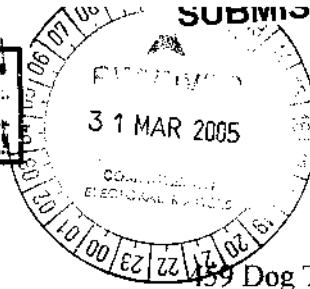


Joint Standing Committee on Electoral Matters
Submission No. 123
Date Received 31-3-05
Secretary



159 Dog Trap Road
Somersby NSW 2250

Wednesday 30 March 2005

The Secretary,
Joint Standing Committee on Electoral Matters
Parliament House
Canberra ACT 2600

Please find attached under this covering letter a paper titled "Australia-Aggregate Enrolment Levels 1947-1987", originally intended for presentation at an H.S.Chapman Society forum. This paper, although incomplete, contends that oversubscription of the Commonwealth electoral rolls has existed for much of the period from 1947 to the present. Implications of this oversubscription, and certain retrospective alterations of official population statistics, are considered relevant to electoral administration generally, and as therefore having relevance to the conduct of elections throughout the period up to the present day.

The paper itself grew from notes and observations made as the construction of its attached table progressed. There is, inevitably, a certain amount of repetition or overlap in the notes, which have been linked to cell or row references in the table. As a consequence of this evolution, the paper is not set out as it might have been if all things revealed by the tabulation were known before it was commenced. Structure and readability have taken second place to the presentation of information that seems as if it should be of immediate interest to the Committee.

Yours Faithfully,

David Patton

AUSTRALIA

○ **AGGREGATE ENROLMENT LEVELS 1947-1987**

David Patton

○

Foreword

This study shows that the Commonwealth electoral rolls have been oversubscribed between 1947 and 1987 for all but the ten years from 1951 to 1960. Oversubscription means the recording of more enrolments than there are eligible persons to be enrolled. Oversubscribed rolls are generally considered symptomatic of failure to cleanse the rolls, or the stacking of rolls for electoral fraud.

There had been little official analysis of enrolment levels prior to 1988, if the AEC statement in its Submission to the JSCEM dated 25 October 1988 is anything to go by¹. Analysis of the detailed statistics provided to the Parliament by the AEC relating to 30 June 1981 indicated an apparent enrolment level of 94.78% of the eligible. This was a level that was in accordance with official expectations. It was possible, by applying the ratio of the **eligible** to total population of 1981 to the **Enrolment/Population Ratios 1961-1986** shown in Appendix I to the AEC Submission, to approximate enrolment levels as at the census dates from 1961 to 1986. Doing so seemed to confirm aggregate enrolment levels prior to the 1980s that were in broad agreement with enrolment level expectations, indicated by AEC survey-based studies, in the range from 85% to 95% of the enrolled as a percentage of the eligible. The prospect that the extremely detailed 1981 official statistics might contain faulty estimates of the eligible and population, and thus yield false results when used to derive the ratio of recorded enrolments to eligible population, was never entertained.

Inaccuracies in the 1981 official statistics recently came to light in the process of constructing the tabulation of determinants of aggregate enrolment levels that is the core of this study. There was also revealed a series of retrospective alterations of official population statistics which, whether by coincidence or design, when applied, prevented apparent oversubscription of the rolls that was otherwise liable to be revealed as having happened at around just those times from becoming evident.

The prospect exists that the situation of oversubscription of the rolls from 1961 onward, and that of retrospective alterations to population statistics possibly serving to mask such oversubscription, is something that is news to the Parliament. It should also be a matter of concern, lest under this cloak sophisticated electoral fraud became established and has continued to occur.

¹ The AEC statement read:

"Appendix V indicates the high volume of enrolment transactions in the period immediately after the introduction of the COM II system which, for the first time, made such statistics readily available. Earlier figures, though not on a Divisional basis, for the period 1950-66 can be extracted from a Canadian report on the Australian electoral system compiled in 1968 which was the source of the statistics in Table 1 above; these figures are provided in Appendix IV. It may be that other statistics covering the period 1967-80 could be found in the Australian Archives or the Commission's records by research which has not been possible given the resources available, but the continuity between the 1950s and 1960s and the 1980s should be apparent from the statistics in the Appendices."

How the Paper is Structured

The situation wherein the electoral rolls have been oversubscribed from 1961 until 1987, and in all probability continue in that state to this day in 2005, has probably remained unnoticed because its revelation depends upon the correlation of two sets of separately kept official figures - figures for population and figures for enrolments.

There is an inherent difficulty in correlating these figures because of the difficulty of determining who, amongst the total population, is potentially eligible for enrolment at any given time. Factors in this difficulty in correlating figures are age, aboriginality (prior to 1967), residence at address, citizenship, the size of the resident adult alien component of the population, and, up until 1984, the size of that component of the adult population having the status of British (as distinct from Australian) citizenship.

The tabulation accompanying this paper sets out each of these factors and enables the calculation of an aggregate apparent enrolment level (Column N - Apparent E%E) at each of a series of benchmarks at which total electoral enrolments have been published and population, if not published, can be reliably estimated from published figures applicable to proximal dates.

General Observations

A very evident feature of the apparent enrolment levels revealed by this study is their uniformly very near full attainment of the theoretical maximum possible at any given time, and slight exceeding of that limit² around some electoral events.

One interpretation of generally high enrolment levels is that it is reflective of a generally high compliance within the community with the legal obligation to enrol. High general levels of enrolment are only to be expected if the vast majority of eligible persons take their civic obligations seriously. The problem with this interpretation is that it is at variance with the findings of research that indicates general compliance levels well below those claimed or implicit within official electoral statistics.

Nevertheless, just for the sake of argument let it be accepted that the apparently high general level of enrolment is due to a high level of compliance within the community with respect to the obligation to enrol. In this circumstance it would be reasonable to accept that apparent over-enrolment may have satisfactory explanations. How is it though, that apparent over-enrolment tends to be relatively brief, associated with electoral events, only **slightly** exceeds 100%, and occurs at around the time of, or slightly before, the point of application of **retrospective** adjustments of population statistics **which, when taken into account, mask it?** It is almost as if there is some sort of safety valve mechanism operating! It is this seemingly 'governed' feature of apparent aggregate over-enrolment that suggests that this phenomenon may be symptomatic of deliberate manipulation of electoral enrolments, manipulation that if deliberate, is almost certainly unlawful.

If it was **only** these brief and slight apparent over-enrolments that were considered to be evidence for unlawful enrolment manipulation, such claimed evidence could be discredited by pointing to the fact that if there genuinely exists high compliance with enrolment obligations, such brief and slight aberrations are exactly what might be expected, and indeed could be considered to constitute evidence that the electoral administration is maintaining the electoral rolls in the best possible fashion. The problem with this argument is that **sudden and atypical behaviour** has to be ascribed to large groups of electors during short intervals to explain what are clearly roll transaction anomalies, in order for the "there is no evidence of large scale fraudulent enrolment" position to be sustainable.

² Apparent over-enrolment is not necessarily a sinister phenomenon. There are a number of obvious legitimate explanations for it. The question is as to whether those explanations, when and where offered, are consistent with, or believable in the context of, other evidence relevant to those occasions. It is the contention of this study that in many cases over this period such explanations are not consistent or believable.

Cell II

Determinants of Eligibility for Enrolment

The age and citizenship determinants of eligibility are well understood, and presumably statistically well documented. The residency qualification, however, has not been taken into account in this study, in order to maintain consistency with the basis upon which the AEC provided enrolment statistics to the JSCEM in 1988. Until persons qualified by age and citizenship to be electors who have moved address have been resident for one month at their new address, they are not eligible to be enrolled, nor are they permitted to lodge a transfer claim until actually in residence at this new address. In practice it is extremely difficult, if not impossible, to say to whom the disqualification applies except where a claimant to enrolment becomes the subject of an objection. **This qualification should nevertheless not be dismissed as being of little significance**, as whatever the theoretical level of enrolment set by age and citizenship qualifications of the population at large, the real limit will always be somewhat less, because, in aggregate, there will always be a significant number of people who have changed address within the last month.

The AEC did not attempt to apply the effect of the residence requirement to the enrolment level assessments it provided to the JSCEM in 1988, due to a perceived difficulty of obtaining relevant statistical information to assess its effect on eligibility for enrolment. The Commission's words, on page 2 of its 25 October 1988 Submission (page S 00688 of the Committee Hansard) were:

"As to the third criterion [the then CEA s.98(1) one month residence provision] no data are known to be available for periods of residence so short as 1 month. Consequently, and particularly in Divisions of high residential mobility like inner city or tourist areas, there will be significant variations from the average."

The contraction in the number of persons truly eligible from that number indicated by age and citizenship will depend upon the mobility of the population. If as much as 20% of the population moves residence every year, as has been claimed, then at any given time one twelfth of 20% of all persons eligible in terms of age and citizenship would not meet the residence qualification for enrolment. At around the end of 1972 that would have meant as many as 116,000 persons otherwise considered eligible would in truth not have been. That 116,000 persons equates to 1.68 percentage points of the then apparent E%E.

The revelation that aggregate apparent E%E is in truth **routinely understated** by around 1.6% in circumstances of prevailing very high levels of enrolment is quite significant. It only emphasises just how close to the theoretical maximum, **if it can be believed**, enrolment levels have been continuously maintained from 1947 to 1987.

Cell T1

The Mobility Lag

Whilst each move of an elector is unavoidably associated with a notional period of one month's disqualification from enrolment, the fact is that that move will also involve a lag before an enrolment transfer claim is lodged by the elector in question. From the day of moving, that elector's old enrolment is legitimately liable to removal by objection action even if the elector has not lodged a transfer claim³. If electoral roll review processes are in fact occurring, in the absence of a claim from that elector notifying the new address of residence, the old enrolment should sooner or later be removed from the roll.

It is my suspicion that lags in lodgement of electoral enrolment transfer claims are typically to be measured in months or years, rather than weeks or months. In such circumstances, electoral roll review processes, if they are occurring, should be removing at least some names prior to the eventual lodgement by electors of transfer claims. These removals should inevitably result in an overall reduction in apparent enrolment levels. The question is how many names should typically be in the lag?

Let us be very conservative and say that only 10% of otherwise eligible persons change address each year. Of this 10%, let us say half delay in lodging a transfer claim for more than one year. That would, in 1972, have left around 350,000 names subject to removal by objection action at any given time. On the foregoing assumptions, if electoral roll review processes were actually occurring, around 5% of the eligible at any point in time should not have been expected to be seen on the roll as a consequence of residential mobility alone.

³ And so it should be! This is not an inadvertent denial of the franchise to someone otherwise qualified by age and citizenship. The one-month residency qualification was not legislated for nothing. It is there to minimise the prospect of individual electors opportunistically positioning their enrolment where they think it can most critically influence an electoral outcome, and **doing this repositioning at the last minute**, relatively speaking. With an enrolment being emplaced shortly before an election, there is minimum opportunity for the inherent falsehood of that claim (ie. that the claimant does not live there!) to be discovered by either the electoral administration or by candidates' campaign workers, and consequent objection action to commence. Most observant Australians would identify so-called marginal Divisions at a general election, or Divisions in which a by-election is about to occur, as the likely places for such abuse to be attempted. I wonder whether those same Australians have considered the prospect that hundreds of thousands of enrolments might be manipulatively emplaced and positioned not as the result of hundreds of thousands of individual malfeasances, but as a result of the actions of a relatively very small number of persons doing so unlawfully in a coordinated fashion? Given this legislative provision that attempts to limit individual, and presumably relatively uncoordinated, abuse of the electoral process, **is it not naturally to be expected that provisions would have been emplaced in law to guard against wholesale abuse?** Well, they have been. Collectively, those provisions are the various pieces of legislation that prescribe how the electoral rolls are to be compiled and maintained. The problem is that over the years that legislation has been either ignored or watered down to the point where it no longer effectively fulfils a precautionary function. If an example of this "watering down" of legislative safeguards is required, look at Section 99(5) of the CEA, evidently an amendment made since October 1988, dealing with this very matter of the residence qualification. It says:

"(5) The validity of any enrolment shall not in any case be questioned on the ground that the person enrolled has not in fact lived in the Subdivision for a period of one month."

