

From Alexander Cornell Stewart, elector enrolled at [REDACTED]

Dear Committee

19 September 2019

Thank you for the opportunity to provide a Submission to this Inquiry with Terms of Reference “that the Committee inquire into and report on the conduct of the 2019 Federal Election and matters related thereto.”

I offer comments, including some recommendations, based on my perspectives:

- as a parent and grandparent concerned at the degeneration of our democracy;
- among a 50-year mainly Engineering career in industry and Government Departments, I worked for 6 MPs (3 Canberra, 3 NSW) from 4 different parties, including a Liberal Minister and a Senator; and I have also done voluntary work in 7 political parties;
- drawing from the expertise of Dr Amy McGrath OAM of the H.S.Chapman Society [www.hschapman.org](http://www.hschapman.org) she discovered Vote Frauds while working during WW2
- my experiences for years as President of “Australians for Honest Elections Inc” recently renamed to “Vote Australia”, of which I was President, but am no longer.

Based on my expertise, I request that I be able to speak at a public hearing of JSCEM.

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### 1.0 OVERVIEW OF THIS SUBMISSION

I am worried about degeneration in our democracy

- by deficiencies in the Commonwealth Electoral Act that permit Vote Frauds
- by the inherently-flawed design of the Australian Electoral Commission model that was introduced in 1984. In my view, the experiment has failed and elections should be run by a subset of the Public Service, as occurred very well from 1901 to 1983.
- by the mismanagement of the AEC, for example in mismanaging PrePolling
- by the deficiencies in Electoral Rolls
- by the debasement of Parliament due to the Party Machines preselecting candidates for their compliance rather than their competence/expertise, and by then using Vote Frauds to instal their wrongly-chosen candidates

And I offer up some ideas as recommendations in section 7 below.

Yours faithfully

Mr Lex Stewart (on the Electoral Roll as Alexander Cornell Stewart)

## 2 THE MOST IMPORTANT THING

It is important that the Recommendations 12 and 25 of the previous JSCEM should not be lost and should be again made by this Committee.

### **Recommendation 12**

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3.141 The Committee recommends that the *Commonwealth Electoral Act 1918* and the *Referendum (Machinery Provisions) Act 1984* be amended to require that:

- voters must present a form of acceptable identification to be issued with an ordinary pre-poll or election day vote. Authorised identification must be suitably broad so as to not actively prevent electors from casting an ordinary ballot. Examples of acceptable identification would include:
  - photographic ID such as a drivers licence, passport, or proof of age card;
  - government-issued identification card, such as a Medicare card, senior's card of concession card;
  - proof of address, such as an account from a utilities provider, taxation notice of assessment or Australian Electoral Commission issued voter registration letter; or
  - alternatively, a 'voter ID' card be introduced and issued to all voters.
- where voters cannot provide acceptable identification they must be issued with a declaration vote.

3.142 The Committee further recommends that, in order to make this change as easy as possible, the national rollout of Electronic Certified Lists be fully funded (see Recommendation 25).

### **Recommendation 25**

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5.56 The Committee recommends that a national rollout of Electronic Certified Lists and/or 'ECL Lite' be fully funded and implemented prior to the 2019 federal election.

## 3 DOES VOTE FRAUD OCCUR?

3.1 Here are some quotations and examples:

3.1.1 ***"That the electoral system is open to manipulation is beyond question***

***... Fraudulent enrolment is almost impossible to prevent.*** (NSW Electoral Commissioners, Messrs R. Cundy and Ian Dickson, in the NSW Government Inquiry 1989) [ASIDE COMMENT 19/9/19 FROM LEX STEWART – i.e. almost impossible to prevent under the system as it then was, but it can be prevented by implementing recommendations 12 and 25 above]

3.1.2 *"Electoral fraud, malpractice and errors are a common feature of the Australian electoral system,"* Alex Howen, Metropolitan Vice-Pres of the NSW Liberal Party 11/9/1999

3.1.3 78% of several thousand people voted "Yes" on [www.publicdebate.com.au](http://www.publicdebate.com.au) in year 2001 to the question *"Should a Royal Commission be held into Electoral Fraud?"*

3.1.3 The Shepherdson Inquiry in Queensland found that ALP members had done Vote Frauds in 1986, 1993 and 1996. This was a finding by a Judge, based on evidence <http://www.ccc.qld.gov.au/research-and-publications/publications/misconduct/the-shepherdson-inquiry-an-investigation-into-electoral-fraud.pdf/download>

3.1.4 Dr Amy McGrath OAM has written several books about Vote Frauds. She first discovered Vote Frauds when she was a member of the ALP and was working during World War 2 in the Balmain branch of the Ironworkers' Union, and was given a list of dead people's names and told to go and vote in those names. She made 17 Submissions to the JSCEM during 1993 to 2014, and was largely ignored. Her books are:-

1. "**The Forging of Votes**" ISBN 0 9591879 3 6 – published in 1994, it describes Vote Frauds that happened during WW2 and subsequently
2. "**Corrupt Elections**" (with sub-title:- ballot rigging in Australia) about year 1997 ISBN 0 9587104 0 6 summary of a seminar with 15 speakers, including Sen Nick Minchin and Marshall Cooke QC
3. "**The Fraudging of Votes**" published circa 2002 ISBN 0 9591879 9 5
4. "**The Fraudging of Votes**", **second edition** with a 30-page powerful Introduction by famous crime-fighting journalist Bob Bottom OAM ISBN 0-9587104-3-0
5. "**The Stolen Election, Australia 1987**" (with sub-title:- according to Frank Hardy) about year 2005 ISBN 0 95871045-7
6. "**The Fraudging of Elections?**" published in 2003, with Appendix by Peter Brun
7. "**Wolves in Australia**" published in 2013. It covers many topics other than Vote Frauds, which are mentioned as she predicted a new type of Vote Frauds to be implemented by GetUP on pages 451-455. (I discovered GetUp workers doing this type of activity in Macquarie in the 2016 election in which Liberal Louise Markus narrowly lost her seat).

3.1.5 Karen Ehrmann went to jail in year 2000 for electoral frauds. She said that she was just the 'patsy' and that many others in the ALP were doing what she did.

3.1.6 The case of Alasdair Webster losing Macquarie in 1993 by 164 votes is described in Appendix 9. In brief there had been lots of deliberately false enrolments made e.g. on vacant blocks of land, plus many other types of deliberate Vote Frauds.

One conclusion is that the process for appealing to the High Court a faulty election is very difficult and expensive (perhaps deliberately so).

A far better solution to electoral problems would be as advocated by Dr Amy McGrath OAM and accepted by the Sydney Morning Herald which published her proposal for an Electoral Ombudsman – refer to appendix 4.

3.1.7 UK Election Commissioner Richard Mawrey QC has sent people from both sides of politics to jail in the UK. In year 2005 he published a good book, "**Fraud at the Elections**" ISBN 0 85124 708 3. I assisted in arranging his brief speaking tour in Australia, when he came here for other reasons. He was aghast at Australia's voting systems and said:

- "*Australia's postal voting system is a recipe for Voting Frauds*"
- "*If the avenues for Vote Frauds exist, then one can expect that they will be used, due to the incentives of political power.*"

3.1.8 I would bore you to quote numerous denials by AEC Electoral Commissioners and other officials to the effect that '*Vote Frauds do not happen in Australia*'. The famous quote of Mandy Rice-Davies (UK Profumo scandals), "*Well, they would say that, wouldn't they?!*"

3.1.9 The Hon Chris Pyne, who recently retired after many years in federal Parliament, said on a TV program in year 2000: "*There are a lot of people out there who have been involved in electoral frauds for purposes of preselections or elections who are too terrified to come forward to talk about it.*"

You may access that TV program at one of the following addresses:

[www.hschapman.org](http://www.hschapman.org) at the bottom left of the front page <https://youtu.be/Y6NaKnoq9k0>  
<https://www.youtube.com/watch?v=Y6NaKnoq9k0&feature=youtu.be>

3.2 Let me explain why people involved in electoral fraud are too terrified to talk about it. Here is front page of the Daily Telegraph in 1999. I am friends with this man since 2005. To protect him from being bashed up again, I have blotted his name out in red.

