would not contest the next election, which was ultimately held a year later, in 1987.

Mr Jones has long been associated with the Liberal Party, being an adviser and speech writer to former Liberal Prime Minister Malcolm Fraser as well as private secretary to former NSW Liberal Opposition leader John Mason. He had previously stood unsuccessfully as a Liberal for the State seat of Earlwood in 1978.

Asked why he had withdrawn from the Wentworth preselection, Mr Jones said: "I have to say in all modesty I was allegedly the favourite for it, which incurred the wrath for me of Kerry Packer, who was my employer at the time." Mr Jones was then, and still is, a solid-rating breakfast announcer with Radio 2UE, the North Sydney radio station Mr Packer sold to Mr Alan Bond's Bond Media in January 1987.

"Mr Packer summoned me," Mr Jones went on, "and said, without being sort of too vulgar about it: 'You're employed here and this is what I'm going to offer you'". The offer, Mr Jones indicated, was in a very practical form – money – "and I have to say that it was a very attractive proposition. I said to Mr Packer: 'You must understand it'll take me all of five seconds to consider this proposal and I took the money. And I don't apologise for that."

"Later the Liberal Party poured their fury on me and one senior official said to me: 'You'll pay for this'. To which I replied: 'Well at least I will have something to pay for it with.'"

Mr Packer is overseas and attempts to get a comment on Mr Jones' statement from Mr Packer's Australian Consolidated Press were unsuccessful. A spokesman for Dr Hewson said the Opposition Leader was unaware of any involvement by Mr Packer in the preselection. He said Dr Hewson was "totally surprised" by the revelations by Mr Jones.

According to reports in the Herald at the time Mr Jones withdrew, he and Dr Hewson were the two front-runners. Quoting Mr Jones, the Daily Telegraph said: "I have to face up to the reality that being an MP would restrict me in fulfilling other commitments that I have – for instance, I am coach of the Australian Rugby team."

There was also speculation that Mr Jones was going to take up a lucrative contract with Mr Packer's Channel Nine. As it transpired, he has remained a radio announcer with 2UE. Mr Packer was also involved in a previous Liberal Party preselection for Wentworth, when his then adviser Mr Malcolm Turnbull was a candidate against Mr Coleman in 1981.

H S Chapman Society

December 20, 2000

Divisional Returning Officer
Griffith Electorate

Dear Sir or Madam

As President of the H.S.Chapman Society, the only society concerned with the integrity and honesty of our electoral system, I am writing to inform you of our objectives and activities.

Our members come from a wide cross-section of the political spectrum and walks of life both in H.S.Chapman Society (Aust.) and H.S.Chapman Society UK. This is reflected in their governing committees.

The speakers in our 14 Forums (4 more already planned for 2001) and interviewees in our two videos, are drawn from a wide range of professions. These embrace not merely the law, but the manifold detail of running elections. These range from changes in procedure and scrutineering to computer security and systems.

We have consistently defended the crucial importance of preserving and protecting the role of Divisional Returning Officers so you can carry out your complex responsibilities under the most advantageous circumstances.

We have questioned at times whether change always brings 'progress' but such questioning is as much an expression of democracy as voting itself. Denial of the right to question is dictatorship.

With all goodwill for the New Year.

Amy McGrath

OBJECTIVES OF THE H.S. CHAPMAN SOCIETY

1. To promote public understanding of the Australian electoral systems
2. To monitor the operation of the Australian electoral system and, where necessary, recommend changes to the law and practice of elections
3. To compare the Australian electoral systems with the electoral systems of other democratic countries
4. To develop and promote the principles of fair elections applicable to the Australian electoral system
5. To identify the opportunity for, and the occurrence of, electoral fraud, malpractice and maladministration, and to promote legislative and administrative solutions consistent with the principles of fair elections
6. To support the fundamental principle of the secret ballot; the integrity of the electoral roll and the public scrutiny of each stage of the electoral process
7. To develop links with comparable non-government organisations whose objectives are compatible with those of the H.S.Chapman Society

For. details - phone 9593 7915 or 9337 5600 . fax 95997916 or 9337 6368

H.S Chapman Society by Charles Copeman, Foundation President

“Dr Amy McGrath OAM, a Sydney historian published *The Fraudging of Votes* in Feb. 1996 after her account of union election corruption, *The Forging of Votes*, in 1994. It deals with the evolution of our electoral system, the manifold and manifest opportunities for fraud, and the evidence of fraud. Following these initiatives, a number of people decided to form a Society to gain wider public awareness of what we see to be the greatest threat to our democracy, evident corruption of our electoral system.

The Society is determined to be independent of any political party and without patronage. It is named after the Victorian politician who created the world's first 'limited' secret ballot law, designed to achieve an affective scrutiny to detect fraud after elections. Unfortunately in Australia it was later replaced by an 'absolute' secret ballot system in which fraud is effectively untraceable.

It is our belief that this absolute system has been abused increasingly, rendering it corrupt, both potentially and in practice”.

The H.S.Chapman Society (Aust) has

- Enrolled members in six states
- Held 14 forums (2 in Victoria, 1 in UK)
- produced a book *Corrupt Elections*
- produced a 2 part video (on UK/Australia)
- held 2 video showings in the Commonwealth Parl
- sent 5 UPDATE newsletters to members
- held video launches in NSW ACT Vic and Q.
- lodged a no of submissions with the Joint Standing Committee of the Cth Parliament
- had articles, letters, interviews etc in media
- questioned changes in practice & procedure of the Aust. Electoral Comm. in elections
- protested undesirable aspects of electoral law
- inspired an H.S.Chapman Society UK

It now solicits support for a petition seeking

- Amendment to Cth Ombudsman Act 1976 for an electoral ombudsman in that office
- Amendment to the federal Electoral Act for challenge to roll in courts of disputed returns

Forum & Video Speakers

Parliamentarians and Councillors

Adrian Alford	Councillor Hammersmith UK
D. Attwood	Councillor Belfast Council (SDLP)
Dr M. Borland	Councillor Penrith Council (Liberal)
Len Bosman	retd. Cth MP (Lib) VP
Ken Chapman	retd. Mayor/Cr Fairfield Council ALP
Lord Chapple	House of Lords (ex-Gen Sec ETU GB)
Victor Dominello	Councillor Ryde Council (Liberal)
Andrew Fraser	NSW MP Coffs Harbour (National)
Don Harwin	NSW Legislative Councillor (Liberal)
Hon. Alan Hunt	retd. Vic. Leg. Councillor (National)
Hon. R.Hunt AO	retd Cth MP/President Nat Party
Dr Peter Jackson	retd MP (Lab) House of Commons
Hon. Jacky Kelly Cth MP	(LP) Min. Sport/Recreation
Rev. W. McCree	N. Ireland Assembly (Unionist)
Hon. N. Minchin	Min. Science/Energy/Resources
Ivan Petch	retd. NSW MP (Lib) Gladesville
Frank Tanti	retd Queensland Parlt MP (Lib)
Allan Viney	retd NSW MP (Liberal)
Hon. R. Varty	retd. Victorian legis. Councillor
Alasdair Webster	retd Cth MP (Liberal)

Lawyers

John Boyle	pres. Woolloomooloo Branch (Lib)
Marshall Cooke QC	retd Cth MP Q. Comm. 1990-1
Paul Gribble CBE	retd nat. agent (Con, UK) el. Cons.
Alex Howen	barrister/exec. NSW Lib. Party
Peter King	barrister/chair Aust. Heritage Trust
Ben Hooberman	retd. Indust. Law solicitor UK (Lab.)
F. McGrath AM	retd. Chief judge NSW Comp. Court

Experts

Chris Buttner	head computer crime team, Aust. Fed police
Brian Chapman	commander federal police
Paul Gallagher	Automatic Datacapture (barcoding)
Paul Westwood	forensic document examiner (ex fed police)

Academics

Prof. D. Rumley	geography dept, Univ. of WA
Dr. S. Elliott	pol. science dept, Queens U. Belfast
Dr. L. Fredman	retd prof. Pol science, Newcastle U.
Dr. John Hart	reader pol science, Aust. Nat. U.
Dr Ed. Lewis	comp. science Aust Defence Academy
Prof. Mary Micco	IT dept U. of Indiana Pennsylvania
Dr. Pinto –Duchinsky	fellow Brunel U./Times pol. corr.
Em. Prof. J. Rydon	retd prof. Pol. Science, latrobe U.

Electoral officials

Pat Bradley CBE	Chief Electoral Office N. Ireland
R. Cundy	ret'd NSW Electoral Commissioner
J. Curtis	ret'd. ret. Officer, ind. Elections AEO
K. Hathaway	ret'd pres. UK Assn Elec. Administrators
Ivor Jones	ret'd Cth. Returning officer/elect. Cons.
Eric Syddique	ret'd Exec. Dir. Electoral Reform Socy
David Willis	returning officer Richmond Borough UK

Journalists

Alan Fitzgerald	Ed. Aust. Nat. Review/Lobbyist
Paul Sheehan	Senr writer SMH, major US awards
Dr. C. Smythe	Journalist/broadcaster N. Ireland

Other speakers

Joan Chambers	stood 1988 election Ballarat South
Charles Copeman AM	found pres. HS Chapman Socy
Christopher Hallet	lecturer architecture & design
Mrs Leone Hay	scrutineer Senate/Legis. Council 1975-
Bruce Kirkpatrick	ret'd pres. HS Chapman Society
Dr. Amy McGrath OAM	research HS Chapman Socy
Richard Meldrum	Architect
Dr Sue Oldfield	Cardiologist
David Patton	Aust. Army Reserve/elect. analyst
Sophie Panopoulos	barrister/delegate Con. Conv. 1987
C.G. Smith	shire engineer/NP camp dir. Fisher 1987

Unionists

Quetin Cook	reg. Officer Postal Delivery Officers Union
Brian Procopis	member Transport Workers Union
Frank Rooney	ret'd member Engineers Union
Michael Warren	member C.E.P.U. (Telstra)

Sydney Morning Herald Editorial, 30 October 2000, "Fair voting"

....It is probably only a matter of time, then, before a vote-rigging scandal similar to the one in Queensland erupts in NSW. And when it does, the State Government will have to accept responsibility for having allowed an electoral system that is susceptible to fraud to continue to exist. It will not be able to put up the weasel defence that the vote-rigging allegations took it by surprise.

In November 1995 the State Government opposed the Parliamentary Electorates and Elections Amendment (Enrolment and Voting) Bill 1995, which was introduced by the member for Coffs Harbour, Mr Andrew Fraser.

The legislation was designed to make it impossible for phantom votes to be lodged in a vote-rigging exercise. Voters would have to provide proof of identity at the time of their enrolment. They would then be issued with voter identification cards which would have to be presented when a vote is made. The Carr Government opposed these sensible proposals on the spurious grounds of cost and "enormous" administrative difficulties. But people have to show identification to hire a video. Why shouldn't they do the same when they vote?

Courier Mail, 31 October 2000, "Early, often and easy: a federal inquiry into claims of voting fraud may lead to further embarrassment for Australia's embattled political chiefs", Craig Johnstone

If the allegations of pilfering from letterboxes and threats from political standover men coming out of the Shepherdson inquiry into vote-rigging have not shaken your faith in the integrity of the democratic process, chances are you won't be worried about the following little-known statistics. In the 1998 federal election, which was so close that Labor won more of the two-party preferred vote but still lost the poll, there were 248 suspected cases of people voting twice in Queensland. There were 10 suspected cases of people voting more than twice.

That might not sound bad when you remember there were 2.17 million voters in Queensland in 1998. But this compares with the 1996 federal poll, when there were just nine dual voters and four multiple voters in the entire state. In the seat of Blair, 10 dual votes were recorded. In another seat, Forde, there were 12. There were another 12 dual votes in the Cairns-based seat of Leichhardt. All of these are marginal seats.

The Australian Federal Police decided that in none of these cases would further action be taken. Nationally, there was close to a fourfold increase in dual voters in the 1998 election (966), compared with the 1996 poll (239). The Australian Electoral Commission says the increase might have something to do with its decision to report all suspected dual voting cases, not just those commission staff thought would warrant AFP investigation.

The commission also seeks to explain the increase by pointing to how many dual votes were cast by elderly people or those with an ethnic background who perhaps were unfamiliar with Australian election procedure. It is true that 136 of the 248 dual votes cast in Queensland at the 1998 federal poll were from people aged over 70 or with a non-Anglo surname. But this still does not explain why all of those 248 cases were rejected by the Australian Federal Police. Of the 45 multiple voting cases across the country that the commission referred to police for investigation, the AFP

rejected 33 of them because they simply did not have the resources available to pursue them.

According to the parliamentary report into the conduct of the 1998 federal election, the AFP “routinely rejected cases of multiple voting that allegedly involved up to 12 votes cast by one individual”. Of those dozen multiple voting cases the AFP did not reject, none of them got to the prosecution stage simply because the suspected multiple voter denied any wrongdoing.

The Australian Electoral Commission explains this lack of action by pointing to the small financial penalty - \$1100 - that applies to multiple voting offences and the AFP’s limited resources. Yet, under the Electoral Act, multiple voting can attract a six-month prison term, hardly a small penalty. But because of the attitude of both the electoral commission and the APP, those deliberate rorters who do “vote early, and vote often” seem to be going unpunished.

Moreover, of the 352,000 voter enrolment forms the Australian Electoral Commission received between the issue of the 1993 election writs and the day the rolls closed, the commission admits it did not conduct field checks on any of them. In other words, the only checking the commission did do on these applications was whether each came from a legitimate address.

But despite this huge increase in suspected multiple voting and its failure to thoroughly check new enrolment details, the commission believes there was no widespread and organised electoral fraud that could have affected the result in any seat. What’s more, the commission has made a point of complaining how the people who do take the trouble to make their suspicions about electoral fraud known are threatening the “integrity of the electoral system”.

Since 1984, when regular parliamentary inquiries into the conduct of elections began, the electoral commission insists there has been no evidence of systematic voter fraud that tipped the balance in any electorate. As for those who have alleged that past poor maintenance of the roll has allowed rorting to flourish, the commission replies that a complete deansing of the roll would involve as much work as that necessary for the census and cost upwards of \$45 million. It also makes much of the fact that it has been 80 years since an election in Australia was ordered on the basis that votes had been counted which ought not to have been included.

What the commission has made of evidence given to the Shepherdson inquiry so far is not known but may soon be. Today the federal parliamentary committee on electoral matters meets to authorise submissions and set hearing dates for its inquiry into the integrity of the electoral roll. Unlike the electoral commission, this inquiry will not seek to muffle the alarm bells by concerning itself only with fraudulent voting that may have affected an overall election result. Its brief is to inquire into “incidents of fraudulent enrolment”, full stop. And the committee is unlikely to be as ready to explain away dodgy enrolments as the electoral commission – or the federal police, for that matter – appear to be.

