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JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Reference: Integrity of the electoral roll

TUESDAY, 27 MARCH 2001

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JOINT COMMITTEE ON ELECTORAL MATTERS

Tuesday, 27 March 2001

Members: Mr Pyne (*Chair*), Senators Bartlett, Faulkner, Ferris, Mason and Murray and Mr Laurie Ferguson, Mr Jull, Mr McClelland and Mr St Clair

Senators and members in attendance: Senators Bartlett, Faulkner and Mason and Mr Laurie Ferguson, Mr McClelland, Mr Pyne and Mr St Clair

Terms of reference for the inquiry:

To inquire into and report on:

- the adequacy of the Commonwealth Electoral Act for the prevention and detection of fraudulent enrolment;
- incidents of fraudulent enrolment; and
- the need for legislative reform.

WITNESSES

BURSTON, Mr John, Deputy Federal Director, Liberal Party of Australia	515
CROSBY, Mr Lynton Keith, Federal Director, Liberal Party of Australia	515
EDWARDS, Mr Bruce Allen, Manager, Parliamentary and Policy, Federal Secretariat, Liberal Party of Australia	515

Committee met at 8.04 p.m.

BURSTON, Mr John, Deputy Federal Director, Liberal Party of Australia

CROSBY, Mr Lynton Keith, Federal Director, Liberal Party of Australia

EDWARDS, Mr Bruce Allen, Manager, Parliamentary and Policy, Federal Secretariat, Liberal Party of Australia

CHAIR—I declare open this hearing of the inquiry by the Joint Standing Committee on Electoral Matters into the integrity of the electoral roll. Political parties are significant users of the electoral roll and have a particular interest in its accuracy. Political parties also bear some responsibility for preventing enrolment fraud. The cases of enrolment fraud so far detected and prosecuted have, in a large part, been as a result of the activities of members of political parties. Political parties can therefore provide a unique insight to this inquiry.

Tonight we will hear from the Liberal Party of Australia. We had hoped to hear from the ALP. Given the evidence that the committee has taken over the last six months, they have had insights into the issues that the committee wishes to inquire into. Unfortunately, after initially accepting the invitation to appear, today they have refused to attend. However, the Liberal Party is here and ready to assist the committee, for which we are grateful.

The Liberal Party of Australia has, for some time, been advocating improved proof of identity provisions for enrolment. The committee hopes to explore the advantages and disadvantages of this approach. The committee will also discuss with the Liberal Party alternative methods of preventing fraudulent enrolment. The activities of members of the Australian Labor Party in Queensland prompted the initiation of this inquiry. The committee would have liked to have examined with the ALP what action it has been taking to preventing such activities from taking place again, and also to have sought the party's views on a range of legislative options aimed at preventing enrolment fraud. Tragically, that will not be possible, as they have refused to attend.

The hearings of this committee are public and open to all, and a *Hansard* transcript of the proceedings is being made. The transcript will be available in hard copy from the committee secretariat or via the Parliament House Internet home page. Before the committee commences taking evidence, let me place on record that all witnesses are protected by parliamentary privilege with respect to submissions made to the committee, and evidence given before it. As you would know, parliamentary privilege means special rights and immunities attached to parliament, its members and others, necessary for the discharge of functions of the parliament, without obstruction and without fear of persecution. Any act by any person which may operate to the disadvantage of a witness on account of evidence given by him or her before the committee is treated as a breach of privilege.

While the committee prefers to hear all evidence in public, the committee may accede to a request to take evidence in camera and record that evidence. Should the committee take evidence in this manner, I remind the committee and those present that it is within the power of the committee at a later date to publish or present all, or part, of that evidence to the Senate. The Senate also has the power to order production and/or publication of such evidence. I should add that any decision regarding publication of in camera evidence, or confidential submissions,

would not be taken by the committee without prior reference to the person whose evidence the committee may consider publishing.

It should be noted that the committee authorises the recording, broadcasting and re-broadcasting of its proceedings today in accordance with the rules contained in the order of the Senate of 23 August 1990 concerning the broadcasting of committee proceedings, except in so far as the proceedings are a name, address or evidence that has been ordered not for publication by the Shepherdson inquiry, although I do not imagine that in your evidence you intend to name too many people who have been covered in such a way.

I welcome the Liberal Party to the hearing today. I would like, at the outset, to emphasise that the inquiry is about the integrity of the electoral roll. It is not an inquiry into internal party matters of any political party, except in so far as they impact on the electoral roll. The evidence that is given at the public hearing today is considered to be part of the proceedings of the parliament and, accordingly, I advise that any attempt to mislead the committee is a serious matter and could amount to a contempt of the parliament.

The committee has received submission Nos 22 and 41 from the Liberal Party of Australia. You might like to suggest if there are any corrections or amendments you want to make to those submissions. Do you have a brief opening statement before we proceed to questions?

Mr Crosby—Thank you. We welcome the opportunity to be here this evening. I have some opening comments. We are very happy to be involved in this inquiry. The Liberal Party has raised the issue of the integrity of the Electoral Act and, most particularly, the matter of enrolments and the legitimacy and veracity of enrolments. In each of our submissions since 1990 to the Joint Standing Committee on Electoral Matters, we have always expressed the view that there is a need not only for the electoral roll and the Electoral Act and the conduct of affairs in relation to the Electoral Act to be above board, but also for them to be seen to be above board.

I am reminded of the first time I presented to one of the predecessors of this committee in 1993, following the conduct of the 1993 federal election. At that time we raised the issue of enrolments and the ease with which people could enrol. We drew the distinction between the difficulty in becoming a member of the Curtin video store versus getting onto the electoral roll. In fact, it was much easier to enrol onto the electoral roll than it was to borrow a video from the Curtin video store. At the time, the Labor Party and, to a fair extent, the Australian Electoral Commission, said that there was no evidence of improper enrolment; there was no widespread practice; and, there was no evidence that the Electoral Act was in any way being breached. They rejected consistently the concerns that the Liberal Party expressed with regard to the need to ensure the integrity of the electoral roll.

Since that time there has been quite a lot of publicity and concern expressed about the veracity of the electoral roll and breaches of the Electoral Act. We think that circumstances since 1993, in particular, have demonstrated that our concerns were legitimate. The complacency of both the ALP and the AEC has been shown to be quite inappropriate.

We lodged two submissions. The first was essentially a reiteration of submissions and points that we have made in earlier submissions to the Joint Standing Committee on Electoral Matters.

It is our view that there needs to be a tightening of enrolment provisions, that the states should adopt the regulations that the Commonwealth of Australia has advocated, to strengthen and improve enrolment ID. It is ironic that the opposition to strengthening the enrolment provisions has been led by the Labor government in Queensland, given events that have transpired in the last 12 months or so.

In making some preliminary comments, I must comment upon the ALP submission which, in my view, is almost laughable in its rejection of the need to do anything. In their submission, the Labor Party talk about the party's longstanding tradition of participatory democracy. Given some of the evidence that has been put to the Shepherdson inquiry and other items that one has observed, their notion of participatory democracy takes the definition to new bounds. We believe that the Labor Party are quite wrong in their claim in their submission that no substantive material has been put forward in the past or currently to justify action in this area. So it is our view that rotting of the electoral roll, particularly as was evidenced in Queensland by Labor Party members, is a very clear indication of both the worthiness of this inquiry and the need for us as a community, and for this committee in its responsibilities, to review the practice.