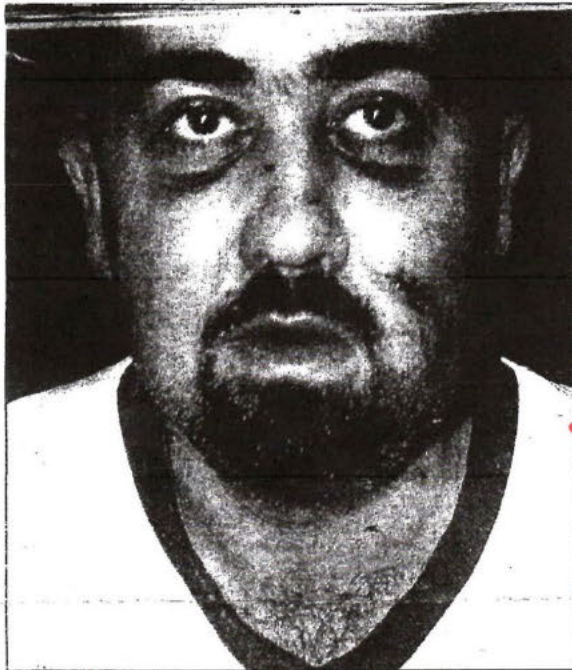
# THE Daily Telegraph



SYDNEY, Friday, October 1, 1999 Weather: Chance of storms, 22 degrees [www.news.com.au](http://www.news.com.au) 80 cents\* M

SPEED CAMERAS OLYMPIC CARDS BROKEN BEARS

## LABOR'S PAIN



1999: [redacted] stabbed and bashed after he went public with branch stacking allegations

### Whistleblower bashed after branch stacking claims

By DAVID PENBERTHY  
State Political Reporter

A LABOR Party member who went public with allegations of branch stacking has been stabbed and bashed by two men outside a western Sydney hotel.

The attack — revealed on the eve of this weekend's State ALP annual conference — has triggered a fresh round of brawling in the heavily stacked branches of the south-western suburbs.

Police last night confirmed they were investigating the incident involving Lebanese migrants [redacted] and that politics had not been ruled out as a motive.

In the most savage attack on an ALP member since former minister Peter Baldwin was put in hospital in 1980, Mr [redacted] was set upon last Thursday night after he and his cousin left the Arch Bar in Liverpool.

The father of seven suffered a knife wound to his cheek, black eyes, bruising and a fractured cheekbone when he was punched with knuckle dusters.

Mr [redacted] 36, went public last month with a raft of branch stacking and membership rorting claims, forcing Opposition Leader Kim Beazley to intervene.

He claimed party members in the Liverpool area were being bribed in party ballots, that public money was being used to recruit



1980: [redacted]

and influence members, and ethnic communities were being manipulated by branch-stackers.

His claims have been strongly backed in a letter by senior federal MPs Mark Latham and Julia Fowler, whose electorates cover the south-west.

The MP's letter, a copy of which has been obtained by *The Daily Telegraph*, was sent to the ALP State secretary Eric Roozendaal last week.

The letter says: "The matters are well known in Liverpool and are causing the party enormous

Continued Page 2

### ALP man bashed after stack claims

9288 2000

From Page 1

harm. Nothing could be more serious for the integrity of our party than systematic bribery, rorting and ethnic abuse in a traditional Labor area."

Mr Roozendaal, who has already taken action against stacking by closing branches in the outer west and Illawarra, said it was up to police to determine why [redacted] was attacked.

"If there is any link to the ALP we will take the strongest action," he told *The Daily Telegraph*.

[redacted] had made previous statements about branch stacking before appearing on

Channel Nine's Sunday program last month. Two years ago, his car windows were smashed after he went public on stacking in the Liverpool area.

He told *The Daily Telegraph* he was still in shock after last Thursday's incident.

"I am too afraid to talk about it in detail," he said. "I don't want to go into all the politics."

"When I came out of the bar I saw these two dark men who had been in the bar but had been asked to leave.

"I felt this warm feeling on my face and then I was hit with steel knuckle dusters.

"They didn't even try to take

anything. It wasn't a robbery."

Mr [redacted] cousin called an ambulance and Mr [redacted] was taken to Liverpool Hospital.

"Some of these people are worse than the mafia," Mr [redacted] said.

He is a former member of the Green Valley branch but is now a member of the Cecil Hill branch.

Both have been the subject of repeated claims of stacking, much of it involving the Lebanese and South American communities.

Neither Mr Beazley nor Premier Bob Carr was available for comment last night.

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He was severely assaulted after he spoke up about preselection rorts and electoral frauds in the Labor Party. So that he does not get assaulted again I shall call him codename "Belinda".

He is prepared to come and testify in the JSCEM to tell of the electoral frauds that he participated in over a period of years in federal, State and Council elections using FALSE names on the Electoral Roll as instructed by some of the key ALP leaders in Sussex Street HQ and some ALP MPs. He is prepared to talk at a public hearing of JSCEM, and I have offered him several times to JSCEM, but have been furiously opposed by AEC officials and by then (circa 2007 or 2013) Liberal party Chairman of the JSCEM.

This story below is how I met him in 2005 and how he revealed to me how the ALP stacks the Electoral Rolls with possibly thousands of FALSE enrolments, that are enabled by the sloppiness in Section 98AA(2)(c) of the Commonwealth Electoral Act :-

### 3.3 AN EYEWITNESS STORY OF HAVING VOTED IN FALSE NAMES

#### 3.3.1 BACKGROUND

I assisted in the Werriwa by-election in 2005, caused when Mark Latham resigned, and I prayed and asked God to reveal to me if there was any Vote Fraud.

About 10am, I was handing out How-to-Vote (HTV) leaflets and I saw a man take the ALP HTV from a person near me. When I offered him my HTV he verbally abused me, and so I remembered his distinctive appearance.

At lunchtime I delivered lunch in an Esky to my wife who was working on another polling booth. I put the Esky down on the ground and, on lifting up my eyes, I saw this same man with distinctive appearance right in front of me walking out of that polling booth.

#### 3.3.2 BELINDA'S STORY

For the person's protection, I use the codename "Belinda". I saw the damaged fragments on the ground of an assault on his house about two weeks before the by-election. And he appeared on the front page of the Daily Telegraph in 1999 when he was severely assaulted.

On the Tuesday after the Saturday Werriwa by-election, I had a conversation with him as follows. Because I was so shocked, I have a very vivid memory of every word (except the rapid succession of 5 or 6 names, some of whom were unfamiliar).

I said, "*On Saturday I saw a person voting twice - once at my polling booth, then when I delivered lunch to my wife at another polling booth.*"

Belinda said, "*We used to do that all the time when I was in the ALP. Sussex Street HQ would give us a list of 600 names, and there was a group of us, at least a dozen, perhaps 20, and we would go from polling booth to polling booth, voting in different names. Sometimes we didn't even bother finishing the list, and by mid-afternoon we would all go to the pub.*"

I asked who in Sussex St was involved and 'Belinda' named 5 or 6 names of whom I can reliably remember only Eric Roozendahl and Mark Arbib.

I said, "*But this is a safe ALP seat!*"

Belinda said, "*So what?*"

I said, "*But how often did this happen? Only federal elections? or State elections too?*"

Belinda said, "*Federal elections, State elections, Council elections. It's been happening for 10 to 15 years that I know of. And we never got caught or questioned.*"

### 3.3.3 CONCLUSIONS from BELINDA'S STORY

If the ALP does the above organised vote frauds habitually in a safe ALP seat, then what would they do in a marginal seat in which they are spending lots of money campaigning?

600 extra false votes means \$3000 of electoral funding in that one electorate in a federal election every 3 years, as well as funding from a State election every 4 years.

If that same sort of thing happens in every federal electorate (and why wouldn't it?!) and in every State election, then the ALP could be receiving MILLION of DOLLARS of electoral funding to which they are not entitled, plus which those false names (thousands of them) can be moved from safe seats to marginal seats to swing the result to the ALP.

## 4.0 ELECTORAL ROLLS ARE IN A SHAMBLES – and nobody seems to care!

### Overview

This section mainly focuses on the Integrity of the Electoral Roll with particular reference to the six professionally-excellent reports done by the **Australian National Audit Office** (ANAO) during the period 2002 to 2015.

These ANAO reports get tabled in Parliament, but have been ignored by journalists, Ministers and their staff! And therefore the problems identified by the ANAO have mostly not been fixed!

These reports and our observations and evidence over the years lead to well-founded concerns that Electoral Rolls could contain thousands of false enrolments, sufficient to pervert the outcome of election results in marginal seats, and with possibly million-dollar effects on the electoral funding dispersed to those not entitled.

n.b. (by 'we' or "our" in this document, I mean by me and colleagues in the **H.S.Chapman Society** and **Australians for Honest Elections Inc**, recently re-named to **Vote Australia**)

The most recent (4/11/15) report by the Australian National Audit Office raises severe concerns about the AEC and its mismanagement of the Electoral Roll.