The committee’s chairman, Liberal MP Gary Nairn, remains suspicious about the large number of people who voted in his electorate of Eden-Monaro at the 1998 election, who, for whatever reason, were not recorded as being on the roll for that seat.

Why should all this matter to Queenslanders when the evidence so far to the Shepherdson inquiry is mostly about rigging preselections for Labor Party

candidates? The reason it matters is that what the Shepherdson inquiry has highlighted is how easy it is to fraudulently get on to the electoral roll. And it beggars belief that those who succeeded in allegedly rigging votes for preselections would not hesitate using their fraudulent enrolments at general elections.....

Past experience suggests that while the commission insists it treats cases of voting fraud seriously, it appears much more worried about the effects of what it terms "false claims of electoral fraud" are having on the integrity of elections. Nairn's committee is likely to take the view that this is all very well, but that criticism of the way the electoral system is administered should lead to greater integrity....

The Courier Mail editorial, 8 November 2000, "Sorting what is proper from what is political"

...As the major parties vie with each other to seize the political agenda on electoral fraud, it is easy to overlook what should be the major issue at stake – the public's confidence in the integrity of the electoral process. The evidence put before the Shepherdson inquiry so far suggests that, at the very least, the rules governing elections and electoral enrolment need to be tightened. It is no longer good enough for the Australian Electoral Commission to insist that the problem of voter fraud is nowhere near the level its critics say it is. Australians are entitled to have laws which guarantee that declared election outcomes accurately reflect the actual vote.

The starting point for reform ought to be the process by which people are enrolled to vote. The Liberal Party has suggested potential voters be obliged to furnish proof of identification before they are enrolled. Others have suggested the electoral roll close on the day an election is officially called. The Labor Party has countered that such measures would disenfranchise people entitled to vote in elections. Each suggestion should be examined thoroughly. The Shepherdson inquiry has shown preservation of the status quo is no longer an option.

Radio station 2UE, Alan Jones interviews Dr Amy McGrath, 13 November 2000

For weeks now, we've been hearing about electoral fraud in Queensland. And I've repeated over and over again the fact that this comes as no surprise to me, having discussed this on many occasions in the past - and you've heard me talk about it.

I should point out in passing that the Electoral Commission was quoted in Saturday's paper, saying that, "There was no evidence ever found of systematic rorting." And it went on to say that the constant repetition, "by Jones and others" - that's me - "that the electoral system is wide open to fraud may actually encourage people into testing it, that Australia can still credibly claim to have the least corrupt electoral system in the world" - which surely isn't the point - "that hundreds and hundreds of pages of Electoral Commission reports lead to the conclusion that widespread, systematic electoral fraud doesn't happen in Australia."

My point is, we don't know. But the Electoral Commission says there's a widespread attempt to make people believe it exists. Well, you judge for yourself. We know that three prominent ALP figures have already been given jail terms in Queensland after admitting to vote rigging. The most famous of them is Karen Ehrmann who got three years after pleading guilty to 47 of 52 charges of forging ballot papers. All three said in their defence that they were just tiny cogs in a massive wheel....

But there are other questionable results. Cheryl Kernot's election in Dickson, for example, Michael Lavarch was her campaign manager. At the close of the polls on election night, she'd lost. She appeared on television in tears, bemoaning the fact that she'd been given an unwinnable seat. But according to an affidavit signed by one of the Dickson scrutineers, well over 100 votes were suddenly found in a booth at Albany Creek, which were all for Cheryl Kernot. Suddenly she was the winner, the newly-elected Member for Dickson. The scrutineer maintained that there were only seven of the 3,730 issued ballot papers missing at the completion of counting.

Then of course, there's the 1993 election which John Hewson lost. Only weeks before the March election, almost 500,000 new names were added to the rolls. Obviously, no one had time to check them, and John Hewson lost by - nationwide - 1200 votes.

What about the 1995 state election in New South Wales? There were two marginal seats with electoral offices in Gladesville and Badgerys Creek. Both were won by Labor, but only by 107 and 260 votes respectively. The Liberals questioned the validity of some of the ballot papers and wanted a recount. Before it could happen, both offices were, coincidentally, firebombed.

And the allegations keep coming. The Federal Police are considering launching investigations in as many as five federal parliamentary electorates in Queensland. The seats are: the Brisbane seats of Ryan and Bowman and Moncrieff on the Gold Coast. The allegations about Michael Lavarch and Fisher have also been referred to the Federal Police.

And then there's Hinkler where the defeated ALP candidate Brian Courtice, alleges vote rigging by the National Party. And in the Queensland State Parliament, allegations have been made about the state seat of Redlands which borders on the Gold Coast. There Dr David Watson, the Liberal Leader, said he would refer allegations about approximately 1,000 electoral irregularities in the 1980s to the CJC.

And I should say, I've had a call from a listener about the 1996 election in the seat of Brisbane. The result was unbelievably tight. Labor got 38,892 votes after preferences, the Liberals, 38,333, a difference of 559. My caller simply said that if an inquiry was called, he'd be happy to give evidence. But he suggested he'd never seen so many Vietnamese people in the electorate on one day in his life. What he was saying was that they were flown or driven in for the election.

Peter Beattie has tried to deflect attention from his own troubles by alleging branch stacking in Ryan, the seat of John Moore, the Defence Minister. But however abhorrent some might find branch stacking, it's not illegal. Internal party procedures are not the concern of the Electoral Commission.

So electoral fraud is the topic of the day. But this has been going on for decades and no one seems to care, and indeed, the Electoral Commission continues to deny it. No one has ever done anything to tighten up the system.

Dr Amy McGrath has been researching and writing about this for years. She's published books, she's made a video. She's had statements from a myriad of different people but no one has wanted to listen. Nothing has changed. The Electoral Commission is, as it always has been, answerable to no one. It polices itself, and so far it's resisted all attempts at change.

It says tightening up voter registration requirements could deter people from enrolling, which was contrary to effective implementation of the democratic process. As I mentioned before, you only have to go to a post office and fill out a form and sign yourself - arrive on a plane from New Zealand if you like - fill out a form, sign yourself Bill Smith from Newtown and you immediately go on the federal electorate roll and you can vote. No one checks whether you are Bill Smith; no one checks whether you're an Australian; no one checks whether you even exist; no one checks whether the address you've given is actually valid.

Dr Amy McGrath, as I said, has been writing and researching this for years. She's had books published - I've launched them for her - plus a video. She's on the line. Dr McGrath, good morning.....

Courier Mail, 20 November 2000, "Paws for thought", Chris Griffith

For its part, the Australian Electoral Commission top brass seems not too concerned about the state of the roll. Speaking at a parliamentary committee hearing in Canberra last week, Australian Electoral Commissioner Andy Becker said the electoral system was in "good shape". He said the commission could find no evidence of organised fraud that had swung an election in the past 15 years, although there had been 71 cases of electoral fraud in the past decade. Becker blames the public's supposedly shaky faith in the voting system and the state of the rolls on adverse publicity in the media....

But the Electoral Commission's most damning critic is not the media, political parties, or even disgruntled candidates, but its own long-serving officers who have tendered hard-hitting submissions to the Joint Standing Committee on Electoral Matters, the committee reviewing the roll's integrity. They are especially critical of the commission's decision to scrap the regular house to house doorknocks previously used to update the roll in favour of computerised cross-matching of government agency data...

The commission cannot be too dismissive of public concerns about the roll. Where there is inaccuracy there is the potential for scurrilous individuals to commit electoral fraud. The question is, what will the AEC do to guarantee that the electoral roll to be used at next year's Queensland and federal elections is as accurate as possible and the potential for fraud all but eliminated?

Blue Mountains Gazette, 22 November 2000, "Enrolled cat prompts reform call"

The revelation last week that a cat had been enrolled to vote in the electorate of Macquarie has led to calls for the electoral process to be tightened. Former Member for Macquarie Alasdair Webster and the current member Kerry Bartlett both said electoral reform was a priority following the cat revelation at a House of Representatives inquiry into the integrity of the electoral roll.

Australian Electoral Commission assistant commissioner Paul Dacey told the inquiry a pet cat had been enrolled to vote at a Hazelbrook address under the name Curacao Fischer Catt. The bogus enrolment was only discovered when a letter sent to the cat's address by the then Member for Macquarie Alasdair Webster was returned to him.

The cat was enrolled to vote on October 4, 1990 and was deleted from the roll on January 31 1991, an AEC spokesperson told the Gazette last week. It never cast a vote in an election as there were no elections held during this period. Although the

matter was referred to the Australian Federal Police, no charges were laid against the cat's owner, as the 12 months statute of limitations for charges had passed.

While news of the enrolled cat was greeted with mirth in some circles, Kerry Bartlett said it actually highlighted a serious issue. "What that example points to is that the electoral system is not as foolproof as has been claimed," he said. "It really needs to be reformed." Mr Bartlett said identification should be required for a person to enrol and vote and to cast a vote.

"At the moment, its easier to enrol to vote than it is to hire a video and that's a crazy state of affairs," he said. "You need ID to join a video store." Mr Bartlett said the Coalition government had tried to reform the electoral system in 1998 but its changes were blocked by Labor in the Senate. He said he hoped the current inquiry would prompt the Labor Party to support changes to the system. "If the (electoral) rolls are not made secure, if reform is not carried out, anyone can go and enrol to vote under any fictitious name."

Former Member for Macquarie, Alasdair Webster, who attended the electoral roll inquiry last week, also believes the revelation of the cat enrolment is a serious matter. Mr Webster said he remembered the cat incident from when he was the Federal Member for Macquarie. He said while allegations of dead people voting usually get plenty of media attention, this was a minor concern compared to false enrolments.

"The cemetery vote and multiple voting is a very minor issue compared with the ability of anybody to put as many names as possible on the electoral roll close to an election," he said. Mr Webster said the Electoral Commission does not have the resources to do the customary checks six months before an election to detect false enrolments. He said the electoral roll has no integrity because it is possible to rort the roll in undetected ways.

Mr Webster said he was confident there would be changes to electoral enrolment process following the House of Representatives inquiry. "My view is if it costs us \$50m a year to give us total integrity to our roll then it is worth it", he said.

Sydney Morning Herald Editorial, 24 November 2000

Whatever the effect of these [the CJC] disclosures, it is clear that the electoral system suffers from more than the political parties' own doubtful practices. A salient feature of evidence given before the CJC is the apparent ease with which party officials have been able to enrol many different people at the same address, on the same day.

This suggests an elementary failure by the Australian Electoral Commission to check the authenticity of many enrolments. If not all functionaries in the different parties can be trusted, the public is entitled to expect the AEC to perform better than it has in the past and, if necessary, be given the means to do its job properly in the future.

The Courier Mail Editorial, 24 November 2000

...Roll tampering has been indulged in primarily for internal ALP purposes, though the Liberal Party's Mr Tanti succeeded in Mundingburra in 1996 with, apparently, the help of some improper votes.

For the sake of public confidence in the system, it is highly desirable that the Commonwealth Electoral Office should conduct a major, proactive review of the rolls over the next four or five months, before the state and federal elections....

The Australian Editorial, 24 November 2000

...The Australian Electoral Commission says all is well, yet neither it nor the Australian Federal Police have the funds to ensure the electoral process is sound. Monitoring a flawed system that can be corrupted is useless anyway...

The Financial Review Editorial, 25 November 2000, "Queensland stability requires poll reform now"

...One of the measures that Mr Beattie and federal Labor should be adopting is the federal amendment to the Electoral Act which would require voters being identified by a witness when they first join the electoral roll. This would not deal specifically with most of the preselection rotting in Queensland, but it would help provide more confidence in the integrity of the electoral roll.

One of the big risks in allowing the instability in the Queensland Government to continue is that confidence in Australia's electoral procedures will be undermined unnecessarily. The Queensland allegations have made it clear that the Australian Electoral Commission should be paying more attention to the integrity of the roll and may well need more resources to do so using modern computer techniques. The Australian Federal Police also should be examining the allegations closely and prosecuting people where roll tampering has occurred.

The extent of the Queensland problems show that penalties for roll fraud should be increased. But the Federal Government should not be stampeded into other commonly mooted changes such as earlier roll closure when elections are called and precinct based voting, which would make it harder for people to actually vote.

Australian Financial Review, 27 November 2000, "Queensland Pivotal, so Labor's in a spin", Christopher Pearson

...The Sydney Morning Herald's Alan Ramsay, who understands Queensland politics better than most, noted Beazley's silence on these issues and said "he remains in total denial".....Where I part company with Ramsey is his trivialisation of the issue of defrauding the electoral rolls. He says that the Joint Standing Committee on Electoral Matters is designed "to foment and incite...misinformation" and that the only real problem is factional branch stacking, which relies on systemic fraud.

He is wrong. Plainly, if people are fraudulently enrolled, they will exercise their votes to affect electoral outcomes as well as preselection ballots.

As a committee witness, Andrew Becker, the CEO of the Australian Electoral Commission, inspires very little confidence in the process over which he presides. Notwithstanding the evidence from Queensland, he's just assured the committee that: "We do not have a culture of electoral fraud". Hear no evil, speak no evil, see no evil – the culture of the three monkeys – seems to be the prevailing ethos of the AEC.

If Becker believes what he is saying, as I fear he does, I suggest that he reads Amy McGrath's books, *The Forging of Votes* (1994) and *Corrupt Elections: Ballot Rigging*

in Australia (1997). He might also care to reflect on recent evidence on the outcome of the 1987 election in the Queensland seat of Fisher.

It is to Howard's credit that he appointed Christopher Pyne MHR to chair the committee. Pyne is not someone with whom the Prime Minister has much in common, ideologically speaking, but he's been very effective at interrogating the hapless bureaucrats from the AEC. The Democrat's Senator Andrew Murray was also forensic in his questioning and deserves an honourable mention.

Australian Financial Review, 1 December 2000, "System needs a clean-up", John Hewson

Curacao is not only an enjoyable liqueur and a Dutch Island in the West Indies, but it's also a cat, Curacao Fischer Catt who, along with a significant number of dead and fake Australians, was able to slink its way onto the electoral role. But the Australian Electoral Commission doesn't know whether it actually voted! While this can be seen as a prank - compared to the vote-counting circus in Florida, and the mounting evidence of electoral fraud in Queensland - such events confirm the need for genuine electoral reform.

Although it has been consistently claimed by the AEC that these events are beaten up by the media, and election rigging is virtually impossible, most Australians would have their doubts. We have all heard of examples of fraudulent enrolment and fraudulent voting. Of fake Australians, at real or fake addresses, dead or alive, joining the electoral rolls and voting. Of branch stacking. Of preference deals and now "even" the Democrats being bought.

Some of us have heard of computer hackers gaining access to AEC computers with considerable capacity to manipulate the vote. Of ballot boxes leaving regional areas empty, yet arriving at the counting room full. Or leaving full and sealed, yet arriving unsealed, with tallies changed. And many have noted the hundreds of thousands of people who have joined the electoral rolls, unchecked, during the week between an election announcement and the closing of polls.

