

SUBMISSION NO. 52

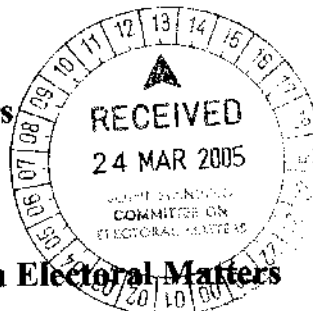
from: PETER E. C. BRUN

**60 Captain Pipers Road
Vaucluse 2030, Australia
Tel 612-9337-5600 Fax 612-9337-6368
Email peter@brun.com**

Joint Standing Committee on Electoral Matters
Submission No. <u>52</u>
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24 March 2005

**The Secretary
Joint Standing Committee on Electoral Matters
Parliament House
Canberra**



Submission to Joint Standing Committee on Electoral Matters

1. Maintaining the Electoral Roll

Summary:

- A partial street-walk and door knock review in the division of Wentworth, based on the electoral roll as of July 2004 (from "Feedback") revealed THIRTY-SEVEN voters were no longer living at their enrolled address. The door-knock covered streets comprising 3.71% of the electorate, and the actual residences reviewed 0.42% of the electorate.
- As of October 22, 2004 TWENTY-SIX of these were still on the electoral roll at those addresses. No changes to the roll had been made between the election and this date, so this was the roll on which the election was run. Some of these may have moved to other addresses within Wentworth, and others to other electorates.
- As of March 23, 2005 TWENTY-FIVE of these were still on the electoral roll at those addresses. The result of a further check of these 25 names will be reported before the committee's hearings commence.
- If these streets comprising 3.71% of the electorate are representative, there would be 701 (26/0371) voters still on the roll, who were no longer living at their enrolled addresses at the time of election.
- It was evident from asking householders, that some voters had not lived at the enrolled addresses for many months or even years.
- 32.8% of enrollable residences were not inhabited by enrolled voters. For flats and units this is 34.2%, while for houses it is 22.9%. In the reviewed streets, units, flats and serviced apartments comprised 67% (1680/2511) of the enrollable residences, and houses 33% (820/2511). An overview of the type of buildings in the electorate suggests that the area reviewed is not representative of the electorate, but even the percentage of houses with no-one enrolled suggests that a systematic habitation review may need to be done during every electoral cycle.

Conclusion:

- At most elections there are seats that are decided by margins of significantly less than 700. In such seats there will always be a floating population LARGE ENOUGH to affect the result.
- Whatever methods used by the AEC, it is impossible for the Electoral Roll to be completely up-to-date. Whenever the Roll is examined, it will always be a snapshot of an earlier date.
- The AEC methodology fails to identify some voters who are still on the roll despite moving many months or even years before.
- While this situation exists, it is possible for an organized group to rig an election without detection by the AEC. (A requirement for ID on enrolment and at polling booths would reduce such opportunities for fraud).

Detail

The writer obtained listings of selected streets in the seat of Wentworth in July 2004 from the Liberal Party's "Feedback" through the then member (Peter King), and carried out a partial street and door-knock review on Oct 4, 5, 6, 7, and 8, 2004 in the week of the election.

The streets reviewed were:

Belgrave Street, Bronte
Bennett Street, Bondi
Birrell Street, Bondi, Bondi Junction, Queens Park, Tamarama, Waverley
Bondi Road, Bondi, Bondi Junction
Dickson Street, Bronte
Hewlett Street, Bronte
Murray Street, Bronte
Read Street, Bronte

Addresses selected for review:

1. 6 or more voters.
2. 4 or more different surnames.
3. What appeared to be 2 couples.
4. Houses that looked uninhabited (considerably dilapidated, empty rooms easily visible, substantial building work).
5. A few residences (houses, units, flats, boarding houses, institutions) where no-one was enrolled, but appeared to be inhabited.



Number of voters on roll in July no longer living at the enrolled address	37
Number of above voters still on roll on Oct 22 at the enrolled address	26
Number of residences in reviewed streets	2511
Number of enrolled voters in reviewed streets	3156
Average number of voters per residence, in reviewed streets – 3156/2511	126/100
Number of residences in reviewed streets, with NO enrolled voters	824
%age of residences in reviewed streets, with no enrolled voters – 824/2511	32.82%
Number of residences reviewed	368
Number of residences reviewed with no enrolled voters	166
%age of residences reviewed with NO enrolled voters – 166/368	45.1%
Number of enrolled voters in residences reviewed	357
Average number of voters per residence in reviewed residences – 357/368	97/100
Approximate enrolment in Wentworth	85,000
%age of electorate in streets reviewed - 3156/85000	3.71%
%age of electorate in residences reviewed – 357/85000	0.42%

	[REDACTED]			
Boarding Houses	6	32	41	
Retirement Centres	1	28	12	
Other Institutions	2	12		
Budget Accomodation	2	4	9	
	[REDACTED]			
Units	1468	1416	534	8
Serviced Apartments	64	28	36	
Shops & Residences	148	148	4	
	[REDACTED]			
Enrollees/Residence		95/100		
Residences with No enrollees/Total Residences		34.17%		
Houses	820	1488	188	52
Enrollees/Residence		181/100		
Residences with No enrollees/Total Residences		22.93%		
	[REDACTED]			
Total				
Enrollees/Residence		126/100		
Residences with No enrollees/Total Residences		32.82%		

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Does the Australian electoral system leave itself open to fraud by corrupt electoral officials?