### 4.1 Background – the ANAO has produced Audit Reports on the AEC dated:

- 1) 18 April 2002
- 2) 6 April 2004
- 3) 21 April 2010
- 4) 8 May 2014
- 5) 5 November 2014
- 6) 4 November 2015

### 4.2 Definition of various terms in relation to the Integrity of the Electoral Roll.

The ANAO in its report dated 18 April 2002 with title "**Integrity of the Electoral Roll**" ([http://www.anao.gov.au/uploads/documents/2001-02\\_Audit\\_Report\\_42.pdf](http://www.anao.gov.au/uploads/documents/2001-02_Audit_Report_42.pdf) ) defined 'Integrity of the Roll' as having four elements:-

- **Accuracy** – the Roll should contain correct information relating to individuals
- **Completeness** – it should include all individuals who are eligible to enrol
- **Validity** – it should include no-one ineligible to enrol, i.e. it excludes false enrolments
- **Security** – the Roll is protected from unauthorised access

### 4.3 An Overall Summary in 2015 of all this work by the ANAO

The ANAO came to some alarming conclusions in its most recent report, dated 4/11/2015 ([https://www.anao.gov.au/sites/g/files/net1661/f/ANAO\\_Report\\_2015-2016\\_06.pdf](https://www.anao.gov.au/sites/g/files/net1661/f/ANAO_Report_2015-2016_06.pdf)), which report seems to have been overlooked by Ministers, MPs, the media and by the JSCEM.

Page 7 of this 48-page Audit Report :- (words in red or underlined are my emphasis added )

## **“Summary and recommendations**

### **Audit approach**

3. The objective of this audit was to assess the adequacy and effectiveness of the AEC’s implementation of those recommendations relating to improving the accuracy and completeness of the electoral roll and other matters .....

### **Overall conclusion**

5. The actions taken by the AEC prior to the 2013 election in response to previously-agreed ANAO recommendations **have not adequately and effectively addressed** the matters that led to recommendations being made.

The findings of this audit are consistent with the findings of the first two follow-up audits and are **in contrast to the advice provided by the AEC** to the Joint Standing Committee on Electoral Matters’ inquiry in 2014 that all recommendations in Audit Report No.28 2009–10 had been completed by May 2013. ”

#### 4.4.1 COMMENTS on this 2015 ‘Overall Conclusion’

Normally, bureaucracies, such as the Australian National Audit Office (ANAO), write using euphemisms and in a manner that politely understates the severity of things.

(n.b. I have worked many years either in Canberra or with the Canberra bureaucracies, e.g. including that I was Chairman of the intergovernmental committee on petrol, and it was I who chose 91 octane as the octane level for the yet-to-be introduced new unleaded petrol)

However, the above **Overall conclusion** uses unusually harsh language.

- the first sentence states that the AEC has not taken action on ANAO recommendations
- the 2nd sentence states that the AEC told lies to the JSCEM to cover its lack of action.

#### 4.4.2 COMMENTS on the Overall work from 2002 to 2015

As the years have progressed since 2002, the AEC and ANAO have somehow unfortunately focussed on the first two items of the integrity of the Electoral Roll (‘completeness’ and ‘accuracy’), and have thus come to a position of having almost totally ignored the third aspect, ‘validity’.

For years, I as President of AFHE and many other people (e.g. Dr Amy McGrath OAM) have raised concerns about ‘validity’, because we have evidence that thousands of false enrolments have been put onto the Electoral Roll.

Strangely, the AEC has refused to act when we have raised such concerns.

Furthermore, the JSCEM has similarly not taken an interest in the issue of validity of the Electoral Roll, and in appendix 2 I raise the absurd and strange provision in Section 361 of the CEAct that nobody, not even the highest court in the land, can enquire into the accuracy of the Electoral Roll!

#### 4.5.1 The first ANAO report, 18 April 2002 with title “**Integrity of the Electoral Roll**”

The objectives of this ANAO report were to examine the effectiveness of the AEC’s managing of the Rolls, and to provide an opinion on the integrity of the Roll.

As part of this work, the ANAO did cross-matching between the 12.6 million people on the Roll and the 18.4 million Medicare records.

I and my then colleagues in AFHE considered that the results of this Audit were alarming in many aspects, of which I mention now only three:-

**Accuracy** – The ANAO found *“the AEC does not set a target for accuracy”* [!]

ANAO checking *“indicated that over 96% of the entries on the Roll were accurate”*

**Completeness** – The ANAO found *“the Roll for the 2001 election was likely to be 95% complete”*

**Validity** – The ANAO found *“the AEC does not set performance targets”* [!] and that *“95.6% of the Roll matched Medicare [data] ... 1 % of matched records require further investigation for validation”*.

But I state, *“But what about the 4.4% of UNmatched records?!*

*That is where the ‘cemetery vote’ and false enrolments would be hiding! The ANAO did not assess how many enrolments had NO validity! And the AEC had no concern about that either! That was back in year 2002. AFHE considers, based on various pieces of evidence, that things have got worse, not better, on the Roll since then”*.

(I point out that there is little evidence that the deficiencies identified in years 2002 and 2004 have been corrected even now in year 2019.)

4.5.2 The followup report on 6 April 2004 to this alarming 2002 report was titled “Integrity of the Electoral Roll, followup audit”. It may be found at

[https://www.anao.gov.au/sites/g/files/net616/f/anao\\_report\\_2003-2004\\_39.pdf](https://www.anao.gov.au/sites/g/files/net616/f/anao_report_2003-2004_39.pdf)

It reveals inadequate actions by the AEC to remedy deficiencies found in the 2002 report.

4.5.3 The 21 April 2010 report of the ANAO on the AEC

This 2010 report was primarily concerned about the AEC’s conduct of the 2007 election, and did not deal with the validity of the Electoral Roll. The fact that they did not look at validity, i.e. the issue of false enrolments, does not mean that false enrolments were not occurring – it is just that neither the AEC nor the ANAO looked at that aspect.

Here are extracts of the 2010 report:

Page 15 *“The most significant long-term issue for the AEC remains the state of the electoral Roll”*. (underlining emphasis added)

I paraphrase this as:- ‘Despite ANAO recommendations to AEC six and eight years ago in ANAO audits [2002 & 2004] the electoral Roll remains in a deficient state’.

Page 75 *“.. estimates were being developed [by AEC] in response to recommendations made in ANAO Report of 2001-02 ... that the AEC develop measures ... the integrity of the electoral rolls.”*

Page 78 *“At this time the AEC was in the process of responding to Audit Report 2003-04, and aimed to ... However costs ... had risen by 9% annually and ... success rates .. declined”*

I make comments:

- 8 years later, the AEC’s response to the recommendations of 2002 were still BEING developed! (i.e. not done yet!)

- And 6 years later, the AEC was IN THE PROCESS OF responding to the 2004 report, but with declining success! (i.e. not done yet!)



Page 82 “*The AEC’s review of its CRU program identified the need to ... do better ... However the AEC has not yet undertaken the program of ... analysis that would be necessary to ...[figure it out]”.*

I explain:- The AEC did its last ‘**Habitation Reviews**’ in 1998 (at a cost of \$13.85million, per 3 years) and the AEC alleged circa 1999 that CRU (costing \$14.7million each year, page 78) would be better.

But here in 2010 the AEC does not even know if CRU is better or not!

But the AEC does know that it does cost more!

CRU is an abbreviation for “**Continuous Roll Update**”, a process done by AEC officials sitting in airconditioned offices in Canberra doing comparisons of electronic databases (e.g. driving licences, births/deaths/marriages, school enrolments/exam results etc), but avoiding any practical external fieldwork to check the realities.

I point out that CRU may well be good at including persons onto the Electoral Roll, but cannot address the issue of ‘validity’, excluding deliberately false enrolments stacked onto the Roll by using the provisions of Commonwealth Electoral Act section 98AA(2)(c), where the third option for identity appears in section 6 “Evidence of your Identity” of the AEC Form “**Enrol to Vote or Update your Details**”. This process is wide open to rotting, because once you have one false or dead person on the Roll, then unscrupulous persons can do false enrolments by forging that signature, and the AEC does not enquire into signatures, in fact it has no capacity to verify the signatures anyway!

I note that the ANAO did express uneasiness about the CRU process being unreliable by recommendation number 3 that the “*AEC ... expand and enhance ... undertaking habitation visits as part of its Roll management activities, so as to obtain more reliable enrolment ...” (underlining emphasis added)*

To the knowledge of AFHE the AEC has done only a few habitation visits using what it terms “**SAF**” **Sample Audit Fieldwork**, and these are described in item 4.5.6 below.