How, in the light of this amendment, does the residence qualification have any real meaning or enforceability?

In fact, there may exist corroborative evidence for this expectation in the apparent enrolment levels (E%E) revealed throughout the 1950s of around 95%, as compared to the higher levels from 1961 onward. The AEC advised the JSCEM in 1988 that habitation reviews were an annual event during the 1950s and 1960s, but that these electoral roll review (ERR) procedures became progressively less regular and thorough up until the 1980s. Without commenting upon all aspects of the methodology or effectiveness of habitation reviews, perhaps the regularity and/or method of those reviews during the 1950s resulted in an apparent E%E that reflected exactly such an expected mobility lag. With even greater mobility of population, where is the lag in the 1980s?

Column T has been left blank deliberately. It is obvious that a minimum of around 2% of the eligible at any given time must run foul of the residence qualification for enrolment, simply because the general mobility of the population is a recognised fact and is in outline quantified⁴. It is a matter of fact and law that every otherwise eligible mover is disqualified from enrolment for one month after that move. What is *not* quantified is the extent of lags involved before movers re-enrol. It is because of the absence of any **official assessment** of mobility lags, in contrast to the position with respect to enrolment take-up lags, that I have not attempted to show the effect of mobility lags on the true E%E in column V. It appears highly likely that the mobility lag will exceed 5% of the eligible, and may well reach 10%. If at the same time aggregate apparent enrolment levels are around 100% E%E, what does that say about a percentage of enrolments equivalent to the mobility lag (or any other lag) already showing as recorded? One interpretation is that persons unknown may be taking advantage of a combination of ease of enrolment and public (and seemingly, official) ignorance of mobility lags to emplace unlawful enrolments without anyone noticing. Should such enrolments be used to claim unlawful votes at elections, then in Australia there could well come to exist perhaps not quite dictatorship, but faceless irresponsible government by proxy!

⁴ Year Book Australia 1984, on page 98, states that around 16% of all persons 15 and over change their residence within a twelve month period. (This observation related to surveys done over the years 1979, 1980, 1981 and 1982.) A table titled "Internal Migration" classifies the types of moves involved. YBA 1991, on page 150 contains a succinct summary of the information available concerning internal migration. It reads:

"Information on internal migration (migration from one part of Australia to another) has been available from the population censuses since 1971. The census asks people to state their place of usual residence on Census night and also on the same date one year ago and five years ago. Comparison of these addresses has provided data on interstate migration and also (for the 1986 Census only) intrastate movement. Movers are classified by age, sex, birthplace and other selected characteristics. These census questions also provide data on where migrants, recently arrived from overseas, are now living."

Cell U1

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Cell VI



Cell J3**Assessment of the Eligible as a Percentage of Population
30 June 1947**

In 1947 attainment of the age of 21 constituted the age qualification for enrolment. On 30 June 1947, out of a total population of 7,579,358 persons, 4,974,382 were recorded as being 21 or over, and thus constituted the age-qualified component of the population that has to be identified as the first step toward determining the proportion of the population eligible for electoral enrolment. This is derivable from a table of age distribution published in Year Book Australia (YBA) 1953, p. 543. At 30 June 1947, 65.63% of the population was qualified by age to be enrolled.

The other major determinant of eligibility for enrolment is citizenship. In 1947 any British subject legitimately resident in Australia was eligible in terms of citizenship. As at 30 June 1947 there were only 38,653 aliens in Australia. (The source for this figure is Year Book Australia 1959, p.306) Taking all of the alien persons as being 21 or over, 65.12% of the population was eligible on the basis of age and citizenship for enrolment.

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Cell C26 Timeline (See over)



Cell C26

Retrospective Alteration of the 1961 Census Count

This figure of 10,548,300 was first published in YBA 1974, p. 134, in a table showing population at Australian censuses, 1881 to 1971. The only explanation of the change, if it is an explanation at all, is that it is the first figure in the table to which the note (b) "Includes Aborigines" applies. The same figure obtained from YBA 1977-78 p.101 showing population of states and territories as at 30 June 1961 differs from the 10,508,186 shown in YBA 1963 p.318, and the 10,508,191 shown in YBA 1962 p.295 in an analysis of intercensal increase 1954 - 1961. Footnote (b) to the YBA 1977 - 78 table states:

"Figures **before** 1961 exclude full-blood aboriginals, later figures do not. The estimates from June 1971 for each State and Territory are made from the 1971 census results, with augmented adjustments for under-enumeration to make the total balance with the estimates for Australia made retrospectively from 1976."

The 30 June 1961 figure seems to have been arbitrarily increased by around 40,100 persons over the census count of 10,508,191. Are we to take it that the 40,100 increase represents the total full-blood aboriginal population, previously excluded from the count, as at 30 June 1961? YBA 1998, on page 156, states that Aboriginal population numbers up to the time of the Referendum had been fairly static "varying between 80,000 and 100,000". It is because of the **disparity of these estimates** with the alteration of only around 40,100 to the 1961 census figure that I am uncertain as to whether the 1974 alteration was made to reflect the inclusion of Aboriginal people.

As the inclusion of full-blood aboriginal people in the census arose as a result of the alteration of the Constitution in November 1967, it would be expected that estimates of the population **published** in Year Books up to 1967, and, depending upon copy lodgement deadlines and publication lead times, even 1968, would not have included such. Given the claim in YBA 1975-76, p. 152, that "At the 1966 Census extensive arrangements were made to obtain as full a coverage of Aborigines as possible and to enumerate fully those Aborigines 'out of contact'", it seems reasonable to have expected the adjustment to have been made as soon as figures from the 1966 Census were released subject to the Constitution alteration having been proclaimed. However, YBA 1973 still published the original census count figure of 10,508,186 (on page 138) six years after the Referendum⁵. Why the delay?

⁵ YBA 1998, on page 157, states that the definition of an aboriginal person was finally endorsed by the Federal Cabinet in October 1978. It appears that inclusion of aboriginals in the published figures had not been held up by delay in resolving this matter of definition. So what definition of aboriginality, or basis of expansion of the population estimates to reflect the inclusion of Aboriginal people, was used by the newly legislated Australian Bureau of Statistics when it made, in 1976, the retrospective alterations to population estimates from 31 December 1970?

Cell C27

Disregarding the Constitution?

YBA 1971 expressly states, on page 136 under the heading "The Aboriginal Population of Australia" that "Aborigines have been enumerated in **all** censuses of the Commonwealth,". What, however is to be made of the notations to tables of estimates over the years to the effect of "excludes Aborigines" prior to the 1967 Referendum? It seems that at the very least, there was a degree of uncertainty within the then Commonwealth Statistician's office up until 1973 as to whether or *not* Aborigines should be included in published population estimates prior to 1967. As **no retrospective addition of around 75,000 persons⁶ to the 1961 estimates is in evidence** up to 1976, and as the note to the table in YBA 1977-78 states that figures before 1961 exclude Aborigines and that figures afterwards **do not**, could it be that Aborigines were in fact included in the census count of 30 June 1961 notwithstanding what were **represented to be** the provisions of the at that time unrepealed Section 127 of the Constitution to the contrary?

Had the Aboriginal population actually been included in the census count of 30 June 1961, and had, upon discovery of this **before the 1967 Referendum**, any question been raised as to the **eligibility for enrolment** of persons so included, it would in all likelihood have been extremely embarrassing for the Commonwealth Statistician's office to be found to have seemingly disregarded a provision of the Constitution. Correction of the population estimates may have been deemed necessary. If this had actually occurred, as a *consequence*, at the then Australian Electoral Office, it would have been necessary to remove the **age-qualified component** of that population (quite possibly around 40,000 persons) from the erstwhile total of 5,685,903 eligible. This would have left only 5,645,903 persons eligible, at a time when 5,692,364 enrolments were on record! An apparent E%E of 100.82% would have been displayed **should any cross check⁷ have been made!** At a time *shortly after the famed cliff-hanger election of 1961*, with sensitivities well and truly aroused to anything that might even look like electoral impropriety, prospects of

⁶ YBA 1971, p. 137 contains census counts of the Aboriginal population in 1954, 1961, and 1966. It would appear from these counts that the Aboriginal population in 1961 was of the order of 75,000 persons.

⁷ During the interval between the 1961 Census and the first publication of figures derived therefrom, any person estimating the population as at 31 October 1961 (the approximate roll close date for the 1961 Federal elections) would have had to use the then current estimate for 31 December 1960 and a projected estimate for 31 December 1961 to calculate by interpolation an estimate for 31 October 1961. The published estimate in YBA 1961, p. 290, for 31 December 1960 was 10,398,170. A projected estimate for 31 December 1961, calculated using the annual growth rate for 1960 published on page 301, would have been 10,635,248. The population increase over the year would have been estimated at 237,078. The monthly increase was, very approximately, 19,757 persons. An estimate made in early 1962 as at 31 October 1961 would consequently have been around 10,595,000 persons. An estimate made in the same manner somewhat later, as is more likely, using the revised figure for 31 December 1960 of 10,391,920 and the estimate for 31 December 1961, both published in YBA 1962, p. 288, of 10,603,936, would have been around 10,568,600 persons. Application of an E%P ratio of 53.8% to the estimate of 10,568,600 would indicate 5,685,903 persons as being eligible for enrolment. More than this number, 5,692,364 persons, were recorded as enrolled at this date! An apparent E%E of 100.11% would have been on display.

the precipitation of an inquiry into the system of electoral administration as a result of such a discovery was an odds on bet. If there was already systematic electoral manipulation going on, such an inquiry could be a disaster for those perpetrating it.

The 1967 Referendum confirmed (if it had ever been in doubt) the eligibility of Aboriginal people to enrol and vote. By 1974 it was clear that no appearance of over-enrolment between 1961 and 1967 had been discovered, or if it subsequently was, that there would be little perceivable significance to it if it was seen as relating to Aboriginal eligibility for enrolment. To anyone that had rightly or wrongly concluded that the 40,114 arbitrary increase represented the full-blood Aboriginal population, the 1974 **retrospective alteration** of the 1961 Census figure made it look like the Aboriginal population had only been included in the estimates **after** the Referendum. Problem solved! Embarrassment avoided!

If the eligibility to population ratio current for 30 June 1961 of 53.8%⁸ was applied to the Aboriginal population of 75,000 as at the 1961 Census, it would be indicated that around 40,000 persons in that population were eligible for enrolment. Was the 1974 arbitrary increase of the 1961 Census count by 40,114 an attempt at cover-up of the imagined unsanctioned inclusion of Aboriginal persons in the population estimates prior to the 1967 Referendum? Did it perhaps confuse total population numbers with eligibility within that population? Did it also conveniently serve to inflate the national population estimates sufficiently to conceal a situation of over-enrolment that may have been known, at least in some quarters, to exist in late 1961?

⁸ This E%P of 53.8% is lower than the 54.8% shown in cell J28 of the table. This is because throughout the table, with the exception of the E%P for 30 June 1981 shown in cell I91, no allowance has been made for the children of aliens who had progressively become age-qualified for enrolment, but still remained of alien status and were thus ineligible on citizenship grounds. Likewise no allowance has been made for illegal immigrants or over-staying overseas visitors, except as described. These categories affect the E%P ratio for the population at large. In any case, the important point is not so much whether my assessment of these categories is very accurate, but whether such an assessment done with the full resources of the then Commonwealth Statistician's Office might have revealed the existence of a situation of over-enrolment around the end of 1961.