Mr Chairman, a lot has been said by others about it being very important that people are not denied their right to participate. I think any fair analysis of what we have proposed, which essentially focuses on who is entitled to witness an enrolment and some very simple and not very onerous procedures in that regard could hardly be argued to be a disincentive to people to enrol. The Australian community ultimately must have the confidence that the roll on which elections are fought—we witnessed a recent election where the margin was a little more than 200 votes—is entirely factual and open and that all those who are enrolled are entitled to be enrolled.

So, in making these opening remarks, I stress the commitment of the Liberal Party since 1990—and earlier, but particularly in our submission since 1990—to ensure that the electoral roll and the procedures to get one onto the electoral roll are such that they do not deny legitimate applicants their entitlement under law. But, similarly, they are not so loose and so open to abuse that the democratic process potentially can be undermined because of false enrolments and other inappropriate activity.

CHAIR—Thank you, Mr Crosby. In its amendments to the Commonwealth Electoral Act, the government has proposed that there be a proof of identity requirement for the person witnessing the enrolment form of new electors, and some states have been less inclined to support the government's changes. One of those is Queensland. In fact, Queensland has led most of the opposition, and the legislative affairs committee of their parliament has been quite outspoken in its opposition to Queensland becoming part of the government's changes. Would it concern the Liberal Party if the states went their own way with electoral rolls, as they have in the past, rather than shared electoral rolls with the Commonwealth?

Mr Crosby—I think the best way to guarantee a system has maximum integrity is for all to be involved in it. If people start peeling off when there is very little good reason for that, you have to ask the question: why do they want to peel off? No-one is suggesting that you have to take a blood sample, DNA tests and fingerprints to get people enrolled. All that the Liberal Party has ever advocated and all that the Commonwealth, as I understand it, is advocating is

that simple principles be applied. It applies in so many other ways in the community whether you take out a bank account or you apply for a passport.

Surely the act of voting, the act of determining the future government of the country is sufficiently important that we can have some minimum standards to ensure that we can have some confidence in the integrity of the electoral system. It worries me that we have a situation where states, for no good reason other than it appears their own desire to avoid scrutiny, are wanting to go their own way. Given the problems we have seen in Queensland, for example, where the state premier oversaw many of the preselections and oversaw much of the party's affairs during the time that the electoral roll was so badly rorted, it would concern me that suddenly they would want to conduct the roll and keep it to themselves in that way.

If you want to have confidence in the electoral system and the electoral roll, then the best way to do that is to maximise the participation of the various electoral bodies—the Australian Electoral Commission or the individual state electoral commissions—in the collection of data and in establishing guidelines and rules so that no state can go its own way for its own particular political advantage and can set lower standards than others. But rather you can have a common, uniform, high standard applying to the enrolment of voters in the context of state and federal elections.

CHAIR—Do you think voter ID for enrolment is as important as voter ID on election day in terms of casting a vote? Do you think we could do one without the other or do you think both are necessary?

Mr Crosby—I have to be honest with you and say that, within the Liberal Party, there is mixed views about the extent to which you should have voter ID on polling day. But there is unanimity within our party on the issue of enrolment, because that is the starting point. As you are aware, the key is getting the very basis of which the roll is constructed—that is, the enrolment—as correct and accurate as you can be. Our priority is the integrity of the enrolment process. There are arguments. Personally, I would favour a tighter voting day requirement as well, but there are those who would argue that an onerous provision on polling day itself is less desirable. But where we can start is with the electoral roll.

We should at least as a starting point have confidence in the accuracy of that roll, and that confidence has been undermined. It has been undermined because of the activities of some, particularly in Queensland, but it is not isolated to Queensland. In our supplementary submission to this committee, for example, we draw attention to a reference to a preselection ballot for the Labor Party in Robertson and allegations of improper enrolment there. We can go back to prosecutions in 1993 and 1994 of Labor Party members for improper and illegal enrolment procedures. So the starting point has to be the electoral roll. If we can get the enrolment process cleaned up and tightened satisfactorily, then that will give the community and political parties and all of those who operate within the political environment a greater confidence in the accuracy of the roll. Where we go from there, that is a matter for the future. But the first port of call must surely be the roll on which elections are based.

CHAIR—The committee has taken a lot of evidence in the last six months from witnesses such as Karen Ehrmann, Lee Bermingham, Brian Courtice and others and quite a lot of written submissions have also pointed out quite outstandingly shocking examples of enrolment fraud

and a culture of enrolment fraud perpetrated by groups like the AWU within the ALP. One of the concerns that we have, certainly that I have, is how we would be able to make some legislative proposals that would stamp out that sort of activity in political parties like the ALP in Queensland. Do you have any suggestions for some legislative proposals that would end some of the practices of enrolment fraud within political parties that allow that sort of thing to go on?

Mr Crosby—I think the starting point is where we have put forward proposals in the past within our submission. That is, a satisfactory demonstration that people who seek to be enrolled are who they say they are and reside where they say they reside. It is unfortunate that some would so abuse the electoral system for their own political advantage such that the confidence in that occurring can be undermined. We have been very genuine in the proposals we have put forward in the past regarding tightening up procedures.

There are those who would say that you have to pursue a much more aggressive course. Some would advocate that you should go down the route such as when you open a bank account of having to establish 100 points and having a whole series of criteria that have to be satisfied. In recent times we have not advocated that—certainly in the past we have but not in recent times. We believe it is fundamentally important that you have a category of witness and a proof of identity that is sufficient to give you confidence.

Otherwise you will have the situation that you have seen in Queensland where the Electoral Act and the electoral roll becomes a mere play thing for people's own internal party ambitions. The problem with this whole issue is: where does it start and where does it finish? Members of the Labor Party in Queensland, in a desperate attempt to stack a preselection or to get one up on one of their factional opponents, have rorted the electoral roll; there is no question about that. Some people have said, 'It is one rotten egg or two rotten eggs'—well, it is a whole chook house.

CHAIR—To borrow a theme.

Mr Crosby—Yes, to borrow a theme. Once someone is improperly enrolled and they have got away with it, how do you know that they are not then taking the course of improperly voting? That is the most significant concern. If people are improperly enrolled and they think it is all a game—the MPs and senators and other members of the Labor Party giggle away at how clever they are—once they get away with it once, that process can continue. Then you have an endemic problem as we have witnessed in Queensland. Anyone who suggests it is not an endemic problem need only look at the fact that a deputy premier of a state stood down, a former state secretary left the parliament and people went to jail. This is not one enthusiastic young Labor or young Liberal doing something that they really should not; this is a consistent pattern of behaviour that you must stamp out by ensuring a very clear, thorough enrolment process that is not overly burdensome but of a sufficient standard that you can have a measure of confidence in it.