4.5.4 The 8 May 2014 report of the ANAO was primarily concerned about Storage and Transport of Completed Ballot Papers at the September 2013 election. The report is at [http://www.anao.gov.au/~media/Files/Audit%20Reports/2013%202014/Audit%20Report%2031/AuditReport\\_2013-2014\\_31.PDF](http://www.anao.gov.au/~media/Files/Audit%20Reports/2013%202014/Audit%20Report%2031/AuditReport_2013-2014_31.PDF)

I and my colleagues in AFHE made comments at that time:-

- This 8/5/14 report presents a damning overall picture of AEC’s ‘slow’ ‘inadequate’ responses to ANAO recommendations, and in effect regarding the missing WA Senate ballot papers it says, ‘*we told you so, but you wouldn’t listen*’.
- The AFHE alleges that ballot papers have been going missing for years, for example, in our previous Submissions to JSCEM
  - e.g. in regards to our doorknocking in the Parramatta electorate in 2004, and
  - e.g. the Statutory Declarations proving that ballot papers vanished from Epping West polling booth in the 2007 election – refer to appendix 7It therefore appears that the 1370 missing ballot papers in the WA Senate election were but the tip of a very large iceberg that has been going on for years.
- It is a pity that the ANAO offers no comment in its 2014 report whether the AEC did or did not expand habitation visits to obtain a more reliable Electoral Roll as was suggested by the ANAO in 2010. But the ANAO does raise substantial concerns about the state of the Electoral Roll, because page 11 of the 2014 report stated that: “*the state of the Roll was*

*the most significant long-term issue ... and that the AEC's approaches [re the Roll] ... had become less effective, as well as ... more costly*. [!] (underlining emphasis added)

- My and AFHE's information was and is that the Electoral Roll is in crisis in several ways, including that it could contain around 200,000 false enrolments, which would enable vote frauds to occur to swing a number of marginal seats, as well as procuring electoral funding to which those doing the false enrolments are not entitled.

4.5.5 The ANAO's report of 5 November 2014 had as its objective "*to assess the adequacy and effectiveness of the AEC's implementation of those recommendations made in Report No. 28 2009-10 relating to ... workforce planning ... accessibility of polling booths ... and the transport and storage of completed ballot papers*".

Issues of the validity of the Electoral Roll were unfortunately not addressed in this particular report, which in other aspects was criticising the AEC.

4.5.6 The ANAO's report of 4 November 2015 is addressed briefly in item 4.3 above. Some further comments are necessary:-

In response to the ANAO's recommendation in year 2010, the AEC had done only a few habitation visits using what it terms "SAF" Sample Audit Fieldwork.

The ANAO expresses many severe concerns about the lack of reliability of the SAF work done by the AEC, and I can here quote only a few:

Page 37, section 3.19: "*In the advice provided to the AEC, the ABS identified that an increase in the reliability of the results ... would require the AEC to visit at least one million more electors than were visited in 2007 (83,176 electors were visited by the AEC in 2007. ... the AEC decided not to expand the sample due to the additional costs.*"

In section 3.21 the ANAO concludes: "*The funding currently allocated to SAF (\$347,445 was spent in 2015) is not at a level that supports a sample size large enough to obtain reliable assurance that the Electoral Roll is accurate and complete, SAF's fundamental purpose*" !!

In section 3.22: "*the ABS advice [that had been] provided to the AEC was premised on a 100 per cent response rate. Of the 60,569 addresses sampled in the 2013 SAF, residents at 12,690 addresses (18 per cent) could not be contacted or refused to provide information, resulting in an 82 per cent response rate*".

In section 3.24: "*Other characteristics of the sample in 2015: the majority of electors sampled were in Vic, NT, WA and ACT which is inconsistent with the four States that have the lowest enrolment rates (NT, WA, QLD and NSW); fewer electors were sampled in NSW compared to the ACT, even though NSW has the largest number of electors, and the second highest rate of divergent records in 2015*"

#### 4.6 Conclusions drawn by AFHE and by this author from all these ANAO Audit Reports

- The AEC has 'stonewalled' the efforts of the ANAO in its reports for years, and as a consequence the Integrity of the Electoral Roll has been and is now severely lacking.
- The AEC less than half-heartedly did "sample audit fieldwork" (SAF).
  - \* Whereas the ABS recommended a sample size of a million, the AEC in the 2013 SAF sampled only 60,569!
  - \* And the AEC did the sampling in the wrong States, and
  - \* the AEC was biased because they avoided problematic electorates!
- The AEC did not seriously attempt to address the deficiencies identified by the ANAO

- Therefore the AEC's work in regards to SAF was a meaningless farce.
- The result is that we now have an Electoral Roll in a crisis state - the AEC presides over an Electoral Roll riddled with an estimated 200,000 false enrolments that could allow massive vote frauds to pervert the result of the next elections.

## 5 THE AEC MODEL IS WRONG, and IT MUST NOW BE JUDGED AS A FAILED EXPERIMENT

5.0 The AEC, which began in 1984 (a symbolically significant date, in light of George Orwell's book!), is in need of abolition, complete restructuring and reform because the experiment has been, if judged objectively, a massive failure for many reasons, some inbuilt into the design of the system and some arising from mismanagement/ lack of accountability and poor performance of both the AEC and JSCEM.

At the time of introduction of the AEC, arguments were made that it would be better to have elections conducted by an Independent Statutory Agency – not that there had ever been any inadequacies reported or claimed that having elections run by a subset of the Commonwealth Public Service had ever caused any problems or unfairnesses.

Our elections and electoral systems have degenerated badly, since 1984 because of the 1983-84 amendments to the Commonwealth Electoral Act and the creation of the purportedly-independent Australian Electoral Commission (AEC).

There is a popular delusion, fostered by the AEC and both sides of politics, that our electoral systems are world-class and of good quality.

But Appendix 5 quotes a Sydney University study of 139 countries. The authors, not being aware of all the Vote Frauds about which I and others have written, reached the conclusion that our AEC ranked only 34<sup>th</sup> in the world – nowhere near the top.

Ex-Senator Graham Richardson in his book “**Whatever it takes**” at the beginning of chapter four writes words to the effect of that he, Senator Mick Young and Senator Ray made changes to the electoral laws for the specific purposes of keeping the ALP in power and of making it much more difficult for the Coalition to get elected.

(i.e. my interpretation is that they KNEW that they were making it much easier for Vote Frauds to occur under the new Commonwealth Electoral Act, and under the management of the new Australian Electoral Commission.)

(There is a story that I have heard quoted several times over the years among political circles, that Gough Whitlam reprimanded an ALP MP for losing his seat, by saying, “*How could you have lost your seat, when in your electorate there is not one cemetery, but there are two?!*” In other words, you were inadequate in your use of the old ruse of dead people, still on the Electoral Roll, voting multiple times!)

5.1 The most visible and spectacular failure of the AEC was the need to do a re-run of the WA Senate election at a cost to taxpayers of about \$24million, due to 1,370 ballot papers going missing.

Investigations never established how or by whom the ballot papers went missing, nor how the fact that they had gone missing was discovered. But when Police investigate murders they ask the question “*Qui bono?*” i.e. who benefits – to assist them in narrowing down the field of possible suspects.

I point out several strange features:

- In the first count of ballot papers a minor right-wing Party (memory is hazy – was it Motorists?) won the sixth Senate seat and the Greens’ candidate missed out, thus tilting the whole makeup of the Senate away from the ‘left’ and towards the ‘right’.
- The Greens demanded a recount.
- Even though a recount was CONTRARY to published AEC policies, the AEC agreed to it.
- Before that Senate recount, I was advising Clive Palmer about Scrutineering in his own seat of Fairfax, in which he employed six Solicitors to be his Scrutineers, initially partly coached by me. I also told him right at the beginning that my math modelling of the WA results showed that the numbers would be fairly close and that in order to preserve the election of the Palmer United Party candidate as my predicted number five Senator in the first count, he should deploy lots of Scrutineers in WA.
- In all the hurly-burly of what happened, it is impossible to be certain, but it seems that it was those Scrutineers, and not any AEC officials or Scrutineers of other Parties who raised the alarm that there were too few ballot papers.
- Antony Green said at the time (and my math modelling agreed with him) that if those 1,370 ballot papers had gone missing from 96% of the ballot papers, then the result would have been unchanged, but that they needed to go missing from a particular 4% of the ballot papers in order to switch the result from the sixth Senator being a ‘rightwinger’ to being the Green. It might have been coincidence, but it seems that whoever took those 1,370 ballot papers had some intelligence guiding them as to selection of just a few from the correct locations.

5.2 The AEC’s operation of the Electoral Roll, as argued in Section 4 of this Submission has been a disaster, but no MPs or Ministers in Parliament, nor their staffers, nor among most journalists have noticed or cared!

The few journalists that have bothered about Vote Fraud issues are listed in section 6 of this Submission.

5.3 The AEC’s unhealthy obsession with centralisation of power to bureaucrats in Canberra has been at the expense of DROs and of local expertise and capabilities.

This has led to poorer performance by local officers, with the result that the quality of elections, surveillance of electoral processes and detection of Vote Frauds have all suffered.

5.4 The AEC, as is so typical of bureaucracies, detests and discourages both

- (a) ‘whistleblowers’ who alert the public about problems, and
- (b) its own employees who raise concerns or make suggestions for improvements.

Robert Patching was a guest speaker at the AFHE first national conference on electoral reform on 2 August 2017. He had been a DRO in the AEC. His public talk was very illuminating, but it downplayed a great deal more of what he could have revealed.

Ivan Freys retired as a DRO over 10 years ago, and has talked to me of his frustrations at not being listened to by the AEC senior management when he raised many legitimate concerns about potentials for Vote Frauds and malfunctions within the systems.

