

Multiple Voting and Voter Identification

**A research report prepared for the
New South Wales Electoral Commission.**

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Executive Summary

This report focuses on the extent and nature of multiple voting in New South Wales. It also assesses arguments regarding a shift in New South Wales voter identification laws from the current trust-based system to a documentary identification system.

With regard to *multiple voting*, the best evidence suggests that in New South Wales:

- a large number of apparent but false multiple votes are generated by raw electoral commission mark-off data.
- once the false multiple votes are removed, the evidence is that multiple votes form a very small proportion (0.08%) of overall votes.
- the number of multiple votes is too small to determine the winner in any seat.
- multiple voting is not strategic: it is not directed at marginal seats.
- multiple voting is strongly related to demographic factors such as fluency in English (see Chapter 5).

These findings are consistent with those for other electoral systems (see Chapter 4).

Countries around the world are evenly divided between automatic voter registration systems and voter application registration systems. Most countries do now use some form of documentary voter identification system. The range of acceptable documents varies widely, from universal national identification cards to a range of non-photo documents. Many countries with documentary identification systems also allow voters to be vouched for by witnesses (Chapters 6 to 8).

With regard to the introduction of documentary *voter identification* in New South Wales, Chapter 10 suggests that:

- voter identification measures are likely to produce more harm than good for some groups of voters, such as some Aboriginal citizens, some voters with disabilities, some homeless voters and some elderly voters.
- voter identification measures are unlikely to achieve cross-party consensus.
- new voter identification measures would need to rely on existing documents, rather than a universal identification card.
- these measures would require significantly increased electoral administrative capacity to cope with voter confusion and ambiguous documentation.
- more limited measures like the introduction of a reliable electronic voter mark-off system would be expensive and would have a limited impact on multiple voting.
- the actual impact of any new voter identification laws on the already low levels of multiple voting would need to be carefully assessed.

Chapter 1 Definition and Types of Multiple Voting

1.1 A Basic Definition of Multiple Voting

Multiple voting can be defined reasonably straightforwardly. It refers to an individual casting more than the number of votes to which he or she is entitled in any particular election. The votes are cast using genuine paper or electronic ballots obtained from polling officials through apparently legitimate processes. Multiple voting thus excludes other forms of voting fraud in which unauthorised ballots are entered into the election count (through putting faked ballot papers into ballot boxes, tampering with electronic voting processes, and the like).

1.2 Multiple Voting in Australian Electoral Law

In New South Wales, multiple voting is defined as an offence in Section 112 of the *Parliamentary Electorates and Elections Act 1912*, which states:

- (1) If any person:
- (a) to whom any of the prescribed questions is so put as aforesaid wilfully makes a false answer to the same or any part thereof, or
 - (b) wilfully makes a false declaration in respect of any matter or thing for which a declaration is required by this Part, or
 - (c) personates any elector for the purpose of voting at any election, or
 - (d) votes more than once at any election, or
 - (e) knowingly deposits in the ballot box at any polling place more ballot papers than one,
- the person is guilty of an offence.

Maximum penalty: 100 penalty units or imprisonment for 3 years, or both.

- (2) A person does not commit an offence arising under subsection (1) (e) by reason only of his or her depositing in the ballot box, used for elections referred to in section 120J, the ballot papers used by him or her for voting in each of those elections.

Other Australian jurisdictions have similar provisions making multiple voting an offence. Section 339 of the *Commonwealth Electoral Act 1918*, for example, states that:

- (1) A person shall not:
- (a) impersonate any person with the intention of securing a ballot paper to which the impersonator is not entitled; or
 - (b) impersonate any person with the intention of voting in that other person's name; or
 - (c) fraudulently do an act that results in the destruction or defacement of any nomination paper or ballot paper; or
 - (d) fraudulently put any ballot paper or other paper into the ballot-box; or
 - (e) fraudulently take any ballot paper out of any polling booth or counting centre; or
 - (g) supply ballot papers without authority; or
 - (h) do an act that results in the unlawful destruction of, taking of, opening of, or interference with, ballot-boxes or ballot papers.

Penalty: Imprisonment for 6 months.

(1A) A person is guilty of an offence if the person votes more than once in the same election.

Penalty: 10 penalty units.

(1B) An offence against subsection (1A) is an offence of strict liability.

(1C) A person is guilty of an offence if the person intentionally votes more than once in the same election.

Penalty: 60 penalty units or imprisonment for 12 months, or both.

(1D) If a person votes more than once in the same election, the number of offences the person is guilty of under subsection (1A) or (1C) because of that voting is the number of times the person voted in that election less one.

Note: This subsection means that each act of voting (other than the one act of voting that would be legitimate) gives rise to a separate offence but it is not necessary to know which act of voting was the first one and therefore legitimate.

1.3 Five Types of Multiple Voting

As these provisions suggest, multiple voting can take various forms, all of which involve an individual casting more votes than the number to which he or she is entitled. Five possible types are listed here:

Type 1. A voter enrolls to vote more than once using false names and identification details of individuals who do not exist and then votes in the names of those fabricated individuals one or more times.

Type 2. A voter enrolls more than once using the details of other eligible voters who have not themselves enrolled and votes in each of their names one or more times.

Type 3. A voter votes more than once using his or her own identity, either by applying for different types of ballots (for example, a postal vote and an ordinary election day vote), or by voting at two or more different polling places on election day.

Type 4. A voter votes once using his or her own identity and casts one or more other votes using the identities of one or more other eligible voters who have agreed to him or her voting in their place.

Type 5. A voter votes once using his or her own identity and casts one or more other votes using the identities of one or more other eligible voters without their knowledge.

1.4 Features of These Five Types

Four points can be made about these different forms of multiple voting.

1.4.1 *Legitimacy and Illegitimacy*

First, the boundaries between legitimate and illegitimate forms of multiple voting change from context to context. Multiple voting within one electoral district was prohibited in New South Wales in 1858; however, men in the colony of NSW were eligible to vote in all the electorates in which they met the property requirement until 1893. It has been estimated that up to fifteen percent of votes between 1858 and 1893 were legitimate multiple votes (Hawker 1971: 15; Twomey 2004: 325-326). The nineteenth century liberal philosopher John Stuart Mill argued that multiple votes be given to more educated citizens to offset the votes of the more numerous but less educated labourers (Mill 1861 [1972]: 280-286). Although such measures are unlikely to receive serious support today, legal forms of multiple voting have not entirely

disappeared. The practice of proxy voting used in countries such as the United Kingdom, Netherlands and Poland allows voters to cast legitimate multiple votes on behalf of others, where those other voters have indicated their consent (The Electoral Commission 2008b; Anderweg and Irwin 2009: 101; OSCE/ODIHR 1012a: 8).

1.4.2 Varied Causes and Motivations

Second, although these different types of multiple voting result in the same outcome—two or more votes being cast by an individual voter—they often involve different causes and motivations. Multiple voting in the names of fictitious voters (Type 1 above) is only likely to be undertaken in a deliberate attempt to exercise improper influence on an electoral outcome. Multiple voting in one's own name (Type 3 above) might also be a deliberate attempt to influence improperly an election outcome; however, it might equally result from confusion, language difficulties or lack of knowledge (see, for example, AEC 2010: 4). A voter who votes once in his or her own name and once for a sick relative (Type 4 above) may do so as a well-intentioned attempt to fulfil the relative's obligation to vote. These differences in motive produce a tension between treating all multiple voting as the same offence and dealing with different types of multiple voting in different ways. The Commonwealth and NSW electoral laws recognise this tension in an implicit way in their use of adjectives such as 'wilfully', 'knowingly' and 'intentionally' to differentiate more serious offences from less serious ones. The responses of Australian electoral commissions to different types of multiple voting also distinguish between different types of multiple voting on the basis of apparent cause and motive (see, for example, AEC 2009: 7-11). Concerns about multiple voting predominantly focus on deliberate multiple voting with a strategic electoral goal, rather than accidental or unintentional multiple voting, or multiple voting deliberately undertaken at the wish of a relative or friend who would otherwise not be recorded as having voted (Phelps interview).¹

1.4.3 Several Offences Likely in One Multiple Vote

Third, multiple voting is likely to involve other electoral offences. Obtaining a ballot paper in another person's name, for example, is an offence under both the NSW and Commonwealth electoral acts whether or not the individual who obtains the ballot through such personation also obtains a ballot in his or her own name and votes twice. Enrolling fictitious electors is an offence, regardless of whether or not the person who enrolls them goes on to vote in their names. A voter who votes twice in their own name in a NSW election is likely to have committed two offences, the first when he or she falsely answers the electoral official's question to obtain the extra ballot and the second when he or she then completes the second act of voting.

¹ For details of interviews conducted for this report, see Appendix 1.

1.4.4 Multiple Voting Relates to Broad Features of an Electoral System

Fourth, as the previous paragraph implies, the risks of multiple voting in any electoral system cannot be understood simply by focusing on what happens at polling places on election days, or even during the voting period. An understanding of the varieties of multiple voting in any jurisdiction must take into account other aspects of the electoral process. The most obvious of these is the voter registration procedures (see Types 1 and 2 above); however, other aspects of the electoral system are also relevant. One is whether voting is compulsory or voluntary. A voluntary voting system makes Type 5 multiple voting easier than it is in a compulsory voting system, since the opportunities to vote undetected in the names of other citizens who are on the electoral roll will be greater where more of those enrolled citizens do not themselves turn out to vote.

Chapter 2 Reasons for Concern about Multiple Voting

Beyond the fact that it is illegal, three reasons are commonly advanced for concern about multiple voting. These are:

1. That multiple voting violates a principle of equality.
2. That multiple voting distorts the outcome of elections.
3. That multiple voting causes loss of confidence in public institutions.

The following sections outline each of these arguments and give examples of their use in NSW debates about multiple voting.

2.1 Multiple Voting Violates the Principle of Equality

The principle of 'one person, one vote' or 'equal suffrage' is commonly viewed as a central element of modern representative democracies (see, for example, Still 1981). The principle was established in international law in Article 21 of the *United Nations Declaration of Human Rights* (1948):

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 25 of the 1966 *International Covenant on Civil and Political Rights* repeats this right to equal suffrage:

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;

(c) To have access, on general terms of equality, to public service in his country.

More recently, the Council of Europe's *Code of Good Practice in Electoral Matters*, drawn up by the European Commission for Democracy Through Law (the Venice Commission), has specified that 'equal suffrage ... entails ... [e]qual voting rights: each voter has in principle one vote; where the electoral system provides voters with more than one vote, each voter has the same number of votes' (2002: 17).

While the most widely discussed implication of equal suffrage is the duty of governments to ensure that all citizens have the opportunity to cast a vote, equal suffrage also implies that governments have a duty to ensure that every voter casts the same number of votes. The equality argument is essentially a deontological one, in that it asserts that we should be concerned about multiple voting as a failure of some voters and the government agencies that run elections to do their duties. The individual who casts multiple ballots fails in his or her duty as a voter, while governments that allow multiple voting to occur fail in their duty to uphold the principle of voter equality.

In the New South Wales context, the National Party MLA for Coffs Harbour, Andrew Fraser, has consistently made the argument that multiple voting violates the principle of voter equality (*NSWPD LA*, 16 November 2000, p.10156; Fraser interview). As a leading New South Wales parliamentary advocate of strengthened voter identification laws, Fraser has argued that such laws are necessary so that his legitimate 'vote will not be nullified' or 'negated' by a fraudulent vote (*NSWPD LA*, 16 November 2000, p.10157; 11 April 2002, p.1416; Fraser interview). There is a slight problem in expressing the argument in this personalised way, in that it is impossible to specify whose vote is 'nullified' by the second vote cast by another voter, even if we know exactly how all the voters in an election have voted. Fraser's basic point about equality is sound, however, since someone casting two votes has a greater chance of affecting the outcome of an election than someone who casts one. The inequality is tiny in electorates containing thousands of voters, but it does exist (see Penrose 1946; Banzhaf 1965; Flesenthal and Machover 2004).

2.2 Multiple Voting Distorts the Outcome of Elections

As a deontological position, the equality argument applies whether or not multiple voting achieves particular ends. Multiple voting *per se* creates inequality between voters. An alternative argument—that multiple voting is a concern because it affects the outcomes of elections—is based on consequentialist ethical considerations. As Lehoucq (2003: 251-152) argues in his cross-national survey, multiple voting and other forms of voter fraud do '... not appear to be decisive most of the time. The

colorful history of vote fabrication probably exaggerates its role in determining election outcomes. Fraud, nevertheless, undermines political stability because, in close races, it can be decisive’.

There is always some possibility that multiple voting could change the result in one or more electorates, or even mean that one party rather than another wins control of government. The argument that elections are won and lost as a result of deliberate multiple voting, either on its own or in conjunction with other electoral fraud, has been central to much of the public debate over multiple voting in the United States (see, for example, Minnite 2010).

In New South Wales, those who are concerned about multiple voting tend to draw more heavily on this argument than on the argument about voter equality. For Dr Amy McGrath, President of the H.S. Chapman Society, multiple voting is ‘endemic’ and has affected the outcomes of a number of state and federal elections (McGrath interview). Others, such as Andrew Fraser, have pointed to the results in specific New South Wales seats such as Clarence, Mulgoa and Dubbo as examples of the effects of multiple voting and other voter fraud (*NSWPD LA* 16 November 2000, p. 10159; 11 April 2002, p.1416).

2.3 Multiple Voting Causes Loss of Confidence in Public Institutions

Another consequentialist argument for being concerned about multiple voting is that it helps to undermine faith in democratic processes and the institutions. Writing about countries in transition from authoritarian to democratic rule, Fabrice Lehoucq (2003: 252) notes that ‘[e]ven when elections are not competitive, ballot rigging robs elections of credibility and therefore prevents the consolidation of democratic institutions’. A similar point could be made about established democracies such as Australia, many of which have faced the challenge of increasingly cynical and disengaged citizens in recent years (see, for example, Stoker 2006; Hay 2007; Flinders 2010).

If voters believe that their electoral systems are corrupted by deliberate multiple voting and other fraud, they may be less likely to participate in electoral politics or to take it seriously, regardless of whether or not multiple voting actually affects the outcomes of elections. If citizens believe that the political parties that win seats in parliament and control of government are implicated in multiple voting, then those parties, the parliament and the government may lose credibility. Again, this may occur whether or not multiple voting actually determines election outcomes.

Such concerns are easy to find in Australian and New South Wales debates about multiple voting. Commentators such as Dr Amy McGrath regularly suggest a link

between cases of fraudulent voting in internal Labor Party and trade union ballots and the idea that Labor and the trade unions must employ the same fraudulent tactics in general elections. If this is so, how can citizens trust Australian elections and the electoral commissions that oversee them (see, for example, McGrath 1996; H.S. Chapman Society 1997; *NSWPD LA*, 16 November 2000, p. 10160; *NSWPD LA*, 21 March 2002, p. 960; Hughes and Costar 2006: 28-31; 39-43).

Chapter 3 Reasons to Be Unconcerned about Multiple Voting

The common responses to the three arguments presented in Chapter 2 for being concerned about multiple voting are essentially pragmatic. No one publicly argues that voters do not have a duty to cast only as many votes as they are allowed under the law, or that where multiple voting results in stolen elections or loss of confidence in public institutions, governments should ignore it. Instead, the arguments commonly advanced against viewing multiple voting as a concern are:

1. That multiple voting is not a widespread problem.
2. That stealing elections through deliberate multiple voting does not work.
3. That there are more important barriers to voter equality than multiple voting.
4. That effective solutions to multiple voting increase voter inequality.
5. That multiple voting is not a major cause of mistrust in public institutions

3.1 Multiple Voting is Not Widespread

This argument underlies the other four that are used to contest the idea that multiple voting is a concern. In most contemporary democracies, multiple voting is rarely raised as an electoral problem. This may be because many democracies have instituted comprehensive voter identification measures to prevent the practice, or to make it harder (see Chapters 7 and 8 below). Even in countries such as the United States, which have uneven identification requirements, many electoral commentators argue that multiple voting is uncommon. Lorraine Minnite (2010: 6), for example, summarises her forensic study of recent American voter fraud as follows: ‘... although millions of people cast ballots every year, almost no one knowingly and wilfully casts an illegal vote in the United States today’.

Similar assessments are regularly made in the Australian context. In an early statement on the subject, the Australian Electoral Commission stated that ‘multiple voting in the same name ... is already known to be a phenomenon of marginal importance, rarely undertaken with fraudulent intent’ (AEC 1993: 23). In New South Wales, the prominent election analyst Antony Green has concluded that multiple voting is very limited in state elections (see NSW JSCEM 2005: 72-73). The NSW Electoral Commission has reached the same conclusion (see NSW JSCEM 2012: 55), as have parliamentarians from several parties with experience serving on the NSW Joint Standing Committee on Electoral Matters. The Hon. Amanda Fazio (ALP) has stated, ‘I don’t believe that it’s a problem at all in New South Wales. The number of people multiple voting is miniscule’ (Fazio interview). The assessment of Liberal MLC, the Hon. Dr Peter Phelps, is that there are ‘unquestionably instances’ of multiple voting but that deliberate multiple voting ‘happens on a very minor scale’ and is ‘not much’ of a problem (Phelps interview). The Hon. Robert Borsak, of the

Shooters and Fishers Party, argues that multiple voting involves ‘an immaterial number of votes’ in New South Wales (Borsak interview).

3.2 Trying to Steal Elections through Multiple Voting Does Not Work

This argument specifically addresses the second argument for seeing multiple voting as a concern. It begins with the point that election fraud ‘takes on a panoply of forms’ (Lehoucq 2003: 251). Iván Molina and Fabrice Lehoucq (1999), for example, identify 47 different types of fraud used in Costa Rican elections in the period from 1901 to 1946. Successfully stealing elections typically requires using a range of fraudulent methods, rather than relying on just one. Often these methods involve collusion or incompetence by government authorities and the judiciary (Schedler 2002; Schaffer 2007).

Without these conditions, stealing elections is hard. It would be difficult for someone to organise enough voters to steal an election, even in one electorate, solely by using multiple voting in a large-scale electoral system and without the cooperation of electoral officials and the courts. The numbers of votes involved would mean either convincing very large groups of voters to vote twice, or smaller groups of voters to vote many times, without any guarantee that they would reap the reward of winning the seat. Even if enough voters could be convinced to do this, perhaps through loyalty to their preferred candidate or party, the probability of such multiple voting becoming apparent to opponents, officials, journalists and the public is very high. These factors mean that large-scale multiple voting is highly unlikely to emerge as a problem (Hughes 1998: 480-483; Minitte 2010: 77-85).

This line of argument is found in Australia. The Australian Electoral Commission has pointed out that the appearance of multiple voting on a large enough scale to affect the outcome would be obvious enough to lead to the result being challenged in the Court of Disputed Returns (AEC 1993: 23). Antony Green has made this argument in the New South Wales context, as has the Hon. Robert Borsak MLC (NSW JSCEM 2005: 72-4; Borsak interview). It is worth noting that not all instances of suspected multiple voting are challenged by unsuccessful candidates. This is partly due to the cost of challenges but also because losing candidates make the judgement that their opponents would have emerged victorious regardless of any multiple votes (Fraser interview).

3.3 More Important Barriers to Voter Equality Exist

This argument addresses the first argument for concern about multiple voting (Section 2.1). It has two aspects. First, if governments have a duty to ensure equality of the franchise, then they should focus on major barriers to voting equality before devoting resources to addressing the issue of multiple voting. Multiple voting produces inequality in voting power between voters (see Section 3.1 above) but this inequality is not as great as that between individuals with one vote and those with no vote, who have no chance whatsoever of influencing the outcome of an election. Second, the number of multiple votes is much smaller than the number of citizens effectively denied a vote (Minitte 2010: 6). For critics who make this type of argument, the main priority in reforming voter administration should be on measures that ensure access to the vote for citizens who have a legal right to vote but are effectively excluded from voting at present.

Electoral commissions across Australia, including the NSW Electoral Commission, have taken steps to increase access to the ballot for a range of citizens for whom such access has been difficult. Advocacy groups also argue that enhancing these efforts, rather than restricting the possibility of multiple voting, should be given priority. The NSW Aboriginal Land Rights Council, for example, argues for increasing Aboriginal electoral participation through:

- Having more Aboriginal electoral officials
- Having electoral officials go to people's houses to administer ballots
- Providing more help for voters with literacy problems
- Having electoral officers who are known by community members and can speak community languages for voters whose first language is not English (Aubrey-Poiner and Davis interview).

Christine Regan, a Senior Policy Officer at the Council of Social Services of New South Wales (NCOSS), argues that priority should be given to increasing the Electoral Commission's engagement with people with disabilities, 'people who should be voting and simply cannot'. This would include measures such as enrolling more people with disabilities, improving the accessibility of polling places and broadening the ability of people with disabilities and their carers to access pre-poll voting and internet voting (Regan interview). Advocates for homeless people such as NCOSS and Homelessness NSW also view active measures to ensure that those people are kept on the roll and able to vote as having a higher priority than reducing multiple voting (Hughes interview; Gardiner interview).

3.4 Solutions to Multiple Voting Will Increase Voter Inequality

This argument is a stronger version of the previous one. Its proponents claim that efforts to address multiple voting through voter identification measures are not only misdirected, they may result in people who previously exercised a legitimate right to vote no longer being able to do so (Kelly 2012: 65). Even where voters are not disenfranchised, measures to combat multiple voting may make voting significantly harder for them. Oliver Semans, a Sioux leader, put this argument in relation to the effect of new American voting laws in the mid-2000s: ‘The law ... to stop one person from doing something wrong in turn affects hundreds or thousands who have done nothing wrong. You are punishing thousands for what you think might happen’ (quoted in Overton 2006: 150). The Hon. Robert Borsak MLC has made a similar argument in the New South Wales context: ‘99.99 percent of people all of a sudden have to be issued with an ID card to vote but 99.99 percent of the people aren’t the problem. The problem is so miniscule, why are we doing it? Is it for the overweening need to control everybody all of the time for what is an imperceptible problem?’ (Borsak interview).

This argument is sometimes put in general terms—anyone who does not happen to have the required identification with them when they go to vote will be discouraged from voting (Fazio interview)—but is often applied to specific socio-economic groups who are seen as less likely than others to have the relevant identification. These kinds of arguments are commonly made in Australia. The Australian Electoral Commission, for example, has suggested that measures to deal with multiple voting could make voter registration harder for groups such as old people, Aboriginal and Torres Strait Islanders, people living in remote places, recent arrivals, the homeless and women escaping violence (1993: 10).

Similar observations about the impact of voter identification measures on specific groups of voters have been made by advocacy organisations in New South Wales. Homelessness NSW argues that while most homeless people are likely to be able to register as voters using identification—since they can do so in ‘a timely manner’ and in consultation with support agencies—they do not always carry identification with them for safety reasons and thus may not be able to verify their identity at a polling place on election day (NSW JSCEM 2012: 56; Hughes interview).

These factors would also affect people with disabilities living in the community, according to NCOSS representatives. Many will have some non-photo identification, such as a pension card, although fewer will have photo identification. Turning up with that identification on polling day will be ‘problematic’ for many of these people, since they may not be sufficiently organised to remember their cards, or might have temporarily lost them (Regan and Gardiner interviews). Similar issues would also

affect low socio-economic status and non-English speaking groups, according to Mark Franklin, Executive Officer of the Ethnic Communities' Council NSW (Franklin interview). The NSW Aboriginal Land Council believes that Aboriginal people, particularly in rural areas, are less likely to have identification, especially photo identification, than most other members of the population (Aubrey-Poiner and Davis interview).

