



Our Ref: 06/554-2

Joint Standing Committee on Electoral Matters
Department of the House of Representatives
PO Box 6021, Parliament House
CANBERRA ACT 2600

I refer to your letter of 9 February 2011 seeking further information on the AEC's responses to questions taken on notice at the private briefing to the Joint Standing Committee on Electoral Matters on 24 November 2010 with respect to prosecutions for multiple voting, and details of the electorates in which unusual enrolment patterns occurred and the reason for the assessment period being three months either side of an election.

Regarding multiple voting prosecutions, in our responses, the AEC referred the Committee to its submissions to the 2007 election inquiry in which the AEC provided a summary of multiple voter statistics for the 2001, 2004 and 2007 federal elections including data on referrals for investigation and possible prosecution, and the AEC reported there had been no prosecutions based on information from the Commonwealth Director of Public Prosecutions (CDPP). The AEC can only provide data on referrals for investigation and possible prosecution. The decision to prosecute and the conduct of prosecutions are matters for the CDPP.

In the November 2008 Supplementary Estimates hearing, Senator the Hon. Eric Abetz asked a similar question to Mrs Bishop's. In answer to Senator Abetz' request for details of any successful prosecutions on multiple voting where there had not been an admission by the voter, the AEC advised that the CDPP's records did not indicate there had been any defended hearings under sections 339(1A) or 339(1C) of the *Commonwealth Electoral Act 1918* (Electoral Act). The CDPP had informed the AEC that some matters under section 339(1A) had been dealt with ex parte. The AEC does not have any data on these matters.

In response to the Committee's request for further information on the checks of unusual patterns of enrolment, the AEC provides the following:

As part of performing its functions under the Electoral Act, the AEC undertakes both ongoing and periodic activities directed at assessing the integrity of the electoral roll. The AEC conducts specific examinations of the electoral roll to:

- detect patterns that may be evidence of electoral fraud; and
- assess the integrity of the roll.

As for the 2007 election, following the 2010 Federal Election the AEC conducted two specific checks of enrolment integrity to determine if there was any evidence of electoral fraud. The timeliness with which these exercises have been conducted has been improved, with the same processes applied as previously used to enable the collection of longitudinal data.

Enrolment patterns in the three months prior to close of rolls

The AEC compared and analysed enrolment patterns in the three months prior to the close of rolls (COR) for the 2010 election against the 2007 election.

In the three months prior to the 2010 COR there were a total of 1,082,814 new enrolments, re-enrolments and changes of address. This is comparable to the three months prior to the 2007 COR period when there were 1,105,522 such enrolments.

The volume and type of enrolments for all Divisions in these periods were compared and analysed to see if there were any significant variations between these two electoral events. Inter- and intra-state enrolment transfers were included in the analysis.

No significant variations were found between the two events. The absence of any detectable anomalous pattern at this global level of movements into and out of individual Divisions gives prima facie confidence that there is no systematic fraud at play.

COR transaction analysis for nine Divisions

In support of this global analysis, the AEC also examined whether there were any patterns of systemic and organised movement of electors into close seats as such seats may only require small changes for there to be an impact on the result. This examination was conducted by analysing the enrolment transactions in nine Divisions to identify any instances where electors enrolled for a Division in the three month period to the COR and then transferred back to their 'old' address in the three month period following the election.

The period of three months prior to and following the election has been used in conducting previous integrity checking exercises, such as for the 2007 federal election, and was used for consistency in approach. A longer time period is not used as any patterns may be skewed by the legitimate movements of electors, and the AEC is seeking to detect anomalous movements specifically designed to influence the outcome at an election.

The nine Divisions selected were:

- Corangamite, Hasluck and Robertson—chosen as they were the closest Divisions at the 2010 election.
- McEwen and Bowman—chosen as they were the two closest Divisions in 2007 with very small margins (31 and 62 respectively).
- Lalor, Rankin, Curtin and Cunningham—chosen as control Divisions. These Divisions are considered to be 'safe' and the party holding the Divisions has not changed for a number of elections. The selection of these Divisions also provides that the same mix of States is represented as in the 'close' Divisions.

The results from this analysis indicate a very low incidence of this type of movement; a total of 33 electors for the nine Divisions:

Division	Voted and moved back to original address
Boothby	5
Bowman	1
Corangamite	6
Cunningham	2
Curtin	1
Hasluck	1
Lalor	3
McEwen	7
Rankin	4
Robertson	3
TOTAL	33

Based on the AEC's analysis, none of these movements would have changed the outcomes for any of these Divisions.

The ages of the majority of electors returning to their previous address were found to be within the 18-26 age bracket, with only 10 out of the 33 identified electors being over 26 years of age. Further preliminary analysis also indicated that those electors within the 18-26 age bracket are likely to have returned to their family home. This is consistent with the movement of youth out of and back into the family home.

The AEC is in the process of engaging with these 33 electors to determine the reasons behind these movements.

I trust this information is of assistance to the Committee.

Yours sincerely

Ed Killesteyn
Electoral Commissioner

2 March 2011