For many years (1990 – 2017) individual officers within the AEC have spoken to me and members of HSC, AFHE or VA about Vote Frauds and other problems that they have observed within the AEC. Of course, we (HSC, AFHE, VA) have not been able to use this truthful information because to have done so would have jeopardised the careers of these individuals, who could have lost their jobs, and they had families to care for and mortgages to pay off etc.

Suffice it to say that based on this information and on my own 23 years of work as a senior bureaucrat, I reach the conclusion that

- the AEC is a mismanaged bureaucracy, with no incentive to improve
- the AEC has some corrupt individuals within it, particularly at senior level.

(and I suggest the reasons why in section 5.6)

5.5 In appendix 7 I give but one example of a corrupt senior official in the AEC who was responsible for 200 of John Howard's ballot papers disappearing during election day in the Epping West polling booth in the year 2007 election, when he lost his seat by a small margin. Note that I sent this Stat Dec to the AEC and to the JSCEM, but they would not take any action or investigation. The JSCEM's reply to me was to dismiss it the effect of '*that we do not want to worry about localised minor incidents like what you have raised*'!! I should have thought to send it to the Australian Federal Police.

5.6 As a senior Public Servant for 23 years, I was accountable to various Ministers. For example at various times I was in senior positions in what is now called the EPA; (in 1978 I was in charge of waste disposal for the state of NSW, then in charge of noise pollution control Branch etc). As such I answered to the Minister for the Environment via other bureaucrats e.g. the head of the Department.

And in the Roads and Traffic Authority I was, inter alia, in charge of the 22 itinerant Heavy Vehicle Inspectors in western region (Qld border to Vic border to SA border to Lithgow) and of the HVIs in the Bell and Mt Boyce checking stations. As such I answered to the Minister for Roads via the Western Regional Director.

People can complain to their local MP about a particular incident done by a bureaucrat, and he/she can either take it up with the relevant Minister and/or ask a question in Parliament.

For example, there was a time that some National Party members felt that my HVIs at Bell or Mt Boyce were being too harsh in enforcing the law on trucks that were overweight or too wide, and they complained to the Roads Minister, who happened also to be the Deputy Premier, Wal Murray. And so my Regional Director conveyed to me Wal Murray's concerns and I was able to clear the matter up – there are always (at least) TWO sides to a story! But that illustrates the accountability that I had and felt as a NSW Public Servant at that time.

Things that help to keep Public Servants on track, honest and focussed are that

- they are employed under the Public Service Act
- the Public Service Act has a Code of Conduct and Ethics,
- they are accountable to a Minister in Parliament (via their Department Head).

However none of these stabilising things apply to officers of the AEC, especially to the most senior officers.

The officials in the AEC are employed under the CEAct, which sets up the AEC as an "independent statutory agency", which is answerable to the Parliament via the longwinded and diffuse process of the JSCEM.

Furthermore the approximately 10 to 12 most senior officials of the AEC are appointed by, and in effect answerable to, the Governor-General.

- CEAct Section 6 (3) & (4) establish that the topmost officials are appointed by the Governor-General.
- Under Section 21 the six "Australian Electoral Officers" who are in charge of the AEC operations in the six States are appointed by the Governor-General.
- Under section 12 it is only the Governor-General who can terminate the appointment of senior AEC staff.



Under section 29 the AEC can employ persons under the Public Service Act, but NEED NOT DO SO because under section 35, the AEC can employ lots of staff under any conditions they think fit, and NOT under the Public Service Act.

Therefore if a member of the public, such as me, is concerned about Vote Frauds and/or mismanagement or negligence by the AEC officials, they cannot complain to the Minister.

I was aghast to learn about this when I brought Vote Frauds to the attention of the Special Minister of State using Statutory Declarations – refer to letter in Appendix 8.1

I was astonished to learn that the Minister abrogated responsibility for the quality of the AEC's work in investigating my allegations of Vote Frauds by not requiring the AEC to send him a report, as is the custom with Public Servants who answer to a Minister. The Special Minister of State had no authority, like normal Ministers, to require the AEC to report to him!

Furthermore I raised these Statutory Declarations again with the next Special Minister of State, via Phillip Ruddock MP, and appendix 8.2 contains my letter..

It is a disgrace that the AEC never did reply to me, as had been indicated by Sen Abetz in his letter of appendix 8.1.

Therefore considering that the CEAct has rendered the Ministers of the Crown, the Special Ministers of State, impotent to require the AEC to operate properly including to minimise Vote frauds, then

DO WE SERIOUSLY THINK THAT A COMPLAINT TO THE GOVERNOR-GENERAL ABOUT THE OPERATIONS OF THE AEC WILL BE INVESTIGATED?!!

Of course not.

It therefore means that the AEC is in practical effect unaccountable, and that the AEC bureaucrats could not care to investigate allegations of Vote Frauds, as they are not accountable to any Minister, only to the inherently-ineffective and clumsy JSCEM.

I conclude that the AEC is renegade, unaccountable and simply must be abolished, and start again with a proper, accountable government department as it used to be prior to 1983.

From the AEC's refusal to investigate cases of massive perversions of the Electoral Roll and to investigate ballot papers going missing (WA Senate election was not the first occasion), I affirm that the AEC is seriously deficient, and contains some employees who are members of political parties and who might be tempted to pervert the election processes.

5.7 The JSCEM is a flawed and inadequate mechanism to evaluate elections and electoral systems, possibly because it was deliberately designed that way.

## 6 SOME YOUTUBE SEGMENTS and MEDIA COVERAGE re VOTE FRAUDS

6.1 Piers Akerman wrote in the Daily Telegraph – see appendix 6.

6.2 Ross Coulthart was one of the main researchers behind the three Sunday TV programs in year 2000, which contain much factual information that is damning of our electoral systems and the AEC. You can find the three TV programs at the bottom of the home page of [www.hschapman.org](http://www.hschapman.org) or individually here:

<https://youtu.be/Y6NaKnoq9k0>

<https://youtu.be/nv1nkrOacQ4>

<https://youtu.be/IzXUCQ0CIIE>

6.3 Rowan Dean on Skynews on 22/7/2018 at [www.skynews.com.au/details/\\_5812183488001](http://www.skynews.com.au/details/_5812183488001)

6.4 Alan Jones on Skynews on 5/3/2019 at [www.skynews.com.au/details/\\_6010096288001](http://www.skynews.com.au/details/_6010096288001)

6.5 Alan Jones on 2GB on 26/2/2019 at [www.2gb.com/democracy-in-crisis-how-voter-fraud-could-be-costing-mps-their-seats/](http://www.2gb.com/democracy-in-crisis-how-voter-fraud-could-be-costing-mps-their-seats/)

6.6 AFHE's first national conference on Electoral Reforms

- Guest speaker Mark Latham inter some very interesting alia admits an ALP internal vote fraud mechanism at <https://youtu.be/MN--E9XQj-s>
- AFHE President Lex Stewart at [https://youtu.be/CMFj3CBiB\\_A](https://youtu.be/CMFj3CBiB_A)

7.0 RECOMMENDATIONS suggested by me

7.1 The Government should abolish the AEC, and have elections run by a subset of the Public Service, as happened OK from 1901 to 1983.

7.2 Repeal the law that prevents electoral funding for a candidate or party that gets less than 4% of the primary votes. This is an unfair disincentive to smaller rivals to the major parties, and it is an inherently anti-competitive and anti-democratic feature.

7.3 Require proper identification before admitting a person onto the Electoral Roll. This is different to requiring ID at the time of voting.

It means amending section 98AA (2) (c) of the Commonwealth Electoral Act (CEAct) and its associated Regulation, because in their current form they enable false enrolments.

7.4 Clean out the thousands of false and/or incorrect enrolments from the Electoral Roll. Re-instate the doorknocking "habitation reviews" that were required for years under subsections 92 (4) and (5) of the CEAct until these were curiously removed in 1995.

7.5 Amend section 361 of the Commonwealth Electoral Act (refer to the Appendix 2) which strangely at present forbids anybody, including the highest court in the land, from enquiring into the correctness of the Electoral Roll. What this means is that once unscrupulous persons have included false enrolments (and AFHE has discovered literally thousands of false enrolments over the years) onto the Electoral Roll, then nobody can scrutinise it and challenge it. This is a ridiculous situation, that needs to be fixed urgently.

7.6 Require a voter to present identification before being allowed to vote.

The 2014 amendments to sections 3, 107 and 112 of the Queensland Electoral Act were good in requiring proof of identity for ordinary and pre-poll voting, but these identity provisions should have included postal voting, which is where a lot of frauds have occurred. Note that the very first thing that the incoming ALP State government did in coming to power in early 2015 was not re hospitals, jobs, police, transport etc, but was to repeal the voter ID law. We presume they did this because they regarded it as important!

It is a good thing that the JSCEM set up to investigate the 2016 federal election recommended in its report dated 5 December 2018 Recommendation 12 that Voter ID be introduced. I point out that this was also a Recommendation of the NSW State JSCEM in its report of 2016.