This argument tends to divide parliamentarians along party lines. Labor and Green parliamentarians (*NSWPD LA*, 21 March 2002, p.959; Fazio interview; Rhiannon and Stone 2013) have supported the claim that particular groups will be disadvantaged by attempts to deal with multiple voting through identification measures, while parliamentarians from the Liberal, National and Christian Democratic parties have argued that the effects on any particular group of voters will be minimal (Fraser and Phelps interviews; NSW JSCEM 2012: 56)).

The exact effects are impossible to quantify accurately. Addressing the American context, Spencer Overton has argued that it would be extremely hard to conduct a reliable cost-benefit analysis to weigh the risks of multiple voting against the exclusion of legitimate voters (Overton 2006: 161-167). Nonetheless, the possible net result of measures against multiple voting might be more electoral inequality between citizens, rather than less.

3.5 Multiple Voting is not a Major Cause of Mistrust in Public Institutions

Although the claim that multiple voting reduces trust in public institutions is intuitively plausible (see Section 2.3), there is little evidence for it. The literature on declining civic confidence and political engagement in western democracies highlights a range of potential causes that do not usually include voter fraud (see Stoker 2006; Hay 2007; Flinders 2010).

Some American commentators have argued that, in fact, the repeated public claims about voter fraud since the 2000 Presidential Election, rather than the actual existence of any widespread multiple voting or other fraud, have undermined public confidence in electoral processes (see, for example, Minitte 2010: Chapter 6). The limited evidence that does exist about the relative importance of multiple voting (real or imagined) to American public attitudes about elections and politics suggests that mistrust and cynicism mostly stem from other sources. A 2006 national survey found that Americans were hard pressed to identify specific election practices as a serious integrity threat. Very few voters nominated 'illegal voting, such as voting twice' (3.1 percent) or 'voter registration fraud' (5.0 percent) as the 'greatest threat' to

electoral integrity (Alvarez and Hall 2008: 78-80). These problems are simply not on most American voters' radars as major electoral threats.

Senior electoral officials and other commentators have made this argument in the New South Wales context. In 1989, the then former and current NSW Electoral Commissioners, W. R. Cundy and E. I. Dickson, wrote that:

Over the years the public's confidence in the electoral system has been eroded due largely to misinformation which is peddled in the media and otherwise and to lack of information as to the checks and balances which do exist. ... [G]enerally speaking, it is the public's perception rather than the reality which influences its opinion (quoted in Hughes 1998: 474).

Labor parliamentarians have also argued that repeated claims about multiple voting and other fraud undermine public confidence in electoral system, rather than representing a genuine problem (*NSWPD LA* 21 March 2002, p.959; Fazio interview)

Chapter 4 Evidence on the Extent of Multiple Voting

4.1 Common Claims

Since the 1980s, allegations of widespread multiple voting and related fraudulent voter activity in federal and state elections have been made by organisations such as the H.S. Chapman Society and its founder, Dr Amy McGrath OAM (see, for example, McGrath 1996). These allegations often rest on the potential for fraud, rather than actual evidence of fraud. In an interview for this report, for example, Dr McGrath argued: 'I could vote three times ... postal, pre-poll and on the day ... so a thousand people could get three votes ... they could also vote absent as well' (McGrath interview).

Similar claims, based on potential for fraud rather than specific evidence, often lie behind parliamentarians' concerns about multiple voting. Mr Andrew Fraser MP said in an interview for this report, 'I've always maintained, and I'd do it except I'd be breaking the law, that you can register your dog to vote' (Fraser interview), while the Hon. Dr Peter Phelps argued that 'Even if [multiple voting] doesn't happen, it could happen' (Phelps interview). Speaking in the NSW Parliament, the Liberal Member for Pittwater, Mr Rob Stokes, claimed that '[t]here is no way to ensure that someone who votes at one booth does not then move on to another booth, another booth and then another booth' (NSWPD LA, 25 November 2010, p. 28316).

Anecdotes about voters actually criss-crossing electorates to vote in multiple polling places are also common. A typical example, submitted to the 2010 Commonwealth Joint Standing Committee on Electors Matters, runs as follows:

I was told of a family in which the senior members (husband and wife) always voted Liberal and the son-in-law and his wife always voted Labor. When the senior members went to the local polling station and voted, the son-in-law then went to every other polling station in the electorate, gave their in-laws names and address and voted for their party. If there were say 20 polling stations in the electorate then ... it would appear that the senior couple had each voted 20 times ... (Williams 2010).

Sometimes these types of anecdotes extend to 'busloads' of party supporters touring particular electorates to cast multiple votes against their opponents.

Some media outlets have also promoted claims that a large number of multiple votes are cast in Australian elections. In late 2011, for example, a number of metropolitan and regional News Corporation newspapers ran prominent stories that up to 30,000 cases of multiple voting had occurred at the 2010 Federal Election (see, for example,

Bolger 2011; Marszalek 2011; Waterhouse 2011; Wills 2011). The *Daily Telegraph* claimed that '16,000 voters got away with' multiple voting at the election (Marszalek 2011). Despite attempts by the Australian Electoral Commission to correct the misinterpretation of its data on voters whose names had been marked off electoral rolls more than once in the 2010 election, the figure of 16,000 voters casting deliberate multiple votes was being repeated by Alan Jones on 2GB at the start of the 2013 election campaign (see Media Watch 2013).

Claims such as these—based on equating the potential for fraud with actual fraud, imprecise anecdotes about particular electorates, and/or mistaking the number of multiple electoral roll mark-offs for the number of multiple votes—have been repeatedly contested by Australian electoral bodies, who claim that multiple voting is uncommon and mostly does not result from fraudulent intent (see, for example, Hughes 1998; AEC 1993; 1997; 1999; 2003; 2009; 2010).

4.2 Testing the Claims

There are two main methods to test claims about the extent of multiple voting that involves individuals either: (i) voting more than once in the same name, or (ii) casting one vote in their own name and one or more additional votes in the name of one or more other voters. These two types of multiple voting do not cover all the possible ways of casting multiple votes (see Section 2.3 above); however, as Section 5.1 indicates, they do cover most of the common claims about multiple voting made in Australian public debate. The two methods are (i) detailed analysis of alleged multiple voting in specific electorates and (ii) systematic analysis of the data on multiple voting across all electorates in one or more elections.

4.3 The Paucity of International Evidence

Good evidence of either kind on the extent of multiple voting is available for very few countries. Alleged or potential multiple voting is regularly reported across a range of countries by the news media and international election monitoring bodies such as the Office for Democratic Institutions and Human Rights. It is impossible to translate this sort of anecdotal evidence into estimates about the extent of multiple voting across different countries.

4.4 The United States

Some evidence exists for the United States of America, where recent claims by partisan groups about the extent of voter fraud have been investigated by government authorities or examined before the courts. This scrutiny has produced evidence of very small amounts of multiple voting and other voter fraud. The

American Center for Voting Rights' claimed that around 300,000 votes in the 2004 United States elections were fraudulent, including over 3,000 cases of double-voting and 275,000 of registration fraud. Investigation of these claims resulted in around 50 cases of fraudulent voting being independently confirmed (Minnite 2010: 12-13). Research on double voting allegations lodged with authorities in California over a longer period—1994 to 2006—uncovered 605 instances of double voting at polling places or through postal voting in a period when 75 million votes were cast (Minnite 2010: 59, 61).

4.5 Australian Evidence from Single Electorates

Evidence drawn from single electorates generally relies on the results in those electorates being challenged in the Court of Disputed Returns. On the other hand, this means that the case studies provided by the Court of Disputed Returns are unlikely to be 'typical' electorates. On the other hand, since parties tend only to pursue cases where they have a reasonable prospect of success if a new election is ordered (Fraser interview), the cases brought before the Court are likely to provide telling evidence of instances of multiple voting used to win close seats.

Few challenges in Australian courts of disputed returns involve allegations of multiple voting. The one exception in recent years was heard in the Queensland Court of Disputed Returns in 2009. The Liberal National Party candidate Andrea Caltabiano challenged her Labor opponent's narrow victory (13,561 votes to 13,487) in the seat of Chatsworth at the 21 March 2009 Queensland election.

Thirty apparent double votes, out of the total of 28,840 votes cast, were examined as part of the case. The Electoral Commission of Queensland questioned each of the apparent double voters, along with other relevant voters (voters with similar names to the apparent double voters, voters who resided at the same address, etc.) and investigated its voting records. On the basis of this research, Justice Atkinson made findings about all 30 instances of apparent multiple voting. He found that 28 instances resulted from polling officials making clerical errors of various kinds. The following is a typical instance:

Jonathan McColl's name was marked off twice on rolls at the Mayfield booth. He asserted when interviewed by ECQ staff that he had voted once only on polling day at the Mayfield booth. The ECQ staff also interviewed Callum McColl who lives at the same address and immediately precedes Jonathan McColl on the electoral roll. Callum McColl is shown as not having voted on polling day but he said that he had voted at the Mayfield booth on polling day. This appears to be just another clerical error and not a case of double voting or personation

(Caltabiano v Electoral Commission of Queensland & Anor No 4 [2009] QSC 294: 64).

The two instances in which Justice Atkinson concluded that voters had actually cast double votes involved elderly people who had both unwittingly cast a postal vote and another vote (for the full list, see Caltabiano v Electoral Commission of Queensland: especially 58-67; for a summary, see Green 2009).

The Chatsworth case is noteworthy. After an unusually thorough investigation of instances of apparent multiple votes, only two were found to be actual multiple votes and none were found to be cases of deliberate multiple voting. Justice Atkinson noted the number of clerical errors involved but concluded that a '0.1 per cent error rate ... is hardly indicative of some widespread problem' (Caltabiano v Electoral Commission of Queensland: 67).

4.6 Australian Evidence Across All Electorates: Federal Elections

Other evidence of multiple voting in Australia comes from the reviews conducted by the Australian Electoral Commission after each federal election. These reviews are not as detailed as investigations conducted for the Court of Disputed Returns; however, they provide data from all electorates across Australia.

The processes normally used by the AEC to identify multiple voting can be summarised as follows. Voter rolls are optically scanned to identify names marked off more than once on the lists from different polling places. Apparent duplicate votes are manually checked to eliminate false duplicates caused by 'accidental marks' of various kinds, including 'dust specks, stains, or a mark pressed too hard from a previous page' (AEC 2009: 8). The remaining duplicates are then checked for clerical errors. Polling officials have already noted some names that have been incorrectly marked off by accident on a roll.

Responses from electors who are contacted by the AEC to explain apparent multiple voting and non-voting identify further cases of clerical error. Typically, polling officials have marked off the same name on two rolls and not marked off an identical or very similar name immediately above or below it on any of the roll. In these cases, each voter has cast one vote but one voter appears to have voted twice and the other not to have voted at all (AEC 2009: 9).

Some of the remaining electors provide explanations for their double voting. Common reasons noted by the AEC for double voting in the 2007 Federal Election included:

- Elector casts a pre-poll vote and an ordinary vote but states that they only cast an ordinary vote on polling day (frequently aged/culturally and linguistically diverse (CALD) electors).
- Elector casts a postal vote following receipt of a political party postal vote application but appears to have no understanding that they have done so, then casts an ordinary vote on polling day.
- Elector applies for and completes a postal vote and then thinks it has been misplaced so votes again but then discovers another family member had posted their postal vote for them.
- Elector from CALD background casts a declaration vote in a division outside their home division and then due to confusion or concern that their vote may be misplaced or that they have not complied with requirements properly, votes again in their home division.
- Elector is marked off as an ordinary voter at two polling places, denies voting more than once, and there is no match with an apparent non-voter (AEC 2009: 9).

Roughly 80 percent of these admissions of multiple voting are made by elderly voters over 70 years old, voters whose first language is not English and voters suffering confusion (AEC 2009: 13; Killesteyn 2012). The different ways in which votes can be legitimately cast and a desire to comply with the obligation to vote are contributing elements in these cases (AEC 2009: 9; see also AEC 1997).

Where apparent offences have occurred for other reasons, they are referred to the Australian Federal Police (AFP), which may investigate them and in turn refer them to the Commonwealth Director of Public Prosecutions (CDPP). Prosecution must commence within a specific time. Since multiple voting is a criminal offence, the standard for conviction is 'beyond reasonable doubt'. As a result of these constraints (and constraints imposed by competing priorities to which limited AFP and CDPP resources must be directed), few prosecutions are made (AEC 2009: 9-11).

4.7 Trends in Multiple Voting at Federal Elections, 1993-2010

Table 5.1 summarises the figures on apparent multiple voting and its treatment by the AEC, AFP and CDPP for recent federal elections.

Table 4.1 Identification and Treatment of Multiple Voting in Federal Elections

| Election | Total Number of House of Representatives Votes | Letters | Voters | | Cases Referred to the AFP | Cases Referred to the DPP |
|----------|--|----------------------------------|--------------------------|---------------------------|---------------------------|---------------------------|
| | | Sent to Apparent Multiple Voters | Apparent Clerical Errors | Admitting Multiple Voting | | |
| 1993 | 10,576,779 | 14,172 | 7,173 | 535 | 188 | 1 |
| 1996 | 10,883,852 | 15,626 | 7,223 | 986 | 302 | 29 |
| 1998 | 11,109,063 | n.a. | 8,167 | 662 | 263 | 5 |
| 2001 | 11,474,074 | 16,949 | 9,123 | 896 | 138 | 28 |
| 2004 | 11,714,835 | 14,402 | 7,614 | 1,046 | 64 | 5 |
| 2007 | 12,419,863 | 20,633 | 11,188 | 1,160 | 10 | 0 |
| 2010 | 12,402,363 | 16,210 | 6,254 | 1,454 | 19 | 0 |

Source: AEC 1997; 1999; 2003; 2009; CJSCEM 2011: 8-9; Killesteyn 2012.

The figures in Table 5.1 show that, although the number and proportion of voters who admit to multiple voting have both increased slightly since 1993, multiple voting in the same name remains very limited in federal elections. The vast majority of multiple voters cast two votes. Analysis of data from the 1996 Federal Election indicates that the average number of votes cast by suspected multiple voters in that election was 2.45 votes (calculated from AEC 1997).

4.8 The Impact of Multiple Voting in Federal Elections

Do these multiple votes have an impact on which candidates and parties win particular seats and who wins government? The AEC has long claimed that they do not. Following the 1996 Federal Election, for example, the AEC concluded that 'There is no pattern of concentration of suspected multiple voters in any particular Division, nor would any of the suspected multiple votes have been sufficient to change the result in any Division' (AEC 1997: 14). The evidence required to answer this question is not available for most federal elections; however, relevant AEC data is available for the 2007 Federal Election, at which Labor won a majority of House of Representatives seats and, as a consequence, Kevin Rudd became Prime Minister (AEC 2009).

The AEC data may contain some flaws but it gives an indication of the extent of apparent and admitted multiple voting in all 150 electorates and the possible impact

of those votes on the 2007 results. Appendix 2 provides full details for every electorate, including:

- the name and state or territory of the electorate
- the affiliation of the winning candidate
- the total number of valid votes cast
- the winner's two candidate preferred vote
- the winner's margin
- the number of apparent multiple voters
- the maximum effect of apparent multiple votes
- the maximum effect of apparent multiple votes assuming an average of 2.5 votes per multiple voter
- the number of admitted multiple votes
- the maximum effect of admitted multiple votes

In the analysis that follows, the working assumptions are that every admitted and apparent multiple vote was formal and that it favoured the winning candidate at the end of the count. These are undoubtedly unreasonable assumptions. Some multiple votes may have been informal. Some voters may have favoured alternative candidates with their different votes. Although these assumptions are unrealistic, they are useful to help demonstrate the *maximum* possible effect of the multiple voting identified by the Australian Electoral Commission in 2007. If some multiple votes were informal and/or some favoured the losing candidate, then the possible impact of multiple voting on seats in 2007 would have been more limited than is shown in this analysis.

Table 4.2 shows that the average winning margin for successful candidates in 2007 (7,516 votes) dwarfs both the average admitted multiple votes (8 votes) and apparent multiple votes (138 votes). This is true for electorates won by Labor, Coalition and Independent candidates.

Table 4.2 Winning Margins and Multiple Votes, House of Representatives Seats in the 2007 Federal Election

| Winner | Winning Margin* (mean) | Winning Margin* (range) | Admitted Multiple Votes (mean) | Admitted Multiple Votes (range) | Apparent Multiple Votes (mean) | Apparent Multiple Votes (range) |
|-------------|------------------------|-------------------------|--------------------------------|---------------------------------|--------------------------------|---------------------------------|
| Labor | 8,722 | 91-20,900 | 8 | 0-47 | 149 | 21-387 |
| Coalition | 5,683 | 16-17,707 | 7 | 0-51 | 124 | 32-253 |
| Independent | 17,064 | 13,412-20,715 | 5 | 4-5 | 88 | 59-116 |
| All Seats | 7,516 | 16-20,900 | 8 | 0-51 | 138 | 21-387 |

Source: See Appendix 2.

*Two candidate preferred.

Averages can, of course, be deceptive. In seats won by thousands of votes, one or two hundred votes will have no material effect on the result. In very close contests, however, a hundred votes may be the difference between victory and defeat. In addition, it is possible that a higher than average number of multiple votes is cast in marginal seats as unscrupulous supporters try hard to get their candidates over the line. The ranges of apparent and admitted multiple votes show that the number of these votes varied considerably between electorates (the standards deviations for apparent and admitted multiple votes in all seats were 56 and 8).

Table 4.3 Seats Whose Results Were Potentially Affected by Apparent Multiple Voting in the Same Name, 2007 Federal Election

| Electorate | State | Winner | Margin | New Margin Once Apparent | |
|------------|-------|--------|--------|--------------------------|------------|
| | | | | Multiple Votes Removed | New Winner |
| McEwen | Vic | LNP | 16 | -33 | ALP |
| Bowman | Qld | LNP | 32 | -52 | ALP |

Source: See Appendix 2.

These points can be addressed by focusing on the actual number of multiple votes and the actual winning margin recorded in each seat. Table 4.3 summarises the substantive results of this process (the full figures for each electorate are given in Appendix 2). It shows the two electorates in which the effects of subtracting all of the apparent multiple votes from both the winner's margin and the total number of votes cast would have changed the result. (Removing the smaller numbers of admitted multiple votes did not affect the result in any seat.) As throughout the rest of this section, the assumption is that all multiple votes favoured the winning candidate. On these assumptions, removing the multiple votes would have reversed the results in McEwen and Bowman, giving Labor a larger House of Representatives majority.

Some of the multiple voters in these electorates probably voted more than twice (see above), which may have brought more seats into play. One fairly crude way to test this is to apply the average of 2.5 votes per multiple voter recorded in 1996 to the 2007 margins. Doing so would reverse the result in one more seat. Swan in Western Australia would have been won by Labor rather than the Coalition, by the slim margin of 32 votes.

It may be objected that not all the multiple votes would have been cast for the winning candidates in these three seats (or any other seats, for that matter). That seems a fair objection. As soon as it is taken into account in the calculations, the possibility of seats being won and lost through multiple voting diminishes. If we assume that half the apparent multiple votes cast in McEwen and Bowman in 2007 favoured the ALP candidate and half the Coalition candidate, the Coalition would have won both seats after the multiple votes were eliminated. The same point is true

of Swan. It is thus remotely possible, although highly unlikely, that up to three of the 150 House of Representatives seats were decided by multiple votes in 2007. The safest conclusion is that no seats were won or lost 2007 through multiple voting.

4.9 Is Multiple Voting in Federal Elections Strategic?

The 2007 figures can also help address the issue of whether multiple voting is a strategic attempt by party or candidate supporters to hold onto their own seats that are in doubt and to win seats narrowly held by their opponents, or whether multiple voting is primarily caused by non-strategic factors like voter confusion. If multiple voting is primarily driven by strategic attempts to ‘fraud’ election results, the highest rates of multiple voting will be concentrated in marginal seats and the lowest rates will be found in the safest seats. The defenders of seats and their opponents both have a rational interest in concentrating their resources on the marginal seats, rather than seats that would require thousands of multiple votes to change hands. If, on the other hand, multiple voting mostly has non-strategic causes, then there should be no relationship between a seat’s marginality and the number of multiple votes cast in it.

Table 4.4 Correlations (Pearson’s r) Between the Number of Multiple Votes and Election Results, 2007 House of Representatives Election.

| | Simple Correlations with Apparent Multiple Voters | Simple Correlations with Admitted Multiple Votes |
|---------------------------------|---|---|
| Valid Votes Cast in Electorate | 0.17 | 0.06 |
| Size of Winning Margin (All) | 0.28 | 0.07 |
| ALP Winner Vote | 0.43 | 0.23 |
| ALP Winning Margin | 0.43 | 0.24 |
| LNP Winner Vote | -0.29 | -0.22 |
| LNP Winning Margin | -0.24 | -0.25 |
| ALP Win/Loss Margin (all seats) | 0.41 | 0.22 |

Source: See Appendix 2.

Table 4.4 presents Pearson correlation coefficients between apparent multiple voters, admitted multiple votes and other features of voting. Pearson correlations range between 1.0, which would indicate that two variables are highly positively correlated (the more of one thing, the more of another), through 0.0, indicating no correlation between variables (the size of one thing has no relationship to the size of the other), to -1.0, meaning a high negative correlation between the variables (the more of one

thing, the less of the other). Because of the untidiness of political behaviour, correlations in voting research rarely approach 1.0 or -1.0.

Table 4.4 shows that the more valid votes cast in an electorate, the more multiple votes that tend to be cast, although the relationship is quite weak and virtually non-existent for admitted multiple votes. More interestingly, when all winning candidates are included, the size of their winning margins is *positively* related to the number of multiple votes in their electorates. Against the expectations of the strategic multiple voter theory, there tend to be more multiple voters in safe seats than there are in marginal seats.

Closer examination of the winners in each seat reveals further interesting results (the two Independent winners were excluded from this analysis). In seats won by Labor, there are strong positive correlations between the number of multiple votes and both the number of two party preferred Labor votes and the size of the Labor winning margin. In seats won by the Coalition, the correlations are negative. The smaller the Coalition's winning margin and its two party preferred vote, the higher the number of multiple votes.

Do the negative correlations mean that Coalition supporters were behaving strategically and casting more multiple votes in their marginal seats? The final row in Table 4.4 suggests not. When multiple voting is correlated with the size of Labor's winning *or* losing margin across all seats, the results are positive correlations of 0.41 (apparent multiples) and 0.22 (admitted multiples). This suggests that the strength of the Labor vote explains the correlations in seats won by Coalition or Labor candidates. Put simply, the larger the Labor vote, the more multiple votes. Is this because Labor voters are more likely than Coalition voters to engage in deliberate electoral fraud but foolishly do so most in safe seats where Labor least needs their help? The more reasonable explanation is that safe Labor seats generally contain more voters who have characteristics associated with accidental multiple voting (lower literacy skills, non-English speaking backgrounds etc), while safe Coalition seats generally have fewer of these voters. Socio-economic characteristics, rather than strategic intent, best explain the patterns in Table 4.4.