Will you always overcome every practice that someone who has their own political barrow to push seeks to pursue? No, you will not. I was the Director of the Liberal Party in Queensland for three years, and Senator Bartlett was a senior figure in the Australian Democrats in that state. We have both witnessed, I am sure, the practices of Bill Ludwig and the AWU. But you should still set the standard.

When we made our submission in 1993, we said that it is important not only that the electoral roll be above repute but also that it be seen to be above repute. If we are to restore any confidence in the electoral roll, we cannot go down the course of Mr Walsh and the Labor Party of not appearing at this hearing and putting in a submission that says, 'We are strong advocates of participatory democracy and we don't think there is any need to change. There is no evidence that there has been problems.' Well, there is evidence. It needs to be corrected, and people have to have confidence that steps have been taken to improve the practices. If people advocate—after all that has gone on before—that there is really no need to change, I think they are putting their heads in the sand.

It is ironic that the Australian Electoral Commission has responsibility for conducting the elections in the Australian political context but, under appropriate legislation, they also have responsibility for conducting elections for the statutory offices of trade unions. In conducting those elections, the Australian Electoral Commission imposes higher standards on the elections of statutory officers of trade unions than it imposes on an election for the highest office in the land; that is, a member of parliament or a senator who have the responsibility for passing laws and the governing of a country. Given that so many of those affiliated with the Labor party itself through the trade union movement are prepared to have applying to them a tougher standard of enrolment than applies under the Commonwealth Electoral Act at present, it is really not asking much to lift the standard of enrolment for the purposes of being on the Commonwealth electoral roll.

CHAIR—Are you referring to the identification requirements for being a voter in a trade union ballot as opposed to the identification requirements for being just an ordinary voter in an election?

Mr Crosby—As I understand it—I am the first to admit that I am no expert on the trade union movement, although my father was a shop steward—in relation to the electoral roll for the purposes of the election of a statutory officer of the trade union movement, the AEC must be completely satisfied with the veracity of the roll they use as the basis for such elections, and that requires satisfaction that people are members and are entitled to participate and that it is not just self-selection; whereas it is essentially self-selection under the Commonwealth Electoral Act. You can say you are who you are, and you get away with it. As another witness and I said in 1993 and it remains true today, it is harder to join the Curtin video store and become eligible to take videos out of that store than it is to enrol to vote in an election that will determine the government of the country.

CHAIR—Do you think that the evidence that the committee has taken which has been widely publicised—that is, of this culture of abuse arising out of the AWU and the Queensland ALP and seen in New South Wales in areas like Robertson, and with the parents of Amanda Fazio, the MLC, and the actions of Joe Tripodi which were referred to in crikey.com on 31 October last year and formed part of your supplementary submission—do you think that that culture of rorting the Electoral Act and doing things like Joe Tripodi is accused of, which is producing fake identifications for New South Wales ALP memberships, has shaken the public's faith in the veracity of the electoral roll and the integrity of the electoral system? Do you think that if we introduced identification for enrolment that would go some of the way to restoring that faith?

Mr Crosby—I do not think Mr Tripodi has undermined the community's confidence in the parliamentary system through only that practice but probably through others as well. But, in terms of the future, the community's confidence has been undermined. Whilst there has not been examples to the same extent as we have seen exposed in Queensland in the last 12 months or so, you will recall that even in the early 1990s there have been members of the Labor Party who have been found guilty and fined for illegal enrolment practices. In 1992 it occurred in relation to the Illawarra. That might have been an isolated incidence. But, today almost 10 years on, more and more examples of that have come to light.

What I find surprising is the way the Labor Party just try to dismiss it and say, 'It is just natural enthusiasm, competition and so forth'—it is not. If you cannot have confidence in the Electoral Act, what can you have confidence in? The Australian community has seen time and again through the evidence that relates not only to Queensland but also, as you indicated, to New South Wales. The public has seen the notion expressed by the Labor Party that, if you want to get ahead, it does not matter if you rort the Electoral Act; it does not matter whether you lie about where you live; it does not matter whether you use the correct name—whatever it may be, it is all okay.

How can people have confidence in the system, particularly in tightly fought contests? An election two weeks ago was decided by 200 votes. Less than 4,000 votes Australia wide stand between the current government and the Labor Party—that is 4,000 votes out of 12,500 million or more. People have to have confidence that outcomes are not in any way being improperly influenced by people who are rorting the system. As I say, it may start with, 'We have to get the numbers in a pre-selection, boys and girls,' or 'The Left are up here, so we have to go there,' or in Senator Faulkner's case, 'The Right are up here, so we have to go there.' But what is important is that you do not have that situation arise and then people say, 'We have got away with it now,' which seems to have occurred in Queensland. There is a number of examples of evidence where people enrolled, got away with it and then, within weeks or months, there is a state or federal election and allegations are made that people participated in those elections improperly as well.

So it is very important in order to give the community confidence that these sorts of practices are stamped out and that there are some minimum procedures here. That is all we are arguing. It is hardly unreasonable, yet Labor would let you believe that it is going to disenfranchise tens of thousands of Australians, when in so many other walks of life people are required to have the simplest of evidentiary proof just as we are arguing in relation to the electoral roll.

CHAIR—On the subject of procedures, are you satisfied with the AEC's procedures on the following up of potential fraudulently enrolled or incorrectly enrolled voters? Do you think that the processes they currently employ are sufficient for detecting enrolment fraud? Has it been the Liberal Party's experience, through its intimate involvement with the political process over the last few years, that wrongful enrolments or multiple enrolments or enrolments of post office boxes of several different names at the same address is much more widespread than we have been led to believe? If you could make recommendations about the AEC's internal processes and ways of changing the system, what would they be?

Mr Crosby—Let me start with the AEC's attitude. I think the AEC has wanted to deny for a very long time that there are any sorts of problems. That is understandable in a sense, because

they do not want to undermine the public confidence. But from 1990 when we first most strongly expressed concerns about the electoral roll in the enrolment processes, the AEC said it is not an issue. They and the Labor Party were largely at one—probably coming from different motivations but largely at one—in rejecting any expression of concern. I believe the AEC has an inadequate approach not only to the vetting and verification of enrolments but also to the cleansing and maintenance of accurate electoral rolls.

In the recent Ryan by-election, for example, notwithstanding that the Electoral Commission had embarked on a process of beginning the clean-up of the roll and they have operated a continuous enrolment update process for some time, in the first mail-out of electors that the Liberal Party undertook in that by-election there were 2,137 returns—and that represents four per cent of the voting population of Ryan. That remains a concern. Frankly, I think the AEC have wanted this sort of concern to go away; they would prefer to ignore it.

I have always been concerned that they do not adequately pursue returned mail and that they do not adequately pursue multiple enrolments. We, in our submission to this committee took, just as an example, the situation in Queensland where we demonstrated that there were significant multiple enrolments involving 128,746 electors, and that was just for the purposes of illustration. It is absolutely imperative that the commission much more seriously pursue this matter. I suspect that, if it had done so, some of the problems that have been brought to light in Queensland would not have eventuated. But there is a general reluctance to pursue returned mail and there is a very lax process, in my view, in the treatment of roll management on the part of the AEC.

