

Analysis of Roll Integrity

Introduction

- 2.1 In June 2000, the Committee suggested that the ANAO conduct an audit into the integrity of the Electoral Roll. The ANAO agreed to do so and the Audit commenced in May 2001. The ANAO's review covered the elements of accuracy, completeness, validity and security.
- 2.2 A key element of the Audit that the Committee was concerned with was the extent to which the ANAO analysis independently validated the AEC's claims that the Roll is accurate and reliable.¹
- 2.3 In making its independent assessment, the ANAO relied on data-matching the Electoral Roll against the Medicare database, data from the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), and motor vehicle registries in South Australia, Queensland, the Australian Capital Territory and the Northern Territory.

The Accuracy of the Roll

- 2.4 In examining the Audit Report, the Committee considered the definitions, processes and assumptions of the ANAO regarding the accuracy of the Electoral Roll.
- 2.5 The Committee sought to clarify why the ANAO had used the Medicare database to independently check the accuracy of the Roll.²

1 Australian National Audit Office, Audit Report No. 42, 2001-02, *Integrity of the Electoral Roll*. Canberra, pp. 78-9.

- 2.6 The ANAO used the Medicare database because, of the databases available, it would provide the most comprehensive list of names to match the Electoral Roll data against. The Medicare database contained some 18.4 million records compared to the 12.6 million records on the Electoral Roll. This reflected the fact that the Medicare database includes information on people with Australian residency status rather than Australian citizens only. The Medicare database also includes records of persons under 17 years of age, that is, people who do not satisfy the age qualification to be on the Electoral Roll, even provisionally.
- 2.7 However, the ANAO considered that addresses on Medicare records were less reliable than addresses on the Electoral Roll, assuming that records are updated when people make claims.
- 2.8 The ANAO defined accuracy as requiring that the 'electoral roll contains accurate and up-to-date information relating to individuals'.³ The AEC indicated that accuracy has two parts, 'the name and date of birth, and ... the address identity'.⁴
- 2.9 The ANAO's conclusion on the basis of its independent data-matching of the Electoral Roll and the Medicare database was as follows:
- The results of the ANAO independent data-matching indicated that at close of roll for the November 2001 election, the roll was over 96 per cent accurate. The remaining four per cent would require additional investigation to confirm their accuracy. This finding confirmed the AEC claim that the roll is accurate and reliable.⁵
- ANAO data-matching of name and date of birth against Medicare and other sources achieved a significant match of over 96 per cent.⁶
- 2.10 The Committee is concerned that the ANAO's conclusions about accuracy did not make sufficiently transparent the fact that there had been no matching at all of names and birth dates with addresses. Readers may reasonably believe that the Roll is accurate in terms of voters being individuals entitled to vote, and enrolled at their residential addresses. In fact, the independent data matching established only that the Electoral Roll was accurate to 96 percent as to names and dates of birth, that is, as to individuals entitled to be on it. It did not establish that people defined by

2 Audit Report, p. 72.

3 Audit Report, p. 71.

4 Mr T Pickering, *Transcript*, p. 10.

5 Audit Report, p. 78.

6 Audit Report, p. 14.

name and date of birth were correctly enrolled in the State, the Division or at the address at which they resided.

- 2.11 When this concern was raised with the ANAO, it responded that:
- ... as the report says – the 96 per cent only goes to the data-matching of names on the roll ... We make no more claims in terms of the 96 per cent, other than the fact that it is about names.⁷
- 2.12 The ANAO indicated that ‘the data-matching with the CRU processes et cetera has a high degree of integrity’.⁸
- 2.13 The Committee is of the view that, given the AEC’s definition of accuracy, the ANAO should have sought to match not only names and birth dates, but also addresses. In the absence of such matching the ANAO’s conclusion of 96 percent accuracy is not proven. The Committee notes that assertions that the Roll is 96 percent accurate do not necessarily imply 4 percent inaccuracy.
- 2.14 The importance of checking addresses in determining Electoral Roll accuracy was reinforced by the ANAO’s data-match of the 4.4 percent of people on the Electoral Roll that did not appear on the Medicare records. The ANAO attempted to match these to the motor vehicle registry records that it had access to – those of South Australia, Queensland, the Australia Capital Territory and the Northern Territory.⁹
- 2.15 In this exercise, the ANAO again did not match addresses. It nonetheless concluded that 15 percent of the electors who were not matched to the Medicare database, but were able to be matched to motor vehicle records, had vehicles registered in a State other than the State in which they were enrolled to vote.¹⁰
- 2.16 The ANAO stated that this phenomenon ‘occurred because the matching process identified instances where individuals had cross-border transactions with motor transport agencies’.¹¹ The ANAO explained that it understood that this was generally due to people being correctly entered on the Electoral Roll in their State of residence, but for a variety of reasons having their motor vehicles registered in another State. Subsequently, the ANAO indicated that it did not have any independent evidence of this, but had accepted AEC data analysis.¹² In response to enquiries, the AEC