Cell C52**Increasing the Estimate of the Population**

Cell C51 shows a published estimate of 12,663,500 given in YBA 1979, p. 77 as the population as at 31 December 1970. As this figure is published eight years after the date in question it would reasonably be expected to be a final figure. As such a benchmark figure for population, it has been used, in conjunction with the figure for 31 December 1969, to determine by interpolation the population at around the end of October 1970 (the roll close for the 21 November 1970 Senate elections) of 12,627,254 shown in cell C50.

In a note (d) at the foot of the table in YBA 1979 it is stated that an estimate of 12,799,600 for 31 December 1970 was used to compute rates of growth thereafter that incorporated revisions as a result of claimed evidence of underenumeration at the 1976 and 1971 censuses. This is a jump of 136,100 in population. This retrospective increase translates into an increase of around 74,000 in the eligible at around this time, on the assumption that the E%P for the population at large is applicable to the population represented by the retrospective increase.

Application of the E%P ratio of 54.37% (cell J50) to the population estimate of 12,627,254 (cell C50) at the roll close for the 1970 Senate elections indicates around 6,865,438 (cell I50) persons were eligible for enrolment at that time, using the **original** estimate for 31 December 1970 of 12,663,500 (cell C51) to help calculate the roll close population estimate by interpolation. A subsequent estimation of the eligible at roll close, using the retrospectively amended figure for 31 December 1970, 12,799,600 (cell C52) together with the unamended figure for 31 December 1969 of 12,446,027 (cell C48) results in an estimate by interpolation for the roll close population of 12,764,000. This higher population estimate will in turn result in a higher estimate of the eligible, and a lower apparent E%E for that event, but that is not all that the retrospectively revised estimate in cell C52 does. The notes to Row 58 explain its other effect.

Row 57

The 1972 Enrolment Anomaly

The 337,230 net increase since the 1970 Senate elections requires explanation. The apparent E%E in November 1970 was 98.12%, with, seemingly, 128,738 persons not enrolled. Around 229,400 persons were assessed in accordance with AEC research as being in the group lagging in effecting their first-ever electoral enrolment. Eligibility increased by around 160,000 on the basis of the population estimates (cell C51) current up until 1979.

The pool of legitimately available new names by 2 Dec 1972 was around 389,000 at most. Around 157,000 persons eligible for enrolment, and the vast majority having actually been enrolled, died during this interval. No less than around 494,000 new names were required to be enrolled over the interval for the net increase of 337,230 to be **legitimately** recorded.

If, flying in the face of all the research, it is simplistically accepted that all of the names in the lag (229,400) plus all of those who became eligible during the interval (160,000) actually enrolled by 2 Dec 1972, then **there exists a shortfall of no less than around 105,000 legitimately available names to satisfactorily account for the net increase of 337,230 enrolments recorded.** Whilst there also exists an over-enrolment of around 40,000 names at this date, let us allow that it represents 'dead wood' in the form of names that normally would have been removed by the electoral administration, but by one oversight or another, were not.

The situation is that **not less than around 100,000 names** (and in all likelihood several times⁹ that number) that were **not legitimately available** had been emplaced upon the rolls **within the two years between November 1970 and November 1972**, not being names that had been inactively carried on the rolls for much longer periods. As such, it constitutes evidence of active, contemporary, and large scale enrolment improprieties occurring between 21 November 1970 and 2 December 1972. It is just as well this didn't happen on the AEC's watch, for it would then have irrefutable evidence for what it has consistently said it has no evidence for, **the perpetration of large scale enrolment fraud on the Australian electoral rolls.** Having disregarded the apparent over-enrolment of around 40,000 names at the end of this interval as likely having acceptable explanation, the interval leading up to the next electoral event on 8 December 1973 commences with full enrolment and a minimum of 105,000 names inexplicably on the rolls.

⁹ It must not be forgotten that the enrolment increases revealed in this table are only **net increases**. The normal expectation would be that during a two year period several hundred thousand names might appear to DROs to be unsubstantiated on the rolls on which they appear. (For example, 1,175,000 names were recorded with "gone" notations following the 1986-87 ERR) A substantial proportion could well be removed by objection action quite legitimately. In circumstances of the continuing maintenance of full or near-full enrolment, large numbers of **different** names replacing such would be cause for concern that **unlawful** enrolments were being effected.

Row 58

Retrospective Adjustment of Population Statistics

If the revision of estimates published in YBA 1995 is used, the population at roll close is indicated as being around 13,400,000 persons. This revision causes the Apparent E%P in this row to decline to just below 100%. The revisions for under-enumeration at the 1971 and 1976 censuses had already been applied before this latest one. How many revisions have been made? And why was this one¹⁰ made?

A consequence of this revision is that the estimate of the eligible as shown in cell I57 increases by around 100,000 on the assumption that the E%P ratio in the increase is the same as the E%P for the population at large¹¹. If now the growth in the eligible between November 1970 and November 1972 is calculated it will seem as if there has been an increase of around 250,000 over the interval. **To accept this is to fall into error!** Whilst this latest revision may appear to be justified, if the population estimate at 2 Dec 1972 has to be increased, **so too would need to be the estimate for November 1970**, and the estimates for quite some years before that! This in turn means that the increase in the eligible between the two dates will only be **slightly** greater than the 160,000 previously revealed. Whilst this revision solves the problem of an apparent over-enrolment becoming obvious (if that was indeed its purpose), it demands that virtually all of a gradually accumulating body of unenrolled persons that had become eligible over quite some years, suddenly effected their enrolments during this interval!

¹⁰ This **second** revision of the estimates of population calculated from the base date of 30 June 1971 first appeared in YBA 1983. On page 118 under the heading of "Population estimates" is an explanation for the change. The explanation reads:

"The method of determining the base population at a census date has recently been changed in that estimates now reflect the usual residence of the population rather than the actual location in which people were counted at the census. At the Australia level this means that overseas visitors counted in the census are subtracted, the remaining population is adjusted for census underenumeration and an estimate of Australian residents temporarily overseas on census night is added. For the States this process involves an additional step which returns those people not at home on census night to their place of usual residence.

This change-over has enabled population estimates after the 1981 Census date to be compiled wholly according to place of usual residence, since components of population increase were already available on a usual residence basis. Estimated resident populations for the 1971 and 1976 Census dates have also been calculated and intercensal estimates have been revised accordingly."

¹¹ This assumption may not be sound. The basis of estimating the population was first changed **after** 1976 but applied retrospectively from 1 January 1971, and **shortly after** (by not later than 1981) **changed yet again** with retrospective application from the same date. If the allowances made that resulted in the successive upward revisions of the estimates were for elements of the population having different electoral eligibility characteristics to the population at large, the effect upon overall eligibility levels may have varied. Should it have been that the revisions accounted primarily for illegal immigration or overstaying overseas visitors, the increase in the figure for the **eligible** would be minimal, as most such persons would be disqualified on citizenship grounds from enrolment, and even if not so disqualified would not likely attempt enrolment lest it should lead to their discovery and deportation.

Row 63

The 1973 Enrolment Anomaly

As can be seen in cell N57, the enrolled as a percentage of the eligible (E%E) for Australia at large stood at 100.58% at the close of rolls for the 2 December 1972 Federal elections. Should the alternative scenario dictated by the retrospective alterations to population statistics of Row 58 be considered obligatory, an E%E of 99.16% prevailed. Accepting the starting condition of Row 58, there would have been *only* around 60,000 eligible persons unenrolled throughout Australia as at roll close for the 2 December 1972 Federal elections. From the notes to Row 58, it is *plain* that, apart from these 60,000 unenrolled persons, the only source from which further enrolments could properly have come up until the roll close for the 8 December 1973 Referenda was from persons becoming qualified to enrol during that period.

By the time of the roll close for the 8 December 1973 Referenda, around a year after the roll close for the 1972 elections, there had been a **net increase** (cell L63) of 716,070 enrolments across Australia. This means there had been around **795,000 new enrolments** during this year, as around 79,000 persons 18 or over had died and would have been removed from the rolls¹² during this period. How many new enrolments should have been expected?

During the interval between November 1972 and November 1973 there were four sub-groups of the population that became eligible to enrol for the first time. The first sub-group consisted of those persons who turned 21 between November 1972 and March 1973, and comprised around 92,000 persons. The second sub-group consisted of persons already 18 or over without any previous entitlement to enrol, but newly qualified by virtue of having recently become Australian citizens: around 40,000 of the 57,000 persons granted Australian citizenship during 1973 may have fallen within this category. The third group consisted of the **backlog** of the entire 18, 19, and 20 year old cohorts as at March 1973; this comprised around 661,000 persons. The fourth sub-group consisted of those persons who turned 18 between March and November 1973, and comprised around 130,000 persons. A total of around **923,000 persons became eligible for the first time** to enrol during the interval between the end of October 1972 and the end of October 1973. Although the net increase in enrolments was less than the increase in the number of persons who became eligible, a net increase of this size (716,000) nevertheless constitutes an anomaly.

¹² The only deaths that would not have influenced the legitimate expectation with respect to net growth in enrolments would have been the deaths of aliens or amongst the unenrolled during this period. Alien deaths would have constituted a very small proportion of the total deaths, as would deaths amongst the 60,000 unenrolled. In the prevailing circumstances of near 100% E%E it could not be claimed that many deaths other than those of aliens were of unenrolled persons.

To understand why it constitutes an anomaly it is necessary for the student of enrolment levels to have some knowledge of the extent to which the eligible in the population ultimately exercise their entitlement (and fulfil their legal obligation) to enrol. It is equally important to have some idea as to how enrolment activity is spread over time, **especially of the lags involved in the newly enfranchised actually taking up their enrolment.** The Australian Electoral Commission in 1988 undertook research into enrolment levels using surveys of the population rather than relying exclusively upon the bald information derivable from official electoral statistics. The results of this research were published in Research Report No. 1 of 1989 – Sources of Electoral Information (AGPS Canberra). This research quantified the extent of the lags in enrolment take-up amongst the newly age-qualified. There is no reason to believe the 1988-89 research findings would not have applied in 1973¹³.

What may not have been as well known in 1973 is the propensity of those who have newly qualified for the franchise by virtue of coming of age to delay doing so for up to several years. Research done by the AEC in 1988-89 shows that only 38.5% of such persons effect their enrolment within 12 months of becoming qualified, 30% do so between 12 months and two years, 15.6% between two and three years, and 3.6% between three and four years after becoming qualified. The remaining 12.3% either dribble onto the rolls over succeeding years, or fail to enrol at all.

Summing the various strands into which the newly eligible can be segregated permits the calculation of an enrolment expectation for the period under study. It would seem that only around 350,000 enrolments would have been expected between the 1972 and 1973 electoral events, but the official record shows there were around 795,000. **Where could the extra 445,000 enrolments have come from?** And what about the 105,000 unexplained enrolments carried over from the period December 1970 – December 1972? A total of around 550,000 enrolments were on the rolls without satisfactory explanation as at 8 December 1973.

¹³ The research published by the AEC in February 1989 was based in part upon the 1986 Australian Longitudinal Survey, which revealed enrolment propensities which by 1986 were reflective of behaviour of persons who first became eligible to enrol **as early as 1979**. The predecessor of the AEC, the Australian Electoral Office, had also undertaken research into enrolment take-up in 1981-82, studying behaviour by the newly eligible on the basis of age that had been **displayed correspondingly earlier, in 1972-73**. There is thus every reason to regard the AEC research findings as being applicable at the time of the extension of the franchise in 1973 and in subsequent years.

Cell B89

Gaps in the Records

1981 was the first full year for which roll transaction statistics were available under the COM II system of centralised roll management. This information comes from the AEC Submission to the JSCEM dated 25 October 1988. On page 3 (page S00689 of the Committee Hansard), under the heading "Enrolment transactions" it reads:

"Appendix V indicates the high volume of enrolment transactions in the period immediately after the introduction of the COM II system, which, for the first time, made such statistics readily available."