1. The Electoral Roll.

Can names be invisibly added to the Electoral Roll immediately before and removed immediately after an election?

Is there any independent verification of the accuracy of the printed rolls used in the polling booths?

Scrutineers are not allowed into the scanning centres. Is there any independent verification of what goes on in these centres?

For consideration by the JSCEM.

Should the Electoral Roll be maintained locally in each electoral division with the DRO working in co-operation with registered political parties? Each DRO could feed data into a central system for data-matching purposes, but would remain entirely responsible for the roll in his division. Each divisional computer system would "stand alone" except when it was necessary to go on-line for data-matching purposes.

2. Ballot papers.

- a) Once ballot papers are removed from POLLING BOOTHS, they are removed from the view of scrutineers, and can be lost or substituted, or fraudulent papers added. The best guarantee that ballot papers are correctly counted is within polling booths on election night. Some AEC employees count too quickly and untidily and thereby obstruct the scrutineers in their collective function of ensuring that the count is accurate.**
- b) The same questions must be asked about DECLARATION VOTES. Scrutineers do not attend 24 hours a day in pre-poll stations, or in electoral offices to watch the arrival, opening and marking off of postal votes. Can these ballot-papers be lost or substituted, or fraudulent papers be introduced when scrutineers are not present?**
- c) Does the AEC know how many people vote for other people on election day? I have frequently been told by people that they have voted for an infirm or absent relative or friend. None of course would testify.**
- d) I attended further scrutiny in the Electoral office at Revesby in the Division of Banks in NSW, during the week following the election. I was quite surprised how many ballot papers had been incorrectly sorted in the polling booths and how many obviously informal votes were included in the polling booth counts. The job was clearly not done properly in the polling booths. Was this because political and media pressure to get results out quickly caused counting to be done too quickly or sloppily?**



For consideration by the JSCEM.

Should there be an ELECTION-WEEK rather than an election day? At present with pre-poll and postal voting, and mobile polling booths, voting may take place over a 2-3 week period. These options are for the convenience of voters, who have become accustomed to them. A return to the old system of precinct-voting on election day with no pre-poll option, might not be popular. The committee should consider the introduction of an 8 day election period with say 5 or 6 polling stations in each electorate (many electorates currently have more than 30 polling stations). There would be much better use of resources both in terms of space, equipment, trained staff and scrutineers. Scrutineers should be allowed to attend 24 hours a day throughout the election period. Other conditions might be considered, but some, such as banning exit polls, might be impossible to police.

Other matters

Informal votes.

I attended a polling booth in Dobell on election day in 2004 Federal Election. There were many informal votes for the House of Representatives where the voter had marked the ballot paper with a "1" only. In this booth about a third of all informal votes were in this category. (Does the AEC have nation-wide figures on this?) This situation exists despite clear written and verbal instructions that voters must fill in all boxes. There are probably many reasons for this, including lack of attention by voters, voters whose English is poor and confusion with State voting where optional preferential voting is allowed. Whatever the reasons many these voters probably don't realize that they are voting informally, so this is a form of disenfranchisement.

For consideration by the JSCEM.

1. Ballot papers could have 2 columns of boxes, one to the left and one to the right of the list of names. In one column marking a single box would be admitted as formal, and in the other all boxes should be numbered as is presently required, with instructions to this effect on the ballot paper itself.
2. Co-ordination with the States. (This might be difficult)



Electronic Aids for the Electoral System

1. Can the animal Homo sapiens be fully satisfied that electronic electoral systems are honest and accurate? Sight is our most important sense by far. We cannot see inside a computer.
2. When computers are processing numbers we need adequate cross-checks to be satisfied with computer output.
3. Every day computer users are confronted by attempts to cheat them by viruses, spyware, etc.
4. The Senate vote count is computerized as are the upper house and local elections in NSW.
5.
 - I scrutineered for local elections in NSW in 2004 at the Villawood centre. This is essentially the same process as is used for Federal Senate elections.
 - A scrutineer can spot check a few entries but this is not scrutineering in the accepted sense.
 - There were some problems with the verification process which demonstrated the importance of physical cross-checking. For example a miss-count of one ballot-paper in a batch could throw out all subsequent ballot-papers in that batch. Correcting such errors is time consuming and a missed ballot paper may not be counted.
 - Verification is sometimes unsupervised; this could be an opportunity for fraud.
 - Each batch of ballot-papers is counted before data-entry is started, and many operators put a coloured sticker every 25 papers, which is good practice, but when I noted that some did not do that, I was advised that it was not mandatory.
6. The best indication of accuracy was a recount I attended, where ballot papers were checked against printouts. There was a high degree of accuracy, but I **COULD NOT SEE THE COUNTING PROCESS**. This is invisible, being inside the computer. In my view a physical count of a random sample checked against the computer count is essential to give credibility to the process.

Conclusion.

The committee should question all aspects of computerisation of the electoral system where there are inadequate cross-checks.

A handwritten signature in black ink, appearing to be 'P. Esq.', written over a horizontal line.