Mr St CLAIR—Mr Crosby, if I can interrupt you there for a minute: what are your procedures in place when you received all these 2,137 return-to-sender type letters? What do you do with them?

Mr Crosby—We have recorded all those details and we have provided the returned mail to the Australian Electoral Commission. However, anyone who has experience with the Electoral Commission knows that it is potluck whether they all get pursued. Sometimes they do and sometimes they do not. We advocated in one of our earlier submissions to one of your predecessor committees that there should be greater work done with Australia Post, other government agencies and semi-government instrumentalities in endeavouring to match the names and addresses to minimise the prospect of inaccurate rolls.

Mr St CLAIR—Your people did not see any pattern to what was being returned? Is that something that you look for or not look for?

Mr Crosby—We certainly look for it—but not in the recent case, no. It is a resource intensive activity to review returned mail and so forth. Our argument would be simply this: returned mail that has gone to an address on the electoral roll and returned from that address is prima facie evidence that the person no longer has an entitlement to be enrolled on the roll for that electorate—at least at that address—and the AEC should act to investigate and respond.

Senator MASON—Mr Crosby, you said just now that you want to tighten the enrolment procedures for two main reasons: firstly, that people are who they say they are; and, secondly, that people live where they say they live. It is that second limb that has been of major concern

for this committee in terms of proven electoral fraud. In other words, members of the Australian Labor Party exist all right and they are real people but they have been moved into federal electorates at incorrect addresses for the purposes of preselections. Do you think that your submission is strong enough in attacking that second limb—not the first limb but the second limb about the real address?

Mr Crosby—If there were proposals for something stronger we would in all probability support them. But as a minimum we believe that, if you have an appropriate witness, someone in a position of some responsibility by virtue of an office they hold or an occupation they fulfil, they will be responsible people that, firstly, will take the task of witnessing seriously and, secondly, will establish the bona fide of someone. It is a check to ensure that if you say you are Brett Mason and you live at that address, it is using someone of sufficient standing that they will take seriously the responsibility to verify the address as well as the name.

Senator MASON—The principle—and you mentioned this in your opening remarks—really is that the Labor Party is arguing that accessibility or participation is the prime role of this process; whereas perhaps the Liberal Party is saying that integrity is the most important thing; and probably in the end there has to be some balance. But is the Liberal Party organisation satisfied that, by embarking on these integrity measures, participation and accessibility will not be severely compromised?

Mr Crosby—Of course we are. The irony is that some of the people the Labor Party say would be most affected by this, the less privileged or people on public benefits of some sort, are people who have to satisfy much stronger criteria in order to get those benefits. They have to prove, by a 100-point check or whatever it may be, that they are who they say are. All we are asking anyone who seeks to be enrolled is to have a witness that verifies they are who they are and they live where they claim to live. Yet somehow Labor says this is an unfair and onerous burden and will particularly disadvantage those who are less fortunate or who are in some way less privileged. When in fact many of the people who are recipients of government benefits—the point I made just a moment ago—and other things have to satisfy much more stringent criteria to get those benefits in some other context. It is surely very little to ask. It is not possible to legitimately argue, unless you are trying to protect something else, that that would be an onerous burden in relation to enrolment.

Senator MASON—Thank you, Mr Crosby.

Senator BARTLETT—Could you give an estimate, based on evidence to the committee and the Shepherdson inquiry et cetera, a ballpark figure of the number of people who might inaccurately enrolled in a deliberate or fraudulent sense?

Mr Crosby—If we were able to pin down the fraudulent, we would probably know who they were and we could deal with it. We know that roll inaccuracies can be as high as 10 per cent and often average five to seven per cent. Even in the recent Ryan by-election, we draw your attention to the fact that it was four per cent. It could potentially be a non-inconsequential number. The point is that you have to have a system that at least tries to deal with it, and the system we have now virtually does not deal with it at all.

Senator BARTLETT—What about the numbers of people who should be on the roll and are not, younger people in particular but also itinerant people, homeless people, those sorts of things? The numbers there would surely be equal to, if not more than, the sorts of numbers you are talking about, even with your Ryan numbers.

Mr Crosby—You have raised two issues that are quite important. The first is that of young people. The act has been amended to provide people who turn age 17 to be able to be provisionally enrolled. So that essentially gives people 12 months or more before a roll is ever closed to be enrolled. I know the practice is very common in schools and elsewhere today that, when young people turn 17, they are encouraged to enrol. That is one issue.

In relation to itinerant and homeless people, yes, that is an issue. Their participation in the political process is an issue. That has to be balanced, of course, with the fact that, if someone is itinerant, where are they entitled to be enrolled? You do not want to develop a situation where people can claim, 'I am now in this electorate or I am now in that electorate,' and have the capacity just to move wilfully from one to another. Because we have seen with the practices of the Labor Party that, if that sort of flexibility was provided, they would quite happily move people from one electorate to another, and that could completely undermine the integrity of the voting process and the electoral roll.

If people are homeless and frequent a particular homeless shelter or something, I think you can make a case to establish an acceptable locale at which they can be enrolled, just as you do with people who move overseas—and I think prisoners, but I would have to check—where they can specify an address that is taken to be the address for the purposes for which they enrol. If you were to suggest that if there were 100,000 homeless people they should all be free to choose where they should enrol, that obviously would completely undermine the integrity of the electoral system, and you could not have that. Remember what an electoral roll does: it provides the basis for a group of people to select a member to represent them in their local community. If someone does not have an affinity with or a true connection with that local community, then they should not be entitled to select a representative to act on behalf of that community.

Senator BARTLETT—Given the provision you just mentioned about 17-year-olds being able to provisionally enrol, what are some of the reasons as to why there is still a significant percentage of 18-year-olds to 20-year-olds who are not on the roll?

Mr Crosby—I think there is a certain amount of demotivation and disillusionment with politics; and, given the practices of the Labor Party in Queensland over the vote rorting issue, that is understandable. It also reflects the natural reluctance of young people—they are at a stage in their life when often they do not want to engage in society and society's affairs. It is not a reflection on them—they contribute in many ways—but it is something that does not necessarily interest them. My observation of most young people is that they are very keen to be involved and very keen to be enrolled; and, if they are not in Young Labor, they are probably keen to be enrolled at a legitimate address.

Senator BARTLETT—I know there are varying views internally within the parliamentary party, but is there an official Liberal Party policy on voluntary voting?

Mr Crosby—The current position of the Liberal Party federal executive is one of opposition to voluntary voting.

Senator BARTLETT—In relation to the opposition to the witnessing requirements of various state governments—you stated that it was led by the Labor government in Queensland and the parliamentary committee there that was referred to—wasn't it the case that initially the coalition members on that committee were also concerned about changes that were being mooted or being brought in at federal level?

Mr Crosby—They may have been in the first instance. I suspect that, having seen what has occurred in Queensland—but not only in Queensland; in New South Wales as well—by the Labor Party in particular, their position has changed. In fact, you may recall that the coalition parties took to the recent, somewhat infamous, Queensland election a policy of much stricter enrolment procedures. More than that, the Liberal Party, by way of example, actually applied to its most recent preselection the very procedures that it believed should apply at a state level—that is, evidence that you are who you say you are. I know I will get interjections from someone about Hong Kong, Edinburgh or somewhere—Taiwan. In that preselection, we required evidence of proof of identity. So we are prepared to practise what we preach. The position of the party has changed in Queensland, because the evidence has become overwhelming.