It is not completely clear from the Commission's submission precisely when the COM II system was put into operation. Presumably it was some time in 1980, as if it was **before** 1980 it would be expected that figures for the **whole** of 1980 would have been provided to the Committee. I make this observation because there is no immediately preceding figure for roll transactions against which the first (ie. 1981) COM II figures could be compared. The last figures given in Appendix IV relate to roll transactions for 1966. There is a 15 year gap between the two sets of records. If you go the other way to look for a decline in enrolment transactions in 1982 and 1983 that might make 1981 appear a high volume year, you find a decline simply is not there. It is further to be noted that the net increase in enrolments between 1 January 1981 and 1 January 1983 was 208,767 – an average rate of net increase of only around 104,000 per year, a **reduction** on the rate that had prevailed between December 1977 and September 1980. **Why did the Commission say that there was a high volume of enrolment transactions immediately after the introduction of the COM II system?**

During the interval between the roll closes for the 1977 and 1980 Federal elections net increase in enrolment was occurring at an average rate of only around 165,000 per year. The **rate of net increase** was four times greater than this between the 18 October 1980 roll close and 1 January 1981. Could the Commission have been referring to this **high rate of net increase in enrolments** of the last three months of 1980 as the "immediately after introduction" in its submission? Was the COM II system introduced¹⁴ just before, or just after, the 1980 Federal elections? Was the dramatic increase in the rate of **net enrolment increase** in the last three months of 1980 reflective of a large increase in **roll transactions in general** for that same period, or did it simply reflect a **post-election enrolment surge**? **In either case, why was the JSCEM not fully informed and given the actual roll transaction statistics for this three month period?**

¹⁴ This very centralization of roll-keeping was a departure from the law that continues to this day. The CEA, both in 1980, and as amended in 1983, placed the responsibility for this function upon statutorily appointed officers, the DROs. The COM II system, it seems, was instrumental in introducing around 200,000 enrolments into the rolls in 1987 just before the Federal elections in an anomalous manner and out of the sight of the DROs. A major discrepancy of 204,880 in the enrolment accountancy appears to exist at the roll close for that electoral event.

Row 90

**The 30 June 1981 Benchmark for Enrolment Eligibility and Take-up:
Appendix II to the AEC Submission to the JSCEM dated 25 October 1988 -
Statistics Relating to Roll Maintenance Activities**

This row is one of the most significant in the whole tabulation. The most obvious reason it is significant is that for columns C, I, and K it should be expected to be **authoritative**, that information having had its origin within the electoral administration of that time, the then Australian Electoral Office. The census date of 30 June 1981 is the last point in time for which a definitive figure for that part of the age-qualified population **that also met the citizenship qualification** for enrolment was able to be calculated from official statistics.

A useful ratio that can be derived from this benchmark information is that of the **eligible** for enrolment to the population at large, expressed in this tabulation as E%P. The usefulness of the E%P for a Division is that, subject to there not being significant change in the age and citizenship distribution of the population in that Division, the E%P can be applied to the population figure at other points in time as a constant to yield a figure for the eligible at that point. If at that point electoral enrolments are a matter of record, the enrolled as a percentage of the eligible (E%E) can be calculated. It is this ratio that will reveal such things as a situation of apparent over-enrolment¹⁵, or changes in the general level of enrolment within the theoretical limits that would nevertheless seem to require explanation.

I used the E%P as a constant in an attempt to assess enrolment levels prior to as well as after 30 June 1981. The results of that assessment seem somewhat at variance with the explanations advanced by the AEC for the apparent over-enrolments revealed by Appendix II. What my assessment seemed to reveal was a situation wherein enrolment levels as at, or near to, census dates moving forward from 1961 to 1986 showed a rise in E%E to near or above 100% that commenced in some relatively safe seats of both political complexions in 1961, and then seemed to spread to more marginal seats, and an increasing number of such, as the five year periods were progressively passed. Other seats, most notably some rural ones, and

¹⁵ Appendix II to the AEC Submission did not set out the E%P ratio for each of the Divisions in its table. This is surprising, as it is a figure needed in order to calculate the enrolled as a percentage of the eligible (E%E). The E%P ratio can nevertheless be calculated from the other information supplied in Appendix II. The AEC has correctly calculated and set out in column six what is in fact the E%E for each Division. The E%P is calculated by dividing the number of persons assessed as being eligible to enrol in each Division (the number in the column headed "potential") by the total population for each Division, and then multiplying by 100 to express it as a percentage. It should be noted that the fifth column in the Appendix II tabulation, headed "Electors % Population" is **not** the E%P ratio. The "E" in the E%P ratio stands for "eligible", not "electors". For example, the E%P for the Division of Banks in Appendix II is 69.2 as distinct from the 70.2 recorded in the fifth column for the electors as a percentage of the population for that Division. Should anyone subsequently mistake any of the fifth column figures for a true E%P figure, and attempt to use it as a constant in assessing enrolment levels at other times, the results yielded will be misleading in that **enrolment levels thereby derived will be understated**.

particularly seats in non-joint roll States, seemed to display E%E of around 85-90% throughout the entire 25 year period. In aggregate, enrolment levels had appeared to grow steadily from general levels in the high eighties expressed as percentages from 1961 to in excess of 95% by 1986, all of which seemed to accord with expectations about enrolment levels derived from other electoral research and official pronouncements.

I became concerned as to whether what my projected assessment of enrolment levels seemed to reveal really existed, or was just a phantom created by the use of inapplicable constants for assessment of the eligible at various dates, arising out of demographic change within Divisions over time, or out of boundary changes that suddenly altered the demographic character of a Division significantly but nevertheless entirely legitimately. As a partial remedy I sought to estimate from first principles, using published official statistics of population, age distribution, migration, and citizenship, the size of the total Australian population eligible to enrol at each of a series of benchmarks between 1947 and 1987.

The result of this approach has been to reveal a disparity between the 30 June 1981 statistics provided to the JSCEM as Appendix II to the AEC Submission dated 25 October 1988 - Statistics Relating to Roll Maintenance Activities, and my estimates based upon other published official statistics for the same date. If my estimates are anywhere near correct, general enrolment levels taking Australia at large have been almost uniformly in the high nineties from 1947 to 1961, and from 1961 onward around, or in excess of, 100%. The statistics of Appendix II may have served to mask this situation.

Cell C90

The Benchmark 30 June 1981 Population Figure

The population shown in cell C90 (14,561,521) is **not** the census count as retrospectively adjusted for underenumeration. That figure is given in YBA 1991, p. 120, as being 14,923,300. The 14,561,521 shown in cell C90 has been obtained by totalling the population column in Appendix II to the AEC Submission to the JSCEM dated 25 October 1988, which submission gives electoral enrolment statistics as at 30 June 1981. It would be perfectly natural to expect a population figure relating to 30 June 1981 supplied to the Parliament in 1988 to be a final census figure. What must be borne in mind in this case is that whilst the AEC supplied this information in 1988, its source was probably an AEO enrolment study¹⁶ undertaken in 1981-82, at which time even provisional census figures may well not have been available. The Appendix II total (once you have calculated it yourself) is not so markedly different from a **forecast** total population¹⁷ as at 30 June 1981, 14,564,900 persons, obtained from YBA 1979, p. 78, nor from a census **count** of 14,576,330 in a table from YBA 1984, p. 96. I have used the Appendix II totals for eligibility and population to derive the eligible as a percentage of the population at large (E%P) for 30 June 1981 of 65.94%.

If the **final** figure for population (14,923,300) as at the Census date is used with the Appendix II figure of 9,601,679 for the eligible, then the E%P works out, in aggregate, to 64.34% (a reduction of 1.6 percentage points, equivalent to around 150,000 enrolments), provided that the total for the eligible obtainable from, but not stated in, Appendix II is correct. There is in fact a question mark over the figure for the eligible, with it appearing that it should be lower for 30 June 1981 than Appendix II claims. (See notes to cell 190, the last paragraph.)

When, in turn, the Appendix II figure for the eligible is used with the figure for enrolments to derive an enrolment to eligibility ratio (E%E), the ratio will appear **lower** when using the Appendix II figures than the ones that it appears should really apply. Whether it was intended or not, the AEC-supplied figures for 30 June 1981 may have effectively reset the datum for assessing enrolment levels at other times or determining the existence of apparent over-enrolment. A bit like winding back the odometer when selling a second-hand car.

¹⁶ AEC Research Report No.1 of 1989 Sources of Electoral Information, makes reference to the predecessor of the AEC, the Australian Electoral Office, having undertaken enrolment level research in or around 1982.

¹⁷ Does the closeness with which a forecast made in 1979 approximates the Census count of 30 June 1981 indicate that the ABS has well and truly got on top of the underenumeration problem at censuses? Or does it indicate that despite having studied the problem of underenumeration since 1966 there was still no model that allowed for it in inter-censal estimates and forecasts by 1979?

Cell I90

The Benchmark 30 June 1981 Figure for the Eligible

This is a benchmark figure obtained from the AEC Submission to the JSCEM dated 25 October 1988. It comes from Appendix II, "Enrolment/Eligible Population Ratios 1981" (Committee Hansard pages S00697-700). Although the AEC did not supply the Parliament the totals for all the Divisional enrolments shown, this figure is the total for Australia, as calculated from the Divisional figures. The aggregate apparent E%E of 94.78% for this non-electoral benchmark date was not a statistic readily available to the Committee in 1988, as the Commission's failure to provide the numerical totals necessary for its calculation constituted an initial impediment to such a revelation.

Notwithstanding, had such a statistic been available, falling below 100%, as it does, it would have provided no immediate impetus for any member of the Committee to become concerned about enrolment levels generally. If, however, the Divisional eligibility to population ratios calculable¹⁸ from Appendix II had been used as approximate constants in assessing the Divisional levels of enrolment as a percentage of the eligible (E%E) at the other dates for which the Commission supplied figures for enrolments as a percentage of population in Appendix I, a perplexing, and possibly alarming, trend may have been revealed¹⁹.

I had done such an analysis myself, but precisely because the trends seemed to suggest some form of manipulation of enrolments I began to question my assumptions and method. After all, demographic changes could have occurred within Divisions without sinister implications, and boundary changes as the result of redistributions could also bring about demographic change. The cross-check I undertook was to attempt to accurately determine aggregate E%E ratios at various census and electoral benchmarks from 1947 to 1987. This necessarily meant the determination of the proportion of the population eligible to enrol at these times, and that, in turn, meant that both the age distribution of the population and the number of aliens of voting age had to be determined.

¹⁸ It will be noted that Appendix II to the AEC submission showed *electors* as a percentage of population, a subtly different and less useful statistic than that of the *eligible* as a percentage of population, the latter statistic not being shown at all, even though it was needed as an intermediary figure for the calculation of the E%E in the last column of the Commission's tabulation.

¹⁹ That trend was one initially (in 1961) of mainly relatively safe seats of either political complexion displaying apparent over-enrolment, against a background of aggregate enrolment levels of around 90% E%E. Such an aggregate enrolment level was seemingly to be expected, as indications from survey-based studies were that only around 85 – 90% of eligible persons were at any time actually enrolled. As the study moved forward in time it appeared that some (and increasingly, more) marginal Divisions displayed very high or even over-enrolled levels, whilst others did not, with the initially over-enrolled safe or blue ribband seats all the while continuing in that condition, while aggregate enrolment levels rose slowly into the mid-nineties on a percentage basis. **There was also a seemingly distinct difference in the development of this apparent trend in non-joint roll States, it being more delayed therein.** Could it have been that unlawful enrolments were being first effected in safe seats, which were not the subject of close scrutiny by any political party, before being farmed out by way of transfer to more marginal Divisions?

The census of 30 June 1947 was a good place to begin, as at that date there were only 38,653 aliens resident in Australia, the vast majority of them adults. The post-war migration flow had not yet had much effect upon the demographic character of Australia. Determination of the eligible for electoral enrolment was simply a matter of consulting the published official population statistics and determining from the age distribution tables the number of persons 21 and over, and then subtracting from that the number of aliens resident. All other persons were British subjects, and if of age, eligible to enrol. The statistics were even printed so as to show the number of persons 21 and over in those days!