7.7 Stop Multiple Voting:

The AEC admitted that 18,770 multiple votes occurred at the September 2013 election, and no prosecutions were done, and nothing was done to fix the problem.

Appendix 10 shows the document sent by the AEC to me describing the 18,343 letters sent in regards to apparent multiple voting in the 2016 federal election. This means that there were AT LEAST 18,343 multiple votes in the 2016 election.

Multiple voting could be eliminated by introducing “ Electronic Certified Lists” (ECLs), with polling booths linked electronically to a central Master Electoral Roll.

It is a good thing that the JSCEM that was set up to investigate the 2016 federal election recommended in its report dated 5 December 2018 Recommendation 25 that ECLs be introduced

The introduction of ECLs linked to a central Roll is official Liberal Party policy, a motion to this effect having been passed at both their Women’s Council and their National Council about five years ago, but the elected MPs have shamefully disregarded the democratic wishes of the Party members as expressed in these motions.

ECLs linked to a central database (plus voter ID) was done in South Africa 20 years ago, and the computer engineer who did it works in North Sydney. I met him in 2015 and told him the AEC’s advice to the JSCEM about the huge cost and time required to implement this system, and he laughed, because his estimates (having actually done the work) were far less than a quarter of what the AEC had said

#### 7.8 Reduce PrePoll and Postal Voting as much as possible

Voting over a long period prior to the election

- provides extended opportunities for various types of vote frauds,
- means that early voters do not have the benefit of information released by Parties and candidates shortly before election day.

Therefore the CEAct should be improved, and an education program be implemented, to require almost all voting to take place on the actual election day. The current law contains legal criteria for eligibility for pre-poll and postal voting, but the law has not been enforced by the AEC, resulting in huge increases in recent years of numbers of pre-poll and postal votes. These criteria should be tightened, and the AEC should enforce them, with the objective of requiring as much voting on the actual election day as is possible.

7.9 A simple measure that does not need legislative change would be to install security cameras at each polling place to capture the faces of all voters entering the polling place. This would deter some vote fraudsters, and provide evidence for subsequent investigations of multiple voting & voter impersonations.

#### 7.10 Restore Subdivision Voting

The Commonwealth Electoral Act was designed and based on ‘SubDivision Voting’ which applied until 1984. Subdivision voting assists to reduce multiple voting and false enrolments. Its abolition was one factor in the defeat of Alasdair Webster by 164 votes in 1993 in Macquarie – refer to appendix 9

One means of Vote Frauds used in that case were that fraudsters impersonated members of Jehovah’s Witnesses and another religious group, who have a legally-allowed conscientious objection. These people did not receive their customary letters after the election alleging they did not vote. Fraudsters impersonating such persons who lived at (say) Lithgow could have voted at the other end of the electorate at (say) Richmond with little risk of recognition as an imposter, but subdivision voting would force an imposter to vote close to where the person lives, thus greatly increasing the risk of being noticed.

7.11 Issue pens not pencils at polling booths to make altering of ballot papers harder.

7.12 Other issues that need to be discussed within JSCEM and/or the Government could include:

1. Compulsory vs non-compulsory voting
2. Full preferential numbering vs optional preferential voting for the lower House
3. Further reforms to the Senate voting system – the March 2016 amendments were, according to some people, a step in the right direction, but the outcome in the 2 July 2016 election that 15% of voters were in effect disenfranchised means that further reforms need to be considered.
4. Options and models for Electronic Voting, which has many components. Some components, for example the ECLs described in section 2.7 are good; other components are fraught with difficulties due to computer hacking.
5. Making challenges to the Court of Disputed Returns less clumsy and less costly;
6. Changing the AEC from its ‘closed dictatorship’ model at present, whereby the AEC management committee comprises only 3 persons {the Commissioner, a skilled, seasoned bureaucrat who can easily outwit the other two members:- the official Statistician from the ABS (who has largely an ancillary, advisory role) and a retired Judge (who may be a political appointment blind to actual voting processes)}. I suggest an open democratic model, whereby the committee should comprise at least 12 persons drawn from a variety of sources, such as was the case for the 12-person “State Pollution Control Commission” committee under the SPCC act, 1970.

## 8 NON-DEMOCRATIC CONTROL OF MAJOR POLITICAL PARTIES JEOPARDISES DEMOCRACY

Both sides of politics have engaged in Vote Frauds to cheat, and get candidates elected who did not deserve to get there – into Parliament and as Party officials within their respective Parties and within some Trade Unions (e.g. described by Dr Amy McGrath OAM in her book “The Forging of Votes” which describes Vote Frauds used by the communists during World War 2 to take over some Trade Unions). In recent times (since 1993) to the knowledge of this author, Vote Frauds have especially been used as a mechanism to bias the Parliament towards leftwing values by culling out Christian or conservative MPs and candidates; (I could give at least six examples with good evidence, and there are indications of another six or so – it is very difficult for private citizens like me and my colleagues in AFHE and HSChapman society to gather evidence, when those authorities who do have massive staff resources and intelligence-gathering facilities (AEC, AFP, Ministers and their staff) have failed in their responsibilities to ensure honest elections by neglecting to inquire.

Our Parliaments are being perverted by some elected people who should not be there, because their election has been often attained by Vote Frauds, of which AFHE and H.S.Chapman have provided abundant evidence to many previous meeting of the JSCEM, but such information has been largely ignored. I could name a dozen MPs who should not be there, having attained office by Vote Frauds.

Both major political parties are controlled by backroom elites, to the detriment of ordinary party members. The notion is farcical and not true that the Coalition represents business, and the ALP represents workers. Both pander to big business and overseas financial interests to the detriment of ordinary Australians and the national public interest.

Both major Parties prefer to preselect compliant sycophants as candidates rather than human beings of intellect, principle and competence. This leads to very poor quality Ministers, who are incapable of managing the huge and expensive Departments over which they preside. (I know. I have worked under many Ministers in my 23 years in the Public Service).

A decent Queensland LNP MP (whose grandfather was one of the first Premiers of Queensland) told me at lunch in Brisbane in about 2013 that the LNP in his knowledge and experience (and the ALP too in his opinion) given the choice between a competent businessperson with a proven track record vs a mediocre candidate of low competence but with a “skeleton in the cupboard” would always select the latter, so that the Party could subsequently blackmail the MP into voting against his conscience and principles.

I had a long discussion with Senator Graham Richardson in a restaurant near the NSW Parliament in about 2006 on preselections and the competence of Ministers. He told me that his opinion of the then crop of ALP MPs was “*in terms of intellect and talent, the cupboard is bare!*”. Note that soon afterwards that crop of MPs became Ministers in the Rudd and Gillard governments! At that time, I had similar discussions with Geoff Selig, the NSW President of the Liberal Party and his similar comment in regards to Liberal MPs as Ministers was that “*we have a very narrow gene pool*”.

The lack of Ministerial competence for decades has resulted in entrenched bureaucratic power. I know. I was a bureaucrat in NSW and Canberra from 1977 to 2000, and again in 2009. During the decade of the 1980s I was NSW’s representative on many committees containing representatives from each State and the Commonwealth. It was as Chairman of one of these committees that I chose 91 as the octane number for unleaded petrol.

Yours faithfully, Mr Lex Stewart

## APPENDICES

### APPENDIX 1 - GLOSSARY OF TERMS

AEC = Australian Electoral Commission

AFHE = Australians for Honest Elections Inc, set up circa 2007 as an offshoot of the H.S.Chapman Society; it changed its name recently to ‘Vote Australia’

AFP = Australian Federal Police

ANAO = Australian National Audit Office

ECL = Electronic Certified Lists

CEA = Commonwealth Electoral Act

DRO = Divisional Returning Officer

### APPENDIX 2 - COMMONWEALTH ELECTORAL ACT 1918 - SECT 361

#### **Inquiries by Court**

(1) The Court shall inquire whether or not the petition is duly signed, and so far as Rolls and voting are concerned may inquire into the identity of persons, and whether their votes were improperly admitted or rejected, assuming the Roll to be correct, **but the Court shall not inquire into the correctness of any Roll.**

### APPENDIX 3 COMMONWEALTH ELECTORAL ACT 1918 - SECT 98AA

#### **Evidence of identity requirements**

(2) The person's claim or application must include or be accompanied by any of the following:

- (a) if the person holds a driver's licence .... the number of that driver's licence;
- (b) if the person holds an Australian passport--the number of that Australian passport;
- (c) an attestation as to the person's identity that is:
  - (i) in the approved form; and



(ii) signed by another person who is enrolled;

APPENDIX 4 - Amy McGrath's Electoral Ombudsman Editorial

*The Sydney Morning Herald*

WEDNESDAY, JULY 12, 2000

## Fair voting

**T**HE Australian Electoral Commission has made a public declaration that it has never contemplated publishing personal elector information on the Internet. This clarification is welcome. As the AEC points out, if it published details regarding personal information it would be violating provisions in the Electoral Act or the Privacy Act. The AEC confirms, however, that it has recommended to the bipartisan parliamentary Joint Standing Committee on Electoral Matters that elector name and address information be published on the Internet in a secure form that is not downloadable. The standing committee should accept this proposal. It does not require the publication of information that is at present secure within the AEC.