4.10 Summary of the 2007 Federal Election Findings

In summary, the data from the 2007 Federal Election suggest that:

- the number of multiple votes cast in the same name was very small compared with the overall vote
- multiple voting was too small to determine the winner in any seat
- multiple voting was not strategically directed at marginal seats
- multiple voting was associated with the size of the Labor vote because of the socio-economic composition of Labor and Coalition seats.

Chapter 5. Multiple Voting in New South Wales

5.1 Understanding the Data

The following sections of this report draw on detailed data for the 2011 New South Wales Election provided by the New South Wales Electoral Commission. These data indicate the care with which assessments of the extent of multiple voting have to be made.

The data capture all voters who were recorded as voting on more than one occasion in 2011 across all of the records kept by the NSW Electoral Commission. Cross-matching from these records produced an initial total of 5,318 apparent multiple voters. Almost all of these apparently voted twice, with 22 voting three times, one four times and one 13 times. This is a small figure in the context of the overall state-wide vote in 2011 (about 0.1% of votes cast were multiple); however, it includes some apparent multiple voters who did not actually vote twice.

In line with the Chatswood case and the AEC evidence discussed earlier, clerical double mark-offs and errors of one kind or another created a large number of these 5,318 apparent multiple voters. In one example, 291 multiple votes (5.5 percent of the total for the whole state) appeared to be cast by elderly voters living in nursing homes and like institutions in the seat of Myall Lakes. Closer inspection revealed that this phenomenon was not the result of a geriatric electoral conspiracy, or even the effect of hundreds of elderly voters forgetfully voting twice, or their carers somehow manipulating the vote. These electors had all voted once but been marked-off twice. All of them cast declared institution (DI) votes, voting before polling day when electoral officials visited their nursing homes. The Electronic Management Application (EMA) used by the NSW Electoral Commission to mark such voters off the roll could not be accessed from parts of the Myall Lakes area, so electoral officials resorted to marking off the voters using paper rolls. When the officials returned to the divisional office, they transferred the mark-offs from the paper roll to the EMA. As a result, post-election matching of voter mark-offs from all sources showed 291 voters in Myall Lakes, all with one DI mark-off on the EMA and one on the paper roll.

Similar problems with the EMA in the seat of Port Macquarie caused 777 pre-poll voters to be marked off twice. Once these double mark-offs were eliminated from the data, what initially appeared to be Port Macquarie's distinctive problem of multiple voting--15 percent of the state's overall multiple vote in just one electorate--disappeared. The seat's multiple voting now fell under the state average (see Appendix 3).

Port Macquarie and Myall Lakes were the most striking examples of seats in 2011 in which the number of multiple votes was inflated by administrative procedures and problems. In all seats, the number of multiple voters were reduced by eliminating these false multiple voters. False multiple voters appear in the records because the NSW Electoral Commission, along with commissions elsewhere in Australia, use mark-off processes to try to ensure that everyone who votes is recorded as doing so. For the commissions, inadvertently marking off voters twice is preferable to the possibility of not marking them off at all, especially given Australia's commitment to compulsory voting.

5.2 The Total Number of Multiple Voters and Votes at the 2011 NSW Election

Once the false multiple voters were eliminated, the state-wide total fell from 5,318 to an estimated 3,808 multiple voters, or about 0.08% of all voters in New South Wales at the 2011 election. Taking into account the small number of multiple voters who apparently voted more than twice, the total number of multiple *votes* in 2011 was 3,843. The average number of multiple voters in each electorate in 2011 was 40.9. The average number of multiple votes per electorate was 41.3.

These figures would almost certainly be reduced if the data were subjected to the type of detailed but expensive and time-consuming case-by-case investigation conducted for the single electorate of Chatsworth, as described in Section 5.5 above. Such an investigation is beyond the scope of this report.

5.3 Multiple Voting and Different Voting Channels

Multiple voters made use of all the different channels available to New South Wales voters in 2011. Use of these different channels roughly followed their proportions in the overall vote (see Table 5.5). The majority (59 percent) involved at least one ordinary vote on polling day, with most of the rest roughly divided between pre-poll, absent and postal votes.

The least used voting channels among all voters—section/silent, declared institution, iVote and voting following new enrolment on polling day—were also the least used channels among multiple voters. Among the more regularly used voting channels, absent and postal voting is notably higher among multiple voters than among the general electorate. The same is true for silent/section voting and new enrolment voting, although the numbers involved are quite small and should be treated with great caution.

Table 5.1 Rates of Multiple Voting Using Voting Channels, 2011 NSW Election

| Voting Channel | Proportion of All Multiple Votes (%) | All Votes (%) |
|-----------------------|---|----------------------|
| Ordinary | 59.0 | 74.3 |
| Pre-Poll | 10.5 | 8.2 |
| Absent | 15.8 | 9.5 |
| Postal | 9.4 | 5.7 |
| Section/Silent | 2.7 | 0.3 |
| Declared Institution | 0.0* | 0.3 |
| iVote | 1.4 | 1.1 |
| New Enrolment | 1.1 | 0.5 |
| Total | 100.0 | 100.0 |

Source: Multiple vote figures provided by NSWEC; Total votes from NSWEC 2013b.
* 0.03%.

The four most common combinations of vote channels involved in multiple voting, which together account for 88.1 percent of all multiple voting combinations in 2011, were:

- Absent and ordinary: 29.7%
- Ordinary and ordinary: 21.2%
- Pre-poll and ordinary: 19.1%
- Postal and ordinary: 18.1%

An ordinary vote on polling day was involved in all of these combinations of multiple votes. Determining which of these multiple votes were deliberate and which were accidental is impossible from the data.

5.4 The Impact of Multiple Votes on the 2011 Election Result

Did the 3,843 multiple votes cast in the 2011 New South Wales Election have a substantive impact on the outcome in any seat?

The analysis that follows is similar to that presented in Section 5.8 for the 2007 Federal Election. It assumes that every multiple vote was formal and that it ultimately favoured the winning candidate. (Optional preferential voting probably reduces the likelihood of multiple votes being informal but reduces the likelihood that multiple votes will stay in the count until the final distribution of preferences.)

Appendix 3 provides the following information for all 93 NSW electorates in 2011:

- the name of the electorate
- the affiliation of the winning candidate
- the total number of votes cast

- the number of votes in the two candidate preferred count (once exhausted votes are eliminated)
- the winner's two candidate preferred margin
- the number of multiple voters
- the number of multiple votes
- the maximum effect of multiple votes

Table 5.2 presents the averages and ranges for winning margins and multiple votes across all 93 NSW electorates in 2011. As with the 2007 Federal Election results, the average winning margins dwarf the average number of multiple votes for candidates of all affiliations.

Table 5.2 Winning Margins and Multiple Votes, Legislative Assembly Seats in the 2011 New South Wales Election

| Winner | Winning Margin* (ave) | Winning Margin* (range) | Multiple Votes (ave) | Multiple Votes (range) |
|-------------------|-----------------------|-------------------------|----------------------|------------------------|
| Coalition | 7,637 | 220-15,323 | 34 | 13-86 |
| Labor | 1,916 | 103-5,518 | 63 | 28-124 |
| Independent/Green | 4,253 | 1,216-8,746 | 43 | 28-52 |
| Overall | 6,261 | 103-15,323 | 41 | 13-124 |

Source: See Appendix 3.

*Two candidate preferred after exhaustion of preferences.

A comparison of the range columns in Table 5.2 quickly shows that the only outcomes in particular electorates that could have been potentially influenced by multiple votes affected Labor. The lower range of Labor's winning margins is 103, just less than 124, the upper range of multiple votes in Labor won seats. Even so, the two figures do not relate to the same seat. The 103 vote margin comes from Toongabbie (multiple votes 49), however, while the 124 multiple votes come from Auburn (margin 3,221 votes).

Table 5.3 shows the largest possible impact of multiple votes on the five closest seats (for the full list of seats, see Appendix 3). The margins of victory can be reduced in all five seats by removing multiple votes but not so far that any of the five seats produce a different winner.

Table 5.3 The Five Closest NSW Seats Once Multiple Votes Removed*

| Seat | Winner | Winning Margin | Multiple Votes | New Margin Once Multiple Votes Removed*. |
|--------------|--------|----------------|----------------|--|
| Toongabbie | ALP | 103 | 49 | 78 |
| Oatley | LNP | 220 | 60 | 190 |
| East Hills | LNP | 247 | 45 | 225 |
| Marrickville | ALP | 338 | 50 | 313 |
| Wollongong | ALP | 341 | 43 | 320 |

Source: See Appendix 3.

*NB multiple votes removed from winner's tally and from overall total of votes.

Even if all the multiple votes were cast for the winning candidates, multiple votes made in the same name would not have changed the outcome in a single seat at the 2011 NSW Election.

5.5 Strategic Multiple Voting in New South Wales?

Although multiple voting did not affect the outcome in any seats, the question remains whether such voting was strategically designed to achieve such a result, or whether it resulted from more random factors. One way of getting at this question is to compare multiple voting in marginal and safe seats, as for the federal data in Section 5.9 above. If multiple voting is strategic, we would expect to find more of it in marginal seats than in safe seats.

Table 5.4 Correlations between Number of Multiple Votes and Other Aspects of the Vote, 2011 NSW Election.

| | Correlations with Multiple Votes (Pearson's r) |
|--------------------------|---|
| Votes Cast in Electorate | 0.11 |
| ALP Winner Vote | 0.44 |
| ALP Winning Margins | 0.38 |
| LNP Winner Vote | -0.29 |
| LNP Winning Margin | -0.30 |
| ALP Win/Loss Margin* | 0.58 |

Source: See Appendix 3.

*Seven seats in which Labor was not involved in the two candidate preferred vote have been excluded from this correlation.

Multiple voting did vary across electorates in 2011, within a range of 13 to 124 votes (average 41.3; standard deviation 20.6). As Table 5.4 shows, however, it did not vary in ways that would be predicted by strategic multiple voting. Instead, as with the 2007 Federal Election, multiple voting was correlated quite closely with the size of Labor's two candidate preferred vote (0.58). As a result, the highest levels of multiple voting in Coalition won seats occurred in marginal seats but the lowest levels of multiple voting in Labor won seats occurred in Labor's marginals. Multiple voting is not concentrated in marginal seats—as would be the case if it were the result of strategic behaviour to steal seats—but is most likely to be found in safe Labor seats.

5.6 Demographic Explanations for Multiple Voting in NSW

The relationship between the number of Labor votes and the number of multiple votes in electorates is highly unlikely to have anything to do with Labor voting per se. Instead, it is likely to have to do with varied concentrations of voters with different demographic backgrounds across electorates. It is beyond the scope of this report to investigate this proposition fully; however, the impact of age and English language fluency can be assessed.

Data on the ages of multiple voters was supplied by the NSW Electoral Commission and is summarised in Table 5.5. It shows that the proportion of multiple voters consistently declines as voters get older, with the exception of the oldest age group (over 75 year old voters), among whom the proportion (0.09 percent) is closer to that found among 26-35 year olds than among 65-74 year olds.

Age has some impact on the extent of the multiple vote in New South Wales, although the impact should not be exaggerated. If the New South Wales electorate was composed entirely of 18-25 year olds, the estimated number of multiple voters in 2011 would grow from 3,808 to 5,282 (up 1,474); if all New South Wales voters were aged 56-75, the multiple voter total would contract to an estimated 3,119 (down 689). The oldest voters in the electorate show some signs of increased multiple voting caused by confusion and forgetfulness; however, their rates of multiple voting are not far above the 0.08 average for the whole electorate.

Table 5.5 Age and Multiple Voting in NSW

| Age Group | Multiple Voters (n) | Multiple Voters as Proportion of All Voters (%) |
|-----------|---------------------|---|
| 18-25 | 630 | 0.114 |
| 26-35 | 701 | 0.096 |
| 36-45 | 648 | 0.078 |
| 46-55 | 617 | 0.071 |
| 56-65 | 506 | 0.067 |
| 66-75 | 332 | 0.067 |
| >75* | 368 | 0.090 |

Source: Calculated from data provided by NSWEC.

One of the demographic factors with which multiple voting is likely to be associated is cultural and linguistic diversity (CALD). A good proxy measure for this diversity in electorates is the proportion of residents who are not fluent in English. According to data compiled by the NSW Parliamentary Research Service (Montoya 2012: 79), the proportion of people not fluent in English varies widely across New South Wales electorates, from 0.20% in the rural seat of Oxley to 26.28% in the western Sydney seat of Cabramatta (Montoya 2012: 79).

Lack of English fluency is very highly correlated with multiple voting across the state's electorates (r 0.85). The less English fluency in an electorate, the more multiple voting there is likely to be. A simple regression analysis indicates that if all the voters in an electorate are fluent in English, the electorate will have about 28 multiple voters. For every 1.0 percent increase in the proportion of voters who are not fluent in English, an electorate will add an estimated 3.7 multiple voters. This finding is summarised in a different way in Table 5.6, which shows the averages for both multiple votes and lack of English fluency for Labor and Coalition seats.

Table 5.6 English Fluency and Multiple Voting in Labor and Coalition Held Elections after the 2011 NSW Election

| | Labor (20 seats) | Coalition (69 seats) |
|---|------------------|----------------------|
| Proportion of people not fluent in English (average). | 8.9% | 2.3% |
| Multiple votes (average) | 63 | 35 |

Source: Calculated from NSWEC figures; Montoya 2012: 79.

English language fluency is the only socio-economic factor at work in multiple voting. Other socio-economic factors, such as education, potentially also have impacts. The key point is that while the strategic fraud theory of multiple voting proved to be inconsistent with data from the 2011 NSW election, the socio-economic explanation receives good support from the data. On the face of it, demographic factors such as unfamiliarity with English provide a much better explanation than strategic electoral fraud for multiple voting.

5.5 Summary of the NSW Findings

In summary, the data from the 2011 NSW Election suggest that:

- a relatively large number of false multiple votes are generated by NSW Electoral Commission mark-off data
- removing these false multiple votes requires considerable careful work
- in 2011, the number of multiple votes cast in the same name was tiny in comparison with the overall vote
- multiple voting did not determine the winner in any seat
- multiple voting was not strategically directed at marginal seats
- multiple voting was related to demographic factors.

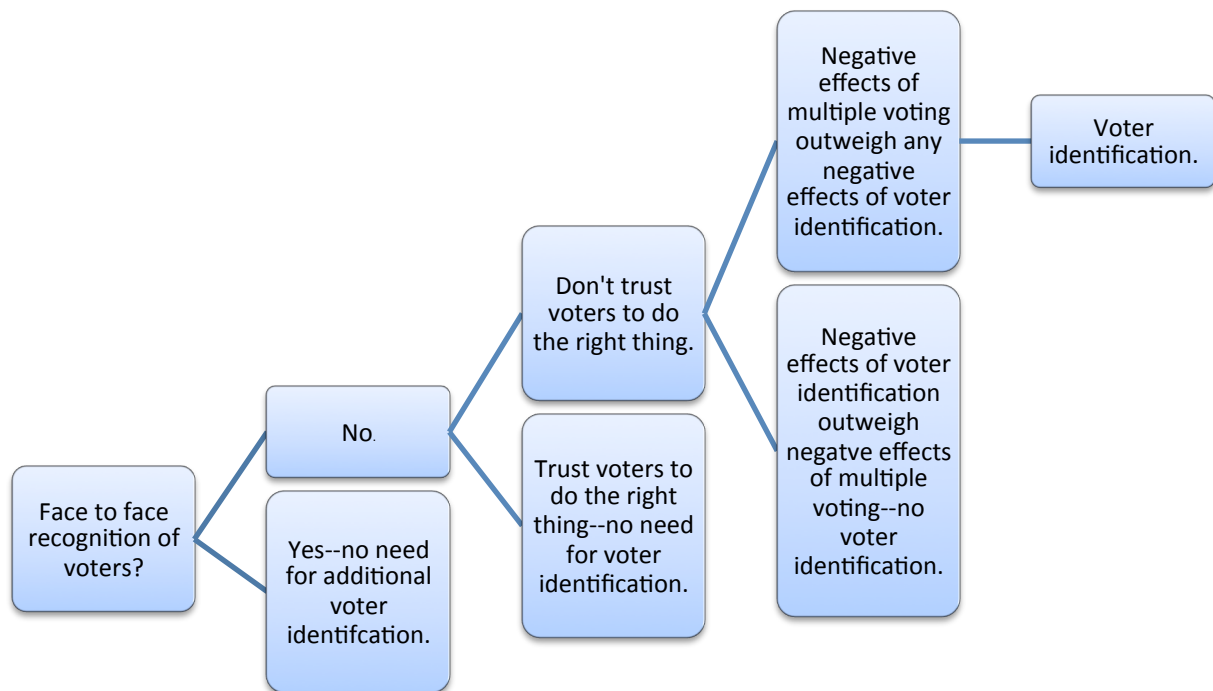
Chapter 6 Dealing with Voter Identity

6.1 How Societies Identify Those Who Can Vote

Concerns about multiple voting are often associated with calls for tightening of voter identification measures. Chapters 6 to 9 of this report deal with issues involved in voter identification. This chapter sets out, at the broadest level, the approaches that societies can take to voter identification.

There are basically three ways in which societies can deal with the issue of identifying voters and the risk that someone will try to vote fraudulently. The rationales for choosing each of these three solutions are set out as a decision tree in Figure 6.1.

Figure 6.1 Voter Identification Decision Tree



6.2 Face to Face Recognition of Others

In these contexts, voters have a stable identity that is established through regular personalised contact with other people in a community. In these contexts, a voter's identity is established by the fact that she or he has lived in the same household, used the same name, worked in the same local job, shopped at the same local shops, and so on, for years. The voter's identity is established through their membership of a relatively stable community. This is the basis of traditional 'precinct voting', in

which polling places serve relatively small numbers of voters from one area (AEC 1993: 28-31). If voters can be identified through face-to-face recognition based on repeated previous social interactions, then there is no need for further identification. A voter who tried to vote more than once would encounter friends, relatives, neighbours and other community members who recognised her or him. 'Local knowledge' is critical in this context (McGrath interview; see also H.S. Chapman Society 1997).

This type of identification is restricted by the numbers of people involved and by geographic mobility. Robin Dunbar and others have argued that there is an upper limit to the number of people that an individual can include in his or her social network. While there is debate about that actual limits to the size of effective face to face networks, the number is no more than a few hundred (see, for example, Dunbar 2011; Sutcliffe *et al* 2012; Wellman 2012). It follows that voter identification based on personal recognition is limited to polling areas with small populations.

Sheer numbers are not the only limitation on face-to-face identification. Geographic factors are also critical. Individuals in mobile societies tend to live in areas for short periods of time and develop few relationships with their neighbours before moving on. Even where people live in locations for years, they may not come to know their neighbours. The places where many people work, socialise, shop and so on—the places where they spend most of their waking hours—are all likely to be well away from their homes. In these contexts, typically of modern societies such as Australia, face-to-face identification of voters will inevitably be ineffective (Phelps interview).

6.3 Trust in Strangers to Act Honestly

In these contexts, voters are trusted to 'do the right thing'—to give an accurate account of relevant details of their identities to electoral officials. The relevant aspects of a voter's identity—her or his name, address, citizenship, and so on—are unlikely to be known to electoral officials and others involved in the voting process; however, voters are trusted to be truthful when providing enrolment details, when identifying themselves at a polling place and when claiming that they have not already voted.

Whether or not strangers take prospective voters at their word probably relates to the level of generalised social trust in a country. A growing social science research literature has found that generalised social trust—the extent to which individuals in a society trust 'most people'—is associated with important differences between countries, including actual levels of individual honesty. Countries with higher or lower levels of generalised social trust will tend to maintain them over long periods, despite large social and political changes (see, for example, Bjørnskov 2006). In

countries with a relatively high level of generalised trust, such as Australia, voter self-identification will appear less problematic to most people than it would in countries with low levels of generalised trust.

6.4 Official Records and Documentation

In these societies, the relevant aspects of individuals' identities are recorded on trusted media such as identity cards and accurate identification becomes the responsibility of officials. Where societies are too large and fluid to support face-to-face identification and generalised social trust is too low to allow strangers to self-identify at polling places, the alternative is to provide a form of identification that is trusted by those involved in the electoral process. This might include a photo, signature, address, biometric data and a range of other information that makes it difficult for someone to claim a false identity.

A change from face-to-face identification or trusted self-identification to official documentary identification can be thought of as reflecting a shift in a civic culture around trust and risk. This shift is from an *egalitarian* culture of risk, in which everyone is able to identify or trust other voters, to a more *hierarchical* culture of risk in which trust lies with the government officials who are responsible for producing identity documents and administering the election (for more general discussion of cultures of risk, see Douglas and Wildavsky 1982).

6.5 Further Considerations

Even where individuals do not personally know others in their communities and do not trust their word, the decision to introduce voter identification documents is not an automatic one. Decision-makers might still weigh the benefits of requiring voter identification via documentation against its negative effects, such as the disenfranchising of some citizens, the administrative burdens it imposes, or the costs of producing and updating the documentation.

The three options—personalised identification, generalised trust and identification documents—are not always used in isolation. As is shown in Chapter 7, countries that adopt even the most sophisticated forms of electronic or documentary identification may also use personalised identification or generalised trust as a fall-back measure where documentary systems fail or are incomplete. In addition, countries may adopt varied approaches to identification for the different types of voting that are allowed in the same election (ACEEEO 2009: 23-26). Nonetheless, countries will gravitate towards one of these three approaches, driven by their population sizes, geographic mobility, cultures of trust and risk, and judgements about the administrative impacts of different identification measures.

Chapter 7 International Approaches to Voter Identification: General Patterns

7.1 Introduction

The limited comparative discussion of voter registration and identification in Australia is dominated by references to the experience of the United States of America (for recent examples, see Arkley 2013; Rhiannon and Stone 2013). The United States is, however, an idiosyncratic electoral democracy. Comparative examination of a wide range of electoral democracies shows that the most typical process of voter registration is for electoral rolls to be compiled using government records, without the need for citizens to make an application. Voter identification on polling day is a very much the norm rather than the exception.

7.2 Registration: Application or Automatic?

Information about voter registration is easy to obtain for some countries but much harder for others. Table 7.1 summarises the registration processes for 127 countries. For basic details on each country, see Appendix 4, which contains probably the most comprehensive list of voter registration methods by country ever compiled. The countries are split relatively evenly between those that require voters to actively participate in an enrolment process (65 countries) and those that ‘automatically’ compile electoral rolls without citizens having to initiate or respond to an application process (62 countries).

Table 7.1 Main Method of Registration/Issuing of Voter Cards in 127 Countries

| Freedom House Political Rights Score | Application* | | | | Automatic | | |
|--------------------------------------|----------------------------|------------------------------------|--|---------------------------|-------------------------|---------------------------|-------|
| | Photo ID Strictly Required | Non-Photo ID Documentation Allowed | Signature or Witness Affirmation Allowed | Information Not Available | From Government Records | Information Not Available | Total |
| 1-2 | 5 | 7 | 7 | 5 | 31 | 10 | 65 |
| 3-5 | 7 | 5 | 8 | 4 | 8 | 9 | 41 |
| 6-7 | 3 | 4 | 7 | 3 | 3 | 1 | 21 |
| Total | 15 | 16 | 22 | 12 | 42 | 20 | 127 |

Source: Compiled from data in Appendix 4.

