

The Chairman,

***Joint Standing Committee on Electoral Matters.***

My name is Victor John Batten, an elector on the Roll for the seat of Berowra.

Please find attached my Submission to the Enquiry into the 2016 Federal Election.

I have long held the view that our electoral system has become so out-dated, it has over the past 30 years become an easy target for fraud as faults were found and remained uncorrected.

In today's technological age there should be no excuse for this.

I am surprised that governments have neglected to address this for so long. Someone in the Government, this Committee and / or the AEC needs to justify why the highlighting of various cases or aspects have not been explained by the AEC leaving the impression that it may be in someone's best interests to ignore the problem.

I am not surprised that inequities have been uncovered, only that there are not more of them either uncovered or unreported or both.

If this enquiry can bring about change I would be willing to assist out in any way that I can. **I look forward to addressing the Committee.**

This report recommends that three basic levels of action are considered.

**The first** is a suggestion that this Committee oversight a "White Paper" of the {For} and {Against} arguments for such things as:-

Compulsory voting,

Optional preference voting,

Re-run elections,

Independent AEC versus an EC responsible to Parliament through a Minister.

These can then be discussed in the community and may form Election Promises.

**The second** group of submissions requests that the Law as enacted be applied or

legislative statements be made to justify denying the clear intention of the Parliament. These include:

A voter advising their name, address and whether they have voted before prior to receiving ballot papers.

A voter stating in their handwriting, the reason for an absentee vote (i.e. a vote not in a booth on Election Day).

Voters not needing to advise the AEC when they change their address.

Scrutineers being denied or hampered in fulfilling their duties.

Allowing an official to decide that each Division is also the only Sub-Division of a Division.

**The third** group represent an updating of basic assumptions underlying the Acts.

The value of deposits.

The value of monetary penalties.

Should ballot papers have a thread embedded in them which sets off an alarm if the paper crosses the exit door of the polling place.

(In Western Australia, there were over 10,000 more votes cast for the Senate. Where are the missing Reps votes which must have been issued?

Each entry on the Electoral Roll includes a distinct number, name, address and age of the voter.)

I recommend that a bar code of the number be printed on the Roll. This will be scanned onto a Master Roll for the Electorate at the time of but prior to issue of the ballot paper. (There were about 30,000 multiple votes cast at the last reported election.) (This procedure has been used in South Africa for many years and was trailed in the ACT.)

The following quotes from the Act, form the basis of my request that the Committee consider these sections for enquiry and possible action.

(3) The Commission may do all things necessary or convenient to be done for or in connection with the performance of its functions.

SECT 79 Subdivisions

(1) Subject to subsection (2), the Electoral Commission may, by notice published in the Gazette:

(a) divide a Division into such Subdivisions (if any) as are specified and set out the boundaries of each Subdivision so specified.

(Change "may" to "shall".)

SECT 100 Claims for age 16 enrolment

(1) A person who:

(a) has turned 16, but is under 18, years of age.

(Change 16 to 17)

SECT 101 Compulsory enrolment and transfer

(1).. every person who is entitled to be enrolled for any Subdivision,.... whose name is not on the Roll, shall forthwith fill in and sign a claim and send or deliver the claim to the Electoral Commissioner.

SECT 102 Action on receipt of claim

(iii) in the case of a claim for transfer of an enrolment from the Roll for another Subdivision--delete the name of the claimant from the Roll for that other Subdivision; (deletion from old roll is regularly delayed until after Election Day Roll is printed.) This is wrong. Deletion should be instantaneous with acceptance in new subdivision)

SECT 103 Penalty on officer neglecting to enrol claimants

(1) Any officer who receives a claim for enrolment or transfer of enrolment and who fails to do everything necessary on his or her part to be done to secure the enrolment of the claimant in pursuance of the claim shall be guilty of an offence. Penalty: \$1,000.

(Has this penalty kept pace with inflation?)

SECT 200DI Questions to be put to voter

(1) A voting officer must ask the voter the following questions:

(a) What is your full name?

(b) Where do you live?

(c) Have you voted before in this election?

SECT 200DM Voter not entitled to vote again etc.

After the voter has been given a ballot paper:

(a) the voter is not entitled to remove the ballot paper from the voting place; and

(b) the voter is not entitled to vote again in the same election.

SECT 218 Provisions relating to scrutineers

(2) A scrutineer shall not be prevented from entering or leaving a polling booth during the polling,,,,,,

SECT 229 Questions to be put to a Voter

(5) Subject to section 235, if a person claiming to vote to whom questions are put under this section:

(a) refuses to answer fully any question so put; or

(c) answers a question specified in paragraph (1) (c) in the affirmative; the person's claim to vote shall be rejected.

SECT 232 Voters to be recorded

(1) Immediately after handing a ballot paper to a person whose name is on the certified list of voters, or an approved list of voters, available at a polling place, the presiding officer or a polling official at the place must:

(a) place a mark against the person's name on the certified list; or

(b) record electronically against the approved list the fact that the person has been handed a ballot paper. (change “or” to “and”.)

#### SECT 245 Compulsory voting

(1) It shall be the duty of every elector to vote at each election.

5 (c)(ii) if the elector failed to vote—give the DRO a valid and sufficient reason for the failure; or

(iii) pay to the DRO a penalty of \$20. (Inflation)

(15) An elector is guilty of an offence if the elector fails to vote at an election. Penalty: \$50. (non enforcement of payment costs the Commonwealth revenue.)

#### SECT 325 Officers not to influence vote

(1) A person who, being an officer other than an Antarctic officer, does any act or thing with the intention of influencing the vote of another person, is guilty of an offence punishable on conviction by a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months, or both. (inflation) (Regrettably, this has happened in Nursing Homes}

#### SECT 329 Misleading or deceptive publications etc.

(1) A person shall not, during the relevant period in relation to an election under this Act, print, publish or distribute, or cause, permit or authorise to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of a vote. (This appears quite clear to me but not to P P Managers.)

(4) A person who contravenes subsection (1) is guilty of an offence punishable on conviction:

(a) if the offender is a natural person—by a fine not exceeding \$1,000 or imprisonment for a period not exceeding 6 months, or both;

( The fine amount should be commensurate with the potential cost of an aborted election.)