A progressing calculation of the eligible commencing from 30 June 1947 on the basis of a study of published official population, migration, and citizenship statistics indicates a total for the eligible by 30 June 1981 of around 9,300,000 which is around 300,000 fewer than the 9,601,679 claimed by the then AEO. When the number of the eligible thus calculated from first principles is used with the final census figure for population to derive an eligibility to population ratio, that ratio, 62.32%, differs quite markedly²⁰ from the 65.94% implicit within the Appendix II figures.

Was the E%P of 62.32% as assessed by me to have been closer to the true eligibility situation, and to have been applied to the population figure²¹ implicit within the AEO statistics presented by the AEC, an E%E of 100.3% would have been implicit in those statistics. **The Parliament could have been deemed to have been on notice that a situation of full enrolment had evidently prevailed as at the 1981 Census date!**

If the AEO assessment of the eligible shown in cell 190 was inflated, then the effect of the **most seemingly complete enrolment statistics for any given date** (and for such a significant date, 30 June 1981) supplied to the Parliament in 1988 was to wind back the clock with respect to enrolment levels.

²⁰ Could my own estimate of the size of the age-eligible alien component of the population as at 30 June 1981 be incorrect? Obviously, it could be, but so too was the population estimate implicit within the AEO study of 1981 enrolment levels that was the basis for Appendix II of the AEC submission, by comparison with the census final figures.

²¹ Adjustment of census count figures for underenumeration was first done after the 1976 Census. At this time (1976) adjustments were also made to the 1971 Census count for underenumeration at that census. (Was it the case that approval of **retrospective adjustment of statistics** was something that had to wait until after the passage of the ABS Act in 1975, an Act which freed the ABS from Ministerial oversight or direction?) I have assumed the Statistician's final figures to be the most accurate with respect to population, and the evidence for underenumeration to be sound. What if, however, one of the indicators of underenumeration was the electoral roll, and, in that circumstance, the roll was already somewhat inflated? Might not the population come to be overstated? Might not E%E statistics that were in reality slightly in excess of 100% be thereby brought back to appear to be slightly below 100%? I observe that the ABS, in estimating the extent of inter-State migration at around this time, **has used address changes notified to the Electoral Office**, amongst other sources of information. Year Book Australia 1979, p. 84, under the heading "Internal migration", refers.

Cell J90

The Benchmark 30 June 1981 E%P Ratio

Whilst 65.94% is arithmetically correct as the E%P ratio on the basis of the figures provided to the JSCEM by the AEC, it nevertheless appears to be factually incorrect. Independent calculation of an E%P ratio derived from population, migration, and citizenship studies working forward from 30 June 1947 to 30 June 1981 indicates an E%P ratio of 62.32% at the latter date.

An effect of this apparent overstatement, implicit within the AEO statistics supplied to the Committee by the AEC in 1988, of the proportion of the population eligible to enrol, has been to mask a situation in which the true level of enrolment as a percentage of the eligible on an Australia-wide basis may have almost continuously exceeded 100% since 1961.

The disparity of 3.6 percentage points by which the E%P is seemingly overstated in the 1988 statistics is equivalent to around 537,000 enrolments, based upon the final population figure for 30 June 1981, and the situation of 100% enrolment of the eligible, which it seems existed in 1981. That means over half a million names in some way not qualified for emplacement upon an electoral roll have in fact been emplaced²². The question is as to whether the presence of these names has come about by concerted action of a manipulative nature by a relatively small number of persons unknown, or is the sum of hundreds of thousands of individually committed malfeasances having no intended, or at least coordinated, manipulative effect.

²² This number of 537,000 is not suggested as being the limit of unlawfully emplaced enrolments. If credence is given to the survey-based research that finds only around 85% of the eligible are enrolled at any given time, then something of the order of as much as 1.4 million names could have been involved in enrolment improprieties as at 30 June 1981.

Cell L90**Net Change in Enrolment Levels 1 January – 30 June 1981**

The net drop of 63,266 in enrolment I would normally interpret as evidence of the removal of names following a habitation review. It is noteworthy on how few occasions there is any net drop in enrolment between any two benchmarks, and when this does occur, how relatively small the net drop is. This drop is by far the largest so far revealed by the benchmarks available to me and recorded in this tabulation since 1947. It may, of course, simply be that the benchmarks have not on all occasions been close enough to each other in time to reveal the effects of habitation reviews on aggregate enrolment levels due to the steady increase in the eligible population over time more than counteracting the effect of objection action by the time the next benchmark is reached.

It may be, however, if in circumstances of coordinated enrolment manipulation existing, that it was considered necessary to drop off names, given the approaching Census and the fact that in reality (when the characteristic lag in enrolment take-up by the newly age-eligible²³ is taken into account) apparent enrolment had reached 104.24% as at 1 January 1981. Does the expression "drop off names" imply the collusion of electoral officials? Not necessarily at all. One explanation for the apparent rarity of net enrolment drops, in an expanding population like that of Australia, could be that as fast as the electoral administration was legitimately removing names after roll reviews, the same or other names were being re-established on the rolls by third parties. All that a postulated manipulator would have to do to effectively "drop off names" would be to refrain for a period from re-establishing or replacing names that had legitimately been the subject of objection action. As the growth of the eligible population continued, the E%E would gradually return to a level below 100%, and any risk that the discovery of such anomalies might provoke more thorough investigation would abate. The reduced figure for the enrolled as at 30 June 1981, irrespective of how or by whom it was brought about, when used with an inflated figure for eligibility, enabled the E%E shown in cell N90 to appear to be below 100%.

The use of an unrecognisedly inflated figure for the eligible together with an unrecognisedly understated figure for total population meant that any calculation of an aggregate eligibility to population ratio (E%P) would result in a higher percentage than in reality existed. Anyone privately studying electoral statistics and applying this ratio to population figures at other times in enrolment level assessments would obtain a higher figure for the eligible than that which in reality was the case. The corresponding E%E would then be lower, and so long as it fell below 100%, there would presumably be little incentive to examine enrolment matters more closely.

²³ It must not be forgotten that the newly age-qualified lag is not a figure on public display, although the AEC Research Report No. 1 of 1989 quantifies it fairly thoroughly.

Cell I91

My Estimate of the Eligible as at 30 June 1981

The estimate of around 9,300,000 eligible was arrived at by estimating the size of the age-eligible alien population as at 30 June 1981 and deducting it from the total population 18 and over at that date. This was done by commencing at the base date of the 30 June 1947 Census, at which date it was known that there were only 38,653 aliens in Australia. Comparison of subsequent net migration statistics relating to non-British migrants with records of grants of Australian citizenship over the same period allowed a crude estimate²⁴ to be made of the total number of persons who, if still alive in 1981, would still have been of alien status and disqualified from enrolment and voting.

I suspect that the deaths of many persons who constituted the net alien migration numbers between 1947 and 1981 may nevertheless have had negligible effect upon the overall size of the age-eligible alien component of the population as at 30 June 1981. The reason for this is that, by and large, the persons being granted Australian citizenship would have been the older component of the alien population at any given time. The persons thus most statistically likely to die are continually moving out of the alien population, **and their deaths, when they occur, are deaths of Australian citizens that do not reduce the size of the alien population** arrived at as being the difference between the sum of net alien migration and the sum of citizenship grants between 1947 and 1981. The alien population in Australia has thus effectively acquired some of the characteristics of eternal youth. The only deaths that serve to reduce the size of the crude estimate are those of persons who lived **and died as aliens** between 1947 and 1981.

Allowance was also made for the fact that around 25,000 of the citizenship grants that were made were to British citizens who had been eligible for enrolment in any case.

²⁴ It is highly likely that my estimate of the resident alien population is understated. I have based its calculation upon the net migration gain figures throughout the period. The reality is that a quite significant number of native born Australians depart permanently, or if not permanently, for extended periods measured in years or decades. Whilst assessment of net migration gain of necessity takes this fact into account, there is no accounting in that assessment of how many persons, **in addition to the net migration gain**, had to have migrated into Australia **to offset the native born departing**. Such immigrants, inevitably, would have contributed to the resident alien population in exactly the same manner as those immigrants already accounted for in the net migration gain. It is not the overall numbers in the population that are in question, but the **proportion** of that population that is of alien status. As an indication, YBA 1995, p. 150 displays a table that indicates that from 1971 to 1981 around 110,000 Australians permanently departed. Perhaps as many as 250,000 may have departed between 1947 and 1981, but some of these will undoubtedly have returned, so it is difficult to put a precise number to the expatriate population. The numbers involved are not small, however, and only serve to support my contention that the figure given for the eligible as at 30 June 1981 in the AEO statistics provided to the Parliament is significantly over-stated.

Cell I92**My Estimate of the Eligible as at 30 June 1981**

Between 30 June 1976 and 30 June 1981 there was a net migration gain of 273,995 persons. (YBA 1991, p. 120 refers) Persons over 18 still alien at 30 June 1976 I assessed as numbering around 883,000. Between 30 June 1976 and 30 June 1981 there were 344,825 persons granted citizenship. (YBA 1983, p. 148 refers) Total population, as at 30 June 1981, was 14,923,300 persons. (YBA 1991, p.120)

Allowing that around 45% of net migration gain for the interval comprised persons with British citizenship (a significant proportion of which was from New Zealand), around 151,000 persons who remained ineligible on citizenship grounds now augmented the alien population in Australia. Of these 151,000 persons, allowing that around 30% may not have been qualified for enrolment by age, around 106,000 who were age-qualified comprised the net migration gain disqualified by alien status. When added to the 883,000 adult alien population as at 30 June 1976, the simplistic estimate of the adult alien population as at 30 June 1981 was around 989,000 persons.

The 989,000 person estimate is simplistic because no account has been taken of persons who arrived in Australia as alien children who have hitherto been excluded from estimates of the adult ineligible because they were not age-qualified, but who have progressively since 1947 attained adult age whilst still being aliens. I estimate that up to 250,000 persons that had arrived as children between 1947 and 1981, by 30 June 1981 augmented the resident adult alien population, bringing it to around 1,239,000 before adjustment for citizenship grants over the interval 1976 – 1981.

I estimate around 242,000 citizenship grants (out of the total of 344,825) were made in the interval 1976 – 1981 to persons who were 18 or over by 30 June 1981. When this is subtracted from the 1,239,000 above, the estimated age-qualified resident alien population as at 30 June 1981 would have stood at around 997,000 persons.

From the age distribution table for the population at large as at 30 June 1981 in YBA 1983, p. 123, it is possible to calculate the percentage of the population 18 or over. This comes to around 69.84%, and when applied to the final census figure of 14,923,300 gives 10,422,432 persons as being age-qualified for enrolment. From this 10,422,432 age-qualified must be subtracted the figure for the resident adult alien population of 997,000 persons, which gives a figure for the eligible as at 30 June 1981 of 9,425,432 persons. This figure should be further reduced by around 25,000 because around this number of citizenship grants over the period from 1947 to 1981 were to persons who were already holders of British citizenship (and thus entitled to enrolment) at the time of grant. The size of the resident adult alien population, hitherto reduced on the assumption that all citizenship grants were to aliens, must be adjusted upwards as a consequence by the same figure. When this is done the

eligible stands at 9,400,432 persons. It should be noted that in this estimation of the eligible the **final** census population figure has been used.

Of the 346,970 persons assessed by the ABS as not having been enumerated, how many should reasonably be expected to have been illegal immigrants or overstayers? As illegal immigrants or overstayers, such persons should be considered similarly to resident adult aliens when it comes to estimating the eligible for electoral enrolment. It is logical to expect that such persons would seek to escape being recorded in the census. Somewhere between 50,000 and 150,000 seems realistic²⁵ for this category. Taking a middle figure of 100,000 for this allowance could see the estimate for the eligible at 30 June 1981 reduced to around 9,300,000 persons.