The significance of building and maintaining public confidence in our electoral system should not be underestimated. At some point, mealy-mouthed assurances from the AEC start to do more harm than good. Australia has one of the most open electoral systems. It's therefore potentially open to considerable fraud, the actual extent of which is unknown, of course, because the system is so open.

To join the electoral roll you need only to be 18, an Australian citizen, and to have lived at your address for at least a month. No evidence is required. You need to get an application form from a post office, the AEC or on the internet, have it witnessed by someone who is enrolled, and post it to the AEC. If you're not already enrolled (at least in that name and at that address), and your witness is enrolled, your name is added to the roll automatically.

It has always staggered me why, when in so many other activities of life we need multiple identification to achieve 100 points, we don't need any identification to join the electoral roll or to vote. I have also never understood why the electoral rolls are not closed the day the election is announced. With ever-diminishing "policy" differences between the major parties, election results can be very close and turn on a handful of votes, in a handful of marginal seats. Just ask me, I ought to know!

So while the AEC can puff up its chest and claim it is impossible to rig a whole election, the fact is you don't have to. You just have to rig the key marginal seats. And, while admitting there can be some surprises, most parties know most of the crucial seats.

The other thing that has always bothered me is why, aside from playing the day-to-day adversarial game scoring points on each other as evidence emerges about improper or fraudulent electoral practices on either side, there is almost a conspiracy of silence on genuine electoral reform.

The bottom line is that, despite all their voluminous rhetoric, politicians have done virtually nothing about the system that they know needs to be fixed. The technology is available at minimal cost (compared to their other extravagances) to do the job. Indeed, the last major change, or so-called "electoral reform", was made by Kim Beazley in 1989 when he made it even easier to rot the system. At the time, under the cloak of compulsory voting, his thrust was to make it "easier and simpler" to register and to vote, rather than "purer".

Why is there such sustained reticence on the part of both parties to genuinely reform our electoral processes? Perhaps because they both think that they can manipulate the system to their own advantage. Of course, they and the AEC often claim it is too costly to fix. But at what price democracy?

In the end, it will probably take a full judicial inquiry or royal commission into our electoral system to fully identify and expose the extent of the fraud and lay the basis for legislation to fix it. As George Bernard Shaw said: "Democracy substitutes election by the incompetent many for appointment by the corrupt few".

Courier Mail Editorial, 1 December 2000, "Beattie's survival linked to reforms"

....there must not be an election using the debased electoral rolls. As a result of the revelations of rotting made at the Shepherdson inquiry and the detailed analysis of some ALP rolls by *The Courier-Mail*, it is clear the rolls contain some significant errors, brought about by fraudulent enrolments. Although the Australian Electoral Commission claims the rolls are in good shape and the number of people fraudulently enrolled is minute the fact is elections are often decided by small margins - a few score or a few hundred votes in some electorates.

While it is true the number of fraud cases revealed so far is relatively small what is significant is the electoral authorities failed to detect most of those errors. It is irrelevant that most of these frauds occurred because those involved wanted to influence internal Labor Party preselection ballots. The fact is the rolls for state and federal elections were degraded in order to achieve those aims. Those rolls need to be cleansed. If the public is to be satisfied future elections are fair and honest it will want more than the bland assurances being delivered.

The Australian Electoral Commission and the Queensland Commission should conduct an intensive, detailed review of the joint rolls that are maintained by the Commonwealth. They should use basic resources such as a mail-out to check whether electors are at their addresses, and computer analysis to search for excessive enrolments at particular addresses, as well as their new system of continuous roll updating and their old method of habitation surveys. No election should be held until the two commissions can provide a guarantee the rolls are clean...

The Australian, 2 December 2000, "Deals leave all parties exposed", Dennis Shanahan

All of Australia's political parties are buying or selling votes and the practice must either be stopped or made fully accountable and transparent. There should be a royal commission into federal electoral practices, a judicial inquiry to clean up outstanding allegations and a legal test case on cash-for-preferences to clarify the law – or at the very least an investigative arm established for the Australian Electoral Commission...

The Advertiser Editorial, 2 December 2000, "The Swan song is only part of it"

...Lest anyone think that this is solely a matter of the (ALP) bad guys versus the (Liberal and National) good guys, the former Liberal Opposition Leader, Dr Hewson, has called our whole electoral system into question. He suggested, in a newspaper article, it might take a full judicial inquiry or royal commission to fully identify and fix the fraud within the electoral system.

If that was said as part of the crude antics in Federal Parliament this week, it might be dismissed as hyperbole. But Dr Hewson is both now above the fray and has been steeped in it. His message is perhaps even more worrying than the rorts and games played within the Queensland ALP and perhaps the coalition parties in other states and territories.

Advertiser, 7 December 2000, "Democracy in danger as debate descends to even lower levels", Dean Jaensch

...parliamentarians need to reexamine identification for electoral enrolment and voting. Try opening a bank account: you will need to provide "100 points" of identification before you can have the right to put money into your account. Try turning up to vote. Name and address is all you need to get a much more important right – to select the people who will be making crucial decisions on your behalf. Why not demand at least a "photo card" – before the right is granted? That would lessen the possibility of electoral voting fraud. And if that means reviving the debate about the controversial proposal for an Australian Card, then why not?...

Daily Telegraph, 22 December 2000, "Let's be honest, electoral fraud has to stop", Julia Patrick

For years our electoral system has been untouched and untouchable. Ridicule of the US system has enforced the myth that we have the world's greatest democracy, that dubious or fraudulent elections only take place in Third World countries and to suggest that our system is tainted is simply a conspiracy theory.

Events in Queensland have blown the lid off our complacency. Branch stacking in the ALP has led to accusations, denials, resignations and evidence of brown paper bags not containing school lunches. Although morally repugnant, branch stacking is not illegal and the big issue, the laxness of an electoral system which provides the opportunity for fraud, should be the main focus.

The present system leaks like a bucket with a hundred holes and assumes a degree of honesty that no business would accept. In the words of two NSW electoral commissioners, Cundy and Dickson, in 1989, "that the system as it presently exists is open to manipulation is beyond question".

To enrol as a voter you need only to fill out a form from a post office with a false name, address and witness, post it to the Electoral Commission and, hey presto, a person who does not exist can vote at any or all polling booths in their chosen electorate. Former NSW State MP Allan Viney puts it bluntly: "You can enrol your dog: he doesn't vote, but you can do it for him!"

The desire for power is an extraordinary motivator. It drives people to do strange things, and if something can be done, who would be as naïve as to claim it has not, or will not be done?

Thousands of people enrol just after an election is called (428,000 in the 1996 Federation election) and hard-pressed electoral staff cannot possibly check their validity before polling day. MPs report thousands of letters sent to supposedly new constituents are returned from vacant blocks or bogus addresses. All our totally secret ballot means is that once a vote goes into the box it is counted. There is no way of tracing or identifying it as coming from a phantom voter, a person multiple voting, or those voting from the grave.

The original "Australian" ballot, still operating in Britain, had ballot papers numbered and the butts kept so if an election were disputed, votes were traceable. Under our present system electoral fraud is an invisible crime. "Until such time as we introduce an identification system for voting in NSW and in Australia", says National Party MP Andrew Fraser, "We'll have a system that is open to rorts and fraud".

Subdivisional rolls (where a name was registered at only one polling booth) disappeared with the so-called Beazley-Young reforms in 1983, and with 60 or more booths in an electorate and the same name at each "multiple voting" as it is euphemistically called, is easy.

Reports from the Joint Standing Committees inquiring into the conduct of elections have repeatedly raised these issues but the Electoral Commission's response has been dismissive inaction. There is no fraud, they claim, that would be significant enough to change an election outcome. Yet we all know that marginal seats can change with a handful of votes.

The Coalition Government has been slow to act, but has been frustrated at electoral reform by Labor and the Democrats. Proof of identity on enrolling and closure of the rolls once an election is called, both fundamental steps to ensure fair elections, were called by Senator John Faulkner "highly partisan legislation". What is partisan about seeking to make elections as honest as possible for all Australians?

In the face of continued opposition, and with amendments to their original bill, the Coalition has eventually won the consent of the opposition parties to some identification on enrolling, but just what that is has not yet been spelt out.

One can only hope that the revelations in Queensland will continue to widen, and that amendments to close the most obvious loopholes for fraud in the Commonwealth Electoral Act will have a sense of urgency. It should have bipartisan support.

Courier Mail, 3 January 2001, "More rorts?", the bottom line

Rumours are afoot the federal ombudsman is investigating the circumstances behind some people being entered on the roll at the 1996 Mundingburra election. The ombudsman's activities, we are told, relate to jailed forger Karen Ehrmann's claim at the Shepherdson inquiry that Queensland Labor figures had an "insider" in the Australian Electoral Commission to help run a vote-rorting operation.

Australian Financial Review Editorial, 7 November 2000, "Keeping the voter's faith"

Later today, perhaps fewer than 50 per cent of eligible American voters will bother to take part in the election of their president. The low US turnout compares unfavourably with Australia, where about 96 per cent of voters took part in the last Federal election - with the added incentive of Australia's compulsory voting.

Compulsory voting may not be the ideal way to run a democracy, but neither is the US method, where it is much easier for people to drift out of the system. This issue of how to keep people participating in a democracy hovers in the background of the allegations in Queensland over electoral fraud. It is also exposing some differences between the Federal Government and the Australian Electoral Commission.

Electoral fraud diminishes confidence in the electoral system and could lead to voters failing to cast their ballot regardless of whether there is a penalty. The Australian Federal Police should thus investigate the latest allegations that multiple voting allowed the ALP to win the Queensland Federal seat of Fisher in 1987.

It may well be difficult to prove this sort of allegation. The Australian Electoral Commission argues that many claims of electoral fraud cannot be substantiated. Nevertheless, the AFP should give serious attention to the matter because of other recent cases of fraudulent activity within the ALP that have been revealed before the Shepherdson inquiry. But it is also important not to overstate fraud allegations so that people feel the Australian electoral system is not functioning properly when, by most international standards, it delivers a quality result.

As the Shepherdson inquiry has been airing the rotting of ALP preselection ballots in Queensland, a quiet debate has been going on between the AEC and the Special Minister of State' Senator Chris Ellison, over how to deal with electoral fraud.

Senator Ellison has been using the Queensland revelations to muster support for the changes the Federal Government made last year to the Electoral Act. These require a witness to identify a person who joins the roll for the first time. To work properly, these changes will require co-operation from the States under Australia's joint electoral roll system. Labor States have not been cooperative, on the basis that the changes tend to discourage voter registration.

After the revelations in Queensland, where an ALP member must be on the electoral roll to take part in internal party elections, the Federal Government's changes should be supported by the State Governments. However, the AEC makes several points about the management of the electoral system which should be carefully considered before the Federal Government uses the political opportunity provided by the Queensland revelations to make hasty changes to the electoral roll.

For example, Senator Ellison has been criticising the continuous updating of the electoral roll as a "half-hearted patch-up job that will do nothing to prevent enrolment fraud". The AEC says it "does not share these views" because continuous enrolment is a more cost-effective and accurate way to maintain the roll than the old system of biennial doorknocks. It also says Senator Ellison is wrong to say the new identification system for new enrollees would have stopped the Queensland fraud.

"Ill-informed and possibly partisan criticism of the electoral system has the potential to undermine public confidence in the integrity of democratic processes and the legitimacy of governments," the AEC says in a blunt submission to the parliamentary inquiry into electoral fraud established by Senator Ellison in response to the Queensland allegations.

The AEC says it would be wrong to allow recent allegations of fraud to result in major changes to the Electoral Act which are sought by some critics. Among such changes are a much earlier close of the roll before an election, compulsory identification before people can vote, and precinct-based voting. It says these changes would reduce the franchise for the young and socially disadvantaged, reduce the accuracy of the roll, create confusion and inconvenience at voting booths, delay results and discourage voting.

It argues that penalties for electoral malpractice should be increased to deal with recent allegations of fraud. But it would be wrong simultaneously to make it more difficult for people to meet their compulsory voting obligation because the system should strike a sensible balance between access and obligation. The Queensland Government may suffer electorally for the sorting, but it is not clear that all voters should be subjected to tougher rules.

Courier Mail, 8 November 2000, "To stop the rot", Dennis Atkins

Stories of so-called "cemetery voting" are as old as elections themselves. One of the closest presidential victories in recent American history, the 1960 John F. Kennedy win, reputedly was attributable as much to the ability of the Lyndon Johnson machine getting the dead out to vote in Texas as it was to the unpopularity of Republican candidate Richard Nixon.

Tales of cemetery voting and people casting multiple ballots in several names have surfaced again with electoral fraud allegations sweeping Queensland and causing heartburn for the Labor Party. Those listening to these stories have been struck by the historical nature of many accounts. There is probably a very good reason for this as it is becoming harder and harder to cast fraudulent votes in Australia.

Since 1995, the Australian Electoral Commission has been using a system of continuous roll updating instead of time-consuming, expensive and contentious twice-yearly electoral roll reviews, which were conducted like a census by door-to-door canvassers.

The key to the success of the new method of trying to maintain an up-to-date and accurate electoral roll is data matching, through which a range of federal and state agencies swap information. Whenever anyone notifies Australia Post of a change of address the information is sent to the electoral authorities who write to the person involved, asking if they have moved permanently and if they want to change their enrolment details. The old address is also checked.

Other information that is regularly collected by the Electoral Commission includes Centrelink change of address data and material from state motor vehicle registrars. The Electoral Commission also works with educational authorities and institutions to promote direct enrolment among young people turning 18. Included in results packages sent out by the Queensland Board of Senior Secondary Schools Studies are enrolment cards and general electoral information.

In Victoria, the state electoral commission sends birthday cards to those turning 18, enclosing enrolment cards. To try to eliminate the chances of cemetery voting, the AEC has a legislative safeguard which requires state registrars of birth, deaths and marriages to notify electoral authorities of everyone over the age of 17 who has died in any given month.

To back this up, electoral authorities also read the death notices in the daily newspapers, checking names against the rolls and following up with letters. As useful as data matching might be an even more useful tool for electoral authorities is what is called data mining, which uses a data base separate from the electoral roll as a cross check for enrolments.

Beginning in 1997, the AEC has built up an address register - a data base of almost 7 million addresses used to detect and deter fraudulent enrolments. Before the register was developed, anyone seeking to enrol only had to establish that there was such a street address as that on their forms. This had the potential to allow enrolments at vacant blocks, multiple occupancy of dwellings and the use of non-residential properties. The register contains a land use code, occupancy status, a limit for enrolments and the last time the address was reviewed and a code which indicates whether the place is valid for enrolment.