*Includes countries that use door to door canvassing to compile electoral rolls.

7.3 Application-Based Registration

In most cases, where an application is required, it has to be initiated by citizens. A small number of countries, such as Indonesia and Sri Lanka, use a door-to-door registration process conducted or contracted out by one of the levels of government. Registration may be optional; however, in at least 27 countries in Appendix 4, including Australia and New Zealand, it is compulsory.

The types of identification required to register vary considerably. For 12 of the 65 countries, not enough information is available to make a definitive statement about identification standards. Of the remaining 53 countries, the most common minimum form of identification for registration purposes is either a signed declaration by the individual who wishes to register or affirmation of identity by designated categories of witnesses. The number and type of witnesses (other enrolled voters, family members, community members, local civic leaders, religious figures, etc.) vary widely across countries.

Some of the 22 countries that allow self-identification or witness affirmation do so as a 'fall back' option when individuals do not possess photo or non-photo identification. This is particularly the case in countries whose administrative limitations mean that identity documents are simply not available to citizens in all regions, or where technical problems slow the production of identity documents. This approach is common across Africa (see Appendix 4), where a number of countries have adopted advanced technology identity cards in recent years but have been unable to produce or distribute them to all citizens.

The 16 countries that register voters using non-photo documentation include several that demand a narrow range of specific types. The more common approach is to accept a wide variety of documents as proof of identity, including bills, employment cards, pay slips, student cards, rental agreements and bankbooks. Some countries do not specify all the acceptable types of documentation, leaving it to the discretion of local officials to determine the boundaries of proof.

The most restrictive group of countries are the 15 that require photo identification for enrolment, typically, a photographic national identity card or passport. This approach is common in the Latin American countries that require people to apply for voter registration (Chile, Colombia, Guatemala, Honduras, Paraguay and Uruguay), as well as some parts of Africa (Botswana, Eritrea, Madagascar and Mauritania).

There is no clear relationship between the strength of democratic rights in a country and the minimum standard of identification that its citizens are required to use. Table 7.1 divides the 65 countries according to their scores on the Freedom House

'political rights' scale (Freedom House 2013). Citizens in countries scoring 1-2 enjoy all or almost all the political rights associated with liberal democracy; those scoring 3-5 have moderate political rights; those in the 6-7 range have very limited political rights. Table 7.1 shows that strong as well as weak democracies use each of the minimum methods of identification in roughly equal proportions.

7.4 Automatic Registration

The countries that use automatic or 'passive' enrolment rely on various types of government records to determine who should be on the roll. Information is not available for 20 of the countries in Table 7.1 that automatically enrol voters; however, it is likely that almost all of these also do so from government databases of various kinds. As with application systems, the responsibility for registering voters may be assigned to national, regional or local government levels.

Most countries using automatic enrolment allow a period during which individuals who are not registered and believe that they should be can make an application for enrolment. For this purpose, preliminary voter lists containing limited information are published for varying periods, using various means. In some countries, lists are posted in newspapers. Some use notice boards in blocks of units, post offices, town squares and other public locations, while others require individuals to apply to electoral authorities or conduct searches on electronic rolls. Preliminary voter lists are also commonly used to allow challenges to the right of individuals to vote in both application and automatic registration systems (ACEEEO 2009; Rosenberg and Chen 2009).

Automatic enrolment from government records is very common among democracies. The modal type of voter registration found in Table 7.1 is automatic registration of voters in countries with strong political rights (32 countries). Twenty-four of these democracies are European:

- Austria
- Belgium
- Bulgaria
- Croatia
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Hungary
- Iceland

- Italy
- Latvia
- Malta
- Netherlands
- Norway
- Poland
- Serbia
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland

Automatic registration using government records is less common in countries with weaker political rights (3-5 or 6-7 on the Freedom House scale), although this may be related to the lack of administrative capacity on many of these countries. An effective automatic voter registration system requires relatively strong and comprehensive administrative structures.

7.5 Voter Identification

In the 127 countries listed in Appendix 4, presentation of a form of documentary identification is the norm when voters cast an ordinary vote at a polling place. The eight clearest exceptions, where documentary identification is not required, are:

- Australia
- Georgia
- New Zealand
- Papua New Guinea
- Samoa
- Sudan
- Tuvalu
- United Kingdom (excepting Northern Ireland)

There are other partial exceptions. In a few European countries (Denmark, Ireland, Netherlands and Sweden), electoral officials do not ask for identification from all voters but can require it from some. The United States of America requires identification from some voters in federal elections and for all voters in most states. In some other countries, there are provisions for voters who arrive at a polling booth without documentary identification to be vouched for by witnesses, or to cast a provisional vote. Acknowledging these limited exceptions, the vast majority of voters across the world present some identification before they are able to vote.

The global trend appears to be towards document-based voter identification. In a 1999 survey of 63 countries, Louis Massicotte, André Blais and Antoine Yoshinaka (2004: 103-115) found 10 countries (16 percent) in which voters were not required to produce documentary identification. The data in Appendix 4 suggest that by 2013, the proportion had fallen to just six percent.

The trend towards stronger standards of identification is found across different categories of political system. Massicotte *et al* (2004: 122) write:

Interesting patterns develop here. First, three-quarters of former British colonies, unlike Britain, require all electors to produce some means of identification before voting. Second, established democracies are less likely to require voters to identify themselves other than verbally. Non-established democracies probably worry more about electoral fraud.

In 2013, seven-eighths of the 31 former British colonies in Appendix 4 require a form of voter identification. The exceptions were Australia, New Zealand, Sudan and Tuvalu. Similarly, although 'established democracies' were still less likely than 'non-established democracies' to require documentary identification from voters in 2013, the differences were very small. Sixty of the 65 countries that scored 1 or 2 on the Freedom House 'Political Rights' Scale used some form of documentary voter identification, compared with 39 of 41 that scored between 3 and 5, and 20 of 21 for the countries that scored 6 or 7.

7.6 The Means of Voter Identification

A very wide range of voter identification methods is used in different countries. The methods, used either alone or in combination, include:

1. National identification card containing biometric information
2. National identification card with photo and other information.
3. National identification card without photo.
4. Voter card with photo and other information.
5. Voter card without photo.
6. Narrow range of acceptable photo identification (driver's licence, passport).
7. Broad range of photo identification.
8. Range of non-photo documents (birth certificates, bills, student cards, health cards, hunting permits etc.)
9. Individually requested court or police documents.
10. Recognition by one or more officials at a polling place.
11. Attestation by one of more specific categories of witnesses.
12. Keyed in voter identification number.
13. Fingerprints matched to those on the electoral roll.
14. Signature matched to those on the electoral roll.

The combinations of these methods used across the 127 countries in Appendix 4 are so diverse that there is no neat way of summarising them.

These voter identification methods work in one of three ways.

1. Relevant details that appear on the identification document presented by the voter match details recorded on the electoral roll (e.g., name and address).
2. Relevant details that appear on the document presented by the voter match identifiable features of the voter (e.g., a photograph or thumbprint).
3. Relevant details that appear on the identification document presented by the voter link details recorded on the electoral roll with features of the voter (e.g., a document containing both a photograph and an address).

The third option clearly sets the highest standard of identification. In some countries, identification using one or both of the first two options is acceptable. The first option has the potential weakness of assuming that the person presenting the document is who she or he claims to be. The second option establishes with more certainty that the person is who she or he claims to be; however, it may not provide enough details to establish that the person is a voter with the same name on the electoral roll.

7.7 Details Recorded on the Electoral Roll

This suggests that a key element in the strength of voter identification requirements is what is recorded on the electoral roll. Across Europe, commonly recorded electoral roll details include: first and last name, date and place of birth, parents' names, current address and personal identification number (ACEEEO 2009: 27). Specific countries include a range of other data, including:

patronymic (Albania, Kazakhstan), gender (Bosnia and Herzogovena, Macedonia, Serbia), citizenship (Croatia, Estonia, Latvia, Montenegro), native language of the voter (Sweden), information regarding the voter's identification document (Latvia, Lithuania), date of entering and deleting (Macedonia), a remark about permanent disability of movement (Ukraine) [and] serial number of voter's birth certificate (Italy) (ACEEEO 2009: 27).

In some countries, the rolls include specimen signatures (e.g., Brazil, Bulgaria, Macedonia), photographs (e.g., Malawi, Panama) and fingerprints (e.g., Jamaica) to help identify voters. Other countries require voters to sign the roll. Officials match the signature with the one on the voter's identification document before allowing them to vote (e.g., Bosnia and Herzogovena, South Korea, Thailand). Fingerprint matching may be used in lieu of a signature in some countries. A number of countries, especially in Africa and Latin America, have made moves to incorporate biometric details into electronic voter rolls. Brazil, for example, has begun to use biometric fingerprint matching at polling places to identify voters.

7.8 National Identification Cards

In many countries, the problem of voter identification is largely resolved through the use of national identification cards that all citizens are expected to possess. As of 2010, the majority of European countries issued identification cards and at least 17 made it mandatory for citizens to hold mandatory identification cards by the time they reached voting age:

- Belgium
- Bulgaria
- Cyprus
- Czech Republic
- Estonia
- Germany
- Hungary
- Italy
- Lithuania
- Luxembourg
- Malta
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain

At least six European states (Belgium, Italy, Lithuania, Portugal, Spain and Sweden) included biometric data on the cards. The Italian national identity card, for example, contained information on a citizen's first and last names, birthplace, birthdate, gender, height, current address, citizenship, fiscal identification and identification number as well as a specimen signature and portrait photograph (Statewatch 2010). A national identification card of this sort, issued to all citizens, makes it easy for electoral officials to establish the link between the identity of its possessor and her or his right to vote in a particular electoral district.

National identity cards are widely used outside Europe. Most Latin American countries issue them, as do an increasing number of African and Asian countries. Other countries do not provide national identity cards but issue voter identification cards that contain photographs and biometric data. These voter identification cards are often used for a range of purposes other than voting (Privacy International 2012a: Chapter III). In the Philippines, for example, the government issues free voter

identification cards that incorporate biometric data. These cards are recognised as official identification by banks and government offices but are not essential for voting (Republic of the Philippines Commission on Elections 2013).

7.9 Additional Measures

Some countries apply additional measures to ensure voters are who they say they are and can only vote once. Voters in a number of countries, including Belgium, Finland, Indonesia, Singapore, Spain, Tanzania and Timor Leste, can only vote at one designated polling place. If they cannot attend that polling place, they cannot vote. Each polling place may cater for a few hundred voters. In the Belgian context, Kris Deschouwer (2009: 110) notes that this offers voters convenience: 'The network of polling stations is dense, giving all voters the possibility of voting very close to where they live'. Tight restrictions on where each citizen can vote, along with the requirement that they produce a national identity card to do so, also makes multiple voting extremely difficult.

In many countries, including Australia, electoral observers are allowed direct challenges the identity of would-be voters at polling places. In Pakistan, for example, officials read out the names of each would-be voter to allow observers to object.

Other countries attempt to prevent multiple voting by marking voters or their identification documents once they have voted. Dipping voters' fingers in ink is a common measure (found, for example, in Albania, Egypt, Malaysia, Montenegro, Pakistan, Samoa, Serbia and Timor Leste), as is stamping the voter's passport or other documents (e.g., Bahrain, Latvia and Romania).

7.10 The Role of Official Discretion

Where the rules about who can vote and what identification is required are clear-cut and well known, there is little room for officials to exercise discretion (although official incompetence and corruption may still be factors). In many countries, however, the rules on accessing the ballot and voter identification are sufficiently loose to allow officials to exercise considerable discretion within the law.

In countries where electoral officials have the power to ask some people for identification, such as Ireland and Tanzania, who is and is not asked for identification can have important effects on voter equality. Similarly, in countries where the types of permissible identification documents are not clearly specified, officials may take inconsistent approaches to the same documentation (see, for example, Molina and Lehoucq 1999: 218; Overton 2006: 160; OSCE/ODIHR 2012a:

23). A student card accepted as identification at one polling station may be rejected at another. Finally, the procedures used by officials when individuals are unable to present identification may vary considerably. In Iceland, for example, some polling officials asked voters without identification to prove their identity by logging into their Facebook pages, while other officials asked would-be voters to name 5 or 6 people from the street in which they live (OCSE/ODIHR 2103b: 17). The application of discretion in these ways has potentially serious effects on the integrity of the electoral process.

Chapter 8 International Approaches to Voter Identification: Case Studies

This chapter presents more detailed case studies of the three approaches to voter identification. Tuvalu provides an example of face-to-face identification, Spain of reliance on restrictive documentary identification and the United Kingdom of trust in strangers. Voter identification measures in three other anglo-democracies with which Australia is often compared—New Zealand, Canada and the United States—are also presented.

8.1 Tuvalu: A Face-to-Face Society

Tuvalu is a good example of a national electoral system in which face-to-face voter identification is still feasible. This small Pacific country is divided into eight electorates, one for each of its main islands. Seven islands elect two members of parliament, while Nukulaelae elects one. All parliamentary candidates run as independents. Roughly 6,000 citizens are eligible to vote overall, with between 300 and 1000 voters in each electorate. Registration and voting are not compulsory. Citizens who wish to vote must register before every election. Some wait to see who the likely candidates are and whether the contest on their island will be competitive before they enrol. At the same time, candidates encourage their likely supporters to enrol. Most voters cast their votes on their own islands, although the polling place in the capital Funafuti has provision for voters from the other islands (Hassall 2006).

In such a small, traditional community, where individuals are well-known through their membership of established local families, voters can be enrolled and elections conducted without the need for formal identification checks.

8.2 Spain: Low Electoral Trust and Restrictive Documentary Identification Measures²

Spain is a good example of a country that sits at the opposite end of the voter identification spectrum from Tuvalu. It is a large democracy, with about 36 million registered voters. Although generalised social trust in Spain is relatively high and perceptions of political corruption are relatively low (Bjørnskov 2007; Heywood 2007), a legacy of suspicion around electoral politics remains, fuelled by memories of past manipulation of electoral processes and outcomes.

² Additional information for this section was kindly provided by Dr Ferran Martinez I Coma, Research Associate, Department of Government and International Relations, University of Sydney. Multiple Voting and Voter Identification, Report prepared for the NSWEC by Professor Rodney Smith, University of Sydney, February 2014. 54

As a result, Spanish voters face comparatively high standards of voter identification. When the birth of a Spanish baby is registered, the child is given a registration number that serves as the basis for life-long official identification. The details are recorded in the registry of births, by the police and in a central register in Madrid. In their teenage years, Spanish citizens are issued with electronic photo identity cards that contain a range of biometric information and other details concerning their addresses, parents, place of birth and so on. Before electronic identity cards were issued, photo cards included citizens' thumbprints. The cards are used for a range of purposes, including employment. Spanish civil servants use the chip in the card to access their workplaces.

Spanish voters are registered automatically, using data that is linked to their identity cards. Before every election, local electoral registers are displayed in civic buildings to allow voters to check that they are correctly enrolled (OSCE/ODIHR 2012c: 9-10). On polling day, they must apply for their vote by presenting their national identification card at a specified desk at a specified polling place. Without the card, they are unable to vote, even if they are known to electoral officials. If they arrive at a polling place where they are not registered, they cannot vote. More than one official oversees the application process at each desk. Party observers may also be present.

This combination of registration and identification processes makes it almost impossible for individuals to vote twice or to vote for someone else. Although it retains a faint trace of face-to-face identification, voter identification in Spain overwhelmingly relies on strict application of processes that link voters to the electoral roll via a sophisticated universal identification document.

8.3 The United Kingdom: Trust in Strangers

Unlike most other European democracies, the United Kingdom (excluding Northern Ireland) relies on trust in strangers to provide correct information about themselves in order to register and vote. British, Irish and European Union citizens, along with some Commonwealth citizens, can apply for voter registration at any time, using a one page form that asks for their name, nationality, birth date and address. The form is signed and returned to a local electoral registration officer. Local councils also conduct an 'annual canvass' over several months, in which they deliver registration forms to residents, who are expected to return them if their details need updating (The Electoral Commission 2008a).

Registered voters will receive a poll card but they do not require this to vote. If they arrive at a polling place without the card, they can orally affirm their name and address to receive their ballot papers. The only exceptions to this occur in Northern

Ireland, where individuals must show one of four types of photo identification to receive a ballot (a passport, driver's licence, senior's transport card or electoral identification card). The rationale for this difference relates to long-term security issues in Northern Ireland, rather than a mistrust of Northern Irish voters.

Individuals requesting a postal vote have to sign their applications, so that their signatures can be matched against those on their voter registration forms. Similarly, the postal vote itself must be returned in an envelope with a signed declaration (The Electoral Commission 2008c).

Although there are some parts of the United Kingdom where most people can recognise most of the others who live in their communities, such places are rare. Large parts of the United Kingdom are now inhabited by people who are relative strangers to each other. The British voting system rests on a general trust in those strangers to provide correct information about themselves and to identify themselves honestly at polling places.

The United Kingdom may move away from this trust in strangers approach. In January 2014, the Electoral Commission recommended to the UK Government that, from 2019, voters should have to produce some form of identification to receive ballot papers at a polling place. It made this recommendation on the basis of alleged public perceptions of voter fraud rather than its actual existence: 'Evidence collected by the Commission in its review of electoral fraud revealed that fraud is not widespread in the UK but, despite this, a significant proportion of the public remain concerned that it is taking place' (The Electoral Commission 2014). Out of 18.5 million votes cast in the United Kingdom in elections in 2012, just 80 alleged cases of personation, some of which may have involved multiple voting, were recorded (The Electoral Commission 2013: 5).

8.4 New Zealand: Trust in Strangers

There are few other places in the world that have similarly trusting approaches to voter identification, even among the former British colonies. New Zealand is one of the few. Enrolment is compulsory for people in New Zealand who are:

- 18 years or older
- New Zealand citizens or permanent residents; and
- have lived in New Zealand continuously at least a year.

Eligible voters fill out an enrolment form that asks them for their name, address, birth date, occupation and telephone numbers. They are also asked to indicate whether or not they are Maori or of Maori descent, for the purpose of choosing

whether they will vote in the general electorates or the Maori electorates. None of this information requires documentary verification. Voters simply sign and date the form (New Zealand Electoral Commission 2013).

A voters who registers in time receives an 'Easyvote' card from the Electoral Commission that contains her or his name, address, local polling place and location in the electoral roll (page and line number). The Electoral Commission (no date) advises voters that the Easyvote card is not an identification card but that it makes voting quicker. Voters without the cards can identify themselves orally at their polling places and cast an ordinary vote. Applications for early votes and postal votes rely on similar self-identification.

Although the New Zealand voting system relies heavily on trust, it includes one documentary measure that can be used to identify and retrieve apparent multiple votes. Ballot papers and their counterfoils have matching bar codes. When a ballot paper is issued to a voter, the matching barcode is recorded against that voter's name on the electoral roll. 'Consequently, individual ballots can be identified after they are cast and traced back to a particular elector' (Geddis 2007: 189). Post-election matching will show when a voter has apparently been issued with multiple ballots. (A similar system was used in Victoria between 1856 and the 1920s. The H.S. Chapman Society supports its introduction across Australia [see Brent 2013a; McGrath interview]).

As Andrew Geddis (2007: 118), University of Otago Professor of Law, explains it, ballot matching can be used to remove any multiple ballots from the count: 'In the absence of any further evidence that the elector in question has double voted, it will be assumed another person has impersonated the elector, meaning that only the vote of the personator is disallowed, rather than both of the votes cast'. This seems possible in theory, although the election result is likely to have been declared before the process is completed. Moreover, it may result in some voters having their votes incorrectly removed from the count, where errors by electoral officials, rather than attempts at deception by voters, lead to bar codes being associated with the wrong voters.

8.5 Canada: From Trust to Documentary Identification

Over the past two decades, Canada has shifted from a British-style system of trusting voters to self-identify correctly to a system in which the voter register is largely compiled using government records and voters are expected to provide identification documents when they vote.

The National Register of Electors, introduced in 1997, is updated using taxation, immigration, licencing, defence and other data from federal and provincial government agencies. Citizens can opt out of the Register and register themselves for each election; however, the Register now includes information on over 90 percent of voters. Citizens can also request updates to the Register, a process that in most cases requires them to provide supporting documentation (Elections Canada 2013a).

A more controversial reform, passed in 2007, requires voters to provide identification when they attended polling places. The Canadian Government argued that it was a necessary anti-fraud measure, although it acknowledged that rates of voter fraud were very low. The new laws allow a wide range of documents to be used. A voter can show one piece of government photo identification, or two official documents in her or his name, at least one of which had to include an address. At least 40 different types of non-photo documents are acceptable for this purpose. Voters without any identification can vote if they swear an oath and are vouched for by another voter from the same electoral district who themselves meets the documentary identification standard. Voters can only vouch for one other person (Elections Canada 2013b).

The Government had hoped that all voters would have to show their faces when identifying themselves; however, Elections Canada resisted this idea, allowing female Muslim voters wearing hijabs and naqibs to present non-photo identification or self-identify and be vouched for by another voter. In mid-2009, the Government announced it would not pursue its plan to make all voters reveal their faces (CBC News 2009). Elections Canada also took a 'lenient' approach in applying the new identification requirements to remote indigenous communities in northern Canada (CBC News 2009).

In 2010, the new voter identification laws were upheld by the British Columbia Supreme Court, following a challenge by anti-poverty activists and a vision-impaired citizen (CBCNews 2010). The decision was challenged in the Court of Appeal in March 2013. No decision has been handed down (CBC News 2013).

8.6 United States of America: Moves to Stricter Identification Measures

As the comparative election fraud expert Susan Hyde has noted, the debate around election fraud and voter identification in the United States is quite distinctive. Hyde writes:

... it is striking to me that issues related to voter fraud in the United States are so polarized, with potential reforms viewed through a partisan lens rather than as ways to improve election quality and

overall voter confidence in the process. ... [I]n many new democracies, voter identification requirements are the norm, and many countries issue ID cards just for voting. Yet unlike the U.S., these voter registration processes have become one of the few ways that the very poor are recognized by their governments, and it is considered the government's responsibility to make registration accessible for all citizens (Hyde 2011: 321).

The United States casts a large shadow over much Australian debate about electoral reform. Through the sections that follow, it is worth remembering the distinctiveness of the United States experience, not just in relation to new democracies but in relation to many established European democracies.

Table 8.1 Voter Identification Requirements Across the USA, 2013

| | Strict Photo Identification | Non-Strict Photo Identification | Strict Non-Photo Identification | Non-Strict Non-Photo Identification | No Identification Required |
|-------------------------|------------------------------------|--|--|--|-----------------------------------|
| States | Georgia | Florida | Arizona | Alabama | California |
| | Indiana | Hawaii | Ohio | Alaska | Illinois |
| | Kansas | Idaho | | Arkansas | Iowa |
| | North Carolina | Louisiana | | Colorado | Maine |
| | Tennessee | Michigan | | Connecticut | Maryland |
| | Virginia | New Hampshire | | Delaware | Massachusetts |
| | | South Dakota | | Kentucky | Minnesota |
| | | | | Missouri | Mississippi |
| | | | | Montana | Nebraska |
| | | | | North Dakota | Nevada |
| | | | | Oklahoma | New Jersey |
| | | | | Rhode Island | New Mexico |
| | | | | South Carolina | New York |
| | | | | Texas | Oregon |
| | | | | Utah | Pennsylvania |
| | | | | Washington | Vermont |
| | | | | | West Virginia |
| | | | | | Wisconsin |
| | | | | | Wyoming |
| Number of States | 6 | 7 | 2 | 16 | 19 |

Source: Brennan Center for Justice 2013; NCSL 2013..