²⁵ YBA 2001 sheds some light on this matter of illegal immigration or overstaying of visas. On page 186 there is a graph on which is plotted overseas visitors arriving and, separately, overseas visitors departing. Over the 40 years from 1959 to 1999 the plot of arrivals is consistently higher than that for departures, and while the gap varies in size over the years, at no point do departures outnumber arrivals. Whilst it is not stated expressly how many overstayers are in the population, I believe the graph indicates something of the order of 100,000 as at 30 June 1981. A table on page 187 shows the number of overstayers detected for the years 1990 to 1999, but it is not clear as to what extent, if any, detection is followed by deportation, nor what the size of the overstaying component of the population is at any point in time. This latter table seems to indicate my estimate for 1981 may be very conservative.

Row 94

The Last Printed Mid-Term Roll

I suspect that the 1982 "mid-term" roll print was the last Commonwealth electoral roll ever printed shortly after a habitation review. I do not know for certain whether there had been a habitation review in 1981-82, but the net drop in enrolments shown in cell L90 as having occurred some time in the first half of 1981 is indicative of there having been such review²⁶.

There was, I think, no roll specially reprinted for the 5 March 1983 Federal elections. I recall magenta supplementary lists were available in association with the 1982 print when I purchased a copy of the roll in 1983. That roll was also printed by **sub-divisions**, as the law then, and as it has continued since, required. If in fact those magenta supplementary lists were printed for the 1983 Federal elections, it is likely that the 1982 print was used as the basis for the certified lists for the conduct of those elections, with the Divisional Returning Officers striking through names that had been removed since the date of printing.

Anyone could quickly gauge the extent to which new names had been added to a roll since the last print by looking at the supplementary list. Particular names claimed to be those of persons newly resident at particular addresses since the last print of the roll could be checked for accuracy and truthfulness. The extent and identity of names removed was a little less easily determined, but still a matter of record. All that was needed was a certified list that was superfluous to actual election requirements. The ability to identify the **names removed** is important in that such would have included **a sub-class of names removed where habitation reviews had recently found the presence of those names on a roll to be unsubstantiated.**

The only acceptable reason for a particular name disappearing permanently from the rolls was that of death, which in virtually every case was a matter of precise record. All other specific names being removed should only have been by way of transfer or objection action by the DRO. In the case of transfer of enrolment to another Division, the particular name being removed from that Division would simultaneously re-appear on the roll for a different Division, backed up by an enrolment claim requesting the transfer of enrolment. Names removed by objection action following ERR should, by and large, **not have re-appeared** on any other roll, as the very reason for the removal was that the elector (if such really existed) had evidently moved on **without** making any transfer claim.

²⁶ The Commission's statement in its 25 October 1988 Submission to the JSCEM indicates that there may have been an electoral roll review in 1981, but does not positively confirm that one was completed. The Commission's words (speaking with respect to ratio of names added to net start roll figures) were: "However the change in habitation review practice from being a regular event in the 1950s and 1960s, to an **unreliable event in the early 1980s when activity might not proceed to completion**, to a biennial event in the mid 1980s, appears to have had some effect on the non-review years."

A situation of apparent full enrolment prevailed in the early 1980s. The routine printing of post-ERR mid-term rolls provided a record of names against which a subsequent certified list for an election could be compared at some time in the future. The emergent capabilities of the personal computer to make such comparisons were beginning to be recognised. Soon it would be possible for small interest groups, or even individuals, to scan printed rolls into a database program and make the necessary comparisons. If such comparisons were to be made, **no matter how long delayed after the actual event**, the game could well be up. Should different names to those removed by objection action in excess of the number of newly qualified persons expected to appear have actually appeared on the rolls, **then proof would exist that a proportion of names on the rolls were being unlawfully emplaced.**

The mantra of the AEC, recited over the years in response to questions as to the accuracy of the rolls, that "the Commission has no evidence of significant fraudulent enrolment occurring" would cease to sound so reassuring.

The next set of rolls printed were the rolls required for the 1 December 1984 Federal elections. The 1984 print was effectively an "election" print, as distinct from a "mid-term" print. This was so particularly because, for the first time, the electoral rolls were not printed as separate sub-divisional rolls as the law then, and to this day, requires where sub-divisions exist, but as one amalgamated Divisional roll²⁷. The fact that a post-ERR mid-term roll did not get printed in the same format as the roll for the preceding election is important. If there was to have been a body of unlawful, or unlawfully positioned, enrolments within the rolls, there would have been no outward hint as to the identity of such names unless there was some benchmark against which name turnover could be compared. The production of one such benchmark, whether intentionally or by coincidence, was avoided in 1984.

There was, as is now well known, no electoral roll printed during the life of the Parliament elected at the 1 December 1984 elections, in contravention of the provisions of the CEA as they were then framed.

²⁷ The AEC has attempted to claim authorisation for this change where no authority existed. In a submission to the JSCEM dated 7 November 1988, in paragraph 7. (Page S00845 of the Committee Hansard), the Commission states that "The change referred to [the change in roll format to accompany the introduction of Division-wide voting] was in fact made in the 1983 amendments, on the Committee's recommendation, and applied for the first time at the 1984 election." **The Commission's claim is not correct.** The 1983 amendments did not alter the requirement that the rolls be kept by sub-divisions, nor did they contain any legislative authorisation for the roll format adopted by the AEC for the 1984 elections. This very issue would have come under the umbrella of the contention over the regionalisation plans of the AEC and its **interpretation** of the CEA to purportedly authorise what the wording of the Act clearly did not permit. The matter ended, I understand, in a standoff between the Special Minister of State and the Commission some time in 2004 before the Federal elections. The Commission claimed it had a legal opinion that justified its interpretation of the Act to authorise the amalgamation of Divisional offices, the Minister asked the Commission to produce the legal opinion, and the Commission subsequently declined to do so. In the light of hindsight, it would appear the Commission's claim in its 7 November 1988 submission is of like nature to its claims with respect to office amalgamations as they relate to roll keeping, and is somewhat misleading of the Committee, and the Parliament. The Commission's subsequent failure to provide the requested legal opinion, if it is continuing, would appear contemptuous of it

There were 1,175,000 "gone" notations made by the AEC in connection with the 1986-87 electoral roll review. Whilst in some Divisions by the time of the 12 June 1987 roll close for the 11 July 1987 Federal elections objection action in connection with the ERR had been taken, in the majority of Divisions, apparently by direction, it had not. So although the "mid-term" roll that should have been printed by mid-1987 was omitted, even the roll printed for the 11 July 1987 elections was not a post-ERR roll. Between March 1983 and July 1987 three successive enrolment benchmarks prescribed by law had either been omitted or rendered ineffective by departure from the law.

Shortly after 1987, the provisions of the CEA were changed such that the only printed roll available (on a much more restricted basis) during the life of a Parliament would effectively be the one on which the last election had been conducted. **Without saying so in as many words, the printed "mid-term" post-ERR roll was abandoned.** There would no longer be any magenta supplementary list at election times publicly recording new names since the last mid-term print, because there would now be no mid-term print. There would no longer be any defacto list of names removed since the last print with the removals struck through – an entirely new list would be printed just for the election. The DRO would know it was the "certified" list because the Electoral Commissioner told him so! There was no longer any printed, publicly accessible, post-ERR historical record of names enrolled that could be used in any attempt to determine whether any unlawful emplacement or positioning of enrolments at election times might have occurred.

It is now 23 years since Australia has seen a post-ERR mid-term electoral roll printed and available to the public. With the move from periodic electoral roll reviews to continuous roll update (CRU), the last obligation to maintain any form of unalterable public electoral enrolment benchmarking was eliminated. What has been kept hidden from discovery as a consequence?

Cell K99

Gaps in the Records

Despite the fact that the COM II roll management system was able to supply figures presented in Appendix V for 1981-1983, and for 1985-1987 in Appendix VII, no roll transaction figures for 1984 were provided to the JSCEM in the AEC Submission. Consequently, the figure of 9,553,917 enrolments as at 1 January 1984 has had to be calculated from the net results of the enrolment transactions for 1983 obtained from Appendix V.

Row 100

The Conditional Disfranchisement of the British Citizens

Change to Eligibility. It is important to recognise a change to eligibility for enrolment that took effect throughout Australia from 25 January 1984. This change related to holders of British citizenship, whose previously recognised right to enrol and vote in Australian elections subject to their meeting the residence requirement was either denied or qualified at this date. It was denied if such persons were not already enrolled upon an electoral roll, and for those who were already enrolled, it was made conditional upon their remaining upon such a roll.

How Many Were Involved?²⁸ In 1986 I crudely estimated the British citizens 18 and over in Western Australia as being 4.86% of the population. This estimate, when expressed as a percentage of the population 18 or over, equates to around 6.75% of the potentially eligible immediately prior to the change. Something of the order of 60,000 persons were thus conditionally disfranchised in that State by the change. The key point with regard to the conditional nature of the disfranchisement is that it is officially claimed that it is not known how many electors on the rolls throughout Australia as at 25 January 1984 were British citizens, nor, by name, who they were. **Uncertainty as to the size of the electorally eligible proportion of the population was created as the immediate consequence of this legislation.**

Why Was It Done? What if a very significant proportion of migrants from the UK and Ireland, who, although eligible to enrol, had not taken advantage over the years of this right, and this fact had become known to persons interested in emplacing unlawful electoral enrolments? It would have been a very simple matter to have committed what amounts to a huge identity theft, and used the absence of these British citizens enrolments from the rolls as cover for an equivalent number of other enrolments, the particulars of which would be known only to those emplacing them. If, however, later in life significant numbers of these British citizens began to lawfully enrol **themselves**, there would not be room within a proper enrolment accountancy for all of the electoral enrolments now coming to be on the rolls. The rolls would become over-subscribed. More to the point, someone might **notice** that fact, and an inquiry might result. A huge, yet absurdly simple, electoral racket that is, in the extraordinarily lax Australian electoral enrolment and voting system **essentially undetectable**, might come to light. Whilst it may not have been the purpose of this legislation, it has to be acknowledged that an effect of this conditional disqualification was to establish a ready made explanation for any anomalous over-

²⁸ As at 1981, around 1,100,000 persons in the Australian population had been born in the UK or Ireland. For what it may be worth, YBA 2000 contains the claim, in the section headed "Citizenship" that "between 1949 and 1965, only 4% of citizenship grants were made to former citizens of the United Kingdom and Ireland." Whether this evident reluctance to surrender British **citizenship**, as distinct from the British **nationality** such migrants shared with native-born Australians, indicates that few took up the right to electoral enrolment they held by virtue of their nationality, is not so clear. I would suspect that a substantial proportion of such may not have taken advantage of this right, but that significantly more than the 25,000 that represented 4% of all citizenship grants up to 1981 would have done so.

enrolment, an explanation that might act to discourage more penetrating inquiry into enrolment levels and electoral administration generally. An apparent over-enrolment of up to around 107% for Australia at large, discovered at any time after 25 January 1984, could be readily explained away by saying that, apparently, almost all British citizens must have exercised their right to enrol prior to the 1984 cut-off date. Without the evidence of any study, who could gainsay it? Without knowledge of the names used, who could correct the rolls?

How Should It Have Been Done? If it was important enough that legislation was necessary to deny British citizens eligibility for enrolment, why were not **all** such then on the rolls removed? Could it be that, as a consequence of the fact that the identity of the British citizens on the rolls was not known, the only way to with certainty remove them was by completely recompiling²⁹ the rolls from scratch? Recompilation of the rolls, to be effective in enforcing the new citizenship criterion, would have required the attendance in person, together with the presentation of evidence as to citizenship and identity, of **all persons eligible** for enrolment at a nation-wide re-enrolment. Historically, the permissibility of simply posting in a freely available enrolment claim card said to have been witnessed by a person **qualified** to be an elector (but not necessarily enrolled as such) without any requirement for lodgement or witnessing **in person**, nor the presentation of any identification, had made enrolment very easy. Was it to have been that advantage had been taken over the years of this incredible ease of enrolment with the intent of manipulation of whole elections, such a recompilation of the electoral rolls would have constituted a disaster for any manipulator.