For example, if a house is registered as demolished, the address cannot be used for enrolment unless the character of the property changes to "active". The cross-checking that occurs between the electoral roll and the address register is designed not only to prevent enrolment at unsuitable places, it is also supposed to ensure that enrolment material - including ballot papers - is sent to legitimate postal addresses.

One further reform being studied by electoral authorities is the Canadian system of automatic switching of people when they change address. Using data from motor registries, the tax office and health authorities, Canadians automatically change the electoral enrolment of people when they shift.

Sydney Morning Herald, 11 November 2000, "Vote early, vote often: Conservatives want to tighten the electoral rules, which may disenfranchise people who vote against them", Mike Secombe

In the week between when John Howard called the 1998 Federal election and the close of the electoral rolls, 351,913 people enrolled to vote. That is only about 3 per cent of the total number of voters, but as the 1998 Australian poll showed, and as the US presidential race now is showing, just a handful of votes is often the difference between victory and defeat. The bipartisan political wisdom is that most of those 350,000 people voted against the Howard Government. Liberal and Labor alike accept that older and more settled people are more likely to be conservative voters. Younger and itinerant people are more likely to prefer Labor, Democrats or Greens when they vote.

Bear this fact in mind over coming months as a Federal Parliamentary inquiry into alleged rorting of the electoral roll by the Queensland ALP dives into the political mud.

And make no mistake, it will. John Howard decided to hold an inquiry to focus on the Queensland ALP's rorts, and Labor has responded with vigour. Already this week the Opposition has counterattacked with allegations of rorting against several senior members of the Howard Government, including Senator Chris Ellison, the Special

Minister of State, and Gary Nairn, the former chairman of the Joint Standing Committee on Electoral Matters, which will conduct the investigation.

“Don't underestimate how hard we are prepared to go on this,” a senior Beazley adviser said yesterday. He was dead serious.

But let's go back to those 350,000 last minute election enrolments. Nairn let slip on Thursday the real agenda behind the committee's pursuit of the Queensland matter (which already is being investigated by the police and the Criminal Justice Commission). It is to make it harder for people to vote. Nairn said:

“Recommendations in reports by the Joint Standing Committee of [sic] Electoral Matters [JSCEM] tabled while I was chairman specifically address the problem of voter enrolment. The Labor Party vigorously opposed those recommendations. One must ask why.”

And when one does ask why, the answer is that those recommendations would have disenfranchised hundreds of thousands of people, most of whom do not vote for the Howard Government.

Not only do the Liberals want to close the rolls the same day the election is called, they also want other changes. Some of the measures proposed, such as requiring the production of some identification when registering, seem reasonable. Nairn singled out Labor for its opposition to the proposals. But the Australian Democrats also opposed them. Even more significantly so did the Australian Electoral Commission (AEC).

Only last month, the AEC put its major submission into the JSCEM inquiry into the integrity of the Electoral Roll. The submission, signed off by Andy Becker, the Electoral Commissioner appointed by the Howard Government, concluded: “In summary ... the AEC does not support major amendments to the Electoral Act for the introduction of early close to rolls, voter identification ... because of the following possible impacts on the Federal electoral system.”

Those “possible impacts” included: a reduction in the franchise, “particularly among the young and the socially disadvantaged”; a decrease in the accuracy of rolls; a reduction in the compliance with the legal requirement to vote; and queuing delays confusion and inconvenience at polling booths.

The AEC did, however, recommend “legislative or administrative” action to tighten updating of the rolls and its computerised roll management system, operated in conjunction with the States, as a response to the alleged Queensland Labor electoral fraud. It also sought an increase in penalties for “all electoral fraud offences”.

Allegations of systematic electoral rorting are a hardy perennial of Australian politics, and overwhelmingly they come from the political Right. The reason for this is obvious. It is in the political interests of the conservative forces to question the integrity of the electoral roll, to reinforce their case for greater restrictions on enrolment.

But, invariably, these claims have been found to be baseless. There are always cases usually a dozen or so per electorate, of anomalies such as multiple voting. Almost all ultimately prove to be mistakes, not fraud. Certainly no case has ever pointed to a conspiracy to commit fraud, to steal an election. They cropped up, for example, after the 1996 election. The Electoral Commission examined them in detail

and concluded: "The inquiry did not reveal improper enrolment or voting sufficient to affect any result at the election."

There was a particularly concerted attack over alleged multiple voting in the narrow win by Labor's Cheryl Kernot in the seat of Dickson in Queensland. Claims ranged from about 100 to 6,816 illegal votes. The AEC investigated and found "in fact only two votes may have been the result of multiple voting". The fact is that while there are rare instances of people trying to vote more than once, no evidence has ever been found of any systematic voting, anywhere. But the Liberal Party and its fellow travellers continue to allege it happens.

The AEC has actually displayed some irritation at this on occasions. Its current submission specifically addresses the repeated claims by certain groups and individuals - particularly by the radio talkback host Alan Jones -- that electoral fraud is easy and says such claims may end up becoming a self-fulfilling prophesy.

It says: "Mr Jones frequently suggests that previous elections might have been won by fraudulent means, despite the contrary findings of the AEC, the JSCEM and the Court of Disputed Returns." Two-thirds of all suspected multiple voters in Australia are concentrated in the Sydney metropolitan area, the AEC says, within earshot of Jones's alarmist broadcasts. The constant repetition by Jones and others that the electoral system is "wide open to fraud", may actually encourage people into "testing" it, the AEC says. But the AEC does not suggest that even these people act in a concerted fashion.

After all the claims over all the years, Australia can still credibly claim to have the least corrupt electoral system in the world. Hundreds upon hundreds of pages of AEC reports and past JSCEM hearings, the evidence of all the experts in the area, lead to the conclusion that widespread, systematic electoral fraud does not happen in Australia. There is, however, a widespread attempt to make people believe it exists.

Sydney Morning Herald, 15 November 2000, "Scrutiny urged to stop 'mischief' in preselections", Michelle Grattan

A former Federal electoral commissioner has urged a tough new law requiring political parties to have their preselection plebiscites officially supervised. Professor Colin Hughes says in a submission to a Federal parliamentary inquiry into alleged electoral voting in Queensland that parties should have to register their preselection rules or lose eligibility for public money. Party rules submitted for registration "should adequately state the procedures for membership and roll-keeping by party officials". They "should provide that if candidates are to be chosen by membership votes, those elections should be conducted by officers of the Australian Electoral Commission or the local State Electoral Commission".

The Parliamentary Committee on Electoral Matters starts public hearings today with electoral officials before it. Professor Hughes was commissioner in 1984 to 1989 and a member of the Queensland Electoral and Administrative Reform Committee in the early 1990s. Preselection ballots involve "quite tiny numbers of electors; this is what makes them especially vulnerable to malpractice", he says. But these ballots are not regulated by Federal or State electoral acts.

He says that if one of the most likely causes of attack on the electoral roll's integrity is the pursuit of advantage in a party ballot, then the Electoral Commission "should follow the mischief to its root" and deal with it there. Parties that choose not to comply with a new law "could operate as a cadre party", but will forfeit funding and be

ineligible to display a party label on the ballot paper. Professor Hughes also recommends harsher penalties for electoral fraud.

The Queensland Premier, Mr Beattie, yesterday suggested a national identity card as a way of combating electoral fraud. "Maybe if John Howard is serious about stamping out electoral fraud then maybe we should look at the introduction of the Australia Card," he said. while stressing, "I haven't completed my thought processes about it." The Howard-led opposition in the 1980s strongly opposed Labor's idea of an Australia Card to fight tax and social security fraud.

Mr Beattie yesterday tabled an "update" on his earlier allegations of fraudulent enrolment of a member in the West Australian Liberal Party before a State preselection. "The Western Australian Liberals have been scurrying to assure everyone that it was simply an honest mistake, but they don't deny it happened," Mr Beattie said, claiming the WA Premier Mr Court, and the Federal Special Minister of State, Senator Ellison, were members of the party management executive "that chose to ignore the evidence of forgery".

But a spokeswoman for Senator Ellison said this executive did not have power to adjudicate on complaints, and Senator Ellison was not a member of the committee that did. Senator Ellison said Mr Beattie was desperately trying to divert attention from allegations of electoral fraud in Queensland. "Clearly, Peter Beattie does not understand the difference between electoral fraud, which involves breaches of the Commonwealth Electoral Act and internal party matters", Senator Ellison said.

Sydney Morning Herald, 27 November 2000, Alan Ramsay

The culture of corrupted process likely to destroy the Beattie Government and cripple Kim Beazley is simply about internal power: the abuse of the control of numbers to maintain the control of numbers. What is happening in Queensland is the crack in the wall of the right-wing factional structure that controls the Australian Labor Party across much of the country. Destroy? Yes Indeed. Cripple? Most probably. It is that serious.....

First understand Labor's crisis isn't about rorting the Queensland electoral roll to win seats in parliamentary elections. This isn't about cheating the electoral system. Labor smarties haven't been juggling people around at phoney addresses to get an advantage over Coalition candidates. That's only what the Coalition parties would have you believe. It suits their political purposes to have angry voters think a corrupt Labor Party has been cheating them. That's why John Howard has his own Coalition-controlled parliamentary inquiry running in Canberra, to foment and incite just such misinformation.

What the Labor Party has been doing is more idiotic. It has been fiddling the electoral roll for purely internal purposes. It has been doing so as part of the shonky party process known as branch-stacking. One group or another corrupts Labor's own rules by manipulating the books and the ALP membership to build up respective factional numbers in any given parliamentary seat, Federal or State. The objective is to control the rank-and-file Labor membership of that seat, not the wider voting members of the community at large. And why? For internal party power.

To draw the seat under factional control. To build up the number of seats any one faction controls. To gift those seats to factional loyalists. To determine the number of branch delegates each faction controls at State and Federal conferences. In short, to wield power and patronage. And in Queensland, where branch stacking is no more

rife in the Labor Party than elsewhere, the integrity of the State electoral roll is involved only because Labor uses the roll as proof of identity for ALP membership in any given local branch.

This is stupidity in the extreme for those who think no more seriously about rorting the roll for their own self-interested ends than they do about corrupting their own party processes. For while it might be unethical, immoral and a corruption of Labor rules, branch stacking is not illegal. What is highly unlawful though, is electoral roll fraud. One minor State Labor player in Townsville has already gone to jail for nine months. Two others have been given suspended sentences. The three are key witnesses in the Criminal Justice Commission inquiry now convulsing Queensland politics.

So while the dominant bipartisan attitude for many years has been that what a political party – any political party – does within its own structure and processes is entirely its own business, with internal control going to the swiftest, the strongest and the roughest, to overlay this with a similarly arrogant attitude to the electoral roll is to court disaster. And that is the core of Labor's worsening crisis.

The Age, 28 November 2000, Gerard Henderson, "Fraud hasn't changed one election: our system has cheats, but rigging results is near-impossible"

Vote early; vote often. It's an injunction frequently heard with respect to democratic politics in North America, Australasia and parts of Western Europe. Initially it was offered as serious advice, nowadays as irreverent humour - except among the conspiracy theorists in our midst. The damaging controversy engulfing the Queensland Labor Party, which has led to Jim Elder stepping down as deputy premier, once again raises the issue of electoral fraud.

This has been part of the political debate in Australia since at least, Federation in 1901. While neither side of mainstream politics has escaped accusations of vote rigging, the weight of allegations has focused on the ALP — not without some proof, especially in the first half of the 20th century. It turned out that the dead who remained on the electoral roll after their passing were more likely to vote Labor than conservative. Moreover, Labor supporters probably engaged in multiple voting (voting in someone else's name or more than, once in their own name) more often than did their conservative counterparts.

The publication of Frank Hardy's *Power Without Glory*, (1950) focused attention on voting manipulation in state and municipal politics in Victoria, with allegations directed at anti-communist Labor activists. At the time, the author was a member of the Communist Party. *Power Without Glory* made no mention of the well-established Communist Party fraud in trade union elections.

In any event, that was a long, long time ago. The fact is that Labor split too frequently for the practice to continue unabated. The federal splits of 1916-17, 1931 and 1955-57 (which had their biggest impacts in New South Wales, Victoria and Queensland) put a number of former ALP operatives outside the party, and with a vested interest in reporting existing electoral improprieties to the relevant authorities. The available evidence indicates the vote-early-vote-often mantra was effectively dead by at least the mid-1960s. This suggests serious attempts at election rigging have not been a feature of Australian electoral life for three decades. Yet, without question, some electoral fraud has continued.

The controversy in Queensland points to the difference between election rigging and electoral fraud. In Queensland, under Liberal Party rules, a member does not have to live in a particular electorate to take part in a preselection ballot for that seat. In the Queensland ALP, on the other hand, residence is a precondition for voting in internal ballots. Most of the material alleging impropriety presented to the present Criminal Justice Commission inquiry in Queensland (headed by retired judge Tom Shepherdson) have involved claims that Labor identities enrolled in seats outside their place of residence in order to help their mates win or retain preselection. By the very nature of this exercise, the seats were either safe, or relatively safe, Labor. In other words, the allegedly false enrolments, albeit potentially illegal, did not affect the outcome of state or federal elections.

It is one matter to try to inflict as much damage as possible on a political opponent. It is quite another to allege that the Queensland controversy indicates elections in Australia, federal or state, are regularly or even occasionally subject to fraud.

In recent years a small, but growing, group of Australians has made a case for widespread ballot rigging, favouring the ALP at the expense of the Coalition parties. Such claims have been made by Sydney-based radio talk-back hosts Brian Wilshire and Alan Jones, and find regular expressions in the publications and get-togethers of the H. S. Chapman Society, headed by its president, Amy McGrath.

Helen Berrill made not-dissimilar allegations in an article in *Quadrant* magazine in July 1985. She seemed to be of the view that, one way or another, corruption or fraud had affected virtually all Australian elections since Federation.

What's the evidence for so serious a proposition? Well, to say the least, it's pretty thin. Queensland University academic Colin A. Hughes, in a recent edition of the *Australian Journal of Politics and History* (Number 3, 1998), demolished the McGrath/Copeman/Berrill case. As Dr Hughes argues, "those who believe electoral conspiracy have to believe it on so huge a scale - to secure a sufficient stock of false voters and corrupt officials spread throughout the Australian Electoral Commission - to make it work".

The fact is that the Australian electoral system makes election rigging all but impossible. Australia has compulsory voting. This has the unintended consequence of diminishing the impact of any fraudulent enrolments. The same can be said about the combination of preferential voting and the large number of marginal seats. In Australia it's just too difficult to determine which seats are worth trying to rig.

Australia has experienced a number of very close federal election outcomes, including 1954, 1961, 1990 and 1998. But there is no proof that the result in any one poll was affected by corruption or fraud. It's an election-day cliché that Australians vote early. That we vote often is nothing but a dated conspiracy theory.