In the United States, the power to legislate for voter identification primarily rests with the states. Since 2001, voter identification has been the subject of heated public debate, with over 1,000 bills on the topic introduced in 46 state legislatures and numerous legal challenges. In the first four months of 2013 alone, new bills were introduced in thirty states (NCLS 2013: 3). By the end of 2013, new laws tightening voter identification requirements had been passed in six states—Arkansas, Indiana,

North Carolina, North Dakota, Tennessee and Virginia—while two states—New Hampshire and Oklahoma—relaxed their voter identification laws (Brennan Center for Justice 2013).

As these figures indicate, United States laws on voter identification are quite fluid. The general trend over the past decade has been towards more restrictive identification requirements, including mandatory photo identification. Some of these shifts have been incremental; however, others have been dramatic. In 2013, for example, North Carolina moved from self-identification to mandatory photo identification (Brennan Center for Justice 2013). As Table 8.1 shows, a majority of states now demand some kind of identification, with only 19 states relying on citizens to self-identify to gain access to the ballot.

Political debate on voter identification in the United States has been deeply partisan, with Republicans stressing identification as a necessary measure to combat fraud and Democrats arguing that fraud is limited and the new measures unfairly restrict access to the ballot (Overton 2006: 148-161). Republicans evoke 'historical images of Democratic big-city political machines stuffing ballot boxes with votes of dead people', 'fictitious people and pets being registered and ... operatives giving homeless people cigarettes and cash to cast a vote' (Overton 2006: 151).

8.7 The Most Common US Standard Where Identification is Required: Non-Strict, Non-Photo Identification

There is wide variation in the standards of identification demanded in the remaining 31 states. The most common standard at present is non-strict, non-photo identification, which is used in 16 states. In some of these states, voters are expected to present a current document from a specific list. The lists of prescribed documents vary from state to state. In some states, such as Delaware, any current official document that contains details such as the voter's name and address will suffice. Voters without these documents are still able to cast a vote if their name appears on the list of registered voters and they sign a declaration that they are that person. They may also have to supply their driver's licence number or the last four digits of their social security number. In some states, such as Connecticut, votes of individuals without identification are simply counted along with all the others. In other states, such as Oklahoma, their ballots remain provisional and are only counted if election officials later verify the details supplied by the individual (NCSL 2013).

8.8 Non-Strict Photo Identification

Seven states have non-strict photo identification laws. The range of photo identification that can be presented is generally wide. Florida specifies nine specific types, Michigan eight, Idaho six and South Dakota five. Hawaii, Louisiana and New Hampshire do not specify the valid types of photo identification, although in New Hampshire the use of particular photographic identification may be subject to challenge by another voter. A voter without accepted photographic identification may still cast a regular ballot after signing an affidavit, except in Florida, where the vote remains provisional until the voter's signature is matched with the signature on the voter registration files (NCSL 2013).

8.9 Strict Photo and Non-Photo Identification

In states with strict photographic and non-photographic voter identification, voters must supply the required identification before they can cast a regular vote. Once again, the lists of valid forms of identification differ from state to state. Some states, such as Indiana, simply require any form of photo identification issued by the state or federal government.

The major difference between the strict and non-strict states affects potential voters who do not have the prescribed forms of identification when they arrive at a polling place. They are able to cast provisional votes but must provide the required voter identification to electoral officials within a specific time for their votes to be counted. The time limits vary from ten days in Ohio to just two days in Tennessee. In some states, such as Georgia, voters must present the identification in person; in other states, such as Kansas and Virginia, they can also mail or email copies (NCSL 2013).

8.10 The Impact of the US Voter Identification Requirements

Evidence on the United States experience suggests that the introduction of voter identification laws in that context has either made voting considerably more difficult for some citizens and in some cases has resulted in their votes not being included in the ballot when they previously would have been. In some states, voter identification requirements appear to have been applied inconsistently to different types of voters.

In 2003, South Dakota introduced new photo identification laws that required voters to produce a current drivers licence, state photo identification card, tribal photo identification card or state university photo card. Under the law, potential voters without these documents could sign affidavits. About two percent of all voters across the state signed affidavits in lieu of producing photo identification but this figure was between five and 16 percent in counties with high native American populations. Some officials were either poorly trained or misunderstood the

requirements. Not all voters who arrived polling places without identification were offered the opportunity to sign affidavits. Some were told that they must return with identification if they wanted to vote (Overton 2006: 148-150).

Native Americans are not the only groups who appear to be disproportionately affected by voter identification laws. Across the United States, White Americans are more likely than Black Americans to possess driver's licences and other forms of accepted photo identification (Overton 2006: 153). A 2006 study in Georgia found Black, Hispanic and Asian registered voters were less likely than Whites to possess photo identification. Women, elderly and rural Georgians, regardless of their race, were also less likely to have the required identification (Hood and Bullock 2008).

The issue is not simply differential possession of identification documents. Officials also appear to be more likely to ask some groups of voters than others for identification. New Mexico provides a good example. Identification is not required under state law; however, electoral officials are required to ask some voters (new voters and provisional voters) for identification under the Help America Vote Act (HAVA). A 2008 survey found that 41 percent of New Mexico polling officials had not followed correct procedure by asking first time voters for identification. The same survey found that some polling officials asked potential voters for identification for reasons that were not covered by the law. They did so, for example, when they did not recognise the voter or had trouble hearing their names (Atkeson *et al* 2010).

A related survey of New Mexico voters suggested that the HAVA requirements were applied correctly to about half of all voters (Alvarez *et al* 2013: 77-81, 110-111). Officials were more likely to subject Hispanic voters to more stringent identification procedures than non-Hispanics, with Hispanic men the most likely social group to be asked to produce identification, regardless of the ethnicity of polling officials. This suggests that voter identification laws may be unconsciously applied in a discriminatory way (Atkeson *et al* 2010: 70-71; Alvarez *et al* 2013: 81).

Despite these issues, and despite the apparent lack of concern about multiple voting among American voters (see Section 3.5 above), laws requiring voter photo identification seem popular in the United States. A 2008 national survey suggests that round three-quarters of United States adults support them, with majority support in each state ranging from a low of 61 percent in Massachusetts to a high of 88 percent in Hawaii. Few demographic differences in support emerged in the survey, although the expected political differences were present, with liberal Democrats less supportive than conservative Republicans (Alvarez *et al* 2011: 80).

Chapter 9 Voter Identification in New South Wales: A Brief History

9.1 A Shift from Trusting Strangers to Relying on Documentation?

For most of its electoral history, New South Wales, like the rest of the Australian colonies-cum-states and the Commonwealth, has leant towards the British approach of trusting strangers to self-identify when voting.

The early electoral laws set this pattern. Under the 1851 *Electoral Act*, voters were asked questions about their names, whether their qualifications to vote were as recorded on the roll, and whether they had already voted. The Act made it an offence to vote twice. After 1855, electoral rolls were compiled and checked by local police and published to allow for confirmation and challenge (Simms 2006: 19-20). From 1858, males had to provide proof of residency (demonstrating 36 months residence in the colony and 6 months in the electorate in which they wished to enrol), or a miner's right in order to vote in the Gold Fields electorate (Hawker 1971: 14-15; Twomey 2004: 325).

The 1893 *Parliamentary Elections and Electorates Act* introduced an 'elector's right' certificate, which had to be renewed every three years and presented to gain a ballot paper (Parker 1978: 14). No proof of identity was required to enrol and signatures were only witnessed in the case of illiterate 'marksmen'. From 1896, signed and witnessed applications for the elector's right could be made by post (Simms 2006: 62-63). These changes made it possible for mobile segments of the working class population to vote, although they were frequently removed from the rolls following objections and could not have their names restored by polling day. Most free traders and protectionists saw it as an individual's responsibility to register and, if necessary, defend in court his or her right to be on the roll. The minority view, held by Labor and some liberal free traders such as George Reid, supported permanent enrolment maintained by government authorities (Simms 2006: 46-49). In 1906, elector's rights certificates were replaced by the older practice of rolls prepared by local police officers and displayed to allow for public verification and objections (Simms 2006: 80).

In 1928, New South Wales entered into a long-standing joint electoral roll agreement that meant the Commonwealth was responsible for voter registration (Twomey 2004: 328-329). For 70 years, this agreement meant that individuals followed the relatively relaxed practice of enrolling using a signed form that asked for a few basic details about their identity. Voters were not asked to provide any documentary identification when voting at state or Commonwealth level.

9.2 First Steps Away from Self-Identification

An amendment to the *Commonwealth Electoral Act* in 1999 began a movement away from the relaxed approach of voter self-identification. The amendment affected itinerant Australians and people wanting to enrol for the first time or who whose previous enrolment had lapsed. Instead of just filling out and signing the enrolment application form, they had to provide their Australian driver's licence number or passport number, or a signed statement from an enrolled voter, or another prescribed form of identification, before they could be added to the rolls (see S 98AA, *Commonwealth Electoral Act 1918*; Jupp and Sawyer 2001: 230-231).

In the same year, the Australian Electoral Commission (AEC) introduced its 'continuous roll update', which allowed it to draw on official data from other government agencies to determine where voters had moved address or died. The AEC was able to remove these voters from the rolls. This improved the accuracy of the rolls (and also reduced the capacity for fraudulent multiple votes to be cast in the names of recently deceased or departed citizens). Nonetheless, the AEC was not able automatically to restore any voters to the rolls at their new addresses. The voters had to apply to re-enrol. As a result, the electoral rolls began to shrink (see Brent 2008). Over the next decade, Commonwealth and state electoral commissions discussed this problem, along with possible ways to improve the accuracy of voter identification at registration; however, little joint progress was achieved (see, for example, NSW JSCEM 2005: 72).

9.3 Two NSW Voter Identification Bills

During the same period, the National Party Member for Coffs Harbour, Andrew Fraser, made two attempts to introduce voter identification for NSW elections. The first bill, the *Parliamentary Electorates and Elections Amendment (Voter Identification) Bill 1995*, lapsed on 3 March 1999 when Parliament was prorogued. The following year, Fraser introduced the *Parliamentary Electorates and Elections Amendment (Enrolment and Voting) Bill 2000*, which had the same content as his first bill. It was defeated by the Labor Government in the Legislative Assembly on party lines, with the Independents David Barr, Tony McGrain, Robert Oakeshott and Richard Torbay supporting it and Independent Clover Moore opposed (*NSWPD LA*, 11 November 2002, pp.1420-21).

Fraser's bills would have required individuals to prove their identities when they enrolled and when they voted. He proposed that the electoral roll be completely cleansed, with everyone required to re-enrol, whether they were on the existing roll or not. To register, individuals would have to provide a reference written by an

approved referee stating that the individual was known by the name found on specified primary identification documents (birth certificate, citizenship certificate, current or recently expired passport) or unspecified secondary identification documents.

The referees would be drawn from the categories gazetted by the relevant Commonwealth Minister under the *Financial Transaction Reports Act 1988* (accountants, members of financial institutions, government officials, professionals, ministers of religion, and so on). The referee would have to provide various types of information relating to the applicant and the identification documents the applicant had provided. False or misleading references would attract a maximum penalty of 10 penalty points.

After the rolls were prepared, state district returning officers would prepare voter identification cards when an election was called and issue these at least 14 days before polling day. The voter card would include a voter's name and address, the electoral district and the date of election and instructions for use of the card.

At the polling place, voters would answer the three existing questions under S99 of the *Parliamentary Electorates and Elections Act 1912* (their name, address and whether they had voted already) put by the polling official, then give their voter card to the official. If the would-be voter could not produce the card, the polling official would request 'any other' identification documents that voter has. Voters without voter cards or alternative identification could make a declaration vote. Voters wishing to make a pre-poll vote or apply for a postal vote would have to do so using their voter identification card or other identification.

The arguments that were used to support and oppose Fraser's bill are outlined in later sections of this report. At this stage, it is worth observing that its proposed requirements for voter registration (application using identification documents plus sworn statements from specific groups of individual within the community) would rank among the most onerous in the world, while its provisions for voter identification on polling day would rank among the most liberal for laws requiring documentary identification.

9.4 Reforms Prior to the 2011 NSW Election

Debates around voter identification remained relatively quiet for some time in New South Wales after the defeat of Fraser's second bill in 2002. The NSW Joint Standing Committee on Electoral Matters (NSW JSCEM) noted that there had been some confusion over identification requirements for defence personnel voting remotely in the 2003 NSW election (NSW JSCEM 2005: 58-59). The NSW Electoral Commission

sent registered voters an 'Easy Voting Card' prior to the 2007 NSW election. It contained the voter's name, address, date of birth, electoral district and information about voting. The NSW JSCEM supported the principle of distributing an Easy Voting Card but recommended that the date of birth be removed from future cards or similar initiatives (NSW JSCEM 2008: 23-24). National Party MP Mr Andrew Fraser viewed use of the Easy Vote Card as partial evidence that the sort of voter identification laws he was proposing would work (Fraser interview).

In 2009 and 2010, cross-party support emerged for significant electoral reforms with implications for voter identification. The first set of reforms were contained in the *Parliamentary Electorates and Elections Amendment (Automatic Enrolment) Act 2009*, which was introduced as a bill on 11 November 2009 and passed without amendment and the support of all parties on 1 December 2009.

The main purpose of the Act was to allow the NSW Electoral Commission to update the state and local electoral rolls automatically, removing and adding voters using information sourced from other government agencies, such as the Roads and Traffic Authority and the Registry of Births, Deaths and Marriages. Individuals would be notified that they had been enrolled or that their enrolment details had changed. Citizens would still have to enrol through the AEC to participate in federal elections (Penny Sharpe, *NSWPD LC*, 12 November 2009, pp. 19517-19521).

This represented a significant step towards the sort of automatic enrolment using government records found across many contemporary democracies (see Section 7.4 above). The NSWEC developed a 'SmartRoll' system to implement the new enrolment provisions (Electoral Commission NSW 2013a). In line with common practice internationally, individuals have the right to challenge the new enrolment details provided to them by the NSWEC.

As Liberal MLC the Hon. Don Harwin noted, the new Act effectively ended the longstanding joint roll arrangement with the Commonwealth (*NSWPD LC*, 25 November 2009, p. 19838). Desire to preserve the joint-roll had previously inhibited electoral initiatives (NSW JSCEM 2005: 74; see also Jupp and Sawyer 2001: 230-231). On this occasion, and despite the potential for voters to be confused about the two enrolment processes, Harwin argued that 'the Federal Parliament should catch up' (*NSWPD LC*, 25 November 2009, p.19839). By 2012, the Commonwealth had (AEC 2012).

Equally significantly, the Act allowed individuals to vote on polling day without already being on the electoral roll. They could do so if they completed a 'claim of enrolment form' and provided specific forms of photo identification—a drivers licence or a NSW Photo Card—with the same address as that on their form. In 2008,

NSW Greens MLC Lee Rhiannon had recommended a very similar measure, which was not supported at that stage by the major parties (NSW JSCEM 2008: 83).

The 2009 Act was largely justified as a way of increasing the franchise (Penny Sharpe, *NSWPD LC*, 12 November 2009, p. 19521; Jenny Gardiner, *NSWPD LC*, 25 November 2009, p.19845). Parliamentarians from various parties also welcomed the introduction of photo identification as a step towards reducing the opportunity for voter fraud (Fred Nile, *NSWPD LC*, 25 November 2009, p.19843; Craig Baumann, *NSWPD LA*, 1 December 2009, p.20335; Victor Dominello, *NSWPD LA*, 1 December 2009, p. 20337; Andrew Fraser, *NSWPD LA*, 1 December 2009, p. 20337; Chris Harcher, *NSWPD LA*, 1 December 2009, p.20333; Barry Collier, *NSWPD LA*, 1 December 2009, p.20339). The Hon. Dr Peter Phelps MLC later described it as ‘the thin end of the wedge’ of voter identification laws (Phelps interview).

A third set of provisions in the Act slightly reduced the identification standard for postal votes. Where previously postal vote applications had required a signature witnessed by another voter, the new on-line application process removed this requirement. The significance of this move increased with the passage, again with cross-party support, of the *Parliamentary Electorates and Elections Further Amendment Act 2010*, which allowed internet voting for defined groups of voters in NSW elections. The process for applying for an iVote, as it became known, were left to the Electoral Commissioner, who determined to use same process for application as for postal voting. Individuals could apply on-line, self-identifying as voters who needed to cast an iVote because of their sight-impairment or other disability, absence on polling day, or distance from a polling place. The NSW Electoral Commission’s procedures noted that it ‘... may, at its discretion, require additional elector authentication information as a method for detecting identity theft’ before issuing iVote credentials to voters (NSWEC no date). The extent to which this actually occurred is unclear.

9.5 The Current Position

By the 2011 election, significant steps had been taken away from the old ‘self identification’ approach to voting in New South Wales. The enrolment of individual voters was tied more closely to identity data in the possession of government agencies. Voters could use photo identification to establish their right to vote on polling day. At the same time, applications for postal votes and iVotes could be obtained by individuals who vouched on-line for their own identities, while most voters were able to obtain their ballots by answering the same three questions first asked of New South Wales voters in 1851.

In its report on the 2011 election, a majority of the NSW Joint Standing Committee on Electoral Matters resolved to pursue the possibility of voter identification further, stating that the 'risks of multiple voting and voter impersonation would be mitigated by requiring voters to provide proof of their identity, and also by investigating the feasibility of an electronic system to mark-off voters for future elections' (NSW JSCEM 2012: xii; 57). Committee members from the Liberal, National and Shooters and Fishers parties supported the proposal, while Labor members were opposed (JSCEM 2012: 80-81). In its response to the Committee's report, the NSW Government indicated that it did not support voter identification but did support the proposal for electronic roll mark-off at polling places to help prevent multiple voting (NSW Government [no date]).

Developments in other jurisdictions may also have a bearing on NSW debates about voter identification. On 21 November 2013, Queensland Attorney-General and Minister for Justice Jarrod Bleijie announced a 'voting revolution for Queensland'. Among the reforms he hoped to introduce for the 2015 state election was the introduction of voter identification 'to prevent voter personation'. Bleijie's indicative list of documents that could be used for voter identification was broad and similar to the extensive list suggested by Andrew Fraser in debates over his NSW proposals. It included non-photo documents such as utility bills, Medicare cards and letters from the electoral commission. Voters without identification could make a declaration vote (Bleijie 2013; see also Arkley 2013; Brent 2013a). The likely passage of the first systematic voter identification laws in Australia may encourage law-makers in other jurisdictions to produce their own versions.

Chapter 10 Key Considerations for Future Debates Over Voter Identification

The international comparisons and Australian evidence presented in this report suggest that future debates over voter identification in New South Wales should address seven key questions.

10.1 Where are the key vulnerabilities that voter identification measures are meant to address?

Advocates of reform disagree about the main areas of vulnerability in the current NSW system of voter registration and identification.

Some electoral activists, such as Dr Amy McGrath, President of the H.S. Chapman Society, see vulnerabilities across the entire system of registration and voting (McGrath 1996, especially Ch. 9). According to McGrath, New South Wales (along with the rest of Australia) had the best system in 1983 but 'abandoned' it (McGrath interview).

For others, such as Mr Andrew Fraser MP, the integrity of the electoral roll is the critical problem. Although he acknowledges that the current NSW continuous enrolment system (the SmartRoll) is an improvement on past practice, he believes that it is still vulnerable to false enrolment: 'You've got to have absolute faith in the integrity of your roll. ... Keep compulsory voting but put a safeguard in there. And that safeguard has got to be a genuine enrolment' (Fraser interview).

Others see the roll as now relatively unproblematic and the absence of checks around remote voting (postal voting and the iVote) is a key area of vulnerability (Fred Nile, *NSWPD LC*, 25 November 2009, p. 19844; Jenny Gardiner, *NSWPD LC*, 25 November 2009, p. 19846). The iVote and absentee voting were also nominated as voting channels more open than others to potential abuse (Borsak interview).

Others, such as Liberal MLC the Hon. Dr Peter Phelps, do not see remote voting as the main problem. Phelps believes that ordinary voting at a polling place on election day represents the main area of vulnerability in the system. Postal voting is one of the safer methods because voters have to sign a declaration to cast a vote (Phelps interview).

Sensible discussion of potential remedies to multiple voting is difficult without agreement about the key vulnerabilities in the voting system.

10.2 Is there evidence that multiple voting is significant enough to warrant legislative attention?

The evidence presented in this report suggests that the number of multiple voters is very low in New South Wales—1 in every 1,219 voters, or 0.08 percent of the electorate. Virtually all of these voters vote twice. Most multiple voting appears to be the accidental result of socio-economic factors such as poor language skills, rather than a fraudulent strategy designed to win seats. There is no evidence of the busloads of party supporters cruising from polling place to polling place and repeatedly voting in the same names. There is no evidence that multiple voting steals seats in New South Wales (or other Australian jurisdictions). These conclusions are consistent with the available evidence from other countries, including the United States.

The evidence in this report has concentrated on multiple voting in which voters vote more than once using their own name, or vote once in their name and again in the name of another unsuspecting voter who also votes (producing two or more votes in that voter's name). Evidence of these types of multiple voting can be found in the electoral records after polling day, where voters are marked off the rolls more than once (although even here, care must be taken to avoid mistaking clerical errors for multiple votes).

Systematic evidence about the three other types of multiple voting listed in Chapter 2—enrolling and voting in the names of fictitious voters, enrolling and voting in the names of real citizens who have not themselves enrolled, and voting in the names of other people who have enrolled but do not themselves vote—is hard if not impossible to find (for some evidence on the apparently low level of enrolment fraud, see Hughes and Costar 2006: 49-50). Claims are regularly made about the ease with which false enrolments can be made and people can vote on behalf of the sick and the dead; however, such claims are usually based on anecdotes, old or hypothetical examples and outdated understandings about how the electoral rolls are maintained (Brent 2013b. See, for example, McGrath [1996], in which most of the Australian examples date from the 1950s or earlier). The combination of compulsory voting and the continuous updating of electoral rolls using official records reduces the possibility that these types of multiple voting could be used in a widespread way.

The absence of evidence of significant multiple voting may not be a decisive consideration. Most of the parliamentarians interviewed for this report acknowledged that multiple voting is too limited to have any substantive effect on election outcomes in New South Wales (see also Lee Rhiannon, *NSWPD LC*, 25

November 2009, p. 19839; Barry Collier, *NSWPD LA*, 1 December 2009, p. 20340). For some, however, any multiple voting is significant in terms of its impact on voter equality and efforts should therefore be made to reduce it (Fraser interview; Phelps interview).