²⁹ It is interesting to observe the provisions of Section 85 of the CEA relating to the preparation of new rolls. Sub-section (1) authorises the preparation of new rolls "whenever directed by proclamation". Sub-section (2) goes on to amplify that the proclamation may specify the manner in which rolls are to be prepared. Sadly, sub-section (2) concludes with a proviso that effectively protects any **already unlawfully emplaced enrolments** from the specifications as to manner of preparation of the new rolls that may have been designed to root out just such abuse. This sub-section allows **all** of the enrolments on the old roll **to be transferred en masse** to the new roll without any requirement to even submit a new enrolment claim! The first part of sub-section (2), when taken together with sub-section (1), prescribes or permits virtually all that may be necessary to remove unlawful enrolments. It looks to be good responsible legislation. The proviso following on its heels, however, promises to totally negate the intended effect of the legislation or any proclamation made under it.

I suspect the High Court might hold the proviso to be of no effect if it can be shown that it would negate the intention of the rest of the legislation of which it forms part. I further suspect that this would be especially so if the fulfilment of the acknowledged purpose of the legislation could be achieved in no other way than by whole roll recompilation. The purpose of Section 85 of the CEA is to authorise the preparation of new rolls at such times and in such manner as the Governor-General in Council proclaims and directs. Presumably new rolls would be justified if the integrity or format of the old ones were seen to be, or suspected of being, in some way deficient or frustrating of the intent of electoral or other legislation. Such other legislation could well be that which discriminatorily disfranchises some, but not all, holders of British citizenship. More to the point, it could be Section 61 of the Constitution of the Commonwealth of Australia.

It may appear to the Governor-General that recompilation of the rolls is prudent or necessary for the upholding of the Constitution, or the prevention of sabotage thereto. He may be able to proceed, without any ruling from the High Court, in the exercise of his reserve powers to proclaim such measures as seem appropriate for the recompilation of the rolls **without the need for any further legislation**. It would be poetic justice if legislation that selectively disfranchised a significant segment of the community, and that had as a side effect something of the character of a smokescreen for enrolment abuses, was itself the trigger for lawful corrective action with respect to the compilation of the electoral rolls.

Scope for Unlawful Enrolment. This change to eligibility to enrol means that many Divisions could show an over-enrolment of 107% or more. If the AEC research that found that only around 85% of eligible persons are actually enrolled at any given time is accepted, then it has to be accepted that in a Division showing an E%E of 107% around 20.6% of all the names on the roll would be likely unlawful. When it comes to actually exploiting such unlawful enrolments at an election, the proportion of the official valid vote that they comprise would be even greater than 20.6%. If it is assumed that the names in which no vote is claimed (typically around 5%) and informal votes (commonly 2 or 3%) do not feature in coordinated electoral manipulation, the unlawful component of the official valid vote could be as great as 22.3%. In a simple head to head contest, a candidate obtaining only a little more than 27% of the **lawful** valid votes cast could be placed in a position of winning by one vote if assisted by an **undetectable** fraudulent vote obtained through the unlawful enrolments on the roll. If such an inversion of a simple head to head contest is possible with such relatively small (7%) **manifestation** of enrolment irregularity, it is not difficult to imagine how contests involving closer margins or more candidates could be decisively influenced with much less fraudulent vote. The E%E doesn't need to be over 100% for a real threat to electoral integrity to reside in the rolls!

Enrolment Levels in 1984. By the time of the roll close on 2 November 1984 for the 1 December 1984 Federal elections, enrolments were nudging 100% of the theoretically possible in aggregate. At the same point in time there were around 280,000 persons in the newly age-qualified lag that were eligible, but had not got around to effecting their enrolment. Were these persons to have been deemed to have been enrolled at this date, an apparent enrolment level of 102.7% could be considered to have been reached. All of this without having removed the British citizens from eligibility in the calculations! Was there something wrong in the electoral rolls?

Cell L105

The Unremarked-Upon Net Enrolment Surge in Late October 1984

This net surge of 146,386 enrolments since the October 1984 Section 58 certificate's various report dates is interesting. Relatively few working days elapsed between some States' October reporting dates and the roll close date of Friday 2 November 1984. There was a net surge of 37,165 enrolments in NSW between the end of business on Tuesday 30 October 1984 and roll close at the end of business on Friday 2 November 1984, that is, **in just three working days!** The net surge for all of Australia of 146,386 constitutes the equivalent of two-thirds the size of the net surge that was such a *claimedly unprecedented* phenomenon in 1987. The net surge in NSW over the 15 working days of the roll close period in 1987 was 67,217 enrolments. In Queensland the net surge was 22,032 enrolments in the **four** working days following its Section 58 certificate report at the close of business on Monday 29 October 1984. The net surge in 1987 was 39,110 enrolments over 14 working days. Overall, **the rate of net surge per working day** was greater in 1984³⁰ than in 1987!

It is clear **when** this net surge must have occurred, but **where** were the not less than 146,386 new enrolments processed into the roll management system? The processing of enrolment claims and entry of names onto the rolls during the roll close period at any place other than the Divisional office for the Division to which the claim related did not become lawful until amendments to Section 102 of the CEA became law on 3 June 1987. In 1987, with seemingly **less pro-rata claim processing workload**, Divisional offices were swamped with claims and had to call upon State Head Offices for assistance. There are, to my knowledge, no reports of this sort of situation in 1984. Were enrolments and transfers processed into the rolls after roll close, and/or were they processed away from the statutorily prescribed oversight of the DROs³¹ in the roll close period in 1984?

³⁰ It must be borne in mind that the **extent of net surge** of itself may not be a reliable indicator of the **total number of roll transactions** in the respective periods. However, any significant variance between the extent of net surge and total roll transactions in the respective roll close periods would itself seem to require explanation if it in fact occurred.

³¹ It is very believable that claims for enrolment or transfer were processed contrary to law during and/or after roll close in 1984. The AEC was intent upon introducing Divisional rolls, as distinct from Sub-divisional rolls, to facilitate Division-wide voting for the first time in the conduct of the 1984 Federal elections. It would not be surprising to find that the roll printing schedule to produce this new roll format conflicted with the existing Divisional office roll keeping and enrolment claim processing procedures, and Divisional office work schedules, during a roll close. Perhaps a reason that the 1984 net enrolment surge has been so little remarked upon was that workloads were not placed upon Divisional staff, **but enrolments were entered directly at State Head Office or Central Office level**, ostensibly to meet the requirements imposed by the format change and printing schedule. The first that DROs may have known of the surge may have been as late as the delivery of the printed rolls for their certification, and indeed they may not have realised the extent of the net growth for some time after that, masked as it was by the changed format. Such a scenario might also explain DROs concerns and sensitivities in 1987 with respect to roll certification, as they may have been faced with a "blank cheque" certification put upon them in 1984 and rightly resented it. Given that there was change to the roll format, it would be interesting to know the details of its proclamation in 1984, as seemingly required under Section 85 of the CEA.

Cell L111**Section 58 Certificate Sleight of Hand?**

The net drop of 106,402 enrolments over the period from January 1985 to December 1985 may be indicative of the removal of names over this period in accordance with electoral roll review procedures. The problem with this possible explanation is the timing of the net drop in enrolment. The AEC has indicated that habitation reviews were biennial events in the 1980s. Such reviews were undertaken in 1986-87. It is unclear whether 1985 would also have been a year during which removals following ERR would have occurred.

There exists another possible explanation for such a net drop. With Section 58 of the CEA permitting (and indeed almost requiring) the reporting of totals of Divisional enrolments in each State on different days in each month, it is possible for the total enrolments in such certificates, Australia-wide, to be over or under-stated. If enrolments are transferred out from, say, NSW in one month after that State has reported total enrolments in accordance with Section 58, and into another State, say, Queensland in the same month but before Queensland's report date later in that month, then all those enrolments will be counted twice. In such circumstances, the monthly total for Australia will be overstated. Conversely, if a transfer were to go in the opposite direction within the same time frame, the monthly total for Australia would be understated. Perhaps the net drop shown in cell L111 represents an accumulation of such understatements.

Cell L121

The 1987 Roll Close Enrolment Surge

The net growth of only 22,057 enrolments between the May Section 58 certificate total for Australia and the roll close conflicts with the AEC claim that there was an enrolment surge **after** the announcement of the elections. The GN9 gazettal established that a very large part of the surge was already in the roll accountancy system **before** the elections were announced. The AEC has seemingly sought to establish its claim that the surge occurred after the announcement by successive revisions of the May 1987 Section 58 certificate (GN10, GN13, and GN15), all of which contained arithmetical errors. The total discrepancy between the first gazettal and the last was 204,880 enrolments. Quite apart from its sheer size, the significance of the discrepancy was that anomalous bulk inter-State transfers were seemingly an inexplicable feature of transactions at this time. This discrepancy is the subject of a separate report.

It is important to note that there were two separate discrepancies with respect to enrolment accountancy at the roll close for the 1987 Federal elections. The first was the one as to **when** a net increase of 204,880 enrolments had occurred within the roll accountancy (the one spoken of above), whilst the second was a discrepancy of 6,777 enrolments between the Section 58 certificate total for Australia as at 12 June 1987 and the official record of total enrolments for the Federal elections as at the same date. The latter discrepancy, because it was a net increase, raised the spectre of an unknown number of enrolments in excess of 6,777 having been added, whilst others were removed, **after** the rolls had closed. Cells K120 and K121 reveal this discrepancy in the spreadsheet.

AUSTRALIA-AGGREGATE ENROLMENT LEVELS 1947-1987

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V
	Date	Benchmark	Population	Eligible	%P	Enrolled	Increase since last election	Net Increase since last election	Apparent %E	Number of Names Not Enrolled	Mobility Lag	Newly Age Qualified Lag	True %E									
1																						
2	28-Sep-48	Federal elections	7,465,061	4,861,248	0.6512	4,739,853	N/A	N/A	97.50	121,395		138,000	100.34									
3	30-Jun-47	Census	7,697,368	4,947,400	0.6512	N/A	N/A	N/A	97.50	121,395		138,000	100.34									
4	1-Jan-48		7,838,828																			
5	1-Jan-49		7,794,890																			
6	10-Dec-49	Federal elections	8,003,500	5,018,195	0.6270	4,913,664	173,801	173,801	97.92	104,541		140,000	100.71									
7	1-Jan-50		8,050,892	5,047,903	0.6270	4,908,747	3,907	3,907	97.26	138,156		140,000	100.04									
8	1-Jan-51		8,307,500	5,192,188	0.6250	4,904,501	-5,246	-5,246	94.46	287,687		142,000	97.19									
9	28-Apr-51	Federal elections	8,362,657	5,205,754	0.6225	4,962,875	58,174	49,021	95.33	243,079		142,000	98.06									
10	1-Jan-52		8,528,129	5,274,648	0.6185	4,987,468	34,794	49,021	95.33	243,079		142,000	98.06									
11	1-Jan-53		8,739,847	5,331,307	0.6100	5,020,811	23,342	105,078	94.18	310,496		144,000	97.44									
12	9-May-53	Senate election	8,780,637	5,312,285	0.6050	5,087,753	48,942	105,078	95.40	244,532		144,000	98.88									
13	1-Jan-54		8,903,008	5,288,906	0.5938	5,080,440	-7,313	105,078	95.72	226,166		145,000	98.11									
14	29-May-54	Federal elections	8,958,609	5,319,658	0.5938	5,080,000	29,560	22,247	95.68	229,658		145,000	98.41									
15	30-Jun-54	Census	8,986,500						95.68	229,658		145,000	98.41									
16	1-Jan-55		9,090,355	5,338,184	0.5838	5,090,986			95.40	245,198		145,000	98.12									
17	10-Dec-55	Federal elections	9,275,655	5,460,578	0.5887	5,172,443	112,003	82,443	94.72	288,135		146,000	97.42									
18	1-Jan-56		9,311,800	5,436,229	0.5838	5,198,183	25,740	82,443	95.62	238,046		147,000	98.33									
19	1-Jan-57		9,533,334	5,516,940	0.5787	5,216,779	18,596	82,443	94.56	300,161		148,000	97.24									
20	1-Jan-58		9,747,471	5,592,124	0.5737	5,248,271	31,492	82,443	93.85	343,853		148,000	96.50									
21	30-Jun-58		9,846,140	5,648,731	0.5737																	
22	22-Nov-58	Federal elections	9,880,000	5,668,156	0.5737	5,412,885	164,684	240,422	95.50	255,291		149,000	98.12									
23	1-Jan-59		9,951,618	5,709,243	0.5737	5,434,360	21,495	240,422	95.19	274,883		149,000	97.80									
24	1-Jan-60		10,166,173	5,710,339	0.5617	5,426,796	-7,624	240,422	95.03	283,603		150,000	97.66									
25	1-Jan-61		10,391,900	5,715,645	0.5500	5,496,519	69,783	240,422	96.17	219,026		151,000	98.81									
26	30-Jun-61	Census	10,448,300																			
27	9-Dec-61	Federal elections	10,558,593	5,685,903	0.5380	6,692,364	195,845	279,499	100.11	(6,461)		154,800	102.84									
28	1-Jan-62		10,603,931	5,810,964	0.5480	6,690,073	-2,291	279,499	97.92	120,881		156,300	100.61									
29	1-Jan-63		10,810,471	5,902,463	0.5460	6,713,519	23,446	279,499	96.80	188,944		164,600	99.59									
30	30-Nov-63	Federal elections	10,987,404	5,977,148	0.5440	6,876,841	162,322	183,477	98.31	101,307		171,500	101.17									