Senator BARTLETT—You commented before on AEC processes for following up some of these issues, and I am sure you would have a fair degree of experience in dealing with the AEC over a long period of time. Do you think they are adequately resourced to be able to fully follow through, given the huge number of people who shift and the turnover of people within the community all the time? Do you think they are adequately resourced to properly track all these things?

Mr Crosby—I think there are two components to it. Resources are one. I do not have sufficient intimate knowledge of the Electoral Commission to be able to make a judgment about whether resources are sufficient or not. I certainly would support them having sufficient resources to be able to do the job. But also, attitude is important, and I have got to say to you that if you look at the official AEC position—and by the official position I mean the position of the commissioner, previous commissioners, deputy commissioners and principal electoral officers—then there is a demonstrated reluctance to pursue this issue. But, interestingly, if you look at the attitudes and views of those who practise at the coalface, many of the individual divisional returning officers have a real concern about whether the problem of multiple enrolment and improper enrolment has been addressed. You have heard and seen it in the submissions made to you on this occasion. They are not the first time that individual officers or former officers of the Electoral Commission have expressed a serious concern, when they, who are people who actually are responsible for running the electoral roll and conducting the elections at the local level, have had real concerns.

CHAIR—Thanks. Would members of the opposition like to ask questions for the next half an hour?

Senator FAULKNER—Probably not, Mr Chairman, but I will ask one or two just for form's sake. Could you just explain to us, Mr Crosby, or just outline for the benefit of the committee, the discussions you have had with other members of the committee prior to tonight's hearing

about the non-attendance of Mrs Kelly before hearings of this committee and this particular reference?

Mr Crosby—I have not had discussions, but that is a matter for the committee and for Mrs Kelly.

Senator FAULKNER—You say you have not had discussions with members of this committee? Have you had discussions with Mrs Kelly?

Mr Crosby—No.

Senator FAULKNER—Have you had discussions with any federal member of parliament about this matter?

CHAIR—These really are not matters to do with the integrity of the electoral roll, the matter that is within our terms of reference. The question as to whether Mrs Kelly appears is a private hearing matter that we have already dealt with on a number of occasions.

Mr LAURIE FERGUSON—You have made a point for half an hour about whether the Labor Party attended tonight. What are you talking about?

Mr Crosby—Mrs Kelly may be a member of the Liberal Party, but I am representing the Liberal Party and I am here.

CHAIR—Exactly. The Liberal Party is here; they have not done a chicken run like the ALP—which has shocked us all.

Senator FAULKNER—Not only do you use your casting vote to stop Liberals attending; now you are trying to stop questions being asked.

CHAIR—No, I am happy to ask questions that are within the terms of reference.

Senator FAULKNER—No further questions. The committee is a joke; we know that.

CHAIR—I am happy to ask questions that are within the terms of reference.

Senator FAULKNER—Forget it. We know what your approach is—to turn this into a politically partisan matter.

CHAIR—Now we get the stump speech, do we?

Senator FAULKNER—There is no stump speech. This is just typical of your behaviour.

CHAIR—Do you have any questions within the terms of reference that would be useful?

Senator FAULKNER—These questions of course go to serious allegations in relation to the behaviour of Mrs Kelly and other members of the Liberal Party in relation to the integrity of the

electoral roll. We know you have blocked the questions time and time again; you are still doing it. It is a joke—forget it.

CHAIR—I have not. I have not blocked the questions at all. Are there any other questions from the opposition that they would like to ask? No. Robert, do you have any questions? I have a couple more questions. Ms Ehrmann in her evidence talked to us about the concept of floating members. She said that she had been told by the deputy premier at that time, Jim Elder, that the smart thing to do was to have a stock of floating members of about 30 that you could move around from electorate to electorate for the purposes of influencing preselections. As federal director of the Liberal Party, has it been your experience that that is a practice that is conducted within the Liberal Party?

Mr Crosby—Not in my experience, no.

CHAIR—Is there anything ever even resembling it that you could think of in relation to floating members?

Mr Crosby—I have no knowledge, no recollection of, cannot think of any circumstance where people would improperly enrol—that is, breach the Commonwealth Electoral Act, falsely indicate where they live and do that so that there can be political advantage derived for either their factional group within a party or the party generally.

CHAIR—Recently, on *Stateline* I think, in New South Wales, Quentin Dempster uncovered an ALP support group for former staffers who had been, or felt that they had been, intimidated and threatened by the Labor Party and had also admitted that they were guilty of electoral fraud. Is it your experience in the Liberal Party that there is a support group for former Liberal Party staffers who feel intimidated and threatened by activities within the Liberal Party that would concern them?

Mr Crosby—I do not know of any such support group. There might be a need from time to time for support, but not because they have rorted the electoral roll.

CHAIR—Why would you think that the Labor Party could have got to the point that they would need such a tragic symptom of—

Senator FAULKNER—Don't be so undergraduate. Just cut your losses and go home.

CHAIR—You do not have any more questions, Senator Faulkner. I have a number more.

Senator FAULKNER—Don't be so undergraduate. Cut your losses and go home.

CHAIR—I have a number of questions that I would like to ask.

Senator FAULKNER—You know what your own party thinks of you in relation to this inquiry.

CHAIR—I am just interested to find out whether the federal director of the Liberal Party knows of any other support group of that kind.

Senator FAULKNER—With respect, it is time to go away.

CHAIR—It seems the evidence is that all of it is on one side of the ledger.

Senator FAULKNER—You know your own colleagues really want to get rid of you. It is time to give it away.

Mr Crosby—The Labor Party has had plenty of opportunities to suggest this on the other side, but they have not put up any evidence.

CHAIR—Why don't you let the witnesses answer the questions, Senator Faulkner, rather than trying to talk over people?

Senator FAULKNER—It is time to give it away.

CHAIR—That might well impress the Woy Woy branch of the Labor Party, but it does not really impress us. So it has not been your experience that in the Liberal Party there is a need for such support groups for people who have been guilty of electoral fraud and then been turned out by the Liberal Party, as it appears is the case in the Labor Party?

Mr Crosby—There is not, because there is no such practice in the Liberal Party. It may be the way of the New South Wales Labor Party, and the Queensland Labor Party in particular.

CHAIR—Finally from me—there might be questions from other colleagues—one of the pieces of evidence that has been presented to us has been the need for increased penalties for enrolment fraud. One of the suggestions has been that a minimum of potentially 12 months imprisonment and a fine of a similar nature that would be appropriate, because that would then count someone out for being able to stand for parliament or be a member of parliament—that would be a proper punishment for someone involved in political enrolment fraud. What is the Liberal Party's opinion about enhanced enrolment fraud penalties?

