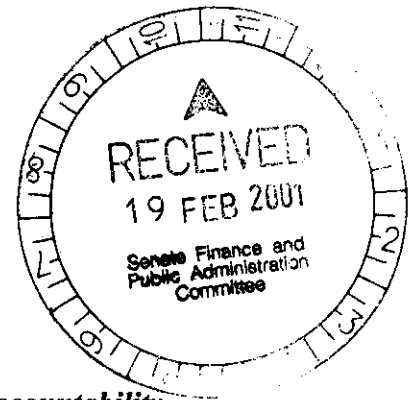


12-02-2001

Submission No. 9



The Secretary,
Senate Finance and Public Administration
Legislation Committee. SG60.
Parliament House
Canberra ACT 2600

Re: *Senate Inquiry into Bills Concerning Political Honesty and Accountability.*

Electoral Amendment (Political Honesty) Bill 2000

The iron clad guaranteed integrity of the electoral process is absolutely essential, as is the transparency and accountability of that process fundamental to the exercise of democracy. Australian '**Governments**' have **disposed of that 'electoral process' to 'foreign private enterprise'**, under 'National Competition Policy'.

The 'electoral process' for the 'Australian Electoral Commission' and the 'Victorian Electoral Commission' electoral process have both gone, and most likely that of the other States as well. The VEC went to a Carlton computing company, then to 'Praxa Ltd' which was later acquired by the 'GEAC Corporation' of Toronto, Canada, the other to an un-publicised tender winner, possibly 'GEAC' ??? (Associated with and possibly a subsidiary Company of 'Microsoft'). Commercial interests now have control of the outcome of our elections. Those who control the counting of votes decide the outcome of elections, not those who vote.

Private enterprise computer 'program code' is not available for public scrutiny; denying any prospect of effective verification or validation of the data manipulation involved in their 'processing', including methods of allocation of ballot preferences, or 'system' security precautions. Apart from 'authorised' data entry, 'non-official' entry and manipulation may readily be possible, as may be penetration by 'hackers', or other 'interested parties'. An even greater problem is the prospect that a wealthy individual, perhaps in the Gates, Packer or Murdoch range could simply buy the current enterprise processing our electoral data and effectively control the outcome of our elections at will; greed and power are close companions. The 'electoral process' should never have been put out to 'tender', it is essentially a public process, 'owned' by the 'Australian' people, as are 'Electoral Rolls'.

Certified 'raw data' including preference allocations from 'Polls', and 'Electoral Rolls', must be readily available to the public in order to check results; the 'Australian' people are the major 'stake holders' in this process.

The desire of the 'media' for instant access to polling results to fit in with 'program schedules' is far outweighed by the 'will of the people' for accurate and honest results, rather than instant results, despite the time required to obtain those results. No poll results should be broadcast before **all** polling booths close.

Several advertisements inviting tenders for provision of 'electoral services' for Victoria indicated that the system most prone to fraud, Universal postal voting, was proposed to be used. The most logical reason for proposing a system vulnerable to the greatest scope for fraud would seem to be in order to utilise that function. Various mechanical devices readily subject to fraudulent manipulation have been used in the US; far greater scope for any pre-selected outcome lies in the use of computerised / postal voting, but they wouldn't ever do that would they ?

Serious problems have been known to exist for years regarding the lack of accuracy of 'electoral rolls', but are generally denied by the AEC. Queensland is now in the spotlight; allegations of similar problems exist in Western Australia, and none of the other states are immune from manipulation of electoral rolls or voting results. Without total integrity in the electoral system, there can be no confidence in any results, and the reality of electoral fraud is daily being made more apparent, but it seems that nothing is being done to correct the problems.

Not only the US has obvious major problems with significant fraud and errors within their vote processing system, as has been shown in their recent 'Presidential' voting fiasco, and demonstrably sufficient to alter the outcome that should rely entirely on accurate voting results, the 'Australian' system has lost credibility as well.

US Examples being the virtual disenfranchisement of large numbers of their armed service personnel whose votes were excluded from the count, fraudulent voting in the names of deceased persons and others no longer resident at addresses on electoral rolls, individuals multiple voting at various locations, containers of votes 'going astray',

significant voting by those ineligible, etc. Their system cannot be relied upon, nor is it apparent can our own system which has been found to suffer similar major faults, and fraudulent manipulation.

'US voting reform is top of the list'. (The Age 16-12-2000) It is long overdue and should have an equally high priority in Australia. The 'electoral process' **must** be brought back under the control of the 'Australian' people.

Charter of Political Honesty Bill 2000

It is appalling that such a 'charter' is seen to be necessary. If adequate management and accounting principles were in place, and enforced, such a charter would not be necessary. Those who make the law are not exempt from complying with it; it is manifestly evident that they qualify for maximum penalties by reason of magnitude of the breach of position of trust that they hold or held, but there is an apparent reluctance to prosecute; **Why ?**

'Elected Representatives' are not our 'masters', and are not 'elected' in order to act to the detriment of the 'Australian people'; they have a fundamental and total obligation to represent the 'will of those 'Australian' people', and to act only in the interests of those people. They were not elected by, or to represent, any foreign 'business', 'trade', or other organisations. 'Foreigners' do not have any right whatsoever to vote in Australian elections, or to exert influence or pressure on the 'elected representatives' of the 'Australian' people, regardless of the magnitude of any 'donations' they may make to any political 'party' or individual.