ENDS
1963

AUSTRALIA-AGGREGATE ENROLMENT LEVELS 1947-1987

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V
31	Date	Benchmark	Population	Eligible	E%P	Enrolled	Increase since last entry	Net increase since last election	Apparent E%E	Number of Names Enrolled	Mobility Lag	Newly Qualified Age Lag	True E%E								
32	30-Nov-83	Federal elections	10,987,404	5,977,148	0.5440	5,875,841	182,322	183,477	98.31	101,307	171,500	171,500	101.17								
33	1-Jan-84		11,022,811	5,996,409	0.5440	5,876,258	4,417		98.03	118,151	172,800	172,800	100.91								
34	1-Jan-85		11,250,708	6,097,884	0.5420	5,934,587	56,329		97.32	163,297	181,100	181,100	100.29								
35	?	Roll Print																			
36	1-Jan-86		11,478,703	6,209,978	0.5410	6,011,034	76,447		96.80	198,944	189,400	189,400	99.85								
37	30-Jun-86	Census	11,550,482	6,231,000	0.5398						193,500										
38	28-Nov-88	Federal elections	11,857,078	6,288,994	0.5395	6,193,881	182,847	318,040	98.49	95,113	196,200		101.61								
39	1-Jan-87		11,710,387																		
40	30-Jun-87		11,819,638																		
41	25-Nov-87	Referenda	11,892,472	6,415,989	0.5395	6,297,000	103,119	103,119	98.15	118,988	201,800	201,800	101.33								
42	1-Jan-88		11,928,989																		
43	?	Roll Print																			
44	30-Jun-88		12,030,815																		
45	1-Jan-88		12,173,301																		
46	30-Jun-89		12,296,279																		
47	28-Oct-89	Federal elections	12,371,153	6,705,165	0.5420	6,608,233	308,233	309,233	98.52	98,932	218,400	218,400	101.81								
48	1-Jan-70		12,446,027																		
49	30-Jun-70		12,854,783		0.5428																
50	21-Nov-70	Senate elections	12,827,264	6,865,438	0.5437	6,736,700	130,467	130,467	98.12	128,738	229,400	229,400	101.47								
51	1-Jan-71		12,863,600	6,885,145	0.5437	6,736,700			97.84		230,800	230,800	101.20								
52	1-Jan-71		12,799,600	6,959,143	0.5437	6,736,700			96.80		230,800	230,800	100.12								
53	30-Jun-71	Census	12,937,206	7,033,956	0.5437						234,900	234,900									
54	?	Roll Print																			
55	1-Jan-72		13,070,000																		
56	30-Jun-72		13,177,008	7,016,000	0.5324																
57	2-Dec-72	Federal elections	13,210,900	7,033,483	0.5324	7,073,930	337,230	337,230	100.58	(40,447)	243,177	243,177	104.06								
58	2-Dec-72	Federal elections	13,400,000	7,134,160	0.5324	7,073,930	337,230	337,230	99.16	60,230	245,000	245,000	102.59								
59	1-Jan-73		13,283,900	7,072,348	0.5324																
60																					
61	30-Jun-73		13,131,599	7,824,000	0.5958																
62	30-Jun-73		13,380,400	7,824,000	0.5847																
63	8-Dec-73	Referenda	13,483,300	7,898,145	0.5847	7,790,000	716,070	716,070	99.03	76,145	631,000	631,000	107.05								

ENDS
1973

AUSTRALIA-AGGREGATE ENROLMENT LEVELS 1947-1987

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V
	Date	Benchmark	Population	Eligible	E%P	Enrolled	Increase since last entry	Net Increase since last election	Apparent E%E	Number of Names Not Enrolled	Mobility Lag	Newly Qualified Age Lag	True E%E									
64	8-Dec-73	Referenda	13,453,300	7,898,145	0.5847	7,790,000	718,070	718,070	99.03	78,145		831,000	107.05									
65	1-Jan-74		13,489,750	7,887,457	0.5847																	
66	18-May-74	Federal elections	13,544,425	7,919,425	0.5847	7,897,506	107,506	107,506	99.72	21,819		537,000	106.50									
67	30-Jun-74		13,599,100									480,524										
68	1-Jan-75		13,674,150																			
69	30-Jun-75		13,774,400																			
70	1-Jan-75	Dismissal	13,819,433	8,233,618	0.5958	8,262,333	364,827	364,827	100.35	(28,715)		339,106	104.05									
71	13-Dec-75	Federal elections	13,819,433			8,262,333		364,827				305,000										
72	1-Jan-76		13,843,450																			
73	30-Jun-76	Census	13,915,900	8,546,600	0.6142	8,346,000	93,867		97.65	200,600		284,219	100.98									
74	1-Jan-77		13,984,800																			
75	21-May-77	Referenda	14,018,833	8,610,367	0.6142	8,428,400	80,400	164,067	97.86	183,967		277,000	101.08									
76	30-Jun-77	Roll print	14,074,100									278,971										
77	10-Dec-77	Federal elections	14,132,266	8,680,038	0.6142	8,548,779	122,379	122,379	98.49	131,259		283,000	101.75									
78	1-Jan-78		14,161,350																			
79	30-Jun-78		14,248,600																			
80	1-Jan-79	Roll print	14,421,900									284,012										
81	30-Jun-79		14,815,900																			
82	1-Jan-80		14,892,750	9,024,287	0.6142	9,014,920	486,141	486,141	99.90	9,367		293,000	103.14									
83	30-Jun-80	Federal elections	14,769,800	9,071,488	0.6142	9,163,297	148,377		101.01	(91,809)		292,800	104.24									
84	1-Jan-81	COM II operating	14,561,521	9,601,679	0.6638	9,100,031	-63,266		94.78	501,648		291,300	97.81									
85	30-Jun-81	AEC figures	14,923,306	9,300,000	0.6232	9,100,031	-63,266		97.85	199,989		291,300	100.98									
86	1-Jan-81	Census - final	14,576,330	9,300,000	0.6390	9,100,031	-63,266		97.85	199,989		291,300	100.98									
87	1-Jan-82	Census - count				9,133,168	33,137															
88	?	Roll print																				
89	30-Jun-82		15,184,200									287,800										
90	1-Jan-83		15,278,500	9,585,731	0.6274	9,362,091	228,923		97.67	223,640		285,750	100.65									
91	5-Mar-83	Federal elections	16,303,525	9,801,432	0.6274	9,372,064	9,973	367,144	97.61	229,368		286,400	100.58									

ENDS
1983

A	B	C	J	K	L	M	N	S	T	U	V	
Date	Benchmark	Population	Eligible	%P	Enrolled	Express since last Entry	Net Increase since last election	Apparent %E	Number of Names Not Enrolled	Mobility Lag	Newly Age Qualified Lag	True %E
98	6-Mar-83	Federal elections	15,303,625	9,601,432	0.6274	9,372,064	9,973	97.61	229,366		286,400	100.58
100	30-Jun-83		15,376,600				357,144				283,900	
101	1-Jan-84	Roll print	15,488,480	9,716,199	0.6274	9,553,917	181,853	98.33			282,000	101.23
102	?											
103	30-Jun-84		15,579,400	9,774,516	0.6274						280,000	
104	Oct-84	Sect 58 certificate				9,719,880	165,983					
105	2-Nov-84	Roll close	15,649,033	9,818,203	0.6274	9,866,266	146,386	100.49	(48,063)		280,000	103.34
108	1-Dec-84	Federal elections	15,649,033	9,818,203	0.6274	9,866,266	494,202	100.49	(49,063)		280,000	103.34
107	Dec-84	Sect 58 certificate				9,865,772	19,506					
106	1-Jan-85		15,883,800									
109	Jan-85	Sect 58 certificate				9,932,598	48,826					
110	30-Jun-85		15,788,300	9,905,679	0.6274							
111	Dec-85	Sect 58 certificate				9,826,196	-108,402					
112	1-Jan-86											
113	Jun-86	Sect 58 certificate				9,866,087	39,891					
114	30-Jun-86	Census	16,018,360	10,049,913	0.6274							
115	Dec-86	Sect 58 certificate				10,004,066	137,979					
116	1-Jan-87											
117	April	Sect 58 certificate				10,107,157	103,091					
118	27-May-87	Election announced										
119	May	GN9 S58 certificate	16,242,895	10,190,792	0.6274	10,331,156	223,999	101.38	(140,364)			
120	12-Jun-87	Sect 58 certificate				10,346,436						
121	12-Jun-87	Roll close	16,281,060	10,195,915	0.6274	10,353,213	22,057	486,974	101.54	(157,298)	290,000	104.39
122	30-Jun-87		16,263,300	10,203,584	0.6274	10,353,213		101.47	(149,619)		280,000	104.31
123	1-Jul-87	GN9 gazetteal date										
124	11-Jul-87	Federal elections	16,270,808			10,353,213	486,947	101.54				104.39

EXPLANATION OF COLUMN HEADINGS

Benchmark	In column B , a date of electoral or statistical significance, generally an election, a census, or new year at which time one or both of population and total enrolments have been published .
Population	In column C the total population estimated for Australia at the date in question. Black figures are published; blue figures are estimates derived by interpolation.
Eligible	In column I , the total number of persons estimated as being qualified by age and citizenship for enrolment. It is estimated from published statistics on age distribution, migration, and citizenship grants.
E%P	In column J the ratio of the total number of persons estimated as being eligible to enrol to the total population, normally expressed as a percentage of the latter, but in column J expressed as a decimal fraction for calculation purposes.
Net Increase	In columns L and M this refers to the net increase (or decrease, shown in red) in total enrolments. It does not necessarily equate to the total number of new enrolments or roll transactions during the period in question.
Apparent E%E	In column N , the ratio of the total actual enrolments recorded to the total of persons eligible to enrol at the same date, expressed as a percentage, in red if over 100%. It does not take account of the numbers of persons involved in the lags known to occur between persons becoming eligible to enrol and actually effecting their enrolment.
True E%E	In column V , a notional level of enrolment that would exist if all of the persons in the AEC research quantified newly age-qualified lag actually had enrolled. Over 100% shown in red.