Sydney Morning Herald, 30 November 2000, "There's just no accounting for party animals; political parties need to be brought within a sensible legal framework", Antony Green

If you believe the conspiracy theorists, the inquiries into Queensland Labor Party rorts are revealing the truth about the corrupt conduct of Australian elections. Australia's "user-friendly" system of electoral enrolments is being revealed as an "abuser-friendly" system. Enrolling to vote has become easier than hiring a video, leaving the system wide open to corruption.

Already the inquiry is bringing calls for rigid checks on identity before allowing people to enrol and vote. Despite evidence by the Australian Electoral Commission refuting hearsay claims of irregularities, and despite the fact that compulsory voting makes elections harder to corrupt in Australia than elsewhere, calls are being made for wholesale change. However, calm analysis of the evidence suggests that the weak link in Australian democracy is not the electoral system. Rather, it is the unrepresentative nature of political parties and the unregulated conduct of their internal affairs.

As in all democracies, political parties are critically important to the operation of politics and elections. Parties aggregate and mobilise public opinion into political action. At elections, the media concentrates on policy platforms, leaders and candidates of political parties, and most voters structure their vote based on the activities of the parties. Yet political parties are effectively self-governing fiefdoms. Until 1977 there was no mention of parties in the Australian Constitution. Until 1984 there was no recognition of political parties in the Electoral Act and no mention of them on ballot papers.

Even today, parties are recognised in law for only three purposes. First, to register party names for ballot papers. Second, to allow party secretaries to nominate candidates in bulk without having to gather nomination signatures. Third, for a system of public funding and donation and expenditure disclosure.

While all registered parties must meet a minimum number of members (this varies between State and Federal elections), there is no specification as to what party membership is. There is no requirement for internal democracy; no requirement on how office-holders or candidates are elected.

A simple examination of rorts revealed by the inquiries shows why parties - and not the electoral system - need reform. So small are the number of people taking part in party ballots that just a few false enrolments have been enough to rig a preselection. So small is the membership of Australian political parties that they would find it very difficult to systematically rort a real election.

The only reason the inquiries have come about is because the Queensland ALP insists that members must be on the electoral roll to take part in ballots. Were it not for this rule, the local Labor Party could indulge in its factional wars in the same way as parties do in the rest of the country. They set their membership rules and carry out their internal procedures according to their own rituals, away from the gaze of the law. Essentially, party members indulge in consenting acts between adults in private.

As an example, the recent Labor Party preselection on the NSW Central Coast seat of Robertson was decided 87 votes to 85. It is being appealed under the ALP's self-regulated internal processes. Yet the scandal is that only 172 decided who the Labor candidate would be in an electorate where the party recorded 29,917 votes at the last election. Most preselections involve fewer votes, raising serious concerns about the representativeness of parties.

If such nonsense took place in other organisations, such as unions or registered clubs, there would be laws passed to provide greater regulatory oversight. As with other bodies, elections would have to be carried out by independent bodies such as the electoral commission. Yet when these problems occur in political parties there is a deafening conspiracy of silence from both sides of politics.

The days when parties had a mass base are long gone. Increasingly the only reason people join an established political party is to get a job in politics. Political parties are increasingly controlled from the top, with the factional alignments right down to grassroots level set in place to support the power battles at the top of the party.

Overseas, parties still need members to canvass for votes and turn out voters on election day. Compulsory voting means that this is not required here. Party names on ballot papers mean the need for members to hand out how-to-vote cards has declined, and the increasing cost of elections has driven parties to corporate and union donors and public funding rather than rely on fundraising by members.

Australian elections are heavily reliant on the honesty of average Australians. No evidence suggests that average Australians are behaving any other way than honestly. The abusers of the system are being revealed as the political parties. If change is to occur, it is not average voters who should be forced to be more accountable. It is the political parties that need to be brought within a sensible legal framework.

Canberra Times Editorial, 2 December 2000, "Distinction crucial in vote scandal"

In all the murkiness of recent revelations about electoral roting and cash in brown paper bags, only one thing is reasonably clear, and that is that the electoral rolls of Queensland have not been significantly compromised. An election could be held tomorrow, if necessary, without undue anxiety.

The proportion of fraudulently enrolled voters the Electoral Commission estimates that about .0001 per cent of Queensland's two and a quarter million voters might fall into that category is potentially enough to sway the result of a party preselection, where the numbers of party members entitled to vote are counted in the hundreds (at the most), but nowhere near enough to pervert the result of a state or federal election, where voters in each electorate number in the tens of thousands.

On that count, it must be remembered that the evidence which has emerged so far from the various inquiries and parliamentary revelations, is evidence that party preselections were allegedly rorted. There has never been a hint that a state or general election could have been compromised.

The distinction is crucial. And the fact that Queensland voters have seemed relatively nonplussed by the daily revelations concerning the state Labor party suggests that they are alive to the distinction. It is almost as though the public barely expects any better behaviour from politicians and would-be politicians as they go about the nasty and grubby business of knifing each other for preselection.

The public reaction would almost certainly be more negative – and more damaging for Labor electorally both at a state level and federally – if evidence were to emerge that candidates had been trying to do anything more venal than secure their own political survival within the party. The reaction may well turn negative anyway, depending on how well the conservative parties manage to dress up the scandal, and how far they are prepared to pursue tales of cash in brown paper bags, knowing as they do that "donations" between preference partners at election time have never been confined to Labor.

No evidence is likely to emerge of Liberal Party hacks signing up non-existent residents in electorates, for the simple reason that the Liberals don't conduct their

preselections in the same manner as the Labor Party. But to imagine that Labor and Labor alone is in the business of helping minor parties to deliver on a preference deal usually by paying for the printing of how-to-vote cards, press advertisements and the distribution of party literature would be naïve.

This week's breakdown of order in the Federal Parliament is symptomatic not only of a growing unease in Labor ranks, but a degree of jumpiness among Coalition members too. Scalps have been claimed in the Queensland State government already, leaving Peter Beattie governing by the most slender of threads. And Labor scalps will probably be claimed federally before the scandal goes away if only as a form of public expiation for sins the party doesn't really believe are sins.

Well the public, even if it isn't yet jumping up and down as ferociously as it did over the Reith Telecard affair, doesn't exactly look indulgently upon piles of cash in brown paper bags, and dodgy enrolments (even if they don't lead to dodgy elections). The public already has a low opinion of politicians. The truly depressing thing is that politicians insist on reinforcing that opinion at every opportunity.

Sunday Age, 3 December 2000, "Keeping party animals at bay", Terry Lane

Pity poor Peter Beattie. Any day now he is going to be left on his own, the only untarnished, honest member of the Australian Labor Party sitting in the Queensland parliament as his trusted associates confess all to the CJC inquiry. The narrative of the Queensland shenanigans is becoming so confused that we are in danger of conflating three distinct stories into one.

First, there is the confession by some disgruntled ALP members that they voted more than once in both state and federal elections, either by false enrolments or using the identities of electors known to have moved but who were still on the rolls. Then there is the confession of branch-stacking by enrolling sham members to vote in preselection ballots. And now there is the confession of preference-buying from the Democrats.

We need to keep the strands clearly separated because the integrity of the electoral system is not equally threatened by each of these rackets. Branch-stacking is by far the most serious menace to democracy, and that is a practice in all political parties. Professor Colin Hughes, former electoral commissioner, in his submissions to the Queensland and federal inquiries into the integrity of the electoral system, says that we shouldn't be too worried about the vote-early-vote-often brigade. They are the stuff of urban myth. But: "Party ballots ... have brought and continue to bring discredit on the parliamentary electoral process."

As he says, the number of by-elections that will determine who gets to govern is small. Closely balanced by-elections similar to the one in Mundingburra where fraud is alleged are rare indeed, and fraud can be prevented by conducting the poll on the same roil that was used for the earlier poll that was overturned by the Court of Disputed Returns.

In all normal general elections, it is too difficult to predict which seats will swing on a few votes; and even in those where a close result is predicted, a party would need a small army of bogus voters to guarantee victory. In such a situation, whistle-blowing by one or more disgruntled frequent voters is inevitable. Hughes reckons that if you have more than seven people involved in a scam it cannot be kept a secret.

In other words, as far as general elections are concerned, we have little to fear from the early and frequent voters or bogus enrolments. It's a good yarn, but it is of little real consequence. However, there is one serious flaw in our electoral system, and that is the party pre-selection process.

Hughes writes: "Party pre-selection ballots are an extremely important part of the wider electoral process. In non-marginal divisions, these are the votes that effectively determine who eventually sits in the House of Representatives. In the long term, approximately 30 per cent of Queensland's electoral divisions are non-marginal ... At any half-Senate election, effectively four senators are chosen by their party's vote and only two by the electorate, but Senate candidates are not usually selected by a membership ballot."

Hughes suggests that public funding for political parties should be conditional on "free and fair elections when party ballots are involved as well as when parliamentary ballots are affected". He makes the point that trades unions have assigned the conduct of their ballots to the Australian Electoral Commission, so why not political parties? "A party that does not wish to meet these requirements," Hughes writes, "could operate as a cadre party and select its parliamentary candidates by a committee or indeed the nomination of a single leader, but they would not then be able to pretend to follow democratic practices. Neither would they be able to receive public funding or display a party label on the ballot paper." Mr Beattie could show the way by volunteering the Queensland ALP for the Hughes system.

Sydney Morning Herald, 9 December 2000, "AEC wary of cleaning up for ALP", Michelle Grattan

The Australian Electoral Commission may be invited to supervise Labor ballots for preselecting candidates to show that the party is serious about cleaning itself up. Senior Labor figures discussed the idea this week. Faced with the Queensland electoral rorting issue, they believe it is vital to get on the front foot in setting an agenda for higher standards.

They want to keep up the momentum following the prompt action by the Opposition Leader Mr Beazley, in standing aside frontbencher Mr Wayne Swan, who is being investigated by Federal police over money given to the Democrats, and the announcement of a party membership audit. Labor is also considering how it can improve the credibility of its arrangements to arbitrate on preselection disputes so they are seen as fair and independent of the factions.

One suggestion is to have a stable of "eminent" people for dispute resolution. The Labor plan to involve the AEC would almost certainly have to take the form of an election promise, because it would require legislation. The AEC runs union ballots at taxpayers' expense. It can conduct other ballots for a fee.

But an AEC spokeswoman said that while that might allow the AEC to be involved in a party's internal balloting, it would probably not be inclined to enter such contractual arrangements "without a more formal legislative framework". This was to avoid a risk of compromising its political neutrality.

The proposal canvassed by Labor envisages the AEC in a yet-to-be-defined supervising role, rather than running the ballot. It would also need to accommodate the flexibility that a political party needs in its rules. For instance, when Labor brought the former Democrats leader Ms Cheryl Kernot into a seat, it did not follow the usual

preselection rules. The proposal to use the AEC driven by the need to allay public concern, would have to be sold within the party to the factions.

A former electoral commissioner, Professor Colin Hughes, recently proposed in a submission to the Parliamentary Committee on Electoral Matters that the AEC should conduct preselections. But the AEC, in a submission to the committee, has shown a distinct lack of enthusiasm for the suggestion. In 1998 the Australian Democrats' Senator Andrew Murray urged that "including the AEC in some way in the preselection process would help secure an authentic ballot. "In this way, the public could be reassured that preselection was not some private, corrupt, dishonest, and rigged intra-party affair."

But in its submission the AEC says it is "not inclined to support Senator Murray's 1998 proposal, prescient though it might have been [in light of Queensland rorting]...". AEC involvement in the preselection of candidates for elections conducted by the AEC could be seen as compromising political neutrality. "It is also considered improbable that the major political parties ... would be amenable to external regulation of their preselection ballots. Further, for the AEC to take on such a responsibility would involve substantial establishment and ongoing costs that would have to be specially resourced."

Australian Financial Review, 21 December 2000, "Florida debacle has lessons for Australia", John Quiggan

...As long as public confidence in the independence of the Australian Electoral Commission and the courts is maintained, a US-style debacle is unlikely to occur. Unfortunately, recent developments in Australian public administration mean that the prospect of a partisan Electoral Commission is no longer as unthinkable as it once was. Senior public service positions are now awarded to political apparatchiks, or at least subject to partisan political vetting, and we have seen repeated attacks on other custodians of public trust, such as auditors-general. The danger of a party-political High Court is more distant, but growing.

Turning to our immediate problems, the core of the electoral rorts scandal is the decay of the Labor and Liberal parties as mass political movements. Both parties have shrunk to the point where most members are either aspiring office holders or their political supporters. In such a situation, a social club or an extended family can easily form the basis for preselection of a safe seat. A descent into corrupt machine politics is virtually inevitable.

The Progressive movement of the early 20th century in the United States, faced with similar machine corruption, came up with the primary system, under which all electors are free to register as members of their preferred party and vote in a public primary election. The primary system has the disadvantage that it tends to favour well-known or well-financed "stars" over others who may be equally worthy, but cannot easily make their merits known. In addition, because politicians no longer depend on a party machine, party discipline tends to break down.

But the Australian system has the opposite faults. The candidates it produces are anything but stellar. And party discipline has reached the point where a single dissenting vote means political death. Without moving to a full-scale primary system, we could take both party membership and preselection out of the hands of the machines and hand these functions over to the Australian Electoral Commission. Having finally recognised that political parties play a crucial role in our system, we should make them open and democratic institutions instead of corrupt private clubs.

Sydney Morning Herald, 27 January 2001, "Hey, buddy, you call that a democracy?", Elaine Thompson

One of the very few things on which the members of the United Nations can agree is a minimal definition of a democratic country. To qualify the UN requires free, fair and regular elections. Until recently, people in Australia and the United States might have complacently looked out at the rest of the world, seemingly secure in the belief that they lived in democracies in the fullest sense of the term.....

When we compare our system with that in the US, it starts to make compulsory voting attractive. But even our system of compulsory, preferential voting for the Lower House does not guarantee that the party with a majority of votes gains government....So long as the government in Australia, or the president of the US, fails to have such a popular endorsement, the idea of a legitimate governing mandate is hard to swallow.

The events of last year reminded us not only of the limits on popular democracy in the US. In both our countries we have been forced to examine the very foundation of electoral democracy: the idea of free, fair elections.

The American election shows clearly that large numbers of people are disenfranchised. Various devices have been used in various places (including Florida) to exclude black and Hispanic Americans from voting. While hard-fought civil rights battles from the 1950s through the 1970s seemed to give Americans of all colours their constitutional right to vote, the reality is otherwise. Federal law and Supreme Court judgements have been subverted by State and county-level regulations and actions. For years various States had all but impossible voter registration requirements which discouraged all but the most committed.

There's been major electoral reform in the last four years with a system known as motor-voter: when a person registers a car, he/she can tick a box to register to vote. This stopped one major avenue of disenfranchisement but other devices are used on polling day.