7 Mr W Cochrane, *Transcript*, p. 9.

8 Mr W Cochrane, *Transcript*, p. 9.

9 Audit Report, p. 77.

10 ANAO, *Submission* No. 5, p. S28.

11 Audit Report, p. 77.

12 ANAO, *Submission* No. 5, p. S28.

indicated that it had not conducted analysis that would support such a conclusion.¹³

- 2.17 The Committee noted that the AEC stated at the public hearing that its target for accuracy, while not precise, was in the high 90s – ‘as an organisation we work on high 90s’.¹⁴ The ANAO testified that the AEC did not have a target for accuracy.¹⁵
- 2.18 In response to questioning by the Committee as to why the AEC did not have an explicit target for accuracy, the AEC indicated the figure is difficult to set, and that a roll cannot possibly be 100 percent accurate at all times, particularly because people are not required to notify changes to enrolment details as soon as they move.¹⁶ The Committee noted that, in accordance with section 361(1) of the Electoral Act, the Court of Disputed Returns does not inquire into the accuracy of any Roll.
- 2.19 The Committee is of the view that the AEC must devise and set a measurable and achievable target for Roll accuracy, based on the target of ‘high 90s’ that was mentioned at the public hearing.¹⁷

Recommendation 1

- 2.20 **The Committee recommends that the Australian Electoral Commission set a target for Electoral Roll accuracy, embracing accurate name, birth date and address and, commencing in 2002-03, use this target as a performance indicator in its Portfolio Budget Statements and report performance in its annual reports.**

Completeness

- 2.21 The AEC has a target of enrolling 95 percent of people eligible to vote. Market research conducted by the AEC to test enrolment levels indicates enrolment completeness is about 95 percent.¹⁸

13 AEC, *Submission* No. 6, p. S29.

14 Mr P Dacey, *Transcript*, p. 12.

15 Mr S Delaney, *Transcript*, p. 12.

16 Mr P Dacey, *Transcript*, pp. 11-2.

17 Mr P Dacey, *Transcript*, pp. 11-2.

18 Audit Report, p. 79.

2.23 The ANAO observed that the market research methodology was skewed toward exaggerating completeness, and did not identify the ‘missing’ 5 percent or its geographical distribution.¹⁹ Nonetheless, the ANAO, having derived a notional figure for the number of Australian citizens by adjusting the Medicare data, came to a similar conclusion that the Electoral Roll is 95.1 percent complete. The ANAO also found that there was comparative under-representation of the 17-30 year-old cohorts and an over-representation of 40-80 year-olds.

Validity

- 2.24 Valid enrolment requires the attainment of 17 years of age, being an Australian citizen or eligible British subject, and having lived in the Division for at least one month.²⁰ The AEC does not have targets for validity of the Electoral Roll.
- 2.25 The ANAO comments that because the Electoral Act provides that the validity of enrolment shall not be questioned on the ground that the enrollee has not lived in the electorate for one month, ‘the emphasis of the AEC enrolment checking procedures are on questions of age and citizenship.’²¹
- 2.26 The ANAO similarly focussed on the issue of age and citizenship requirements. The Roll was matched against the Medicare database residency codes. This and some ancillary checking against DIMIA and other relevant data led the ANAO to conclude that, of the AEC records matched to Medicare records, ‘99 per cent could be confirmed ... indicating that less than 1 per cent of matched records would require further investigation for validation.’²²
- 2.27 The Committee regards this conclusion as somewhat optimistic. The Medicare ‘Australian resident’ code is a very crude surrogate for citizenship and eligible British subject status, and the Committee notes that there are an estimated 940,000 residents entitled to take out citizenship who have not done so.

19 Audit Report, pp. 79-80.

20 *Commonwealth Electoral Act 1918*, s. 93.

21 Audit Report, p. 86.

22 Audit Report, p. 16.

- 2.28 The Committee appreciates the efforts made by the ANAO to get an independent test of validity. Nonetheless it considers that it may have been better had the ANAO avoided giving such results the patina of scientific precision implied by statements like '99.7 per cent of matched results could be confirmed', which cannot be sustained by the data.²³

Recommendation 2

- 2.29 **The Committee recommends that the Australian Electoral Commission set a target for Electoral Roll validity and, commencing in 2002-03, use this target as a performance indicator in its Portfolio Budget Statements and report performance in its annual reports.**
- 2.30 The Audit Report asserts that '[m]ost enrolment forms are accepted as valid claims unless there is a reason to undertake further verification'.²⁴ The Report does not elaborate on what those reasons might be.