New South Wales legislators may also take the view that is apparently held by the Electoral Commission in the United Kingdom, which recently acknowledged that there was no evidence of significant multiple voting occurring but that voter identification laws should be introduced nonetheless because of alleged public fears that it is widespread (The Electoral Commission 2014). Equally, New South Wales legislators may take the Queensland Government's recent approach and view voter identification laws as part of a necessary general 'revolution' in electoral procedures (Bliejie 2013), without evidence that multiple voting is a real or perceived problem (Department of Justice and Attorney General 2013)

10.3 Will voter identification measures produce more harm than good for voters?

This is a critical question. Voter identification measures that reduce voter inequality have to be measured against their effect in excluding citizens from the ballot. This point is recognised in international law alongside the protection of voter equality. Article 25 of the United Nation's International Covenant on Civil and Political Rights, for example, states that citizens have the 'right and opportunity' to vote 'without unreasonable restrictions'. In 1996, the Office of the High Commissioner for Human Rights elaborated on Article 25 in the following way:

10. The right to vote at elections and referenda must be established by law and may be subject only to reasonable restrictions, such as setting a minimum age limit for the right to vote. It is unreasonable to restrict the right to vote on the ground of physical disability or to impose literacy, educational or property requirements. Party membership should not be a condition of eligibility to vote, nor a ground of disqualification.

11. States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed (Office of the High Commissioner for Human Rights 1996).

Would tighter voter identification laws represent an 'unreasonable restriction' on the right to vote for some New South Wales citizens? Supporters of tighter voter identification measures tend to play up the number of multiple and other fraudulent

votes that would be prevented by tightened voter identification laws while playing down the impact on individuals with little or no identifying documentation. Opponents of such measures tend to make the opposite rhetorical moves.

International experience suggests that any voter identification rules are likely to exclude at least some citizens from the franchise and/or to make it more difficult for them to vote. The problem of vulnerable groups (e.g., homeless and nomadic people) not being properly registered to vote and being unable to meet voter identification requirements has been noted by international electoral bodies (see, for example, ACEEEO 2009: 36-37; OSCE/ODHIR 2013a: 20). Statistical modelling in the United States suggests that more stringent identification laws depress voting by lower educated and lower income groups, regardless of race (Alvarez *et al* 2008). The introduction of voter identification laws was estimated to have depressed voting among Indigenous Canadians by 10 percent (Burgmann 2013).

Research conducted for this report suggests that members of some socio-economic groups are particularly at risk of exclusion from the ballot if the voter identification laws were tightened. These groups are similar to those identified as at risk in other jurisdictions.

Indigenous citizens are one group with an elevated risk of insufficient identification due to their patterns of literacy, debt, housing and mobility (Biddle and Prout 2009; Biddle and Yap 2010: Chapter 7; Skinner and Rumble 2012; Aubrey-Poiner and Davis interview). About 44 percent of Aboriginal adults living in urban areas of New South Wales have never held a driver's licence, for example, and only 38 percent are current licence holders (Skinner and Rumble 2012: 3).

Homeless people, including an estimated 2,000 to 3,000 rough sleepers and an 'unknown number' escaping domestic violence (Hughes interview), could also be at particular risk of exclusion from the ballot, depending on the details of any new identification processes. According to advocacy groups, identification measures would also present barriers to people with disabilities (Regan interview) and members of non-English speaking groups. It is possible that older citizens would also be less likely than younger citizens to possess relevant forms of identification, either because they have never acquired them or have given them up (when, for example, they stop driving).

It is impossible to quantify precisely the number of individuals who would be adversely affected by the introduction of voter identification laws in New South Wales, partly because the exact impact would depend on the detail of any new identification regime. Given that the best evidence is that a few thousand multiple votes are cast in New South Wales, the potential that identification measures will

disenfranchise the same or larger numbers of New South Wales citizens needs serious consideration before they are introduced.

The evidence on socio-economic factors associated with multiple voting in New South Wales suggest that tighter voter identification measures may simply miss the point. If multiple voting is strongly associated with problems comprehending English, then perhaps the approach taken to dealing with multiple voting should focus on education campaigns in community languages, rather than voter identification measures. Such education programs may work with varying degrees of success but, in contrast to tighter voter identification measures, they will not have the potential to make it harder for honest citizens to access the ballot.

10.4 What identification measures, if any, are out of bounds?

Policymakers in New South Wales are almost certain to uniformly reject some measures that are routinely used to help prevent multiple voting in other countries.

One is the return to local voting in subdivisions favoured by the H.S. Chapman Society (McGrath interview). Such a move would be ‘political suicide’, according to one parliamentarian interviewed for this study, because Australian voters want convenience of voting when they are not in the immediate vicinity of their homes (Phelps interview).

Another is the practice of dyeing voters’ fingers, used in many places around the world to indicate that individuals have voted. As the Australian Electoral Commission noted in 1996, ‘It is unlikely that the marking of voters themselves would be acceptable to the Australian community’ (AEC 1996: 11.3.2).

At the other end of the technological spectrum, New South Wales parliamentarians are quick to dismiss any introduction of compulsory identity cards, despite the fact that such cards form the cornerstone of voter identification in many countries, including many western democracies (Phelps interview; Borsak interview). The widespread community opposition to the Hawke Government’s 1987 Australia Card proposal (Smith 1989) appears to have ruled out any serious thought of a universal photo-based voter identification system in New South Wales, or any other Australian jurisdiction (see Hughes 1998: 490). As a result, any new document-based voter identification system in New South Wales will have to rely on the mix of photo and non-photo documents that most citizens already possess.

10.5 Is there a system of voter identification that can achieve cross-party consensus?

Electoral reforms such as new voter identification laws are inherently risky for the government that introduces them. According to the Hon. Dr Peter Phelps MLC, parties believe that the government that changes voter identification law will face a backlash from voters who are told for the first time at an election that they need identification and do not have it (Phelps interview). Moreover, the risk may not lead to long-term reform, if a subsequent government repeals the laws.

Are there voter identification measures that can achieve widespread support across party and ideological lines in New South Wales? International experience suggests that this is possible but not guaranteed. In many European countries, voter identification laws are seen as protecting the interests of voters and candidates from across the political spectrum. The North American experience is quite different. In the United States, Republicans and conservatives generally favour tighter voter identification laws, while Democrats and liberals tend to oppose them. A similar conservative-liberal split has developed in Canada. Claims in North America that voter identification laws are a thinly disguised attempt to disenfranchise left-leaning voters are met with counter-claims that those opposed to the laws want to keep stealing elections using fraudulent votes.

The sporadic Australian debate on voter identification since the 1990s has tended to follow North American lines. Representatives of the Liberal, National and Christian Democrat parties have generally supported tightening voter identification laws, while Labor and the Greens have opposed any such tightening. The rhetoric used to bolster these positions is similar to the patterns of the United States. Coalition advocates of tightened identification requirements point to alleged cases of multiple voting and other fraud by Labor and Green supporters, while Labor and the Greens argue that members of disadvantaged groups will be disenfranchised by more restrictive laws.

It is difficult for political parties to remove the expected partisan consequences of voter identification laws from their considerations (Jupp and Sawer 2001: 231; Kelly 2012: 65; Brent 2103b). Perhaps they should not be expected to do so; however, this may make consensus over any new voter identification laws even less likely than consensus over the status quo.

10.6 What administrative capabilities and resources will be required?

Writing voter identification laws is one thing, administering them effectively is another. Even the most advanced biometric voter identification measures will fail without the infrastructure and administrative capacity required to support them (see Barkan 2013). Moreover, new voter identification laws would represent a fundamental shift in Australian political culture, from one based on trust in voters to one based on trust in their documentation. In order to minimise the potential backlash from unprepared and affronted voters, any general transition to documentary voter identification would need to be handled extremely carefully, with clear public messages delivered well in advance of the polling period and sufficient assistance on polling days. These messages would be particularly important to avoid voter confusion if trust remained the basis for voter identification in federal elections and New South Wales moved to its own system of documentary voter identification.

It is beyond the scope of this report to estimate the precise costs and administrative impact of particular voter identification measures. The last Australian attempt at such an exercise, to my knowledge, occurred in the 1990s, when the Australian Electoral Commission presented indicative costs for a range of identification measures, including enrolment with photo and non-photo identification, presentation of photo and non-photo identification on polling day and the production of AEC photo and non-photo voter cards. These were all estimated to be costly (AEC 1993).

Since, unlike many other countries, Australia does not have a national identification card, any voter identification system would need to be built on a mixture of existing forms of identification, encouraging voters without identification to acquire it, and fall back measures such as witnessed signature identification. The government might expect citizens to bear the costs of acquiring new identification documents themselves, or it might choose to bear the costs itself, or to subsidise them (the current administration fee for obtaining a NSW Photo Card is \$49.00).

Proposals to deal with the supposed vulnerability of the electoral roll through a complete cleansing of the existing roll to produce a fresh electorate roll would require extensive administrative effort, particularly if it involved all currently enrolled voters having to apply for re-registration (McGrath interview), or a full habitation review with voters being required to provide 100 identification points to remain on the roll (Fraser interview). Unwilling voters may simply take the opportunity to remove themselves from the roll (Fraser interview). Provision would have to be made for dealing with citizens on the roll being cleansed who do not have the required 100 identification points. The high levels of voter mobility in Australia

would make the newly cleansed roll—however accurate it could be made in the first place—inaccurate within months of its finalisation (see, for example, Hughes and Costar 2006: 35-36).

Administrative measures would therefore have to be put in place to allow voters to update their details, presumably using the same standards of identification as for the initial roll cleansing process. This updating process might operate in parallel with the existing NSW SmartRoll roll updating mechanism (Fraser interview), or it might replace it, forcing citizens to take responsibility for initiating changes to their enrolment details in conjunction with regular habitation reviews (McGrath interview). In the latter case, further measures would be required to deal with the potentially significant number of voters who moved after the latest habitation review without updating their enrolment details and who still expected a vote on polling day. This could be managed through the current provisions for new enrolment voting with identification on polling day. Alternatively, those citizens could be told they had to vote in the electorate where they were still registered but no longer lived. Or they could be told they were not eligible to vote. These different options put different strains on the capacity of the electoral administration system.

Once the administrative issues around voter registration are dealt with, the costs and capacities required to administer voter identification on polling day require attention. Voter identification schemes present a mix of advantages and disadvantages for electoral management bodies on polling day. Viewing identification documents may make it easier for polling officials to accurately locate names on the roll and mark off the correct voters. This may be particularly true for voters who have unfamiliar and common names.

On the other hand, international experience suggests that ambiguity over the correct documentation causes uncertainty and inconsistency between officials. The NSW Electoral Commission could mail all eligible voters a letter or paper voter card, as it has done in the past. This could serve as identification and would be relatively inexpensive to produce and post (Fraser interview). Electoral officials would still have to deal with cases in which voters lose their letters or voter cards, or forget to bring them to their polling place.

The wider the range of documents allowed to prove identification, the more ambiguity officials will face when processing voters. Would-be voters at one polling place may be sent home to get further identification while others presenting exactly the same documents at another are allowed to vote. Consistency seems unlikely across a temporary workforce of 18,000 New South Wales polling staff with limited training. Officials may find themselves criticised for taking their discretion to its

limits so as to extend the franchise as far as possible, as occurred in the Canadian case (CBC News 2009).

Taking a more restrictive approach, on the other hand, may cause conflicts between polling officials and citizens who expect to be able to cast a vote on the basis of their available identification or their word. Citizens may leave the polling place and not return, either because they run out of time before the polls close, or because they are angry that they have wasted their time. Unless the number of staff at polling places is increased, the time it takes to vote will inevitably increase, as officials have to make decisions about ambiguous documentation, arrange for citizens without proper identification to cast declaration votes, persuade voters that they have to leave and return with proper documentation, and so on (Borsak interview).

One option for reducing multiple voting that has received some attention is electronic mark-off, using electronic devices such as smart phones securely connected to a central NSW Electoral Commission server. Once someone had presented themselves at one polling place and been marked off the roll using the device, they would be registered centrally as having voted and could not be marked off on the roll at another polling place. Nor could anyone impersonate another voter once that voter had voted and been marked off electronically.

This process would prevent some multiple voting and may be relatively inexpensive if officials used their own smart phones with an application provided by the NSW Electoral Commission (NSW JSCEM 2012: 54). Nonetheless, it would only work as accurately as the mark off data being supplied by polling officials. Nothing in the electronic system would prevent officials incorrectly marking off a voter's name for the first time. When the actual voter came to vote, she or he would be recorded as already having voted and would presumably have to cast a declaration vote. The incorrectly marked-off voter would be recorded as not having voted. In addition, electronic mark-off relies on a reliable link between polling places and the central server. As the Port Macquarie and Myall Lakes examples indicate (Section 5.11 above), this cannot be guaranteed.

Finally, processes need to be established to ensure that voting channels other than ordinary votes on polling day (postal votes and iVotes, for example) are subject to identification measures equivalent to those used in ordinary votes.

As the NSW Electoral Commission has indicated in the past, measures such as voter identification and electronic mark-off can be implemented (NSW JSCEM 2012: 54). The costs of a comprehensive and reliable electronic mark-off system at all polling places will run into millions of dollars. Whether the government is prepared to invest the money and capacity-building that would be required to implement them

successfully is another matter. Poorly conceived and administered schemes are likely to create far greater problems than the relatively minor problem of multiple voting.

10.7 How will the success or failure of any new measures be judged?

The most sophisticated voter identification schemes are subject to administrative problems and fraud. The Indian Government's Elector Photo Identity Card (EPIC), complete with holograms and other security features, has fallen foul of repeated forgery rackets, precisely because it is a widely accepted form of official identification (Privacy International 2012a: Chapter III). 'Nothing is fool proof', as one of the interviewees for this study commented (Fraser interview).

Given that we cannot assume that any approach to voter identification will automatically work, what yardsticks can be applied to determine the success or failure of different systems? A comparison of current levels of multiple voting in New South Wales with those that occurred under older enrolment and voting processes is impossible, since those earlier systems were never systematically researched (Hughes and Costar 2006: 37).

Rather than assuming that any new system of voter identification will be better or worse than the current approach, systematic comparisons should be conducted between the effects of the current system and the new one. The current situation would become the baseline against which future systems are assessed. This report provides some of the necessary evidence to construct such a baseline. Nonetheless, the evidence could be expanded to include:

- further analysis of the socio-economic factors associated with multiple voting
- analysis of the accuracy of the current roll
- analysis of current enrolment and participation rates among groups identified as potentially vulnerable to the effects of future voter identification laws
- evidence of multiple voting at the 2015 New South Wales election.

Appendix 1: Individuals Interviewed and Consulted

Interviews

Ms Kate Aubrey-Poiner: Policy Officer, New South Wales Aboriginal Land Council (interview summary approved by NSW ALRC CEO).

The Hon. Robert Borsak: Member of the NSW Legislative Council; Deputy Chair of the Joint Standing Committee on Electoral Matters; Shooters and Fishers Party.

Ms Haylee Davis: Policy Officer, New South Wales Aboriginal Land Council (interview summary approved by NSW ALRC CEO).

The Hon. Amanda Fazio: Member of the NSW Legislative Council; Member of the Joint Standing Committee on Electoral Matters; Australian Labor Party.

Mr Mark Franklin: Executive Officer, Ethnic Communities' Council NSW.

Mr Andrew Fraser MP: Member of the Legislative Assembly for Coffs Harbour; Member of the Joint Standing Committee on Electoral Matters; National Party.

Mr Warren Gardiner: Senior Policy Officer, Council of Social Service of New South Wales (NCOSS).

Mr Digby Hughes: Policy Officer, Homelessness NSW.

Dr Amy McGrath: President, H.S. Chapman Society.

The Hon. Dr Peter Phelps: Member of the NSW Legislative Council; Member of the Joint Standing Committee on Electoral Matters; Liberal Party.

Ms Christine Regan: Senior Policy Officer, Council of Social Service of New South Wales (NCOSS).

Consulted

Dr Peter Brent: Editor and writer, 'Mumble' blog, *The Australian*; Visitor, School of Politics and International Relations, Australian National University.

Dr Ferran Martinez I Coma: Research Associate, Department of Government and International Relations, University of Sydney.

Mr Ben Raue: Editor and writer, 'The Tally Room' blog; formerly campaigner for Senator Lee Rhiannon.

Dr Ben Spies-Butcher: Senior Lecturer, Department of Sociology, Macquarie University; Deputy Convenor, The Australian Greens.

Appendix 2: Data on Multiple Voting in Federal Electorates in 2007 Derived from Australian Electoral Commission Sources.

| Electorate | State/ Territory | Winner | Valid Votes | Winner's 2CP Vote | Winner's 2CP Margin | Apparent Multiple Votes | Margin | Margin | Admitted Multiple Votes | Margin |
|-------------|---------------------|--------|----------------|-------------------------|---------------------------|-------------------------------|--|--|-------------------------------|--|
| | | | | | | | After Apparent Multiples (Weighted at 1.5) Excluded | After Apparent Multiples Excluded | | After Admitted Multiples Excluded |
| Adelaide | SA | ALP | 88625 | 51868 | 7556 | 113 | 7499 | 7471 | 14 | 7549 |
| Aston | VIC | LNP | 85812 | 47243 | 4337 | 119 | 4278 | 4248 | 10 | 4332 |
| Ballarat | VIC | ALP | 87808 | 51056 | 7152 | 142 | 7081 | 7046 | 18 | 7143 |
| Banks | NSW | ALP | 82501 | 50392 | 9142 | 218 | 9033 | 8978 | 13 | 9135 |
| Barker | SA | LNP | 94697 | 56301 | 8953 | 60 | 8923 | 8908 | 13 | 8946 |
| Barton | NSW | ALP | 81966 | 50902 | 9919 | 198 | 9820 | 9771 | 15 | 9912 |
| Bass | TAS | ALP | 63835 | 32553 | 636 | 100 | 586 | 561 | 15 | 628 |
| Batman | VIC | ALP | 79661 | 60503 | 20673 | 125 | 20610 | 20579 | 14 | 20666 |
| Bendigo | VIC | ALP | 89970 | 50504 | 5519 | 114 | 5462 | 5434 | 6 | 5516 |
| Bennelong | NSW | ALP | 86936 | 44685 | 1217 | 159 | 1138 | 1098 | 3 | 1216 |
| Berowra | NSW | LNP | 83345 | 49122 | 7450 | 114 | 7393 | 7364 | 3 | 7448 |
| Blair | QLD | ALP | 83279 | 45369 | 3730 | 113 | 3673 | 3645 | 4 | 3728 |
| Blaxland | NSW | ALP | 77456 | 52953 | 14225 | 239 | 14106 | 14046 | 9 | 14221 |
| Bonner | QLD | ALP | 83580 | 45576 | 3786 | 142 | 3715 | 3680 | 3 | 3785 |
| Boothby | SA | LNP | 89397 | 47322 | 2624 | 59 | 2594 | 2579 | 4 | 2622 |
| Bowman | QLD | LNP | 82082 | 41073 | 32 | 130 | -33 | -66 | 4 | 30 |
| Braddon | TAS | ALP | 66261 | 34085 | 955 | 98 | 906 | 881 | 7 | 951 |
| Bradfield | NSW | LNP | 84331 | 53512 | 11347 | 138 | 11278 | 11243 | 3 | 11345 |
| Brand | WA | ALP | 82632 | 45959 | 4643 | 163 | 4562 | 4521 | 13 | 4637 |
| Brisbane | QLD | ALP | 83738 | 47526 | 5657 | 49 | 5633 | 5620 | 1 | 5657 |
| Bruce | VIC | ALP | 80531 | 46966 | 6701 | 178 | 6612 | 6567 | 24 | 6689 |
| Calare | NSW | LNP | 82387 | 51124 | 9931 | 104 | 9879 | 9853 | 7 | 9927 |
| Calwell | VIC | ALP | 86270 | 59807 | 16672 | 203 | 16571 | 16520 | 4 | 16670 |
| Canberra | ACT | ALP | 114901 | 71030 | 13580 | 132 | 13514 | 13481 | 8 | 13576 |
| Canning | WA | LNP | 85798 | 47689 | 4790 | 112 | 4734 | 4706 | 5 | 4788 |
| Capricornia | QLD | ALP | 85080 | 53355 | 10815 | 81 | 10775 | 10754 | 2 | 10814 |
| Casey | VIC | LNP | 83538 | 46726 | 4957 | 102 | 4906 | 4881 | 7 | 4954 |
| Charlton | NSW | ALP | 83183 | 52298 | 10707 | 112 | 10651 | 10623 | 4 | 10705 |
| Chifley | NSW | ALP | 80348 | 56776 | 16602 | 179 | 16513 | 16468 | 6 | 16599 |
| Chisholm | VIC | ALP | 79874 | 45833 | 5896 | 130 | 5831 | 5799 | 8 | 5892 |
| Cook | NSW | LNP | 86107 | 48711 | 5658 | 86 | 5615 | 5593 | 2 | 5657 |
| Corangamite | VIC | ALP | 90394 | 45968 | 771 | 128 | 707 | 675 | 4 | 769 |
| Corio | VIC | ALP | 83041 | 48939 | 7419 | 189 | 7324 | 7277 | 15 | 7411 |
| Cowan | WA | LNP | 84858 | 43883 | 1454 | 203 | 1353 | 1302 | 51 | 1429 |
| Cowper | NSW | LNP | 84757 | 43423 | 1045 | 106 | 992 | 965 | 6 | 1042 |
| Cunningham | NSW | ALP | 84229 | 57382 | 15268 | 126 | 15205 | 15173 | 10 | 15263 |
| Curtin | WA | LNP | 79152 | 50320 | 10744 | 105 | 10692 | 10665 | 6 | 10741 |