As 'representatives of the Australian people', they or their 'delegates' have no legitimate or valid right to enter into any 'agreement' on behalf of the 'Australian' people without the fully informed consent of those people. Any such 'Agreement' signed 'in the name of the 'Australian' people without that 'informed consent' is fraudulent, and can not be a valid, legitimate, or enforceable 'agreement'. No Treaty or agreement signed in the name of or on behalf of the 'Australian' people since 1919 has had the required consent, and is therefore invalid. Literally thousands of 'Treaties' and 'agreements' such as UN, GATT, IMF, WTO FSIA and a multitude of other 'alphabet' organisations, suffer that defect, and **deny the 'Sovereignty' of the 'Australian' people.**

Of fundamental importance to the reality of 'political honesty', is the recognition that 'elected representatives of the people' are simply that; they are required to represent the 'Australian' people who elected them, and that Australian 'assets' are owned by the 'Australian' people; it is the 'Australian' people who defended and fought for, worked, created, built, bought or paid for those assets and improvements. The 'government' owns nothing; 'representatives' collectively can only function' on behalf of the 'Australian' people with their informed consent, they have no legitimate or valid right to dispose of those assets in any manner whatsoever without the fully informed consent of those 'Australian' people. **The disposal of assets owned by others** without their specific consent **constitutes theft, fraud, or both.** (eg. Telstra, Qantas, Commonwealth and State Banks, Power generation facilities, Massive Tracts of land, Airports, Roads, and other Infrastructure, mineral and oil deposits, etc, etc, ad nauseam, predominantly to foreign enterprises. Any **commitment or exposure to debt or liability in the name of others** without their specific consent also falls into the category of **fraud or deception,** and is invalid, illegitimate, and unenforceable.

'Political honesty' would also require that all candidates for election as 'representatives' of the 'Australian' people, including those who are 'party' members, must declare 'allegiance' to the 'Australian' people, not to any foreign parliament or Monarch, or to any 'political party', as is the case with many current 'representatives'.

The fact that R G Menzies, in 1952, had the 'Governor-General' proclaim Elizabeth II 'Queen of Australia', did not render Australia a Monarchy, he had no authority whatsoever to commit that act; Australia is not a Monarchy.

It is a deception and a corruption of any concept of the position and responsibility of any such 'elected representative', that he or she could agree to be 'bound' to support a 'party policy' in preference to the 'will of the 'Australian' people'; any such 'elected representative' of the 'Australian' people who neglects or abdicates his or her obligation to the 'Australian' people should vacate the position held, or should be promptly removed from it. No 'political party' can legitimately claim superior authority to the independent sovereign 'Australian' people, yet many 'representatives' seem to accept that premise and fail abysmally in their primary obligations and duty.

The 'Australian' people have long suffered under a regime of **'taxation without representation'**. Such a tax situation led to the creation by English barons of the 'Magna Carta', and the ensuing subservience of the 'Monarch' to Parliament.

After decades of denial by the 'High Court', it recently found that; '**Australia is an Independent Sovereign Nation**', and that; '**The UK is a Foreign Power**'. (Hung Sue v Hill, HCA 30, 20-09-1999.)

More recently, it found that the 'Magna Carta' and the 1688 'Bill of Rights' are not binding on any Australian Legislature. (Essenberg v The Queen HCA B 54 / 55. 22-06-2000.)

Both findings are highly significant, and long overdue. Australia has been an Independent Sovereign Nation at least since William Hughes PM participated in the WWI peace negotiations, and signed the 'Versailles Treaty' in 1919, as well as the ILO and the League of Nations Covenant on behalf of the people of the newly Independent Sovereign Nation Australia. Sovereignty immediately transferred to the 'Australian' people who are the supreme and only source of any authority, from whom 'elected representatives' may be granted 'limited authority' to act on their behalf, subject to principles and conditions specified in a 'contract with the 'Australian' people'.

No Australian 'government' has yet sought, or been granted any such authority or 'contract'. They still claim that the 'foreign' 1900 (UK) 'constitution for Australia' is valid, and provides their 'authority' to 'govern', etc.

At least from 1919, Foreign (UK) legislation was no longer valid in Australia. The (1900) UK Act to Constitute the 'Commonwealth of Australia', has no legitimacy or validity in Australia, yet our 'elected representatives' continue to apply it. UK common law, including the Magna Carta and 1688 Bill of Rights, was rendered null and void and of no effect in Australia at the same time; it just took 80 odd years for the 'High Court' to concede it.

Political Honesty can only be founded on personal honesty and integrity, but not under invalid foreign legislation, or illegitimate and invalid 'legislation' created with no authority or consent from the 'Australian' people.

