

14 May 2008

The Secretary  
Joint Standing Committee on Electoral Matters  
Parliament House  
Canberra

My Submission No. 1 to Joint Standing Committee on Electoral Matters

**Inquiry into the 2007 Federal Election – Habitation check.**

On Sunday **October 14, 2007** at the request of **Mr. Kerry Bartlett**, former Member of the House of Representatives for the **seat of Macquarie**, **Mr. Victor Batten** of Beecroft, and **the writer** carried out a habitation review of enrolled voters at selected residences on the electoral roll in the cities of **Lithgow and Bathurst** and their suburbs. The voters were selected on the basis of residences where there were **more than 3 different surnames, or 2 couples or one couple and 2 other surnames**. The list of these names was provided to us by Mr. Bartlett's electoral office. We estimated that the area covered about 20% of the electorate our work was voluntary. The following is a summary of our work.

BATHURST	moved to Qld
BATHURST	moved months ago
BATHURST	moved months ago
BATHURST	moved 9m ago
BATHURST	moved
BATHURST	moved
SOUTH	
BATHURST	moved
SOUTH	
BATHURST	moved
WEST	
BATHURST	moved 3m ago
WEST	
BATHURST	moved 3m ago
KELSO	moved at least 19m ago
KELSO	moved at least 19m ago
KELSO	moved
KELSO	moved
KELSO	moved
KELSO	moved 3 yrs ago
KELSO	moved long ago
KELSO	moved months ago
KELSO	moved before June 07
RAGLAN	Miss Jane Lang moved
RAGLAN	moved
RAGLAN	moved
RAGLAN	moved
LITHGOW	moved
SOUTH	
BOWENFELS	moved
BOWENFELS	moved to Qld yesterday
BOWENFELS	moved to Qld yesterday
	one of these couples has moved, but resident questioned wd not say which. AEC notified
KELSO	

		one of these couples has moved, but resident questioned wd not say which. AEC notified
	KELSO	
<b>SUBTOTAL "MOVED TO PLACE UNKNOWN"</b>	<b>38</b>	
	BATHURST MITCHELL MITCHELL SOUTH BATHURST	moved 5m ago. Still in Bathurst moved to West Bathurst 6m ago moved to West Bathurst 6m ago moved to Edinburgh & Castle Hotel, Bathurst
<b>SUBTOTAL MOVED WITHIN BATHURST</b>	<b>5</b>	
	BATHURST BATHURST BATHURST BATHURST BATHURST BATHURST BATHURST	home looks too small for 4 people home looks too small for 4 people home looks too small for 4 people upstairs residence of Public Service Assoc. strongly suggest you challenge upstairs residence of Public Service Assoc. strongly suggest you challenge upstairs residence of Public Service Assoc. strongly suggest you challenge upstairs residence of Public Service Assoc. strongly suggest you challenge
<b>SUBTOTAL HOME APPEARED TOO SMALL FOR NUMBER OF RESIDENTS</b>	<b>8</b>	
	BATHURST BATHURST BATHURST BATHURST	For sale Ray White Bathurst 6331-2680. tenanted but looks empty, no one at home For sale Ray White Bathurst 6331-2680. tenanted but looks empty, no one at home For sale Ray White Bathurst 6331-2680. tenanted but looks empty, no one at home For sale Ray White Bathurst 6331-2680. tenanted but looks empty, no one at home
<b>SUBTOTAL HOUSE APPEARED EMPTY</b>	<b>4</b>	
<b>TOTAL "NAMES TO BE CHALLENGED"</b>	<b>55</b>	

## CONCLUSIONS

1. The list of names was drawn from areas covering about 15% of the electorate. Extrapolated on that basis the number for the whole electorate would be:

**Number of voters moved to place unknown or within the electorate**  $(38+5=43*15\%)$  **286**

**Number of voters whose residential status should be challenged**  $(55*15\%)$  **366**

The number of names of people living in questionable residences where the house seemed too small or empty is too small to validly extrapolate other than as part of the total checked.

It is likely that several of those who had moved to places unknown were still living in the electorate, but this does not alter the fact that voters have one month to re-enroll at their new address, so it is most likely that many of these voters were not properly enrolled.

2. Obviously amongst residences not checked by us because there were three or fewer different surnames, there would be some who had moved as well. The number of unchecked residences is much greater than the number checked, so for the purposes of this exercise the writer has guessed that there would be at least a similar number, so that there would be at least double the number we found, **in other words at least 700 across the electorate, and 105,000 (150 electorates) across the nation.**
3. **In the event of a close election these numbers could be crucial.**
4. According to Malcolm Mackerras the overall difference between the 2 major political groups at the election on a two party preferred basis was 15,000 across the nation, which is only 14%  $(15,000/105,000)$  of the extrapolated number of voters no longer living at their enrolled address.
5. In a period when it was clear that an election was due, we uncovered enough questionable enrolments in one day to affect the result in a close seat. **The JSCEM should ask the AEC why it had not found them.**

14 May 2008

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## **May Submission No. 2 to Joint Standing Committee on Electoral Matters**

### **Inquiry into the 2007 Federal Election – Power of the AEC.**

The AEC has three functions:

1. Management of the Electoral Roll.
2. Running elections.
3. Reporting on elections to the Joint Standing Committee on Electoral Matters; i.e. reporting on itself.

A. There is no outside independent organization which directly investigates the activities of the AEC, (other than the JSCEM, which bases its report on information provided by the AEC). It is important that an organization responsible for matters at the very core of our democracy are **subject to independent checks and balances**. In the writer's opinion it is therefore important that **the three functions of the AEC be carried out by completely separate organizations**.

B. The **cost of challenging an election** in the court of disputed returns can run into hundreds of thousands of dollars and is well beyond the means of individual candidates, and political parties have in the past been reluctant to spend that sort of money when it would not affect the overall result. The time constraint on producing evidence is onerous, and the AEC takes on an adversarial role when it should be completely impartial (ref: the case brought by Alasdair Webster in the seat of Macquarie in 1993). Therefore there should be an **Electoral Ombudsman with full powers to investigate the activities of the AEC and bring disputed results to court and to pay for them**.

P.E.C.Brun