Mr Crosby—I will respond to that in two ways. Firstly, this whole process undermines integrity in the electoral system. It may be fair game in the trade union movement. It may be all right if you are wanting to stack some branch or another of the Labor Party from time to time. That is your business. But in terms of sending a very clear signal to people that it is not appropriate practice when it comes to the Commonwealth Electoral Act and one's involvement in choosing ultimately the government of a country and the representative for a district, it is my view that there should be very stiff penalties, going beyond the penalty that you just described to a period of exclusion from the electoral roll and an exclusion from participation in the election process itself. If you breach that fundamental tenet that you must live where you say you live and be who you say you are in order to participate in elections, then, if you breach that, you should be deprived of the opportunity to participate and be included on the roll for a suitable period of time. In most circumstances we deny people who move overseas for a sustained period the right to participate. We should certainly deny people who wilfully breach the Electoral Act in this

way from the right to participate, and we should deprive them of the capacity to be on the electoral roll for a period of time.

Senator FAULKNER—So could I ask you this then, Mr Crosby: do you support the Liberal chairman of this committee using his casting vote against the wishes of the Labor and Democrat members of this committee to stop an invitation on four occasions to Ms Jackie Kelly, the member for Lindsay, to come before this committee and answer serious questions about electoral fraud? Do you support that course of action?

Mr Crosby—That is based on a premise that you have put forward that—

Senator FAULKNER—Do you support the course of action of the chairman of this committee using his casting vote to stop her coming?

Mr Crosby—I have every confidence in all members of this committee fulfilling properly and appropriately their role. That is why I turned up—unlike the Labor Party, which was not even prepared to front.

Senator FAULKNER—Do you support—

Mr Crosby—I have answered your question.

Senator FAULKNER—You did not answer the question. Do you support—

Mr Crosby—I said I support every member of the committee, including the chairman. I support your right to ask as many questions as you want.

Senator FAULKNER—Of course. Do you support a course of action on the part of the majority of this committee over the wishes of Labor and Democrat members to stop a Liberal Party member of parliament from being invited to attend this committee to answer serious questions about electoral fraud?

Mr Crosby—It is a very good question. It comes to the core of our point. We believe that people should operate fully within the rules or guidelines that govern the Electoral Act; in the same way, the members of this committee, including the chairman, should operate fully within the rules of the committee. If the rules of the committee entitle the chairman to do that, then he is fully entitled to do that. If, however, he somehow breached the rule and took advantage of a loophole or falsely represented his position, as so many members of the Labor Party have done in rorting the electoral system in Queensland, then that would be wrong. But all you are telling me, Senator Faulkner—

Senator FAULKNER—This is when Labor—

Mr Crosby—Senator Faulkner, all you are telling me is that Mr Pyne has applied the rules of the committee as he is entitled to do. Applying the rules is what this committee is all about. Applying the rules to the enrolment of voters is what we are on about.

Senator FAULKNER—It is one rule for Liberal Party people and one rule for Labor Party members, who have been subpoenaed, dragged before the committee, threatened and everything else.

CHAIR—The disadvantage that the federal director suffers, Senator Faulkner, with due respect to your right to ask questions—

Senator FAULKNER—I am not asking you; I am asking him.

CHAIR—It is a disadvantage he suffers because you are actually commenting on the private meetings—

Senator FAULKNER—I am asking him; I am not asking you. I am not interested in your—

CHAIR—of the electoral matters committee and minutes—

Senator FAULKNER—Which I have made public—which I made public because of your behaviour, because you are so partisan and—

CHAIR—He cannot be expected to comment on meetings to which he is not privy because they are private meetings of the committee.

Senator FAULKNER—You have turned what has hitherto been a bipartisan committee into a complete farce.

CHAIR—He can only comment on matters about which he has some knowledge. Unfortunately, the sad thing is that you are trying to talk over everybody, which is the farce.

Mr McCLELLAND—How can your evidence have any credibility at all when you have given a particularly partisan account of your opinion and the opinion of the Liberal Party and you have prevented us from testing what has occurred within the Liberal Party because of a rule to which you have referred, which is that the Liberal chairman has the casting vote? How can your evidence have any credibility at all?

CHAIR—It is a parliamentary ruling.

Mr Crosby—I know the Labor Party do not like rules that do not suit their particular circumstance; we have seen that with the way you have tried to rot the electoral system in Queensland and, on occasion, in New South Wales. All I can reiterate—

CHAIR—No barracking from the gallery, Mr Danby. Sorry, you are not still on the committee, Mr Danby.

Mr Crosby—Thanks for the barracking. If there are rules, they should be adhered to; that is the—

Senator FAULKNER—Mr Chairman, for you what a mistake that was. There are a lot of regrets in your party about that.

CHAIR—Senator Faulkner, there are a lot of regrets about you being here at all, quite frankly. Just let the witness answer the question, for heaven's sake.

Mr Crosby—I simply reiterate my earlier comment, Mr Chairman. All I can do is say that I support the application of the rules. That is what really this hearing is all about—in terms of the application of rules. Labor have sought to breach the rules. It does not have to be my evidence, Mr McClelland. The fact is that there is an inquiry in Queensland that has looked at the matter. People have gone to jail. It is not me making some claim. Simply, I repeat: the whole point of the Liberal Party's submission is that people have to have confidence that the rules are being adhered to.

Mr McCLELLAND—Do you think it is appropriate for the chairman to use his casting vote to ride shotgun for the Liberal Party?

Mr Crosby—I think the chairman is entitled to use the judgment that he considers appropriate within the rules in the conduct of the affairs of this committee.

Senator FAULKNER—So Mrs Kelly can get away with blue murder. Have you been made aware, Mr Crosby, about the ongoing AFP investigation into the Liberal Party rorting of the Penrith City Council involving Mr Simat, Mr Berman and Mrs Kelly?

Mr Crosby—Well, Senator Faulkner, you can repeat or make any claim you—

Senator FAULKNER—I am asking you whether you are aware of the AFP claims.

Mr Crosby—I am trying to answer. I know manners have not been something particularly predominant in your behaviour since I have observed you in the Senate. I cannot comment on AFP inquiries. I do not have a hotline to the AFP—

Senator FAULKNER—I am asking you if you are aware of it.

Mr Crosby—I am only aware of what I read from time to time. I have got to be honest with you and say I do not read with great interest many of the comments that you make. Whether you have made a comment on this in the past, I do not know.

Senator FAULKNER—Are you aware of any comments that the AFP have made?

Mr Crosby—No I am not.

Mr McCLELLAND—How complete can this committee's report be if we cannot investigate those same matters because of this chairman exercising his casting vote to prevent us investigating those matters?

Mr Crosby—That is a matter for the committee to establish. The committee has its rules. It has its membership. If you do not have the power—

Senator FAULKNER—No, there is one rule for the Liberals and one rule for Labor.

Mr Crosby—If you do not have the power of argument, I am sorry, but ultimately there are rules that apply to the governing of the committee, and if you are serious in suggesting that I, representing the Liberal Party, putting forward our views on this matter, should suddenly become the commentator on all matters in relation to this committee, you are not going to get it from me.