In Florida for example, quite illegally, voters of Hispanic origin were asked by some local officials for two forms of identification when only one was required by law. In other areas with large numbers of black voters there were rumoured to have been artificially created traffic jams preventing voters from getting to the polls. Remember that Americans vote on a working day, Tuesday, so that most voters have only the few hours before and after work. Moreover they must go to a specified polling place, not just anywhere in the electorate. The queues after work at polling places can be discouraging to say the least.

In addition to race-based disenfranchisement, Florida demonstrated that US may also fail the fair election test. When the validity of votes is determined by the haphazard, often illogical decisions of highly partisan county and local activists rather than official impartial electoral officers, the fairness of the outcome is seriously in question.

The American system of voting has been shown to be structurally, not accidentally flawed in its failure to have uniform controls on ballot papers and a systematic means of dealing with disputed returns.

While Australia looks pretty good compared with the US, we should not become complacent. We, too, might fail the UN test of fairness. The false enrolments largely uncovered in Queensland affect the preselection of candidates within the parties and the outcome of votes in marginal seats. They are a reminder of the shortcomings of our system, as are the long-standing concerns within all our major parties, especially Labor, about branch stacking.

Finally, the buying of Australian Democrat preferences by candidates from the other parties not only calls into question the credentials of the Democrats as the party to keep the bastards honest but casts serious doubt on the whole procedure of preferential voting.

Australians and Americans had both liked to believe their systems pretty clean and their election outcomes fair reflections of voter intentions. In reality there are systemic problems in both countries. Both need to clean up their acts.

In terms of its international standing as the great democracy, the US must do something about its shortcomings in electoral democracy. Morally Australia should also act. Given our pride in our democratic traditions it is appropriate to act in this centenary year of federation.

Sydney Morning Herald, 7 October 2000, "ALP conquistadors burn Beazley's boats", Alan Ramsay

....In Canberra, John Howard's Government has seized on the political opportunity of what is happening in Queensland. The Federal Parliament's joint committee on electoral matters will conduct its own inquiry into what it loftily calls "the integrity of the electoral roll". What it really intends doing, of course, is exploiting the CJC hearing in Queensland to kick the daylight out of Labor. This is already going on, now Parliament is sitting again after the Olympics, and the pace will escalate when the committee meets on Tuesday to set its inquiry timetable....Now, the case fought through the courts in Adelaide last year is to be regurgitated before a Canberra parliamentary inquiry controlled by Labor's opponents. The odds are of the kind that favoured Cortes before he fell on the Aztecs.

The Herald Sun (Melbourne), 8 November 2000, "Witch-hunt accusations: parties split on electoral probe", Michael Harvey

A furious row has erupted over allegations the Howard Government tried to turn a key all-party committee into a political witch-hunt. A meeting of the Joint Standing Committee on Electoral Matters exploded into acrimony yesterday after Liberal MPs voted to investigate claims of electoral rorting by the ALP.

It is believed one of two Australian Democrat members was so angry he threatened his party would walk out of the committee for good. Senator Andrew Bartlett refused to comment last night. But sources said Senator Bartlett accused the government of trying to use the committee for its own political gain. Without Democrat participation on the committee, there would be no quorum - prompting speculation it wouldn't be able to proceed. It is believed Senator Bartlett was so angry he even threatened the Democrats would reconsider all co-operation with the government.

The bitter row flared in the wake of claims Labor activists rorted votes at the 1987 general election. In particular, it was claimed ALP supporters impersonated other people and voted multiple times for then-candidate Michael Lavarch. Mr Lavarch won his seat of Fisher by 703 votes and went on to become attorney-general in the Keating government. Prime Minister John Howard this week ordered an Australian Federal Police investigation into the claim.

The government's attack intensified yesterday when new chairman of the electoral matters committee, South Australian Liberal Chris Pyne, sought to broaden its inquiries. Mr Pyne moved for Australian Electoral Commission returning officers from three Queensland federal electorates to appear as witnesses. The officers are from the seats of Fisher, Hinkler and Herbert, all at the centre of ALP electoral rorting claims.

After committee members were tied 5-5 on Mr Pyne's move, he used his casting vote to ensure the three officers would appear. Sources said Senator Bartlett accused Mr Pyne of attempting to destroy democratic practices with his "partisan" move.

The electoral matters committee is regarded as a "consensus" committee that supervises the national guidelines under which elections are held. Its all-party approach is underscored by the fact that there are rarely split votes.

Earlier in the day, Senator Bartlett had warned against point-scoring on electoral fraud for fear it would scare people off the voting rolls. "We may well be facing the biggest challenge to the credibility of our electoral system in our nation's history," he said. Mr Pyne refused to comment last night.

Sydney Morning Herald, 8 November 2000, "PM turns up heat over fraud claims", Michelle Grattan and Mike Secombe

The Prime Minister last night stepped up pressure on the Queensland Government in his cat-and-mouse game with the Premier, Mr Beattie, over politically explosive allegations of electoral fraud. Mr Howard wrote to Mr Beattie proposing Federal legislation to clear away obstacles to Queensland referring the allegations to the Queensland Justice Commission. Mr Howard said the Federal Government yesterday referred to the Federal Police claims by a former ALP federal MP, Mr Brian Courtice, of alleged electoral rorting by the Nationals in the seat of Hinkler at the 1984 election.

In another Federal Government move to increase the heat on Labor, the Federal Joint Standing Committee on Electoral Matters will hold a public hearing next Wednesday to take evidence from the Australian Electoral Commission about the integrity of the electoral rolls. It has requested the Divisional Returning Officers for three "seats of interest" – Fisher, Herbert and Hinkler – to attend, so they can be questioned over claims of voting irregularities.

The Government-dominated committee yesterday also opted to put aside other work to concentrate on the rort investigation. Brisbane's Courier Mail newspaper last week reported claims from an unnamed Labor source that rorted votes contributed to the 1987 election win of the Labor candidate, Mr Michael Lavarch in the seat of Fisher. Mr Lavarch has rejected the claims as nonsense.

Federal Government strategists have vowed to keep maximum heat on the issue, which they believe will harm Labor's chances in Queensland next year. The Opposition Leader, Mr Beazley, told Caucus yesterday that Labor was being "royally slandered" by the Government over electoral fraud.

Mr Beattie, who earlier yesterday called on Mr Howard to establish a Federal CJC that could also investigate various claims of Liberal and National party rorting and the Reith phonecard affair, said through a spokesman last night that "nothing had changed" as a result of Mr Howard's letter.

The Government has appointed a new chairman, Liberal Mr Christopher Pyne, to the Electoral Matters Committee who Coalition sources say will give it a more political edge. His first meeting as chairman yesterday saw a change in the direction of the committee, and angry exchanges between members. Previously, the committee had been running two inquires simultaneously: one into political funding and disclosure and one into voting irregularities.

But yesterday the political funding inquiry, which has focused on alleged funding rorts by the Liberal Party and recommendations by the Auditor-General for changes, now will be put on hold until sometime next year. It is unlikely it will report before the next election. The committee will focus solely on the voting irregularities inquiry; which is more likely to damage Labor.

Mr Pyne's push to put the first inquiry on hold was resisted by Democrats and Labor members. The Democrats, who do not want the matter to degenerate into a "show

trial”, warned Mr Pyne they would walk out of the committee if it became like one. Under the rules governing committee operations it would effectively cease to exist if Labor did the same.

Mr Howard on Monday called for the Fisher allegations, which were referred by Mr Beattie and the Federal Government to Federal Police, to be sent to the CJC. The CJC's Shepherdson inquiry is already investigating claims of State roting. Mr Beattie rejected this, saying the CJC did not have the constitutional power to investigate them. But Mr Howard said in the letter he would make the introduction and passage of the legislation – which would require complementary Queensland legislation – “an urgent priority”. The Federal Government says its advice is that Commonwealth legislation would remove jurisdictional problems.

Australian Financial Review, 10 November 2000, “PM accused over poll fraud”, Lenore Taylor

The Federal ALP yesterday tried to return fire in the escalating electoral fraud row, accusing the Prime Minister, Mr John Howard, of treating allegations against the ALP differently from those against the Coalition. The ALP has seized on Liberal Party preselections in several States in an attempt to deflect attention from its intense political difficulties in Queensland, where a series of electoral fraud allegations are being investigated by the Criminal Justice Commission and the Australian Federal Police.

Labor figures were very concerned earlier this week when Mr Howard appeared set to draw the row into the federal arena, threatening to set up a federal inquiry into the Queensland allegations. Mr Howard has referred two sets of Queensland allegations - one against the ALP and one against the Coalition - to the Australian Federal Police.

The manager of Opposition business Mr Bob McMullan yesterday asked why Mr Howard had not referred to the police further allegations about Coalition preselections in the Northern Territory and in Victoria. It has been alleged in Victorian Parliament that a Liberal MP threatened a party member with the loss of his federally issued radio licences if he did not vote for federal backbencher Mr Andrews in the hotly contested pre-selection for the seat of Menzies. Mr Howard said he had acted “in a completely even-handed fashion”, and the Menzies pre-selection committee had made “an excellent decision” in choosing Mr Andrews. He said it was open to anyone to refer a matter to the police.

Meanwhile, the Queensland Premier, Mr Peter Beattie, tried to further muddy the waters yesterday, tabling unsourced documents in state Parliament alleging that a Liberal Party membership in 3 Western Australian State pre-selection had been forged. The Special Minister of State, Senator Chris Ellison, who was named in the documents as the campaign manager for a candidate involved in the allegations, said last night that the allegations “relate to internal party matters that in no way concern electoral fraud”. He said the documents contain very many factual errors and were “a beat-up by Peter Beattie to deflect attention from electoral fraud in Queensland”.

Courier Mail, 11 November 2000, "Howard revels in electoral fraud issue", Dennis Atkins

....The Coalition knows that every seat must be protected and those few Labor seats that could be taken require assiduous campaigning. A powerful weapon is to blacken the name of opponents and that is why Prime Minister John Howard and his ministers have grabbed the issue of electoral fraud in Queensland.

Howard leapt into action on Monday, taking up an opportunity provided by Queensland Labor Premier Peter Beattie in his response to claims in the Courier Mail that there was electoral fraud in the Queensland seat of Fisher during the 1987 federal election. Howard sent the claims off to the federal police and appointed a new, energetic chairman of the Joint Parliamentary Committee on Electoral Matters, Christopher Pyne.

Pyne hit the ground running; deferring an inquiry into public funding to late next year and turning the sights of the committee's probe into the integrity of the electoral roll in three Queensland electorates attracting rorting claims. The aggressive approach raised the hackles of the Australian Democrats on the committee, who warned Pyne not to use the forum for a partisan attack. Queensland Democrat Andrew Bartlett said he and his colleague Andrew Murray would watch how the committee behaved and, if it did become partisan, they would walk out, denying the body a quorum to conduct its work....

Some Labor MPs believe Howard will use the Queensland allegations to launch a broader assault on Labor's credibility by dragging in party and election votes from other states. "It smells a bit like the old kicking of the commie can to me", said one. "If they can successfully paint Labor as generically involved in electoral rorting, we'll all have to prove that our election was not bodgy".

Just how serious the Government is about pursuing Queensland Labor will become clear next week when the electoral matters committee holds its first public hearing into the electoral roll's integrity. The Australian Electoral Commission has been invited to attend with the district returning officers from three Queensland electorates. All indications are this is one issue the Howard Government will push hard. Its electoral survival is at stake.

Sydney Morning Herald, 6 December 2000, "Its still hitting the fan – and MPs are up to their ears in doo-doo", Mike Secombe

It was the metaphor of a new parent. Jackie Kelly, Minister for Sport and mother of an 11-month-old, accused the Labor Party of "wailing in the doo-doo" about electoral rorts. It was the best line of Monday's Question Time. Even if you've never changed a nappy, it is powerfully evocative. You can almost see it and smell it. The self-made mess, the red-faced tanty. The potential to smear not just the doo-doo doer, but anyone nearby.

And, as any good parent knows, the only answer to a doo-doo situation is to effect a change, regardless of the risk of smear. Now, who, among all the politicians embroiled in the electoral rorts scandal, is genuinely trying to effect change? It would appear Queensland Premier. Peter Beattie is the only one.

The AWU shonks of Queensland have been putting doo-doo on him for years. But he struggles on undeterred. He may be motivated in part by revenge, he may have been

pushed by the Queensland Criminal Justice Commission, he may be acting belatedly but he is acting for real.

Kim Beazley? He's commissioned a "national audit" of ALP membership, but that's more a reflection of his need to be seen to be doing something than an indicator of reformist intent. And everyone else? They are, as Kelly put it, doing their best to splash the doo-doo "right around the chamber ... and see if it will stick elsewhere".

John Howard started it a month ago when he decided the Queensland CJC inquiry was not enough, that he would set up a show trial of Labor rorts, to be conducted by Chris Pyne, MP. As soon as Howard did this, a senior Beazley staffer told this columnist: "Don't underestimate how hard we are prepared to go on this."

Well, as of yesterday, Labor had spattered more Government members than vice versa. The Government got a major blob on Wayne Swan, who has stood down while he is investigated by the police over the money-in-the-bag allegations. Tony Abbott threw some at Cheryl Kernot and Con Sciacca but both wiped most of it off pretty easily. Both are also seeing their lawyers about pursuing action for defamation. In reply, Labor has targeted Jackie Kelly, Bruce Baird, Chris Ellison and Robert Hill.

The Pyne Committee will not investigate any of these, nor will the Government refer them to the coppers. This is hypocrisy; the Kelly matter in particular appears as worthy of investigation as Wayne Swan. The allegations against Ellison and Hill at this stage seem to have no more substance than those against Sciacca and Kernot. The funny thing is, suddenly Howard is the one wailing in the doo-doo. He wailed especially loudly yesterday about Labor's "disgraceful" attack on Robert Hill's "children".

Oh, come on. The children concerned were adult, married, voting members of the Liberal Party, living in Sydney and registered to vote in Adelaide. Howard had no qualms about letting his dedicated muck-flingers target Sciacca's friends and family. Howard was wailing because he sees the political advantage of the electoral rorts scandal slipping away. A position of amoral equivalence is being reached which reflects badly on both sides of Federal politics, and advantages neither Howard nor Beazley. The Prime Minister seems belatedly to realise that the message the public is getting is that both sides are up to their ears in it. And they are right.

The Sunday Age, 19 November 2000, "Digging into vote rigging", Kerry-Anne Walsh

While Queensland Labor tries to put a stranglehold on the affair, federally the Howard government is pulling out all stops to intensify Labor's pain. Ten days ago, the Government-dominated Joint Standing Committee on Electoral Matters – under its new, hastily installed Liberal Chairman, Christopher Pyne, who relishes a political stoush – initiated its own investigation into Queensland electoral rorts. In doing so, the committee temporarily dumped as its priority a political-funding inquiry that was looking dangerous for the Liberals, prompting an outcry from Labor and Democrat MPs.

