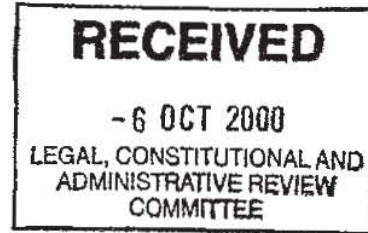


Submission No 15

FAXED.

8 October 2000



THE RESEARCH DIRECTOR
LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE
REVIEW COMMITTEE
PARLIAMENT HOUSE
GEORGE STREET
BRISBANE Q 4000

Spec 332

Dear Sir,

INQUIRY INTO THE PREVENTION OF ELECTORAL FRAUD

Please find attached my Council's submission to your Committee in relation to the above inquiry.

This submission has been prepared by Council officers with the formal authorisation of the Council. Where appropriate, it is based on the current Local Government Act election provisions.

Please contact the undersigned on 4688 6604 should you wish to discuss any aspect of this submission.

Yours faithfully,

A handwritten signature in black ink, appearing to be "G.H. Taylor".

G.H. TAYLOR
DEPUTY CHIEF EXECUTIVE OFFICER

Encl.

ABN 69 653 021 471

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**THE LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE'S
INQUIRY INTO THE PREVENTION OF ELECTORAL FRAUD.**

SUBMISSION BY TOOWOOMBA CITY COUNCIL

6 October 2000

Issue 2

The following table sets out the details of multiple voting during the 1994, 1997 and 2000 Council triennial elections.

Electoral Year	No. of Multiple Voting Incidences	No. Attributed to Polling Staff Errors	Possible Actual Incidences	No. of Votes Cast
1994	57	35	22	48,009
1997	44	29	15	48,764
2000	45	28	17	51,164

From these figures it could be concluded that a small number of voters may be consistently voting more than once. It is difficult to see how this can be controlled without the introduction of highly complex, resource and time consuming processes which would have a direct adverse impact on polling booth management and efficiency.

Issue 4

See comments on Issue 5.

Issue 5

It is submitted that proof of identity should be required when enrolling for the first time. A system similar to the identification process required when opening a bank account would be appropriate. To minimise the inconvenience, ECQ agencies e.g. Australia Post and local governments, could be given authority to accept enrolments and certify that the required proof of identity has been provided. Only properly trained and authorised employees at these agencies should be allowed to undertake these tasks.

Issue 6

Door knocking, whilst time consuming and expensive, appears to be the most efficient method of checking the enrolment status of electors.

In addition to the current data matching techniques outlined in the Issues Paper, information stored on local government databases (e.g. rates and library systems), could be accessed to assist in the confirmation of postal addresses. However, appropriate legislative authority

would need to be put in place to protect local governments from any accusation of breach of privacy.

Issue 7

Additional safeguards should be introduced through co-operation between the AEC and the ECQ. Duplication of the process is seen as both unnecessary and expensive. The amalgamation of the process some years ago has streamlined the process and reduced the incidence of non-enrolment due to lack of knowledge of the requirement at that time to complete two enrolment forms.

Issue 8

See comments above

Issue 9

Immediate closure of the roll could well result in a significant number of people being deprived of the opportunity to enrol to vote in the election in respect of which the writ was issued. This contention is based on the belief that many people give little thought to their obligation to enrol or update their enrolment during "non-election" periods and are only prompted into action once the fact that an election is imminent is known.

This contention can be tested by comparing enrolment statistics over that period with other similar periods at other times of the year.

Issue 11

The proposal espoused would be a major logistical exercise, (particularly if proof of identity is to be required), would inconvenience and confuse many electors and would be of doubtful benefit.

Issue 12

The action already taken, as outlined in the Issues Paper, appears to adequately cover this situation. However, the imposition of significant penalties for this offence should be considered as a deterrent.

In relation to the issue of "cemetery voting" perhaps consideration could be given to the circulation of a list of registered deaths occurring between the printing of the rolls and the Wednesday preceding the election, for circulation to polling booth staff. This suggestion is made on the assumption that, at the time of printing, the roll does not contain the name of any person whose death has been officially registered immediately prior to that date.\

Issue 13

Postal voting declaration requirements could be amended to provide for two witnesses to witness the signature of the voter with at least one to be a person not related to the voter.

Additionally, the introduction of a process whereby voters suffering ongoing illness, infirmity or disablement can pre-register as postal voters (with appropriate identification checks) could be considered. This would dispense with the current requirement for the completion of an application form and allow returning officers to forward ballot papers directly to those voters. The allocation of "pin numbers" which would need to be quoted on the declaration envelope (together with the requirement for the voter's signature to be witnessed) would add a further safeguard.

Issue 14

Proof of identity would be much easier to control in these circumstances because the voter "throughput" factor is not as critical. Pre-registration, as discussed above, could also be considered.

Issue 15

Any identification system has to be simple and uniform.

Voters should not be allowed to provide any form of identification as anything short of a form with a photograph (e.g. driver's licence) would not achieve the purpose.

A "voting card" issued specifically for a particular election, would be the most effective as the process could include provision for the card to be stamped to prevent multiple voting. However, difficulties will arise if the elector, for whatever reason, does not receive the card or forgets to bring it with them to the booth. For this system to work in a declaration voting situation, the witness/es would need to certify that they have sighted the card.

Issue 16

Whilst polling booth staff currently have this power, it is suggested that it would be rarely invoked. Staff have to accept, at face value, that the person standing in front of them at the polling booth is the person they claim to be unless, of course, they have personal knowledge that this is not the case. To do otherwise would severely impact on the ability of the staff to efficiently deal with the number of voters attending that booth. Voting cards, as discussed above, are seen as the best safeguard.

Issue 17

This proposal is not supported as it would be seen as unreasonably restrictive and accordingly, would be very poorly received by voters.

Issue 18

A significant amount of research, planning and appropriate software development would be needed to ensure that it is not only "fail safe" but is also perceived by voters to be so.

On a related issue, it is suggested that an electronic electoral roll system, designed to enable polling staff to electronically "mark off" and centrally register the issue of a ballot paper to a voter, be developed and tested.

Issue 19

See comments on Issue 13.

Issue 20

Existing arrangements are considered adequate.

Issue 21

Scrutineer's attendance is seen as a sufficient safeguard.

Issue 22

A reconciliation between the number of voters marked off the roll at each polling place and the number of votes cast could be considered. However, this would be a very time consuming task and a margin of error in marking off the roll allowed for.

Issue 23

Spot checks could be undertaken to confirm –

- (a) enrolment details and
- (b) (by personal interview), that the voter listed on an electoral roll as having voted at a particular polling booth did, in fact, vote at that location.

Issues 24 and 25

As previously discussed.