Senator FAULKNER—Well, can I say this to you? It might surprise you, Mr Crosby, but I do not. I think it would be unreasonable for us to put those sorts of demands on you. I know that you come before the committee as a member of the Liberal Party secretariat. You properly present the views of the Liberal Party. I acknowledge that; I have got no problem with that. That is your role, and you fulfil it to the best of your ability. I appreciate that; I am sure every member of the committee does. But, of course, beyond that, there are other important matters that this committee is investigating. Sure, you have put your point of view on behalf of your political party. We all respect that. The problem that we have got is that a whole range of Labor Party witnesses—and I want to ask you if you are aware of this—have been subpoenaed, threatened or cajoled to come to this committee—a vast array of them. When push comes to shove and there are serious allegations about a member of the Liberal Party, it is no front. It is no front, and the party majority that happens to be a government party majority on this joint standing committee is used. That has got little relation, frankly, to your role as a representative of your party in an official capacity, which we all respect and understand. We may not agree on all issues, but we certainly understand who you represent, why you are here, what you are saying and on whose behalf you are saying it. We all understand that. We are all involved in the political process. These other issues go to other members of parliament and their role and to other important issues that appear to be important enough for the AFP to have indicated to this committee that it is treating them now as operational matters. I am surprised you cannot see a distinction there, but it is a distinction that Mr McClelland and I are drawing.

Mr Crosby—Well, Mrs Kelly is in good company, because she joins Geoff Walsh in being a no-show.

Senator FAULKNER—Yes, but do you understand this, Mr Crosby? Mr Walsh is a no-show. I am certainly very supportive of that course of action. I certainly have counselled Mr Walsh not to appear, because this inquiry has been turned into a farce. Why should Mr Walsh come when Mrs Kelly won't? Why should he? Why should there be one rule for the Liberals and another—

CHAIR—The Labor Party made a submission to start with.

Senator FAULKNER—Why should there be one rule for the Liberals and another rule for Labor?

Mr Crosby—So there are allegations against Mr Walsh's behaviour, are there?

Senator FAULKNER—Why should there be one rule for Mr Walsh or the Labor Party and one for Mrs Kelly? Be clear. Do you think this is fair, Mr Crosby? If Mrs Kelly comes, Mr Walsh can be here for hours and hours, as long as you want him. All you from the Liberal Party have got to do is front up with Mrs Jackie Kelly. That is perfectly fair.

Mr Crosby—Mr Chairman, I can understand Senator Faulkner's desire to muddy the waters and to refocus the affairs of this committee. I cannot comment beyond what I have already said.

Senator FAULKNER—Of course you can't, so let's go home.

CHAIR—Mr Crosby, I think you should be aware though that, while Senator Faulkner is trying to make out the suggestion that Labor Party members have been cajoled and subpoenaed to attend, the only MPs that have appeared before the committee are actually Liberal MPs and Peter Lindsay. The only Party that has appeared before the committee is the Liberal Party. And in fact Steve Simat and Nick Berman, about whom allegations were made, both have appeared at the committee. You have not been given the full picture by Senator Faulkner—not that that would surprise any of us.

Senator FAULKNER—The only person who could have been invited to this committee and who this committee has used its majority—the government majority—not to invite them to appear is Mrs Kelly, and do you know that—

CHAIR—I think it is tragic that you cannot see it. The ALP's behaviour today has been a chicken run; it has been craven in its refusal to help the committee.

Senator FAULKNER—As we all know, you know it is a farce. Everyone understands that. Quit while you are behind.

CHAIR—I think it is tragic that the ALP has not tried to help us.

Senator FAULKNER—All right. Let's go home.

Senator BARTLETT—You mentioned before about putting in place particular procedures at your most recent preselection to reflect what you think should happen under the Electoral Act. Do you have a comment on proposals that have been put forward before this committee before about greater Electoral Commission oversight of the operations of political parties—whether it is in preselection or other activities—to ensure that, in the same way as they do with union ballots, they are all conducted in an aboveboard way?

Mr Crosby—I reject entirely any further involvement by the Australian Electoral Commission in the affairs of political parties. I suspect that certainly my predecessor equivalent in the Labor Party would share this view because I have heard him express it; that is, our political parties are probably amongst the most regulated in the world when it comes to public funding, disclosure and other requirements. I do not believe it is an appropriate role for the Electoral Commission to go further than what it does now. A very important step or boundary that the Electoral Commission should not cross is the boundary into the internal affairs of a political party, because it takes the Electoral Commission away from an umpire position in the community interest into someone who can influence and participate in the affairs of a political

party in the way that could have political outcomes. I do not think that is desirable. Frankly, as evidenced by the problems we have with the accuracy of the electoral rolls, the AEC has enough to do trying to get on top of some of its inadequacies already, rather than go down the route of further monitoring and interfering with political parties.

Mr McCLELLAND—So you have no problems with stacking in the Liberal Party providing that stacking is not based on people falsely enrolling. In other words, you have no problem with stacking in that Liberal Party and you feel that should go on with impunity.

Mr Crosby—Well, you are putting words into my mouth. I will come back to that in a second. The other point I should make is the AEC itself has indicated that it does not have a desire to involve itself in the practice of the internal governance of political parties.

You can make all sorts of claims and as many as you want, Mr McClelland, but there is a very significant difference between competitive interest in a political party and lying to the Australian people by breaching the Commonwealth Electoral Act, fraudulently witnessing enrolments, telling people you live at an address you do not live at and using that as a basis to gain political advantage internally or, worse still—as some of the evidence suggests—using that illegal enrolment in breach of a law of the land to participate in an election and potentially affect the outcome.

Senator FAULKNER—That is exactly the case in Lindsay. So why do you have double standards? That is exactly the situation in relation to those candidates that were enrolled falsely in Penrith. You can get as much advice as you like, but that is the problem.

Mr Crosby—That is your assertion and claim, and I reject it.

Senator FAULKNER—It is also a matter that the AFP are now taking very seriously. All I say is: why not deal with those matters? Why use a partisan majority on a committee that hitherto—as you know, Mr Crosby, because we have had you here on a range of issues; as we have had Mr Gary Gray and Mr Gartrell recently from the Australian Labor Party—has tried to deal with what are sensitive issues, which of course there are significant differences in them in the parliament, in a bipartisan way as much as possible.

We had achieved that until Mr Pyne assumed the chairmanship of the committee, and there is this new approach about adopting a certain set of rules for one of the major protagonists in the Australian political system and a separate set of rules for the others. Hence, no-one has taken it seriously. Everybody is treating this committee inquiry as a joke. I suspect you would want people to be taking seriously what you say to us but, because of the nature of this inquiry, the motivation of this inquiry and the behaviour of the chairman, nobody will. It is totally discredited. It is utterly without credibility.

Mr Crosby—Here is the old stump speech again.

Senator FAULKNER—And I do not think it helps you very much.

Mr Crosby—Well I think that is your hope, Senator Faulkner.

Senator FAULKNER—It is my view and it also the view of everyone else in this building.

Mr McCLELLAND—Don't you think that people reading this transcript would want that assertion tested? Just as you said to Senator Faulkner, 'That is your assertion, I don't accept it.' Don't you think the Australian people would want that assertion tested? Before they see a fair report coming out of this committee, don't you think they would want allegations and imputations against both political parties tested for there to be a fair report? That is my first question. I have one more.