| Electorate | State/ Territory | Winner | Valid Votes | Winner's 2CP Vote | Winner's 2CP Margin | Apparent Multiple Votes | Margin | Margin | Admitted Multiple Votes | Margin |
|-------------|---------------------|--------|----------------|-------------------------|---------------------------|-------------------------------|--|--|-------------------------------|--|
| | | | | | | | After Apparent Multiples Excluded | After Apparent Multiples (Weighted at 1.5) Excluded | | After Admitted Multiples Excluded |
| Dawson | QLD | ALP | 79906 | 42520 | 2567 | 128 | 2503 | 2471 | 13 | 2561 |
| Deakin | VIC | ALP | 82310 | 42319 | 1164 | 106 | 1111 | 1085 | 11 | 1159 |
| Denison | TAS | ALP | 63970 | 41982 | 9997 | 127 | 9934 | 9902 | 14 | 9990 |
| Dickson | QLD | LNP | 83447 | 41832 | 109 | 114 | 52 | 23 | 5 | 106 |
| Dobell | NSW | ALP | 82396 | 44413 | 3215 | 144 | 3143 | 3107 | 2 | 3214 |
| Dunkley | VIC | LNP | 86404 | 46693 | 3491 | 124 | 3429 | 3398 | 9 | 3487 |
| Eden-Monaro | NSW | ALP | 84654 | 45207 | 2880 | 117 | 2822 | 2792 | 0 | 2880 |
| Fadden | QLD | LNP | 83443 | 50228 | 8507 | 158 | 8428 | 8388 | 2 | 8506 |
| Fairfax | QLD | LNP | 82167 | 43558 | 2475 | 152 | 2399 | 2361 | 7 | 2471 |
| Farrer | NSW | LNP | 86259 | 52766 | 9637 | 32 | 9621 | 9613 | 3 | 9635 |
| Fisher | QLD | LNP | 79709 | 42325 | 2471 | 80 | 2431 | 2411 | 2 | 2470 |
| Flinders | VIC | LNP | 88755 | 51697 | 7320 | 194 | 7223 | 7174 | 1 | 7319 |
| Flynn | QLD | ALP | 80187 | 40220 | 127 | 79 | 87 | 67 | 1 | 126 |
| Forde | QLD | ALP | 78288 | 41419 | 2275 | 142 | 2204 | 2169 | 7 | 2272 |
| Forrest | WA | LNP | 85750 | 47871 | 4996 | 86 | 4953 | 4932 | 6 | 4993 |
| Fowler | NSW | ALP | 78107 | 53306 | 14253 | 244 | 14131 | 14070 | 14 | 14246 |
| Franklin | TAS | ALP | 67632 | 36845 | 3029 | 116 | 2971 | 2942 | 7 | 3026 |
| Fraser | ACT | ALP | 108680 | 70715 | 16375 | 114 | 16318 | 16290 | 2 | 16374 |
| Fremantle | WA | ALP | 79901 | 47253 | 7303 | 173 | 7216 | 7173 | 8 | 7299 |
| Gellibrand | VIC | ALP | 84156 | 60134 | 18056 | 160 | 17976 | 17936 | 4 | 18054 |
| Gilmore | NSW | LNP | 80397 | 43467 | 3269 | 71 | 3233 | 3215 | 3 | 3267 |
| Gippsland | VIC | LNP | 88141 | 49280 | 5210 | 103 | 5158 | 5132 | 3 | 5208 |
| Goldstein | VIC | LNP | 85299 | 47811 | 5162 | 253 | 5035 | 4972 | 8 | 5158 |
| Gorton | VIC | ALP | 94832 | 67535 | 20119 | 387 | 19926 | 19829 | 28 | 20105 |
| Grayndler | NSW | ALP | 83840 | 62821 | 20901 | 189 | 20807 | 20759 | 9 | 20897 |
| Greenway | NSW | LNP | 80522 | 43881 | 3620 | 188 | 3526 | 3479 | 7 | 3617 |
| Grey | SA | LNP | 89145 | 48522 | 3950 | 141 | 3879 | 3844 | 7 | 3946 |
| Griffith | QLD | ALP | 82798 | 51600 | 10201 | 131 | 10136 | 10103 | 4 | 10199 |
| Groom | QLD | LNP | 83250 | 48468 | 6843 | 82 | 6802 | 6782 | 4 | 6841 |
| Hasluck | WA | ALP | 73462 | 37657 | 926 | 129 | 862 | 829 | 3 | 925 |
| Herbert | QLD | LNP | 81835 | 41089 | 172 | 120 | 112 | 82 | 2 | 171 |
| Higgins | VIC | LNP | 81629 | 46559 | 5745 | 113 | 5688 | 5660 | 8 | 5741 |
| Hindmarsh | SA | ALP | 90704 | 49937 | 4585 | 88 | 4541 | 4519 | 9 | 4581 |
| Hinkler | QLD | LNP | 82249 | 42515 | 1391 | 92 | 1345 | 1322 | 0 | 1391 |
| Holt | VIC | ALP | 92875 | 57237 | 10800 | 325 | 10637 | 10556 | 47 | 10776 |
| Hotham | VIC | ALP | 81331 | 51240 | 10575 | 168 | 10491 | 10449 | 15 | 10567 |
| Hughes | NSW | LNP | 83519 | 43562 | 1803 | 201 | 1702 | 1652 | 11 | 1797 |
| Hume | NSW | LNP | 84063 | 45526 | 3495 | 89 | 3450 | 3428 | 9 | 3490 |
| Hunter | NSW | ALP | 82677 | 54504 | 13166 | 87 | 13122 | 13100 | 8 | 13162 |

| Electorate | State/ Territory | Winner | Valid Votes | Winner's 2CP Vote | Winner's 2CP Margin | Apparent Multiple Votes | Margin | Margin | Admitted Multiple Votes | Margin |
|--------------------|---------------------|--------|----------------|-------------------------|---------------------------|-------------------------------|--|--|-------------------------------|--|
| | | | | | | | After Apparent Multiples Excluded | After Apparent Multiples (Weighted at 1.5) Excluded | | After Admitted Multiples Excluded |
| Indi | VIC | LNP | 84691 | 50132 | 7787 | 89 | 7742 | 7720 | 6 | 7784 |
| Isaacs | VIC | ALP | 90361 | 52131 | 6951 | 236 | 6833 | 6774 | 15 | 6943 |
| Jagajaga | VIC | ALP | 87535 | 51630 | 7863 | 98 | 7814 | 7789 | 4 | 7861 |
| Kalgoorlie | WA | LNP | 65571 | 34474 | 1689 | 196 | 1591 | 1542 | 8 | 1685 |
| Kennedy | QLD | IND | 82319 | 54571 | 13412 | 59 | 13382 | 13367 | 4 | 13410 |
| Kingsford Smith | NSW | ALP | 86726 | 54889 | 11526 | 212 | 11420 | 11367 | 17 | 11518 |
| Kingston | SA | ALP | 90491 | 49247 | 4002 | 96 | 3954 | 3930 | 3 | 4000 |
| Kooyong | VIC | LNP | 81928 | 48775 | 7811 | 107 | 7758 | 7731 | 6 | 7808 |
| La Trobe | VIC | LNP | 85283 | 43077 | 436 | 120 | 376 | 346 | 8 | 432 |
| Lalor | VIC | ALP | 95526 | 62600 | 14837 | 177 | 14749 | 14704 | 6 | 14834 |
| Leichhardt | QLD | ALP | 82943 | 44816 | 3345 | 219 | 3235 | 3180 | 1 | 3344 |
| Lilley | QLD | ALP | 83502 | 48921 | 7170 | 75 | 7133 | 7114 | 0 | 7170 |
| Lindsay | NSW | ALP | 81709 | 46394 | 5540 | 111 | 5484 | 5456 | 3 | 5538 |
| Lingiari | NT | ALP | 46703 | 28565 | 5214 | 42 | 5193 | 5182 | 3 | 5212 |
| Longman | QLD | ALP | 82183 | 44026 | 2935 | 124 | 2873 | 2842 | 4 | 2933 |
| Lowe | NSW | ALP | 78674 | 45136 | 5799 | 158 | 5720 | 5681 | 4 | 5797 |
| Lyne | NSW | LNP | 79062 | 46311 | 6780 | 105 | 6728 | 6701 | 5 | 6778 |
| Lyons | TAS | ALP | 63444 | 37292 | 5570 | 85 | 5528 | 5506 | 4 | 5568 |
| Macarthur | NSW | LNP | 76622 | 38865 | 554 | 147 | 481 | 444 | 5 | 552 |
| Mackellar | NSW | LNP | 83933 | 52395 | 10429 | 169 | 10344 | 10302 | 5 | 10426 |
| Macquarie | NSW | ALP | 87727 | 50037 | 6174 | 129 | 6109 | 6077 | 8 | 6170 |
| Makin | SA | ALP | 87255 | 50346 | 6719 | 120 | 6659 | 6629 | 8 | 6715 |
| Mallee | VIC | LNP | 83240 | 59328 | 17708 | 94 | 17661 | 17638 | 10 | 17703 |
| Maranoa | QLD | LNP | 79039 | 50936 | 11417 | 64 | 11385 | 11369 | 3 | 11415 |
| Maribymong | VIC | ALP | 79087 | 51657 | 12114 | 260 | 11984 | 11919 | 13 | 12107 |
| Mayo | SA | LNP | 89848 | 51264 | 6340 | 98 | 6291 | 6267 | 1 | 6340 |
| McEwen | VIC | LNP | 96647 | 48339 | 16 | 134 | -52 | -85 | 8 | 12 |
| McMillan | VIC | LNP | 80615 | 44172 | 3865 | 139 | 3795 | 3760 | 21 | 3854 |
| McPherson | QLD | LNP | 83629 | 49195 | 7381 | 103 | 7329 | 7303 | 0 | 7381 |
| Melbourne | VIC | ALP | 87583 | 63299 | 19508 | 114 | 19451 | 19422 | 11 | 19502 |
| Melbourne Ports | VIC | ALP | 86081 | 49191 | 6151 | 148 | 6077 | 6040 | 6 | 6148 |
| Menzies | VIC | LNP | 84088 | 47104 | 5060 | 137 | 4992 | 4957 | 5 | 5058 |
| Mitchell | NSW | LNP | 81279 | 50058 | 9419 | 111 | 9363 | 9335 | 2 | 9418 |
| Moncrieff | QLD | LNP | 81301 | 52042 | 11392 | 118 | 11333 | 11303 | 0 | 11392 |
| Moore | WA | LNP | 70271 | 41576 | 6441 | 128 | 6377 | 6345 | 12 | 6435 |
| Moreton | QLD | ALP | 80466 | 44055 | 3822 | 128 | 3758 | 3726 | 5 | 3820 |
| Murray | VIC | LNP | 80572 | 55015 | 14729 | 143 | 14658 | 14622 | 10 | 14724 |
| New England | NSW | IND | 85140 | 63286 | 20716 | 116 | 20658 | 20629 | 5 | 20714 |

| Electorate | State/ Territory | Winner | Valid Votes | Winner's 2CP Vote | Winner's 2CP Margin | Apparent Multiple Votes | Margin | Margin | Admitted Multiple Votes | Margin |
|-----------------|---------------------|--------|----------------|-------------------------|---------------------------|-------------------------------|--|--|-------------------------------|--|
| | | | | | | | After Apparent Multiples Excluded | After Apparent Multiples (Weighted at 1.5) Excluded | | After Admitted Multiples Excluded |
| Newcastle | NSW | ALP | 84545 | 55725 | 13453 | 128 | 13389 | 13357 | 3 | 13451 |
| North Sydney | NSW | LNP | 85263 | 47222 | 4591 | 124 | 4529 | 4498 | 2 | 4590 |
| O'Connor | WA | LNP | 76067 | 50625 | 12592 | 110 | 12537 | 12509 | 1 | 12591 |
| Oxley | QLD | ALP | 80475 | 51607 | 11370 | 124 | 11308 | 11277 | 5 | 11367 |
| Page | NSW | ALP | 85510 | 44770 | 2015 | 124 | 1953 | 1922 | 8 | 2011 |
| Parkes | NSW | LNP | 82469 | 51985 | 10751 | 113 | 10694 | 10666 | 3 | 10749 |
| Parramatta | NSW | ALP | 85180 | 48453 | 5863 | 233 | 5747 | 5688 | 10 | 5858 |
| Paterson | NSW | LNP | 83916 | 43228 | 1270 | 109 | 1216 | 1188 | 1 | 1270 |
| Pearce | WA | LNP | 84683 | 50022 | 7681 | 152 | 7605 | 7567 | 1 | 7680 |
| Perth | WA | ALP | 78266 | 46061 | 6928 | 138 | 6859 | 6825 | 1 | 6928 |
| Petrie | QLD | ALP | 83154 | 43283 | 1706 | 105 | 1654 | 1627 | 4 | 1704 |
| Pt Adelaide | SA | ALP | 90549 | 63158 | 17884 | 150 | 17809 | 17771 | 10 | 17879 |
| Prospect | NSW | ALP | 79300 | 50327 | 10677 | 215 | 10570 | 10516 | 18 | 10668 |
| Rankin | QLD | ALP | 80083 | 49440 | 9399 | 144 | 9327 | 9291 | 0 | 9399 |
| Reid | NSW | ALP | 79438 | 53065 | 13346 | 333 | 13180 | 13096 | 12 | 13340 |
| Richmond | NSW | ALP | 81486 | 47973 | 7230 | 105 | 7178 | 7151 | 7 | 7227 |
| Riverina | NSW | LNP | 84358 | 55868 | 13689 | 114 | 13632 | 13604 | 5 | 13687 |
| Robertson | NSW | ALP | 87210 | 43697 | 92 | 101 | 42 | 16 | 6 | 89 |
| Ryan | QLD | LNP | 84098 | 45258 | 3209 | 134 | 3142 | 3109 | 7 | 3206 |
| Scullin | VIC | ALP | 81621 | 57830 | 17020 | 211 | 16914 | 16861 | 9 | 17015 |
| Shortland | NSW | ALP | 85541 | 55379 | 12609 | 117 | 12550 | 12521 | 3 | 12607 |
| Solomon | NT | ALP | 51510 | 25853 | 98 | 21 | 88 | 82 | 2 | 97 |
| Stirling | WA | LNP | 80951 | 41520 | 1045 | 199 | 945 | 895 | 41 | 1024 |
| Sturt | SA | LNP | 90595 | 46153 | 856 | 139 | 786 | 751 | 15 | 848 |
| Swan | WA | LNP | 72676 | 36420 | 82 | 152 | 6 | -32 | 13 | 76 |
| Sydney | NSW | ALP | 76564 | 53214 | 14932 | 190 | 14837 | 14790 | 10 | 14927 |
| Tangney | WA | LNP | 77499 | 45480 | 6731 | 109 | 6676 | 6649 | 8 | 6727 |
| Throsby | NSW | ALP | 80447 | 59099 | 18876 | 134 | 18809 | 18775 | 2 | 18875 |
| Wakefield | SA | ALP | 86846 | 49142 | 5719 | 115 | 5662 | 5633 | 8 | 5715 |
| Wannon | VIC | LNP | 85302 | 49020 | 6369 | 80 | 6329 | 6309 | 4 | 6367 |
| Warringah | NSW | LNP | 85091 | 50627 | 8082 | 140 | 8012 | 7977 | 8 | 8078 |
| Watson | NSW | ALP | 80334 | 56499 | 16332 | 323 | 16171 | 16090 | 32 | 16316 |
| Wentworth | NSW | LNP | 88272 | 47538 | 3402 | 193 | 3306 | 3257 | 14 | 3395 |
| Werriwa | NSW | ALP | 79710 | 51999 | 12144 | 142 | 12073 | 12038 | 6 | 12141 |
| Wide Bay | QLD | LNP | 80633 | 47149 | 6833 | 145 | 6760 | 6724 | 2 | 6832 |
| Wills | VIC | ALP | 86217 | 62432 | 19324 | 134 | 19257 | 19223 | 2 | 19323 |

Source: AEC 2009 for multiple vote data; various AEC resources for electorate results data.

Appendix 3. Data on Multiple Voting in NSW Electorates in 2011.

| Electorate | Winner | Total Valid Votes Cast | Final Votes in Count | Winner's 2CP Margin | Multiple Voters | Multiple Votes | Margin After Multiple Votes Excluded | Percentage Not Fluent in English |
|-------------------|---------------|-------------------------------|-----------------------------|----------------------------|------------------------|-----------------------|---|---|
| Albury | LNP | 44,731 | 37215 | 9999 | 22 | 22 | 9988 | 0.62 |
| Auburn | ALP | 46,346 | 37957 | 3221 | 122 | 124 | 3159 | 17.53 |
| Ballina | LNP | 43,110 | 35486 | 8929 | 13 | 13 | 8923 | 0.38 |
| Balmain | GRN | 46,787 | 35805 | 1239 | 51 | 52 | 1213 | 2.73 |
| Bankstown | ALP | 44,564 | 34873 | 3575 | 76 | 77 | 3536 | 13.84 |
| Barwon | LNP | 39,983 | 38232 | 12233 | 38 | 38 | 12214 | 0.32 |
| Bathurst | LNP | 46,806 | 43366 | 10257 | 22 | 22 | 10246 | 0.34 |
| Baulkham Hills | LNP | 48,307 | 43124 | 11401 | 43 | 43 | 11380 | 3.37 |
| Bega | LNP | 45,712 | 39874 | 7432 | 24 | 24 | 7420 | 0.31 |
| Blacktown | ALP | 46,147 | 38706 | 1443 | 52 | 52 | 1417 | 6.04 |
| Blue Mountains | LNP | 46,367 | 37880 | 1796 | 25 | 25 | 1784 | 0.44 |
| Burrinjuck | LNP | 45,853 | 42711 | 13263 | 30 | 30 | 13248 | 0.33 |
| Cabramatta | ALP | 46,605 | 41636 | 884 | 98 | 99 | 835 | 26.38 |
| Camden | LNP | 47,765 | 42642 | 8042 | 30 | 31 | 8027 | 1.71 |
| Campbelltown | LNP | 42,273 | 36558 | 1231 | 45 | 45 | 1209 | 3.21 |
| Canterbury | ALP | 47,323 | 41749 | 3482 | 76 | 76 | 3444 | 12.71 |
| Castle Hill | LNP | 48,686 | 42584 | 13129 | 33 | 33 | 13113 | 4.49 |
| Cessnock | ALP | 48,093 | 34366 | 1496 | 24 | 24 | 1484 | 0.32 |
| Charlestown | LNP | 45,127 | 36517 | 3598 | 38 | 38 | 3579 | 0.67 |
| Clarence | LNP | 46,717 | 38862 | 12194 | 16 | 16 | 12186 | 0.23 |
| Coffs Harbour | LNP | 46,245 | 41377 | 11268 | 27 | 28 | 11254 | 0.93 |
| Coogee | LNP | 43,941 | 37749 | 3113 | 29 | 29 | 3098 | 2.38 |
| Cronulla | LNP | 46,465 | 41539 | 10613 | 40 | 40 | 10593 | 1.12 |
| Davidson | LNP | 45,550 | 40295 | 14692 | 34 | 34 | 14675 | 2.18 |
| Drummoyne | LNP | 48,343 | 42532 | 7083 | 38 | 38 | 7064 | 5.97 |
| Dubbo | LNP | 46,230 | 43541 | 5944 | 20 | 20 | 5934 | 0.31 |
| East Hills | LNP | 44,688 | 38914 | 247 | 44 | 45 | 225 | 6.4 |
| Epping | LNP | 46,005 | 39749 | 10007 | 47 | 47 | 9983 | 5.7 |
| Fairfield | ALP | 46,971 | 37119 | 630 | 93 | 93 | 583 | 17.64 |
| Gosford | LNP | 46,748 | 39477 | 4687 | 24 | 24 | 4675 | 0.78 |
| Goulburn | LNP | 46,880 | 39852 | 10614 | 26 | 26 | 10601 | 0.41 |
| Granville | LNP | 46,852 | 40369 | 1092 | 86 | 88 | 1048 | 11.1 |
| Hawkesbury | LNP | 48,800 | 44156 | 15323 | 27 | 38 | 15304 | 1.32 |
| Heathcote | LNP | 45,492 | 36451 | 4714 | 24 | 24 | 4702 | 0.6 |
| Heffron | ALP | 47,315 | 39079 | 2760 | 95 | 95 | 2712 | 6.78 |
| Hornsby | LNP | 48,422 | 40519 | 4899 | 30 | 30 | 4884 | 3.22 |
| Keira | ALP | 45,423 | 38134 | 1463 | 38 | 38 | 1444 | 2.19 |
| Kiama | LNP | 47,871 | 40082 | 2989 | 28 | 28 | 2975 | 0.45 |
| Kogarah | ALP | 46,338 | 40872 | 771 | 41 | 42 | 750 | 10.74 |
| Ku-ring-gai | LNP | 46,276 | 40140 | 14834 | 20 | 20 | 14824 | 3.53 |
| Lake Macquarie | IND | 46,852 | 39089 | 5812 | 28 | 28 | 5798 | 0.43 |
| Lakemba | ALP | 46,462 | 40320 | 2823 | 75 | 75 | 2786 | 14.2 |
| Lane Cove | LNP | 44,389 | 38912 | 10637 | 31 | 31 | 10622 | 3.07 |
| Lismore | LNP | 45,666 | 39087 | 9503 | 25 | 25 | 9490 | 0.44 |
| Liverpool | ALP | 46,041 | 37517 | 5518 | 85 | 85 | 5475 | 12.68 |
| Londonderry | LNP | 44,398 | 38770 | 4764 | 49 | 49 | 4740 | 1.52 |
| Macquarie Fields | ALP | 47,617 | 38136 | 558 | 63 | 63 | 527 | 6.71 |
| Maitland | LNP | 49,554 | 39192 | 2461 | 23 | 23 | 2450 | 0.41 |

| Electorate | Winner | Total Valid Votes Cast | Final Votes in Count | Winner's 2CP Margin | Multiple Voters | Multiple Votes | Margin After Multiple Votes Excluded | Percentage Not Fluent in English |
|-------------------|---------------|-------------------------------|-----------------------------|----------------------------|------------------------|-----------------------|---|---|
| Manly | LNP | 44,073 | 38695 | 12527 | 15 | 15 | 12519 | 1.36 |
| Maroubra | ALP | 46,503 | 42537 | 662 | 39 | 39 | 642 | 4.7 |
| Marrickville | ALP | 47,074 | 37416 | 338 | 50 | 50 | 313 | 6.09 |
| Menai | LNP | 46,717 | 40267 | 9821 | 44 | 44 | 9799 | 2.53 |
| Miranda | LNP | 45,126 | 39993 | 8399 | 29 | 29 | 8384 | 1.49 |
| Monaro | LNP | 45,958 | 42096 | 870 | 49 | 49 | 846 | 1.17 |
| Mount Druitt | ALP | 44,095 | 37638 | 2533 | 62 | 63 | 2502 | 5.19 |
| Mulgoa | LNP | 46,695 | 40660 | 4893 | 50 | 50 | 4868 | 2.08 |
| Murray-Darling | LNP | 40,141 | 38150 | 10391 | 32 | 32 | 10375 | 0.38 |
| Murrumbidgee | LNP | 43,854 | 41409 | 11556 | 30 | 30 | 11541 | 1.53 |
| Myall Lakes | LNP | 47,199 | 40287 | 11515 | 22 | 23 | 11503 | 0.27 |
| Newcastle | LNP | 45,087 | 36796 | 939 | 33 | 35 | 922 | 1.25 |
| North Shore | LNP | 47,119 | 40355 | 12239 | 63 | 63 | 12207 | 1.77 |
| Northern | | | | | | | | |
| Tablelands | IND | 46,119 | 45003 | 8746 | 45 | 45 | 8723 | 0.49 |
| Oatley | LNP | 45,892 | 41202 | 220 | 60 | 60 | 190 | 9.21 |
| Orange | LNP | 46,464 | 38617 | 9356 | 35 | 36 | 9338 | 0.53 |
| Oxley | LNP | 45,005 | 39013 | 11345 | 23 | 23 | 11333 | 0.2 |
| Parramatta | LNP | 46,531 | 38133 | 4603 | 58 | 58 | 4574 | 8.87 |
| Penrith | LNP | 44,320 | 37727 | 6160 | 35 | 35 | 6142 | 1.22 |
| Pittwater | LNP | 45,818 | 40304 | 13908 | 33 | 33 | 13892 | 0.68 |
| Port Macquarie | LNP | 46,369 | 31620 | 8568 | 25 | 28 | 8554 | 0.24 |
| Port Stephens | LNP | 46,251 | 39331 | 4896 | 29 | 29 | 4881 | 0.47 |
| Riverstone | LNP | 53,754 | 45443 | 9167 | 48 | 48 | 9143 | 2.76 |
| Rockdale | LNP | 45,851 | 38351 | 1371 | 55 | 57 | 1342 | 7.89 |
| Ryde | LNP | 44,643 | 39076 | 10040 | 35 | 35 | 10023 | 7.89 |
| Shellharbour | ALP | 45,965 | 38787 | 3344 | 43 | 43 | 3322 | 1.69 |
| Smithfield | LNP | 48,925 | 41957 | 2031 | 52 | 52 | 2005 | 8.73 |
| South Coast | LNP | 47,151 | 41691 | 8504 | 31 | 31 | 8488 | 0.42 |
| Strathfield | LNP | 45,037 | 39501 | 1737 | 80 | 80 | 1697 | 11.06 |
| Swansea | LNP | 47,275 | 38733 | 439 | 25 | 25 | 426 | 0.27 |
| Sydney | IND | 47,660 | 38871 | 1216 | 48 | 48 | 1192 | 4.67 |
| Tamworth | LNP | 46,570 | 44466 | 3447 | 24 | 24 | 3435 | 0.28 |
| Terrigal | LNP | 45,078 | 38346 | 9260 | 36 | 36 | 9242 | 0.38 |
| The Entrance | LNP | 46,630 | 39640 | 4940 | 33 | 33 | 4924 | 0.5 |
| Toongabbie | ALP | 46,195 | 39773 | 103 | 49 | 49 | 78 | 5.27 |
| Tweed | LNP | 42,330 | 36821 | 7979 | 22 | 22 | 7968 | 0.4 |
| Upper Hunter | LNP | 46,203 | 37810 | 8818 | 24 | 24 | 8806 | 0.33 |
| Vaucluse | LNP | 44,394 | 38779 | 12175 | 37 | 37 | 12156 | 1.29 |
| Wagga Wagga | LNP | 46,587 | 36800 | 10228 | 25 | 25 | 10216 | 0.68 |
| Wakehurst | LNP | 47,018 | 41231 | 12595 | 32 | 32 | 12579 | 2.47 |
| Wallsend | ALP | 45,275 | 35888 | 2370 | 28 | 28 | 2356 | 1.45 |
| Willoughby | LNP | 45,257 | 40120 | 12337 | 34 | 34 | 12320 | 5.3 |
| Wollondilly | LNP | 47,549 | 38420 | 5651 | 44 | 44 | 5629 | 1.36 |
| Wollongong | ALP | 46,820 | 35484 | 341 | 43 | 43 | 320 | 5.46 |
| Wyong | LNP | 46,882 | 41390 | 1076 | 31 | 34 | 1059 | 0.56 |

Sources: NSW Electoral Commission data; Montoya 2012.