But as the political importance of Queensland in the federal scheme of things demonstrates, the Government is not necessarily concerned about upholding the integrity of the Australian electoral systems with its copy-cat inquiry. At the 1998 federal election, Labor snatched six Queensland seats from the Coalition,

recording a 7.17 per cent swing – the highest to the ALP in any State or territory. Of the 15 marginal electorates in Australia, four of the closest five – Herbert, Hinkler, Moreton and Petrie – are in Queensland. Five of the 10 most marginal seats for the Government are in Queensland.

Sydney Morning Herald, 26 January 2001, "Labor fails to halt Qld electoral rorts hearing", Mark Robinson

Labor made a last minute bid to stop further revelations of electoral rorts in Queensland coming out before the State election by calling for the postponement of a public hearing scheduled for Monday in Townsville. But its efforts appear to have failed, with the Liberal head of Federal Parliament's Joint Standing Committee on Electoral Matters, Mr Chris Pyne, refusing to convene a phone hook up of the committee and saying there was no precedent for such a delay.

Labor's move came after the line-up of witnesses for the hearing of the committee which is examining electoral rorts was finalised. Among the people scheduled to give evidence on Monday is the former Federal Labor MP Mr Brian Courtice and the Labor Mayor of Townsville, Councillor Tony Mooney. Cr Mooney is one of two people that the head of the Queensland Criminal Justice Commission's inquiry into electoral rorts will consider for referral to authorities for possible forgery charges. Last week counsel assisting the inquiry, Mr Russell Hanson QC said there was evidence that Cr Mooney had encouraged false electoral enrolments in Townsville in 1996.

A member of the parliamentary committee, Labor Senator John Faulkner, on Wednesday called for the hearing to be postponed. In a letter to Mr Pyne, he said it was "inappropriate" to proceed given the February 17 poll had been called by the Premier, Mr Beattie.

But Mr Pyne rejected a request for a telephone hookup of the committee to discuss the matter, saying that it was not possible to schedule at such short notice. He said advice from the clerks of parliaments showed there was no precedent for cancelling a committee hearing due to a local election.

A spokesman for Senator Faulkner said Mr Pyne's actions showed he was more interested in scoring political points through the inquiry than examining the integrity of the electoral roll which the committee was supposed to be looking at. "Going up there in a politically charged atmosphere is hardly appropriate," he said.

The committee is scheduled to hold a further public hearing on Tuesday in Sydney where it will hear evidence from one of the principal witnesses in the CJC inquiry, Mr Lee Bermingham. One former staff member of the Sports Minister, Ms Kelly, Mr Nick Berman, will also give evidence following allegations in Parliament that he enrolled to vote at Mrs Kelly's house while he actually lived somewhere else.

Courier Mail, 26 January 2001, "Federal MPs push on with rorts inquiry", Michael McKenna

...The committee chairman, Mr Christopher Pyne, a South Australian Liberal MP, said there was no reason or precedent to postpone a federal parliamentary inquiry because of a state election. But Labor senator John Faulkner accused Mr Pyne of ignoring advice that he consult with the remaining members of the committee before proceeding with the hearing.

Clerk of the Senate Harry Evans advised Mr Pyne that while there was no procedural barrier to the hearings, it was for the committee to decide if any "political consideration" would warrant a postponement of the inquiry's proceedings. Senator Faulkner, a committee member, said Mr Pyne had refused to consult with the committee, and had made the decision to proceed in a "point-scoring exercise" for the Coalition.

"Christopher Pyne has unilaterally decided to take this committee to Townsville in a politically charged atmosphere," he said. "There are no conventions or precedents that stop us because of a state election," he said. "Postponing the hearings would raise suggestions that we are trying to protect and shield certain people, and I don't think that is our role. Our role is to look into the integrity of the electoral roll, and that will go on regardless of the state election.

Shepherdson inquiry star witness Lee Bermingham, Townsville Labor Mayor Tony Mooney and former Labor MP Brian Courtice are scheduled to appear at the federal inquiry hearing.

Sydney Morning Herald, 31 January 2001, "Electoral scam pull politicians down to same low level", Michelle Grattan

It has its ironies. There was Chris Pyne, pursuing Labor rorting at a Federal Parliamentary committee hearing in Sydney, while a Howard Government minister to be was falling on his sword in Canberra thanks to an electoral fraud scandal. Mal Brough could not be sworn in as a minister yesterday, even if, as he insists, he is pure as the driven snow. No way. It would have been too dangerous for the Howard Government. That's apart from the embarrassment for the State Coalition campaign in Queensland. Brough is a Queenslander.

Only hours before he announced he'd asked the PM not to proceed with his appointment to the ministry, Brough was talking about what he'd be doing "once sworn in this afternoon". He insists his retreat was his own decision. Up to a point. There were discussions between Brough and the PM's staff on Monday night and yesterday. Options were discussed. Brough is not a fool. There was only one realistic option.

It might have been different had Brough already been a minister. But to elevate someone when three of his former staff have admitted being involved, directly or indirectly, in false enrolments (with a fourth having knowledge) would have left the Government without a shred of credibility. After all, it had mounted its high horse when Labor frontbencher Wayne Swan came under police investigation for allegedly giving money to the Democrats in an election campaign. Swan stood down.

Brough's resignation from his parliamentary secretaryship followed as a matter of logic and necessity. The Brough affair tarnishes the Government and weakens its case against Labor rorting. Both sides are caught in a mire. MPs are becoming a minor boom industry for the Australian Federal Police which, incidentally, works slowly. The Reith Telecard probes were protracted. Swan is still waiting. Tony Abbott, the stand in for Brough, could be overworked for a while.

Meanwhile, back at the parliamentary inquiry, former staff of Jackie Kelly were yesterday in the firing line over alleged electoral shenanigans. And in Canberra, Senator Stephen Conroy was denying claims made against him in the inquiry. The further the claims and counter-claims spread, the more uncertain the impact politically except to drag down further the reputations of politicians generally.

Daily Telegraph, 31 January 2001, "Neither honesty nor logic get a look in", Mark Day

Politicians often complain they're not taken seriously, and not held in great public esteem. If you want to know why, look at the events of the past 48 hours.

After several months of bagging the Labor Party for electoral fraud in Queensland a Liberal appointee to the Howard Ministry stand aside – until allegations of electoral fraud are dealt with. Could the pot which called the kettle black, be just a little black too?...

This is blatant hypocrisy, so obviously two-faced that the Australian public has every right to view the close and mortal combat which defines politics in an election year through filters of disgust and cynicism.

Its early days yet, but from what we know about minister-in-waiting Mal Brough's decision to stand aside pending the Electoral Commission and federal police inquiries, the allegations of electoral rorting appear to be bordering on the inconsequential. A woman who once worked in his office enrolled in his electorate – the outer northern Brisbane seat of Longman – while living in an adjoining seat. She did it, apparently, because she was "busting her guts" for him at work and wanted to vote for him at election time.

The marginal Liberal seat is held by Mr Brough by just 1 per cent. Even in a close election, one vote is hardly likely to change the course of history. On the scale of rorts, this hardly ranks alongside the kinds of mass branchstackings and false enrolments uncovered in other Queensland electorates.

But it's the principle of the thing. A rort is a rort is a rort. Mr Brough had no choice but to stand aside from this swearing in as Australia's next Employment Services minister, just an hour before he was to get the biggest boost of his political career. He says he made the decision himself, but I suspect he had a bit of early help along the way from a very unimpressed Prime Minister.

Mr Howard has been happy to stir the pot over the Queensland electoral rorts, and has sanctioned a parliamentary inquiry, led by that holier-than-thou political headkicker from South Australia, Chris Pyne.

Yesterday Mr Pyne was smearing all and sundry from the ALP over allegations of union slush funds being used to bankroll electoral frauds, while piously proclaiming that Mr Brough had no case to answer because he knew nothing about his office worker's deception, and anyway, the fraud had no electoral impact. This kind of partisanship gives hypocrisy a bad name.....

Courier Mail Editorial, 2 February 2001, "Pyne vulnerable to charge of hypocrisy"

The decision of the chairman of the Joint Standing Committee on Electoral Matters. South Australian Liberal MP Christopher Pyne, to pursue its inquiry into electoral rorting at the height of the Queensland election campaign predictably was attacked by Peter Beattie as "political witch-hunting". It was an unsurprising reaction from the Premier given that the committee appeared to be ploughing the same field comprehensively turned over by the Shepherdson inquiry. Nonetheless, Mr Pyne was able to claim the high moral ground, countering that the dates of hearings in

Queensland had been set long before the state election was called and that his solitary intent was to investigate rorting wherever it might be found.

Mr Pyne's high-sounding words, however, have come to take on a distinctly hollow if not hypocritical ring following his refusal to call fellow Liberal MP Mal Brough before the joint committee in the wake of the confessions by his former electoral staff that they were involved in vote-rigging. Having seemingly not been satisfied with the extent of the Shepherdson's investigation of rorting in the Labor Party, Mr Pyne seems content to sit back and not involve the joint committee in a case of Liberal rorting, allowing the police and the Australian Electoral Commission to do all the running on the Brough matter. "I'm sure that he'll be entirely exonerated by that investigation and hopefully take his rightful place on the front bench," Mr Pyne announced this week. At this moment, however, it is premature to say Mr Brough's place in the Ministry is "rightful". To claim, as Mr Pyne did, that Mr Brough would not be called to give evidence because he was innocent of any wrong-doing is not only absurd but prejudicial.

Indeed, for the sake of Queensland, which otherwise will have only three representatives on the federal front bench, it is to be hoped Mr Brough is cleared to take up the Employment Services portfolio. In the meantime, however, there is still the matter of the discrepancy between Mr Brough's recollection of what and when he was told of one false enrolment and the account of one of his staffers. This area of investigation would seem to fit comfortably inside the wide parameters Mr Pyne set for his committee when it was only the Labor Party under the microscope. The ambitious South Australian might just now be realising that in standing on the high ground, he has made a conspicuous target of himself.

Sydney Morning Herald, 3 February 2001, "Ball's in the other rort", Mark Robinson and Mike Seccombe

.....His [Liberal MP Mal Brough] actions were precipitated by revelations in the Herald that day that one of his former staffers, Andrea Chitakis, had admitted falsely enrolling to vote in his marginal Queensland seat of Longman before the last election, sparking an investigation by the Australian Federal Police.

She also claimed to have later told Brough of her actions, a claim he strenuously denied. But there was more. Under questioning from Brough at his electorate office in Caboolture late on Monday, another staffer, Helen Pearce, confirmed her partner, Bradley Bell, had also been falsely enrolled at the same address, which was the home unit of another employee at the time, Lisa Lawlor. Given the climate in Queensland in the lead-up to the State election on February 17 and the impending return of Parliament next week, there was little alternative for Brough but to put his ministerial career on hold until the completion of an investigation by the AFP.

Three of the former staff members backed Brough's assertion that he knew nothing about the enrolments, with Chitakis, who left his office in February last year, the sole dissenting voice. Brough told the Herald it was not the first time he had been concerned about statements made by Chitakis, instructing his lawyers to write to her last year over what he believed were defamatory remarks she had made. But the reason for that was a mystery to Chitakis, who said she was prompted to confess her actions by the revelations at the Criminal Justice Commission's Shepherdson inquiry.

Regardless of the reasoning, the revelations and the widespread publicity they received brought the growing electoral rorts scandal right to the forefront of national politics and into the Liberal's ranks this week. It was a political lifeline for the Labor

Party, valiantly trying to prove that it is not alone as a party with rorters in its midst following the revelations in Queensland at the inquiry.

The Opposition Leader, Kim Beazley, said it made him recollect “the lectures I’ve been receiving from Mr Howard” on Queensland Labor and the “unctiousness with which he attacked us and wrapped the Liberal Party in a cloth of purity”.

Howard the next day tried to draw a wide distinction between the allegations facing the Queensland ALP and Brough, saying there was a “vast difference” between the employees of an MP doing something wrong and three Labor MPs admitting that themselves. He also stressed that the staff concerned were not party members.

But it is harder to defend another set of accusations – this time against one of his favourite ministers, Sports Minister Jackie Kelly – on the same grounds. The allegations in this case include staff who were members of the Liberal Party, and who not only worked for Kelly, but in one case, lived with her. Allegations of dubious preference deals, the setting up of dummy candidates and the establishment of ‘front’ parties have been directed not only at her staff, but also at her. It was only due to the protection of the Government’s chair of the Joint Standing Committee on Electoral Matters Christopher Pyne, that Kelly was not called before the committee.

Labor members had to make do with two former Kelly staffers, now local government politicians, and they appeared with a barrister, with whom they frequently consulted before answering. They also were assiduously shepherded and shielded through their evidence by Pyne. But the picture which emerged at the hearing was nonetheless bad for a Liberal government seeking to pretend that only Labor engaged in rorting.

Steven Simat, a Penrith city councillor and former Kelly staffer, told the committee he sought out “three people who said they were interested in running for some pre-existing micro-parties”. He told them he wanted their preferences. He told them they needed to live in the Penrith area and to be on the electoral roll in Penrith before they would be eligible to run.

But he did much more than that for them. He found a place for them to live, so they could satisfy the residency criterion. Simat told the committee his niece and her partner had fortuitously purchased a home in early 1999, although they lived elsewhere. The niece, Lilliana Duka, incidentally also was a Liberal candidate in the same election. “I believe they moved in and the house became their principal place of residence. This enabled them to nominate in the election,” he said.

The three were Adam Brown, who stood in the election for the No Badgerys Creek Airport Party, Paul Matosin and his brother Josip, who both stood for the Marijuana Smokers Rights Party. Why would they do that for strangers? Well, the answer is that they were not strangers. The marijuana front party candidates were Liberal Party members and allies of Simat.

Labor’s Senator Faulkner closely questioned both Simat and another former Kelly staffer, Nicolas Berman, about their knowledge of who witnesses the enrolment forms for the micro-party candidates. Both said they had “no recollection”. Simat’s own evidence damns him as a political dirty trickster, even if, as he said, none of it breached the Electoral Act.

But what does this mean for his boss? Well, she was president of the campaign committee for the 1999 local government council elections in Penrith. She played a

large part in working out the tactics employed. It seems hard to believe that an exercise involving preference swaps, stooge candidates and front parties could have gone unknown.

Sydney Morning Herald, 3 February 2001, "Kookaburra", edited by Mike Seccombe

The electoral rorts scandal turned around and bit the Government this week, with Queensland Liberal MP Mal Brough forced to quit the Howard Ministry even before he'd been appointed. But on the evidence so far, Brough does not look to be in much trouble. His staff maybe, but not him. Much more interesting, though, was evidence about the ingenueness of the Howard Ministry, Sports Minister Jackie Kelly, which came out in the parliamentary committee investigating electoral rorts. Two Kelly staffers were called to appear before the committee to face questions about a variety of dirty tricks relating to electoral registrations and front parties in western Sydney. Labor people on the committee wanted Kelly herself called, but the Liberal chairman of the committee, Christopher Pyne – who is not biased at all – prevented it. So Senator John Faulkner vented his frustrations by verbally tearing into the two Kelly underlings. As he snapped at one of the hapless people in front of him, "I wanted Mrs Kelly here. I want to talk to the horse's head".