Recommendation 3

- 2.31 **The Committee recommends that the Australian Electoral Commission report to the Committee, on a 12-monthly basis, outlining the circumstances of cases where enrolment forms have not been accepted as valid immediately, but have been subject to verification.**

Security

- 2.32 The Audit Report found that:

In compliance with Commonwealth requirements, the AEC has developed a risk management plan to identify and address the risks associated with its functions. The ANAO found that, as part of its risk management plan, the AEC had assessed the risks to internal security of the electoral roll and taken appropriate action to address those risks. The AEC has also implemented internal security provisions to prevent unauthorised access to the roll.²⁵

23 Audit Report, p. 91.

24 Audit Report, p. 54.

25 Audit Report, p. 16.

2.33 The ANAO observed that, despite the AEC having internal procedures in place to ensure the Electoral Roll is secure, it has gaps in its security features regarding the unauthorised use of Electoral Roll data. This has led to an increased risk that Electoral Roll data can be manipulated for fraudulent purposes, particularly through the availability of the Electoral Roll in electronic format. The Audit Report noted that:

Developments in information technology have made it easier to copy, modify, cross-match and disseminate roll data. They have made it more difficult for the AEC to prevent unauthorised access to the data.²⁶

2.34 The Committee notes that its report on the conduct of the 1996 Federal Election recommended that the AEC review sections 89 to 92 of the Electoral Act, so as to take into account the developments in computer technology.²⁷ The Audit Report recommended that:

... the AEC give priority to completion of its review of ss. 89 to 92 of the *Commonwealth Electoral Act 1918*, recommended by the JSCEM, taking into account the extent of current electronic access to electoral roll data, and effectively assessing and treating the risks inherent in current developments in computer technology.²⁸

2.35 The AEC agreed with this recommendation. It has recently provided some recommendations regarding sections 89 to 92 in its submission to the Committee for its Inquiry into the conduct of the 2001 Federal Election. The Committee will review these recommendations in due course.

Fraudulent Enrolments

- 2.36 Fraudulent enrolment generally occurs when people:
- deliberately enrol themselves at a false address or in the wrong electorate;
 - deliberately enrol false names at real or false addresses; and
 - deliberately enrol other people's names at real or false addresses.²⁹

26 Audit Report, p. 101.

27 Audit Report, p. 101.

28 Audit Report, p. 102.

29 Australia. Parliament. Joint Standing Committee on Electoral Matters, 2001, *User friendly, not abuser friendly. Report of the Inquiry into the Integrity of the Electoral Roll*. Canberra, CanPrint, p. 13.

- 2.37 The issue of electoral fraud (or enrolment fraud) and how the AEC seeks to prevent it, was considered by the Committee in its 2000-01 Inquiry into the integrity of the Electoral Roll. It examined instances where identity fraud was used in electoral enrolment, in particular, where a 'fictitious identity was created and used to enrol, and [when] individuals used the details of genuine electors'.³⁰
- 2.38 The ANAO made a number of significant recommendations to enhance the accuracy, completeness, and validity of the Roll, which the Committee endorses. However, the Committee is of the view that the issue of the accuracy of individual enrolments at the correct address needs to be adequately assessed.

Recommendation 4

- 2.39 **The Committee recommends that the integrity of the Electoral Roll be tested by a total habitation review of a sample electoral division in a State which has not had an election in the 12 months preceding the habitation review.**
- 2.40 Based on its review of the AEC's procedures, and the findings of the Committee's *User friendly, not abuser friendly* report, the ANAO considers that the AEC's policies and procedures are adequate to detect the majority of attempts at electoral fraud.³¹
- 2.41 At the Committee hearing, the AEC agreed with the ANAO's assertion that implementing the recommendations from the Audit Report would greatly assist its attempts to minimise fraudulent manipulation of the Electoral Roll. The AEC concurred that it needed to address the training and awareness of staff in detecting fraudulent activity, and the development of a fraud control plan, if electoral fraud is to be minimised.³²
- 2.42 The Committee questioned the ANAO and the AEC about targeted fraud, which refers to fraud committed by persons in a specific division.³³

30 Audit Report, p. 88.

31 Audit Report, p. 88.

32 Mr P Dacey, *Transcript*, p. 24.

33 Senator A Murray, *Transcript*, p. 23.

2.43 It was apparent from the responses from both organisations that the AEC's fraud control plans could not guarantee total prevention of electoral fraud. The AEC advised the Committee:

With the system we have – a compulsory enrolment system – it is as open as possible, but we have never said it is not possible to defraud the system. We have always said that it has not occurred in a systematic way.³⁴

2.44 The Committee believes that the AEC could expend more effort in developing fraud control plans and strategies to address this potential risk to the electoral system.

2.45 Since the public hearing, the AEC has advised the Committee that the development of an electoral fraud control plan was a priority for the 2002-03 financial year, and that it aimed to finalise the plan by early 2003.

2.46 The Committee welcomes this. It concurs with Recommendation 11 in the Audit Report – that, to minimise the risk of enrolment fraud, the AEC give 'high priority to finalising and implementing its fraud control plan specific to enrolment activities'.³⁵

Recommendation 5

2.47 **The Committee recommends that, at the earliest opportunity in 2002-03, policies and procedures for Australian Electoral Commission staff, aimed at preventing and detecting electoral fraud, be incorporated in the proposed electoral fraud control plan.**

34 Mr P Dacey, *Transcript*, p. 24.

35 Audit Report, p. 89.