Appendix 4. Voter Registration and Identification Processes in 127 Countries

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|-------------|--|-------------------------------------|---|--|
| Afghanistan | Application with range of identity documents or testimony of family member. | Yes | Voter photo card or electronic national identity card. | Former British colony. Freedom House Political Rights Score 2013: 6 |
| Albania | Automatic from civil register data. | Yes | National identification card or passport (in process of moving to an electronic identification system). | Freedom House Political Rights Score 2013: 3 |
| Algeria | Application. | Yes | Voter registration card, or other unspecified official documents. | Freedom House Political Rights Score 2013: 6 |
| Angola | Application (compulsory) using one of a range of identity documents, or a witness. | Yes | Voter card, or one of a range of other documents plus signed statement. | Freedom House Political Rights Score 2013: 6 |
| Argentina | Automatic from civil register data. | Yes | One of three identification documents that matches digital identification data electoral register. | Freedom House Political Rights Score 2013: 2 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|--|--|--|--|
| Armenia | Automatic from civil register data. | Yes | Passport or other identification document verified against electoral register. Voter signs register. | Freedom House Political Rights Score 2013: 5 |
| Australia | Application (compulsory) with document number or signature of another voter (in NSW and Victoria, electoral commission can initiate using official records). | No—voter states name and address. | | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Austria | Automatic from civil register data. | Yes | Identification documents or known to majority of voting officials. | Freedom House Political Rights Score 2013: 1 |
| Azerbaijan | Automatic | Yes | Voter card. | Freedom House Political Rights Score 2013: 6 |
| Bahamas | Application using passport, birth certificate, baptism certificate or another accepted document. | Yes | Voter card or another form of identification. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Bahrain | Automatic from civil register data. | Yes | National identity card and passport. | Former British colony. Freedom House Political Rights Score 2013: 6 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|------------------------|--|--|--|--|
| Bangladesh | Application using one of a range of prescribed documents. | Yes | National identity card issued to registered voters. | Freedom House Political Rights Score 2013: 3 |
| Belgium | Automatic from civil register data. | Yes | National identity card, or temporary police certificate. | Freedom House Political Rights Score 2013: 1 |
| Belize | Application using three documents, or official verification. New applications open to public scrutiny. | Yes | National identity card with photograph. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Benin | Application (compulsory) using one of a range of identity documents, or a family witness. | Yes | Voter registration card. | Freedom House Political Rights Score 2013: 2 |
| Bolivia | Application (compulsory). | Yes | National identity card. | Freedom House Political Rights Score 2013: 3 |
| Bosnia and Herzogovena | Automatic from civil register data. | Yes | Identification document with signature matched against signature made on voter list. | Freedom House Political Rights Score 2013: 3 |
| Botswana | Application available only to national identity card holders | Yes | National identity card with voter card. | Former British colony. Freedom House Political Rights Score 2013: 3 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|---|--|
| Brazil | Application (compulsory) using range of identity documents. | Yes | Voter card with photo identification documentation. If incomplete documentation, electoral official can compare voter's signature with signature on electoral register. Some biometric (fingerprint) identification now used. | Freedom House Political Rights Score 2013: 2 |
| Bulgaria | Automatic from civil register data. | Yes | Identification document plus signature on voters' list. | Freedom House Political Rights Score 2013: 2 |
| Burkina Faso | Application (compulsory) using one of three prescribed documents. | Yes | Voter registration card or other unspecified document. | Freedom House Political Rights Score 2013: 5 |
| Cameroon | Application | Yes | Voter card plus national identity card, or witnesses who are registered at polling place. Move to biometric identification in 2012. | Freedom House Political Rights Score 2013: 6 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|---|--|
| Canada | Automatic unless have opted out of National Register of Electors (in which case, have to apply at each election). | Yes | Range of photo or non-photo documents, or oath vouched for by another voter. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Chad | Application (compulsory) with one of a wide range of documents, or community witnesses. | Yes | Voter registration card. | Freedom House Political Rights Score 2013: 7 |
| Chile | Application (compulsory) using national identification card. (Recent law approved to move to automatic registration.) | Yes | National identification card or passport (both contain biometric data that can be used to resolve ambiguous cases). | Freedom House Political Rights Score 2013: 1 |
| Colombia | Application (compulsory) using national identity card plus fingerprinting. | Yes | Registered national identity card. | Freedom House Political Rights Score 2013: 3 |
| Costa Rica | Automatic, using identification number used on all official documents from birth certificate onwards. | Yes | National identity card. | Freedom House Political Rights Score 2013: 1 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|------------------------------|--|--|--|--|
| Cote D'Ivoire | Application requiring proof of nationality. | Yes | Voter card with national identity card or other identification document. | Freedom House Political Rights Score 2013: 5 |
| Croatia | Automatic from civil register data. | Yes | Identification card or voting certificate. | Freedom House Political Rights Score 2013: 1 |
| Cyprus | Application using photograph and certification of residence. | Yes | Voting booklet with photo and identity data. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Czech Republic | Automatic from civil register data. | Yes | Identification card or (in local elections) residency permit. | Freedom House Political Rights Score 2013: 1 |
| Democratic Republic of Congo | Application with one of a wide range of documents, registrar's identification, or witnesses. | Yes | Voter card. | Freedom House Political Rights Score 2013: 6 |
| Denmark | Automatic from civil register data. | Voters without voter cards may be asked to provide identity documents. | Voter card or alternative document as necessary. | Freedom House Political Rights Score 2013: 1 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|---|--|
| Djibouti | Application (compulsory). | Yes | Voter identification cards. | Freedom House Political Rights Score 2013: 6 |
| Dominica | Application. | Yes | National photo identity card containing elector number. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Ecuador | Automatic from civil register data. | Yes | One of three national identity documents. | Freedom House Political Rights Score 2013: 3 |
| Egypt | Automatic using citizenship register. | Yes | National identity card (or passport for expatriate voters). | Former British colony. Freedom House Political Rights Score 2013: 5 |
| El Salvador | Automatic using citizenship register. | Yes | National identity card with photo (photos also appear on electoral register). | Freedom House Political Rights Score 2013: 2 |
| Eritrea | Application using national identity card or passport. | Yes | Voter card with either national identity card or passport. | Freedom House Political Rights Score 2013: 7 |
| Estonia | Automatic from civil register data. | Yes | Voter card. | Freedom House Political Rights Score 2013: 1 |
| Ethiopia | Application with one of a range of documents, registrar's identification, or witnesses. | Yes | Voter card. | Freedom House Political Rights Score 2013: 6 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|---|--|--|
| Finland | Automatic from civil register data. | Yes | Voter card. | Freedom House Political Rights Score 2013: 1 |
| France | Automatic from military register of 18 year olds. | Yes | National identity card | Freedom House Political Rights Score 2013: 1 |
| Gabon | Application using one of three prescribed documents. | Yes | Voter card with either national identity card, passport or driver's licence. | Freedom House Political Rights Score 2013: 6 |
| Gambia | Application (compulsory) using one of a range of documents. | Yes | Voter card. | Former British colony. Freedom House Political Rights Score 2013: 6 |
| Georgia | Automatic | No. A voter card is provided but is not required to vote. | | Freedom House Political Rights Score 2013: 3 |
| Germany | Automatic from civil register data | Yes | Voting notification card and identity documents. | Freedom House Political Rights Score 2013: 1 |
| Ghana | Application with one of a wide range of documents or witnesses. | Yes | Voter card (linked to biometric database from 2012). | Former British colony. Freedom House Political Rights Score 2013: 1 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|--|--|
| Greece | Application (compulsory). | Yes | National identity card | Freedom House Political Rights Score 2013: 2 |
| Guatemala | Application (compulsory) based on national identity card | Yes | Stamped identity card (flawed system of biometric cards introduced for 2011 election). | Freedom House Political Rights Score 2013: 3 |
| Guinea | Application (compulsory) with one of a wide range of official documents or witnessed certificate. | Yes | Voter card with one other document used for registration. | Freedom House Political Rights Score 2013: 5 |
| Honduras | Application (compulsory) using national identity card. | Yes | National identity card. | Freedom House Political Rights Score 2013: 4 |
| Hungary | Automatic from civil register data. | Yes | Photo identification. | Freedom House Political Rights Score 2013: 1 |
| Iceland | Automatic from civil register data. | Yes | Identification document or other proof requested by polling officials. | Freedom House Political Rights Score 2013: 1 |
| India | Automatic | Yes | Range of photo or non-photo documents. | Former British colony. Freedom House Political Rights Score 2013: 2 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|--|--|
| Indonesia | Localised door to door enrolment. | Yes | Voters must present a voter card and an invitation to vote. | Freedom House Political Rights Score 2013: 2 |
| Ireland | Automatic | Random requests can be made by polling official. | Range of photo or non-photo documents. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Israel | Automatic | Yes | National identity card, driver's licence or current passport. | Freedom House Political Rights Score 2013: 1 |
| Italy | Automatic from civil register data. | Yes | National identity card, or known to voting officials, or vouching by two other voters. | Freedom House Political Rights Score 2013: 2 |
| Jamaica | Application | Yes | Voter identification card (acts as a national identity card) plus fingerprint scan. | Former British colony. Freedom House Political Rights Score 2013: 2 |
| Japan | Automatic from government agency records. | Yes | A voter card is posted to voters to take to a designated polling place. | Freedom House Political Rights Score 2013: 1 |
| Kazakhstan | Automatic from civil register data. | Yes | Identity documents. | Freedom House Political Rights Score 2013: 6 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|--|--|
| Kenya | Application | Yes | Voter card plus national identity card or passport; linked to biometric voter registration and fingerprint scanning. | Former British colony. Freedom House Political Rights Score 2013: 4 |
| Latvia | Automatic from civil register data. | Yes | Passport. | Freedom House Political Rights Score 2013: 2 |
| Lesotho | Application (compulsory) using one of three prescribed documents. | Yes | Voter card. If card lost, passport, driver's licence or vouching by a witness. | Former British colony. Freedom House Political Rights Score 2013: 2 |
| Liberia | Application with one of a wide range of documents or witnesses. | Yes | Voter registration card, plus witnesses if voter cannot be found on roll. | Freedom House Political Rights Score 2013: 3 |
| Liechtenstein | Automatic | Yes | Voting card with personal details and barcode. | Freedom House Political Rights Score 2013: 1 |
| Lithuania | Automatic | Yes | Voter certificate. | Freedom House Political Rights Score 2013: 1 |
| Luxembourg | Automatic | Yes | Identity card or passport. | Freedom House Political Rights Score 2013: 1 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|--|--|
| Macedonia | Automatic | Yes | Identification document matched with a signature or fingerprint placed on electoral roll. | Freedom House Political Rights Score 2013: 3 |
| Madagascar | Application (compulsory) with national identity card. | Yes | National identity card with either voter registration card or certification by electoral commission. | Freedom House Political Rights Score 2013: 6 |
| Malawi | Application with one of a wide range of documents, or witnesses. | Yes | Voter registration certificate with photo. | Former British colony. Freedom House Political Rights Score 2013: 3 |
| Malaysia | Application | Yes | National identity card, or passport, or driver's licence, or another photo identification card that includes the citizen's identity card number. | Former British colony. Freedom House Political Rights Score 2013: 4 |
| Mali | Application using identity documents. | Yes | Voter card, or other official identification, or vouching by two voters. | Freedom House Political Rights Score 2013: 7 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|--|--|
| Malta | Automatic from civil register. | Yes | National identity card, or voter card. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Mauritania | Application with national identity card. | Yes | Voter registration card. | Freedom House Political Rights Score 2013: 6 |
| Mexico | Application (compulsory) requiring presentation of three categories of documents. | Yes | Voter card with photo, signature and fingerprints. | Freedom House Political Rights Score 2013: 3 |
| Montenegro | Automatic | Yes | Biometric identification cards from July 2012. | Freedom House Political Rights Score 2013: 3 |
| Mozambique | Application (compulsory) with one of a wide range of documents, or two witnesses. | Yes | Voter card. | Freedom House Political Rights Score 2013: 4 |
| Namibia | Application with specific combinations of documents, or two witnesses. | Yes | Voter card. | Freedom House Political Rights Score 2013: 2 |
| Nepal | Automatic (citizens 16 years +) | Yes | National identity card from 2011; built on database of fingerprints, photographs and ID numbers. | Freedom House Political Rights Score 2013: 4 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|---|---|--|
| Netherlands | Automatic from municipal records (by application if citizen living abroad) | Only if requested by polling official. | Voter card (including proxy voting with a card signed by the absent voter). | Freedom House Political Rights Score 2013: 1 |
| New Zealand | Application (compulsory). | No— voters show voter card or letter or state name and address but are not required to show identification. | | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Nicaragua | Automatic but citizens expected to verify. | Yes | National identity card or temporary replacement. | Freedom House Political Rights Score 2013: 5 |
| Niger | Application (compulsory) with one of a wide range of documents, or two witnesses. | Yes | Voter card, or court order plus one identity document. | Freedom House Political Rights Score 2013: 3 |
| Nigeria | Application with one of a wide range of documents, or local community decision. | Yes | Voter card. | Former British colony. Freedom House Political Rights Score 2013: 4 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|--------------------------------|---|--|--|--|
| Norway | Automatic from civil register data. | If requested by polling official. | Identification card if not known to voting officials. | Freedom House Political Rights Score 2013: 1 |
| Pakistan | Automatic | Yes | National identity card; signature or thumb print on ballot counterfoil. | Former British colony. Freedom House Political Rights Score 2013: 4 |
| Panama | Automatic for national identity card holders. | Yes | National identity card (photos also appear on electoral roll). | Freedom House Political Rights Score 2013: 1 |
| Papua New Guinea | Application | No | Polling official may ask for information to verify that voter is on the electoral roll. (Recent discussion of biometric voter registration.) | Freedom House Political Rights Score 2013: 4 |
| Paraguay | Automatic for national identity card holders. | Yes | National identity card. | Freedom House Political Rights Score 2013: 3 |
| Peru from civil register data. | Automatic | Yes | National identity card with photo and fingerprints. | Freedom House Political Rights Score 2013: 2 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|---|--|
| Philippines | Application with birth certificate and one of a range of documents containing photo, signature and address. | If requested by a polling official. | Voter identification card or other valid identification. | Freedom House Political Rights Score 2013: 3 |
| Poland | Automatic from civil register data. | Yes | Identity card or other photo identification. | Freedom House Political Rights Score 2013: 1 |
| Portugal | Automatic from civil register data. | Yes | Voter registration card (gradually replaced by national identity card from 2008) or known to voting officials or corroboration by two other voters. | Freedom House Political Rights Score 2013: 1 |
| Romania | Automatic | Yes | Identity card, booklet or passport (to be replaced with national identity card). | Freedom House Political Rights Score 2013: 2 |
| Russia | Automatic from civil register data. | Yes | Identity document (type and serial number recorded). | Freedom House Political Rights Score 2013: 6 |
| Rwanda | Application (compulsory) using any official proof of nationality. | Yes | Voter card. If lost, verification using electoral roll. | Freedom House Political Rights Score 2013: 6 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|--|--|--|--|
| St Lucia | Application using birth certificate and national insurance card. Voters registered and given national identity card. | Yes | National identity card, or one of a range of other identity documents. | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Samoa | Application (compulsory). | No | | Freedom House Political Rights Score 2013: 2 |
| Senegal | Application using national identity card. | Yes | Voter registration card (valid 10 years) or national identity card. | Freedom House Political Rights Score 2013: 2 |
| Serbia | Automatic from civil register data. | Yes | Identity documents and signature. | Freedom House Political Rights Score 2013: 2 |
| Sierra Leone | Application, with identification required only if requested by registrar. | Yes | Voter card, or electoral official is satisfied that the voter is on the register. | Freedom House Political Rights Score 2013: 2 |
| Singapore | Automatic from civil register data. | Yes | Polling card with citizen identification number, along with national identity card, or passport, or defence and police personnel identification. May also be asked for signed declaration of identity. | Freedom House Political Rights Score 2013: 4 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|--|--|---|--|
| Slovakia | Automatic from civil register data. | Yes | Identity document. | Freedom House Political Rights Score 2013: 1 |
| Slovenia | Automatic from civil register data. | Yes | Photo identification. | Freedom House Political Rights Score 2013: 1 |
| South Africa | Application using one of two identity documents. | Yes | Identity document with marking to show individual has registered. | Former British colony. Freedom House Political Rights Score 2013: 2 |
| South Korea | Automatic | Yes | Identification card or other photo identification. Voter signs, or affixes seals to, or makes a thumbprint on electoral register. | Freedom House Political Rights Score 2013: 1 |
| Spain | Automatic from civil register data. | Yes | National identity card | Freedom House Political Rights Score 2013: 1 |
| Sri Lanka | Door to door registration (no supporting documentation required). | Yes | National identity card | Former British colony. Freedom House Political Rights Score 2013: 5 |
| Sudan | Application (compulsory) using one of two identity documents, or one witness from specific categories. | No | Registration receipt used to facilitate process but not required to vote. | Former British colony. Freedom House Political Rights Score 2013: 7 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|---|--|--|--|
| Sweden | Automatic from civil register data. | If requested by polling official. | Identity document (type and serial number recorded) or 'other means'. | Freedom House Political Rights Score 2013: 1 |
| Switzerland | Automatic from civil register data. | Yes | Card sent at each election to registered voters. | Freedom House Political Rights Score 2013: 1 |
| Tanzania | Application using national identity card. | Yes | Electoral officials satisfied; may require production of voting card or other documents. | Former British colony. Freedom House Political Rights Score 2013: 3 |
| Thailand | Automatic | Yes | Photo identification; name read out by polling official; voter signs or puts fingerprint on the register. | Freedom House Political Rights Score 2013: 4 |
| Timor Leste | Application (compulsory). | Yes | Voter registration card. | Freedom House Political Rights Score 2013: 3 |
| Tonga | Application (compulsory) using birth certificate or passport or driver's licence. | Yes | National identification card or driver's licence or passport, or sworn oath with thumbprint on oath form and ballot paper. | Freedom House Political Rights Score 2013: 3 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|--------------------------|---|--|--|--|
| Turkey | Automatic | Yes | Identification document matched with signature or fingerprint recorded on electoral list. | Freedom House Political Rights Score 2013: 3 |
| Tuvalu | Application | No | | Former British colony. Freedom House Political Rights Score 2013: 1 |
| Uganda | Application, usually verified by witnesses. | Yes | Voter registration receipt (failed biometric identity card scheme in 2010). | Former British colony. Freedom House Political Rights Score 2013: 5 |
| Ukraine | Automatic from civil register data. | Yes | Identity documents and signature. | Freedom House Political Rights Score 2013: 4 |
| United Kingdom | Annual canvass (October to March) or by application. | No, except in Northern Ireland. | Northern Ireland: one of four types of photo identification. | Freedom House Political Rights Score 2013: 1 |
| United States of America | Application including driver's licence number or social security number. | Required in about 30 states and for first time voters in federal elections who register by post. | Different states have different requirements, ranging from strict photo identification to any one of a range of documents. | Former British colony. Freedom House Political Rights Score 2013: 1 |

| Country | Process to gain a voter card and/or inclusion on the electoral register. | Proof of identity required to vote? | Types of identification required before vote. | Features of Country |
|----------------|--|--|---|--|
| Uruguay | Application (compulsory) using photo identification and birth certificate. | Yes. | Voter card ('Civic Credential'). | Freedom House Political Rights Score 2013: 1 |
| Venezuela | Application | Yes | Biometric identification by electronic voting machines using identification number plus fingerprints. | Freedom House Political Rights Score 2013: 5 |
| Zambia | Application using national registration card. | Yes | National registration card and voter card. | Former British colony. Freedom House Political Rights Score 2013: 3 |
| Zimbabwe | Application using combinations of a wide range of documents and vouching by community leaders. | Yes | Voter card or other identity document. | Former British colony. Freedom House Political Rights Score 2013: 6 |

Sources: ACE The Electoral Knowledge Network (2006; 2013); Andeweg and Irwin (2009: 101); Barkan (2013); Deschouwer (2009: 110-111); Elections Canada (2012; 2013); Election Commission Bangladesh (2013); Election Commission of Pakistan (no date: 109-111; 151-152; 269-273); Elections Department Singapore (2013); Electoral Commission of Jamaica (no date); Electoral Commission Papua New Guinea (2011); Forcese and Freeman (2005: 132); Freedom House (2013); Gong (2013); Green (2013); Hassall (2006); Inter-Parliamentary Union (2013); Independent Election Commission [Afghanistan] (2013); Katz (1997); Massicotte *et al* (2004: 66-82; 103-115); National Conference of State Legislatures (2013); New Zealand Electoral Commission (no date); OSCE/ODIHR (2009a: 8; 2009b: 24; 2009c: 12; 2010: 23; 2011a: 8; 2011b: 6; 2012a: 18; 2012b: 23; 2012d: 5; 2012e: 9; 2013a: 21; 2013b: 6; 2013c: 17); Parliament of Denmark (2009); Privacy International (2012a; 2012b; 2012c); Republic of Korea (2012); Republic of the Philippines Commission on Elections (2009; 2013); Rosenberg and Chen 2009; St Lucia Electoral Department (2011); Schaffer and Wang (2009); The Electoral Commission (2008); The National Commission on Electoral Law (2006); The National Democratic Institute for International Affairs (2002); Tonga Electoral Commission (2012); Transparency International (2013); United States Election Assistance Commission (2010); Wang (no date 2012?).

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