The AEC argues that, since 1984 when the AEC was set up, the standing committee has investigated all allegations of electoral fraud and has not found evidence of it being widespread and organised. The AEC does, however, concede that at each election "there are instances of multiple voting". It claims that these are "easily detected, and prosecuted as necessary". But this explanation glosses over the difficulties of exposing frauds when they are suspected. Individuals who uncover fraudulent names on the roll, for instance, have to pay the AEC \$2 to examine each name. This is costly if hundreds of names are involved.

Dr Amy McGrath, the president of the H. S. Chapman Society, in a paper called "The Case for an Ombudsman for Parliamentary Elections", claims that the AEC "has no policy for the investigation of manipulation and fraud". She says that the Electoral Act does not require the AEC to investigate irregularities: "AEC policy is that it will pursue nothing but 'hard evidence' of fraud or multiple voting through optical scanning of the rolls." She then makes the point that the very secrecy of the secret ballot makes it "almost impossible" for hard evidence to be collected.

Dr McGrath's conclusion is that the AEC has created a circular defence that may not reflect the reality of electoral honesty or dishonesty. The AEC says that the fraud it detects has not changed election results, that there is no widespread electoral fraud and these outcomes justify its low-key approach to the matter. According to Dr McGrath, however, "the only two tests run in recent times . . . seriously contradict this view". The case presented by the H. S. Chapman Society is persuasive. The political parties should set up an office of Electoral Ombudsman to ensure accountability in the electoral process.

## APPENDIX 5 Australian elections aren't as good as you think

<http://www.smh.com.au/comment/australian-elections-arent-as-good-as-you-think-they-are-20160405-gnzdk8.html#ixzz4556WVAKT>

Date April 6, 2016 - 9:00PM

**Dr Ferran Martinez i Coma** is research fellow on the Electoral Integrity Project and **Rodney Smith** is professor of Australian politics, both at the University of Sydney

Despite its reputation for conducting free and fair elections, Australia does not perform as well as we might hope.

Australian politics is in an unsettled and unsettling period ....

Beneath these political uncertainties lie other less-discussed uncertainties about the integrity of Australian elections.

At the last federal election the Australian Electoral Commission lost 1370 votes from the Western Australian Senate vote count, causing a re-run of Senate elections in that state at a cost of around \$20 million ... This may have been an isolated incident but it could also indicate deeper issues with the conduct of Australian elections.

Australia has a longstanding reputation for conducting free and fair elections.

However, this reputation has rarely been tested systematically in a comparative context. Scholars from the **Electoral Integrity Project** at the University of Sydney have gathered the views of more than 2000 election experts on national parliamentary and presidential contests held in 139 countries.

Our latest report, *The Year in Elections 2015*, compares how well countries around the world meet standards drawn from internationally agreed treaties and guidelines.

**Australia does not perform not as well as we might hope.**

On an overall scale of 0-100, the 2013 Australian election scored 70 points, **ranking it 34th out of 180** contests since 2012.

The report focuses on 11 specific stages of the electoral cycle, from election laws through to voter registration, voting processes and counting the ballots...

Countries have to work at electoral integrity, rather than assuming it will occur naturally.

APPENDIX 6



APPENDIX 7 – extracts from my simple two-page and my more-detailed four-page Statutory Declarations in which I proved BEYOND REASONABLE DOUBT that 200 ballot papers vanished during 2007 election day at Epping West polling booth

## STATUTORY DECLARATION NSW OATHS ACT 1900

I, Alexander Cornell Stewart, of [REDACTED] in the State Of New South Wales do hereby solemnly declare and affirm that:-

1 On 24<sup>th</sup> November 2007 at about 4:50pm I gave a signed Scrutineer Form to the officer in charge Mr ... of the Epping West Public School polling booth. I asked him, "*How many ballot papers did you start the day with?*". He said, "*I don't know.*"

2 ... at the end of my viewing the logbooks in which were recorded the statistics of ballot papers issued, spoilt and used for each table ... etc etc [I therefore concluded that] ... 3401 ballot papers of both types were handed to 3401 voters at the seven normal tables.

3 After the House of Reps ballot papers for Bennelong had been counted, I saw that the primary vote figures were:

	Primary	Pref Howard	Pref McKew
Greens	132	24	108
Democrats	20	8	12
LibertyDP	2	1	1
CEC	1	1	0
One Nation	10	3	7
Family First	12	6	6
Ind, Cordiner	7	2	5
Ind, Allen	3	3	0
Ind, Tahir	0	0	0
John Howard	1370	1370	Na
Climate change	7	2	5
CDP	34	24	10
Maxine McKew	1459	na	1459
Subtotal formals	3057	1444	1613
INFORMAL	142	Na	Na
Total	3200	1444	1613

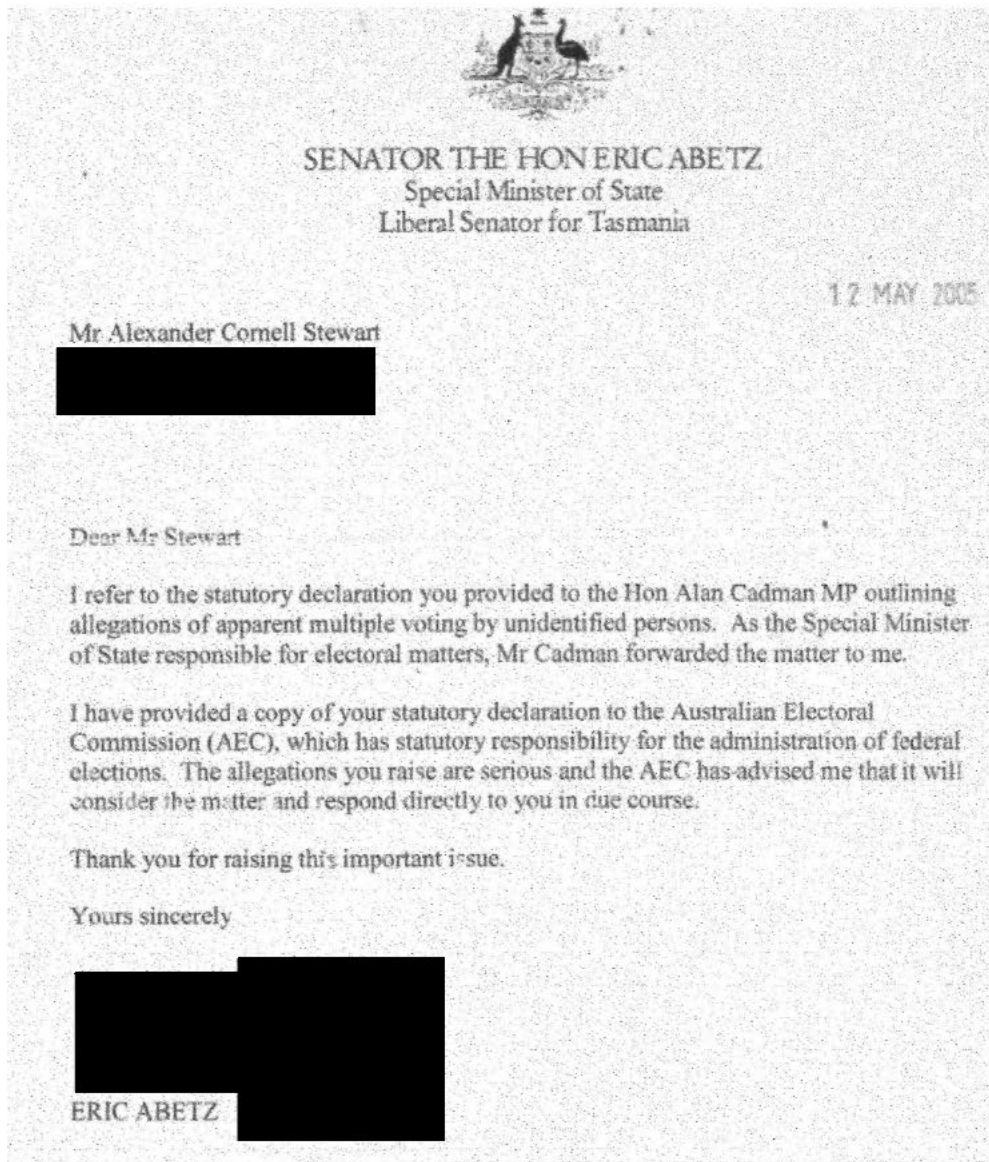
At about 8:30pm I heard Mr .... read out to the AEC on the telephone the figures in the first column above (namely 132, 20, 2 etc **totaling 3200**) .....