Canberra Times, 3 February 2001, "Here's to mud in our eyes", Ross Peake

As MPs drift back to Canberra, they are anxious – a restlessness that not even business class pampering can damp. The reason is that one crucial element in the political landscape has changed in the three months since they fled the national capital which most despise – now they are standing in the middle of a full-blown phoney election campaign. That means the real one – the one that determines their livelihoods – is not far away.

An election year brings out the worst in our politicians. At this time, more than any other in the electoral cycle, they throw mud at their opponents, praying and hoping that a bit will stick. It is a pathetic exercise that implies a dismissive view of the electorate and reinforces the low public standing of those with MP stamped on their door. Labor is just as guilty as the Liberal and National parties. The bottom line is that voters are treated like simpletons.

In this vein, the electoral rorts issues has displayed both sides of politics at their glorious best or worst, depending on your perspective. Electoral rorts is a serious issue, one that goes to the heart of the credibility of our politicians (or what's left of it.) So far, the row has mostly impaled Labor MPs. That propelled the Howard Government into unctuous mode, with hands on collective heart as it decried the awfulness of that rabble on the other side.

The crafty Prime Minister is never one to give an opponent an even break, especially when they're looking vulnerable. So he cranked up a parliamentary committee, headed by a Liberal, to rake over old ground. There's lots of old mud in Queensland about electoral rorts that can be freshened up and thrown against Labor one more time. Don't even bother calling this hypocritical; this is an election year, anything goes.

The architect of this strategy is the same PM whose government kept secret at police investigation into the credibility of a Cabinet minister. Revealing that knowledge was not in the national interest – but using taxpayers money to send the committee on a

witch-hunt is. Oh, did I mention the committee is going over old ground in the immediate weeks before a Labor Premier in Queensland tries his luck at the polls?

By the way, the committee used its powers to invite Labor party personnel to appear, under the threat of subpoenas, but vetoed the appearance of Sports Minister Jackie Kelly to discuss allegations of rorting by her staff.

In Queensland the Labor rorters have outed themselves. On the federal scene, Labor's Wayne Swan has been stood down from the Opposition front bench while police investigate allegations against him. The Coalition was overjoyed when the rorts reached Kim Beazley's team, suggesting the rorts culture was endemic in Queensland and therefore they could not be surprised at the allegations against Swan. He is from Brisbane, you see.

So the Coalition implied, privately of course, guilt by association – a smear job – and the fix was in. With that hysteria in the air, and the witch-hunt by the parliamentary committee, why was Howard surprised at the size of headlines created this week over Mal Brough?

Brough was swept up in the rorts scandal when several of his staff and former staff admitted to falsely enrolling in his marginal Brisbane electorate so they could vote for him. They were frustrated they were working their guts out for him, but couldn't help him across the line. One staff member says she told Brough what she had done, but he didn't appear to register the significance of her confession. He denies strenuously he knew about the rorting until late Monday.

He was in line to become a minister, but a funny thing happened on the way to Tuesday's swearing in ceremony at Government House. In the middle of the day, he was insisting there was no problem. Suddenly, at 3 pm, he pulled out, saying he couldn't possibly go into the ministry with any shadow of suspicion around him. Sounds like Howard's office told him about political realities.

Brough is from Queensland, after all, and wouldn't the Labor Party be eager to suggest, behind the safety of parliamentary privilege, that the rorting culture was spreading to another party? The PM had an appropriate line ready next day, "The allegation was that Mr Swan himself was involved in it. This allegation here is that members of Mr Brough's staff without his knowledge did something that was wrong. Now there is a big difference. And you know I don't want to sound unduly pedantic, but you can't be too pedantic, when you're dealing with people's reputations."

The Brough affair provides temporary respite for Beazley, who had his Knowledge Nation policies gazumped by Howard's \$3 billion research and education package. "The Labor Party has been going to hell and back in Queensland over precisely this sort of [alleged rorting] activity", he said. "And, as we suspected, of course, all along, the Liberal Party has engaged in this sort of activity as, indeed, they're engaged in preselection rorting across the board. And this is a matter which Mr Howard must now get to grips with."....

This sets the scene for a robust first week of Parliament, with each side desperate to gain the upper hand as early as possible. ...

Updated report on cases of possible enrolment fraud over the past decade

Case No	Division	Year	AFP	Category	Result
NSW1	Prospect	no record	No	Enrolment in frivolous name	Enrolment rejected
NSW2	Paterson	1988	No	enrolment address of elector altered by others for Medicare fraud purposes	Investigated by Medicare Fraud Officers and enrolment corrected.
NSW3	Throsby	1990	Yes	Two enrolment applications by under-age persons	AFP unable to locate offender
NSW4	Robertson	1990	No	Enrolment application by under-age person	Warning letter issued
NSW5	Macquarie	1990	Yes	Frivolous application for pet cat	Enrolment cancelled. Referred to AFP- statute of limitations expired
NSW6	Bennelong	1991	Yes	Four false enrolments submitted, including one for council candidate	Prosecution period expired – DPP issued warning letter to council candidate
NSW7	Banks	1991	Yes	Elector received AEC card but had not lodged an enrolment application	AFP interviewed suspect. Insufficient evidence for prosecution
NSW8	Philip	1991	Yes	Incomplete enrolment form with fraudulent witness submitted by another person	AFP unable to locate offender
NSW9	Riverina-Darling	1991	Yes	Under-age application for pub entry purposes	Cautioned by Court
NSW10	Dobell	1991	Yes	Dual enrolment for same person with slightly different names	AFP determined not deliberate fraud - second enrolment cancelled.
NSW11	Dundas	1991	Yes	Attempt to establish a fraudulent enrolment address	AFP unable to identify offender.

NSW12	Kingsford Smith	1992	Yes	Enrolment for under-age person overseas	AFP unable to identify offender
NSW13	Parkes	1992	Yes	Multiple enrolments submitted for one person	AFP unable to identify offender
NSW14	Cunningham	1992	Yes	Dual enrolments with different signatures and place of birth	Court imposed \$800 fine and \$46 costs on offender (not the elector)
NSW15	Berowra Wentworth	1992	No	Several fake identities submitted to AEC	AEC objections to identities
NSW16	Watson	1992	Yes	Application for fake enrolment lodged with AEC as a 'test' case	Although AFP knew identity of suspected offenders, unable to progress matter due to inadequacy of evidence
NSW17	Dobell	1993	Yes	Possible offence of interfering with political liberty.	Awaiting more information of result, but possibly not a fraudulent enrolment offence.
NSW18	Bennelong	1993	Yes	Application received for under-age person	Offender convicted and given a good behaviour bond
NSW19	Sydney	1993	Yes	Single identity fraud for criminal intent	False enrolment removed by objection
NSW20	Grayndler Sydney Wentworth	1993	No	Multiple identity fraud (Social Security)	Convicted of Social Security fraud. False names removed from roll by objection
NSW21	Richmond	1993	Yes	Multiple identity fraud (Social Security)	Fictitious enrolments removed by objection
NSW22	Macquarie	1993	No	Webster Petition alleging hundreds of cases of multiple voting and personation	Petition dismissed by CDR with costs against petitioner – no allegations proved (see Attachment 19)
NSW23	Mitchell	1994	Yes	Application received by AEC from person unknown by real person	AFP unable to locate offender

NSW24	Throsby	1994	Yes	AEC card received by under-age person	AFP unable to locate offender
NSW25	Bradfield	1995	Yes	Application from ineligible non-citizen	AFP advised not deliberate fraud
NSW26	Richmond	1995	Yes	Elector and witness denied making application received by AEC	No further action, on grounds of insufficient AFP resources
NSW27	Reid	1995	Yes	Two electors received AEC cards for unknown reason	AFP unable to locate offender
NSW28	Fowler	1995	No	State preselection candidate submitted 15 cards most witnessed by candidate. 12 AEC cards returned "Not known at address".	After investigating AEC decided to take no further action
NSW29	Lyne	1995	Yes	Application received for elector from another person	NSW police unable to locate offender
NSW30	Cowper Page	1996	Yes	State candidate enrolled for wrong address	DPP advised insufficient evidence for prosecution
NSW31	Prospect	1997	No	Local government candidate enrolled but not a citizen	Referred to DPP - statute of limitations had expired.
NSW32	Lindsay	1999	Yes	Council candidates allegedly made false enrolment declarations linked to MPs address	Insufficient evidence for prosecution
NSW33	Cook	1999	No	Enrolment for another elector's address	Applicant elector removed by objection on grounds of non-residence
NSW34	Cowper	1999	No	Elector enrolled twice for same address with different signatures and DOBs	Father completed first enrolment – dual enrolment deleted

NSW35	Werriwa	1999	Yes	Council candidate transferred address twice for no apparent reason	DPP advised insufficient evidence for prosecution.
NSW36	North Sydney	1999	Yes	Dual enrolment	Referred to AFP-action pending investigation
NSW37	North Sydney	1999	No	Attempted enrolment at non residential address	Currently subject to follow up action in NSW Head Office
NSW38	Charlton	2000	No	ALP preselection candidate attempted to enrol for vacant block	Matter closed. AEC issued warning to elector.
NSW39	Chifley	2000	Yes	Elector received AEC card for unknown person	Referred to AFP - action pending investigation
NSW40	Parramatta	2000	No	Elector received MP mail for another person	Matter closed – AEC office error.
NSW41	Throsby	2000	No	Multiple enrolments for different names at same DOB and address	Referred to AFP-action pending investigation
NSW42	Warringah	2000	Yes	Two enrolment cards from same address with inconsistent details	AFP advised AEC that no offender could be identified and that the matter is now closed.
NSW43	Wentworth	2000	Yes	Two nursing home applications with inconsistent signatures	AFP declined to investigate – no real evidence of fraud on AGS advice
NSW44	Mackellar	2000	No	MP applicant possibly not eligible - insufficient residence period	Enrolled person made a statutory declaration to NSW EC attesting to their eligibility
NSW45	Reid	2000	Yes	Multiple applications allegedly falsified by one person	Matter now under investigation by the AFP
NSW46	Robertson	2000	No	Elector submitted an enrolment form for an address where a residence was under construction.	Referred to AFP-action pending investigation

NSW47	Fowler	2000	Yes	Elector incarcerated in gaol denied submitting a claim for enrolment	Referred to AFP-action pending investigation
VIC1	Melbourne	1995	Yes	Multiple identity fraud (Social Security)	Enrolments removed by objection action
VIC2	Bendigo	1996	No	Elector advised another elector enrolled at same address	Enrolment removed by objection
VIC3	Melbourne Ports	1997	Yes	Elector advised another enrolment in his name	AFP declined to investigate on limited resources. Enrolment corrected
VIC4	Wills	1997	No	Identity fraud – (Immigration)	Enrolment corrected
VIC5	Lalor	2000	Yes	Enrolment form received for an elector that appeared to have been completed by estranged spouse.	AFP declined to investigate due to limited resources.
NT1	NT	1990	Yes	Two applications same address with same signatures	Court decided guilty of false signature offence - no conviction recorded - \$250 bond
NT2	NT	1994	Yes	Application not made by person living at address with false signature	Insufficient evidence for prosecution
NT3	NT	1994	Yes	Dual enrolments with possible different signatures	No further action – input error by AEC. AFP investigation discontinued
QLD1	Herbert	1991	No	State candidate allegedly fraudulently changed enrolment	Insufficient evidence
QLD2	Petrie	1993	No	Enrolment form received for a fictitious street	Enrolment not entered
QLD3	Dickson	1993	No	Enterprise Council allegations of hundreds of cases of enrolment fraud	JSCEM dismissed the allegations as without foundation following AEC analysis (see Attachment 19)

QLD4	Herbert	1994	No	Multiple identity fraud (Social Security)	Already prosecuted for Social Security fraud. No further prosecution action
QLD5	Herbert	1994	No	Multiple identity fraud (Social Security)	Already prosecuted for Social Security fraud. No further prosecution action
QLD6	Herbert	1996	Yes	Multiple enrolment fraud for preselection	Prosecuted and convicted for forging and uttering
QLD7	Groom	1996	No	Letter received by AEC attempting to change details of elector - not sent by elector	State police laid charges for several types of fraud. Plead guilty, convicted and non-custodial sentence given.
QLD8	Griffith	1996	Yes	Multiple enrolments at two different addresses	DPP concluded not enough evidence for prosecution.
QLD9	Hinkler	1996	No	Federal MP believed an elector falsely used his father's details	Member advised that evidence was inconclusive, and administrative action was taken to correct matter
QLD10	Herbert	1997	Yes	Enrolment fraud for ALP preselection purposes.	Prosecuted and convicted of 47 counts of forging and uttering
QLD11	Herbert	1997	Yes	Enrolment fraud for ALP preselection purposes.	Plead guilty to forging and uttering
QLD12	Wide Bay	1997	No	Enrolment form for address that did not exist	Genuine error by elector, dealt with administratively - error corrected.
QLD13	Fadden	1997	No	Telephone complaint of several fraudulent enrolments	Details checked no evidence could be found of enrolment impropriety.
QLD14	Moreton	1998	Yes	See QLD7 above	Part of ongoing harassment campaign.
QLD15	Ryan	2000	Yes	Fraudulent enrolments (husband and wife) using the names of parents.	Both offenders were convicted and fined \$300 each on 10 November 2000.

QLD16	Moncrieff	2000	Yes	Duplicate enrolment forms submitted.	Charges laid and committal hearing due on 22 February
QLD17	Bowman	2000	Yes	Enrolment form using dead person's details submitted during doorknock.	Offender convicted of forging and uttering under CEA s.344(1), fined \$350.
QLD18	Longman	2000	Yes	Staff member for MP admitted to falsifying her enrolment for the 1998 election in order to vote for MP	currently under investigation by the AFP.
WA1	O'Connor	1998	Yes	Two people submitted original enrolments with incorrect spelling. Submitted correct enrolments, resulting in dual enrolments.	AFP did not consider there was any intent to defraud the electoral system.
WA2	Stirling	2000	Yes	Fraudulent enrolment uncovered by AFP during investigations into criminal fraud on part of suspect.	As at 9/1/1 AFP preparing a brief to go to the DPP.
WA3	Perth	2000	Yes	Fraudulent enrolment uncovered by AFP during investigations into criminal fraud.	Charges have been laid and offender remanded to appear on 30 January 2001.
SA1	Bonython	1995	Yes	Forgery of family member application.	Warning issued by AFP.