Mr Crosby—I am sure the members of the committee will respond appropriately to the evidence they have had put to them from the witnesses who have come.

Mr McCLELLAND—All right. The second question is in response to the occurrence of electoral fraud. You have an example on the one hand where, no matter how high the office was, if they were imputed to be involved in electoral fraud in Queensland they were gone; they lost their office. Moreover, the government referred the totality of the issues, with broad inquiries, to the CJC for investigation and, if necessary, imprisonment for what people got up to. That is on one side of the ledger. That is on one side of the ledger. On the other side of the ledger, you are saying to the Australian Electoral Commission: 'Don't touch the Liberal Party and, by the way, we don't require people to be enrolled to vote in preselections; leave us alone.' Isn't that gross hypocrisy? Aren't the Australian people going to say, quite frankly, that your position is quite fraudulent?

Mr Crosby—With all due respect, there is a fair bit of fraudulence in the case you have just put. For a start, we do not know what the situation is ultimately in Queensland, because the CJC is yet to report. You have made certain assertions about everyone having been dealt with. We do not know that that is the case.

Mr McCLELLAND—I accept that. But if they are found to have offended against the law, they will cop the full consequences, with the blessing of the premier of that state and all decent people within the Labor Party. But you are saying the law should not intrude to look into the affairs of the Liberal Party.

Mr Crosby—Hang on, no. As I understand it from Senator Faulkner, the AFP is looking at a matter. If they are looking at a matter, it is impossible to argue that the law is not being applied. But I am not going to presume—

Senator FAULKNER—Because I have pursued it with the AEC—

CHAIR—Senator Faulkner, could you let Mr Crosby finish his sentence.

Senator FAULKNER—I am explaining to Mr Crosby why.

CHAIR—But he had not finished his sentence. So you might let him finish his sentence before you give us the stump speech again.

Senator FAULKNER—Fine. If he has not finished his sentence, I will explain it to him when he does.

CHAIR—Mr Crosby, you might like to finish your sentence without interruption.

Mr Crosby—I was almost finished, Mr Chairman, but it is always good to hear Senator Faulkner jump quickly. If Senator Faulkner is correct, the fact is there is a matter being looked at. As to the origins of any investigation, I do not think the Australian people will much care. They will just be interested in what the outcome is. It is inappropriate for me to comment further.

CHAIR—Quite.

Senator MASON—Mr Crosby, in about the last sentence of your answer to Senator Bartlett's last question you mentioned two things: first, the internal roting of the Labor Party for purposes of preselection but, second, you said people voting and, of course, those people would be able to vote in general elections. There are two aspects to your comments: one is the corruption of the electoral roll just by the act of voting and, secondly, whether those people have affected the outcome in particular state or federal elections. Do you think that has happened? In particular, the evidence of fraud is from Townsville regarding the seat of Herbert in 1998 and I am wondering whether you think false enrolments could have affected the outcome in that electorate.

Mr Crosby—Fortunately, because Peter Lindsay is an effective hardworking local member, he was successful.

Senator MASON—He did, but it could have.

Mr Crosby—All I can say is that I do not know, but potentially—and that is the whole point. Unless there is an adequate enrolment basis, you do not know. How can you have confidence? We are not talking about one incident here or one incident there; we are talking about a quite extensive practice. So you cannot have, ultimately, complete confidence.

Senator FAULKNER—Just to follow through Senator Mason's point: isn't it true that, with one exception, all those people for whom charges were laid—one individual was jailed, there were suspended jail sentences and the like—were real people. That is the first point. Would you acknowledge that they were real people?

Mr Crosby—I understand they were, yes.

Senator FAULKNER—And that this was done for the purposes—as I think you have said in your evidence—of internal Labor Party ballots. Would you acknowledge that?

Mr Crosby—As a first step, I think I indicated.

Senator FAULKNER—Yes, you have indicated that, and you are right about that. They were internal party ballots.

Mr Crosby—As a first step.

CHAIR—As a first step I think he said.

Senator FAULKNER—And, thirdly, that all of these, with one exception I believe, were all internal transfers within the division you speak of—Herbert.

CHAIR—The question from Senator Mason—

Senator FAULKNER—I am asking my own question. I am not misrepresenting Senator Mason.

CHAIR—You said you were following up Senator Mason and then you are trying to put a new spin on it.

Senator FAULKNER—Well, I am following it up with another question. I am entitled to do that, believe or not. I am still entitled to ask my own question.

CHAIR—I am just pointing out that cannot misrepresent other members of the committee. You cannot tie them into your argument.

Senator FAULKNER—If it is all too hard, don't worry about it. Let us go home. I am more than happy.

CHAIR—I still have more questions.

Mr Crosby—I would like to respond to that in two ways. Firstly, to indicate that you can euphemistically call them internal transfers but if people are illegally enrolled there is the potential for the act to be breached, and that is something that should not be condoned.

Senator FAULKNER—I am not condoning it, Mr Crosby.

Mr Crosby—You are dismissing it.

Senator FAULKNER—I am not dismissing it. I am saying they were all, with one exception, within Herbert. I am just asking whether you acknowledge that point.

Mr Crosby—Firstly, you are only talking about Townsville and I cannot acknowledge it because I would have to remind myself of all the circumstances.

Senator FAULKNER—Fair enough.

Mr Crosby—But I do recall in relation to the federal electorate of Fisher in 1987 certain allegations being made about widespread illegal enrolment and improper voting—

Senator FAULKNER—And all of them were completely debunked. There was not a skerrick of proof.

Mr Crosby—I do not know about that but I do know that —

Senator FAULKNER—But I do, and you should if you are the federal director of the Liberal Party.

Mr Crosby—I also know that Bob Bottom, someone who is well known as an investigative journalist, cited very serious concerns in relation to enrolments on Bribie Island which I do not think have been fully or clearly investigated. His allegations, which received some media coverage in Queensland, certainly pointed to potentially some widespread incidences of illegal or dubious enrolments. So the point that we made at the very start is the point with which I would conclude my response to Senator Faulkner, and that is you need a system that has such standards that things are not only done properly but you also have confidence that they are being done properly. That confidence can only be re-established if there are improved enrolment procedures applied to the Commonwealth Electoral Act. It is unfortunate that the Labor Party totally rejects those in its submission. But we strongly support them and we believe the overwhelming majority of the Australian people would support them too in order to rebuild and sustain confidence in the electoral roll and the operations of the Australian Electoral Commission.

CHAIR—I think we will conclude it there. Thank you very much Lynton, Bruce and John for a most interesting and elucidating public hearing and for attending this evening. I also thank the members of the committee for their cooperation as ever and the secretariat and *Hansard* for their excellent service as usual.

Resolved (on motion by **Mr Pyne**, seconded by **Senator Mason**):

That this committee authorises publication, including publication on the parliamentary database of the proof transcript of the evidence given before it at public hearing this day and draws the attention of those who may access the transcripts of the suppression orders placed on evidence of the names or addresses ordered not for publication by the Shepherdson inquiry.

Committee adjourned at 9.23 p.m.