6 As things were being finalized at 9:21pm I, pointing to two different pages, asked Mr. ... "*I am puzzled why you have 3200 House of Reps votes counted on THAT page, but on THAT page it shows that you issued 3401 ballot papers.*"  
He said, "*I don't know why. We won't worry about that.*"

And I make this solemn declaration, in accordance with the Oaths Act 1900 ....

APPENDIX 8 -- Illustration of the unaccountability of the AEC

8.1 – Eric Abetz’s ltr of 12 May 2005



8.2 Here is abbreviated extract of my letter dated 18/1/07 to The Hon. Gary Nairn MP, Special Minister of State ...

**My concern that you act to prevent Vote Fraud**

Alasdair Webster, Liberal Macquarie, lost his seat in 1993 due to clearly-proven frauds ...

*Unless your Government acts now, while it controls both Houses, to further change the Commonwealth Electoral Act (CEAct), then it cannot win the next Federal election.*

[ASIDE - COMMENT DATED 19/9/2019 – of course that is exactly what happened! ]

I enclose my Statutory Declaration of ... multiple voting fraud that I discovered...

As a Liberal Party member, I gave this personally to Philip Ruddock at State Council ... His letter to me of 4 Dec 06 advises me that he has forwarded it on to you.



In my Stat. Dec. I describe what was told to me by ... who, as a member of the ALP for many years, “**voted early and voted often**” [*in many elections using false name enrolments*], and was never discovered by the Australian Electoral Commission ...

My Stat. Dec. was given to the Joint Standing Committee on Electoral Matters, who were told by me ... that he was willing to testify [*in a public hearing of the thousands of false votes in false names that he and others had actually done at the instruction of senior ALP officials*], but strangely he was not called.

I was disappointed that the then Special Minister of State Sen. Abetz in his letter of 12 May 05 abrogated his responsibility for “quality control” of the AEC by allowing them to reply to me directly and not via him. As it turned out, I never got a letter from the AEC! Why would they bother?

Will you take charge of the AEC to make it to be properly-managed?

As per my attached one-page Briefing Note, I urge you to reform the electoral processes.

[ASIDE - COMMENT DATED 19/9/2019 –They did not listen to me and so lost the Nov 2007 election by 5,992 votes! And I estimate that the magnitude of ALP Vote frauds would have been far larger than 5,992.]

## APPENDIX 9 -- A PRACTICAL EXAMPLE WHERE VOTE FRAUD and AEC MISMANAGEMENT CAUSED LOSS OF A SEAT

### The case of Alasdair Webster losing the seat of Macquarie in 1993.

Alasdair Webster was the federal Liberal MP for Macquarie from 1984 till 1993, when he lost the seat by a mere 164 votes, and the ALP's Maggie Deahm won the seat.

After the election, a team of people knocked on the doors of about 5% of the houses in the electorate, and did what the Australian Electoral Commission calls a "Habitation Review" using the Electoral Roll, sorted out of alphabetical name order into Street order so that it became manifest which addresses had large numbers of voter enrolled at them.

The team, registered as 'Auswide Surveys', found over 164 false enrolments during the 'Survey'. Some examples of **false enrolments** were that on several occasions FIVE false persons were enrolled at vacant blocks of land! Others were enrolled at addresses in Macquarie but the voters were found to be actually living outside the Macquarie boundaries! Alasdair Webster lodged a 'Petition' with the Court of Disputed Returns within the 40-day period allowed in the legislation. (It is a very difficult and clumsy process, perhaps deliberately so). His case relied on this substantial evidence of **false enrolments** in excess of his losing margin of 164 votes, plus on other irregularities.

High Court Justice Gaudron was allocated to hear the 'Petition', which dragged on through numerous interim and procedural hearings. Eventually the Petitioner's legal expenses had exceeded \$200,000 and as there was no certainty that the 'Petition' would receive a fair hearing (in which case Alasdair would have had to also bear the costs of the AEC, well in excess of \$200,000, thus causing him to lose home etc) it was decided to withdraw the petition. Disgracefully, the Liberal Party did not support Alasdair, and all costs fell on him personally.

During the case, the staff of the AEC were not permitted to talk to Alasdair, but commented in front of witnesses that his case was very strong, and that they expected him to win, which would mean a judgment that the election in Macquarie was invalid, thus triggering a by-election, which, minus vote fraud, Alasdair would have won. Their comments were based on their knowledge that over 300 Macquarie voters had been issued the wrong ballot paper by AEC officials! But Alasdair did not have access to that knowledge until after he had withdrawn his petition! The legislation allows the AEC to take action in the court of disputed returns to call for a new election, and it is reprehensible that the AEC had access to this information but did not pursue it. AEC senior management were openly hostile to Alasdair. Some people, including ALP members of the Joint Standing Committee on Electoral Matters and members of the AEC bureaucracy, have said there is no evidence of voting fraud, and that Alasdair "lost" his case because his accusations of voting fraud were baseless! Not true! Alasdair's powerful factual evidence was not 'examined' and 'cross-examined' and then a judgment made by the Judge as to whether it was valid or baseless, because the court proceedings never got that far.

Furthermore there was other vital evidence of vote frauds that was collected shortly after the forty days had expired that could not be included in the Petition. That this evidence could not be included in the lengthy court proceedings was in itself a denial of justice.

In the 1996 election, Macquarie was won by Liberal K. Bartlett.

APPENDIX 10 --

2016 Federal Election

This document was sent by the AEC to Lex Stewart due to his request.

2016 Federal Election Multi-marks (2 or more marks) by Division

ACT	264	QLD	2,792	VIC	4,800
CANBERRA	132	BLAIR	96	ASTON	114
FENNER	132	BONNER	101	BALLARAT	89
NSW	6,760	BOWMAN	79	BATMAN	152
BANKS	157	BRISBANE	98	BENDIGO	97
BARTON	184	CAPRICORNIA	83	BRUCE	184
BENNELONG	153	DAWSON	81	CALWELL	213
BEROWRA	138	DICKSON	74	CASEY	104
BLAXLAND	182	FADDEN	82	CHISHOLM	142
BRADFIELD	163	FAIRFAX	80	CORANGAMITE	83
CALARE	107	FISHER	72	CORIO	119
CHIFLEY	222	FLYNN	102	DEAKIN	135
COOK	130	FORDE	84	DUNKLEY	124
COWPER	112	GRIFFITH	118	FLINDERS	111
CUNNINGHAM	124	GROOM	87	GELLIBRAND	151
DOBELL	110	HERBERT	50	GIPPSLAND	64
EDEN-MONARO	133	HINKLER	59	GOLDSTEIN	100
FARRER	130	KENNEDY	62	GORTON	168
FOWLER	218	LEICHHARDT	104	HIGGINS	123
GILMORE	134	LILLEY	109	HOLT	190
GRAYNDLER	153	LONGMAN	93	HOTHAM	156
GREENWAY	163	MCPHERSON	89	INDI	77
HUGHES	145	MARANOA	75	ISAACS	145
HUME	93	MONCRIEFF	103	JAGAJAGA	101
HUNTER	127	MORETON	124	KOORYONG	138
KINGSFORD SMITH	188	OXLEY	135	LALOR	194
LINDSAY	157	PETRIE	115	LA TROBE	98
LYNE	85	RANKIN	157	MCEWEN	140
MACARTHUR	188	RYAN	122	MCMILLAN	86
MACKELLAR	108	WIDE BAY	79	MALLEE	55
MCMAHON	211	WRIGHT	79	MARIBYRNONG	191
MACQUARIE	125	SA	1,414	MELBOURNE	143
MITCHELL	125	ADELAIDE	162	MELBOURNE PORTS	141
NEWCASTLE	97	BARKER	88	MENZIES	142
NEW ENGLAND	100	BOOTHBY	128	MURRAY	111
NORTH SYDNEY	122	GREY	79	SCULLIN	201
PAGE	130	HINDMARSH	153	WANNON	68
PARKES	116	KINGSTON	119	WILLS	150
PARRAMATTA	174	MAKIN	132	WA	1,776
PATERSON	118	MAYO	104	BRAND	114
REID	172	PORT ADELAIDE	173	BURT	152
RICHMOND	115	STURT	135	CANNING	99
RIVERINA	96	WAKEFIELD	141	COWAN	137
ROBERTSON	117	TAS	359	CURTIN	96
SHORTLAND	123	BASS	66	DURACK	93
SYDNEY	145	BRADDON	68	FORREST	65
WARRINGAH	123	DENISON	85	FREMANTLE	118
WATSON	257	FRANKLIN	70	HASLUCK	94
WENTWORTH	154	LYONS	70	MOORE	95
WERRIWA	209			O'CONNOR	114
WHITLAM (New)	127			PEARCE	104
NT	178			PERTH	100
LINGIARI	77			STIRLING	139
SOLOMON	101			SWAN	132
				TANGNEY	124
				<b>Grand Total</b>	<b>18,343</b>