The 'Australian' people do not have **real** 'representation', a basic essential for 'representative government' in a democratic Independent Sovereign Nation; they are simply given a choice between bad or worse every four years or so, and the wealth of the major 'political parties' is such that Independent candidates are literally unable to compete on an even footing, thus elections are not conducted on a fair or equitable basis. The 'Australian' people have effectively been excluded from any participation in the control or management of the affairs of their Nation; such a situation existed in America before their 'War of Independence', as it has in many other Nations.

Any 'agreement' such as that with the WTO, amongst thousands signed on behalf of the 'Australian' people without their consent, that allows foreigners a claim to be able to force Australia to accept contaminated or diseased products is clearly wrong and an attack on Australia's Sovereignty. Such action would seem to constitute economic and biological warfare in the name of 'trade'; a primary cause of International disputes and wars; Machiavelli would be proud of its author, but the 'Australian' people are not.

Government Advertising (Objectivity, Fairness and Accountability) Bill 2000

Current 'Government' (and 'Opposition') advertising and 'election propaganda' go hand in hand; it appears now to have degenerated into a battle between 'Advertising Agency opinion poll data analysts and strategists' instead of anything approaching rational debate regarding specific policies. The funds used by 'government' in these exercises is partly taxpayer owned, and partly donated to the political party machines, a process that favours large parties, and disadvantages small 'parties' and Independents. Big Business 'Donations' encourage big corruption.

That which is **donated is always suspect**, the underlying implication inevitably being that there are expectations of favours or benefits being given in return. If 'business' or 'corporate' donors did not get adequate 'value' for their money they would simply cease to give.

It is apparent that the 'Australian' people are deprived of relevant information from their 'elected representative', by a 'representative' of the people of the 'Bennelong' electorate gagging the others. There is no valid or legitimate constitutional provision to justify that action. In what manner are the people of Bennelong superior to other 'Australian' people? All 'representatives' are accountable to the people who elected them, not to another elected 'representative'.

All 'government' action regarding taxpayer funds must be subject to audit; that covers virtually all actions taken by 'government'. For the same reason, 'cabinet documents' cannot be excluded from public perusal, nor can the term 'commercial in confidence' justify secrecy of actions by any 'representatives'.

Auditor of Parliamentary Allowances and Entitlements Bill 2000 [No 2]

Any member of 'parliament' or other 'elected representative' of the 'Australian' people who abuses his position of trust must be rendered liable in the same manner as anyone else, as well as losing his position and termination benefits. The prevalence of 'travel roting' highlights the necessity for more stringent accountability. 'Electoral allowances, Phone cards, Corporate credit cards and Study trips' are in the same category. If there is no clearly specific and necessary benefit to be derived by the 'Australian' people, taxpayers must not be burdened with those costs. Study tours have become the equivalent of gratuitous 'end of season football team trips' (but much more expensive), as have many overseas 'political appointments'. **Every cent of 'taxpayer funds' must be accountable**, including the 'petrol levy', and all other funds received, whatever the source. The current 'government' solution is to change that 'legislative' requirement rather than comply with its own rules. !

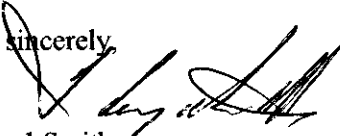
A 'reimbursement' system should be used for 'representatives work related expenses', and only for that part which is essential, nothing else. It is essential that all costs, 'allowances' and 'entitlements' be fully justified and properly accounted for, and be subject to close scrutiny by an independent auditor and the 'Australian' people.

John Howard now claims he cannot afford to 'freeze' the excise on petrol, yet he can afford millions, perhaps billions of tax dollars, to waste on a multitude of 'Consultants', Subsidies Grants and Tax benefits for foreign business, Foreign Aid (to buy weapons), UN funding, Personal (spare no expense) air travel between home and work, 'Federation entourage holidays to the UK' and other non-productive celebrations, renovations and acquisitions, as well as extraordinarily generous superannuation benefits (un-available to others), allowances, and other perks for politicians and ex-politicians (No longer employed by the people), and millions of tax dollars for 'political party' advertising for election and other non-essential purposes when some 'Australians' have died in under-funded Hospital corridors, and many live in virtual poverty, or lose jobs because of 'government' policies.

The likes of WTO MAI FSIA and WEF 'commitments' have not been shown to be in the interests of the 'Australian' people who have not 'consented' to any of those agreements; on the contrary, the conditions of those agreements allow foreign investment to further degrade living standards and destroy Australian business and prosperity, but are kept 'secret' from the people John Howard and others were elected to 'represent', not to 'reject their will' and attempt to 'control' them, or to plunder their assets and deprive them of their rights and liberties.

Where is 'political honesty and accountability' ?

A valid and legitimate 'Australian' Constitution constructed by the 'Australian' people (Not Politicians), and honest 'representatives', would render this current inquiry totally un-necessary. Political honesty and accountability must not be restricted to the four 'bills' specified under the terms of this inquiry.

Yours sincerely,


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