



To the members of,
The Joint Standing Committee on Electoral Matters

Committee activities (inquiries and reports)

I recently lodged a complaint with the AEC about a mail out tactic engaged by the Liberal Party, by way of a Mail Out we personally received, and our discovery by accident of the issue as reported in the local media.

In short my complaint was rejected as a 'view' by the AEC, defended by their guidelines, and I was referred to your committee, in view of making a submission. I do so with the fervent hope, that the crux of my complaint, does not manifest by way of a (another) questionable result at the upcoming election.

My complaint goes to the methods used and those currently able to be used, which involve postal voting applications.

We received (and thousands of other voters also received a mail out from the Liberal Party. The outside of the envelope strongly resemble the way a formal AEC envelope can often look.

(Address details further down)

Inside was a Reply paid envelope (Address details further down)

And inside was a political message from the Liberal Party. My complaint being that I thought this methodology was easily subject to abuse. The AEC informed me that the Party concerned are well within their rights. However I question the spirit of the law/regs vehemently!

I accept and express my bewilderment that the AEC and its governing regs consider this situation acceptable.

It is my firm view that 3rd (any) parties that use targeted strategies, seeking possession of postal vote details, using AEC 'like' envelopes is subject to the very real possibility of distortion of outcomes and inappropriate use whilst moving between the personal data's owner and the AEC. (I am sure the learned committee members can easily see the possibilities here.) And it is the thin edge of the wedge in my opinion. This is not an accusation that in this case it has occurred, it is a complaint that it could have. And that in my personal view, this is inappropriate behaviour, as per a fair and accountable election outcome. And the regs should reflect a similar view.

I believe that in this case the Liberal Party should not have used this method. No-one with a vested interest should be permitted to do this. Many voters will be unaware of the nuances of this subtle tactic. Especially older voters, busy parents etc.

My very real concern on this issue was raised when I was alerted by local media reporting, which I read AFTER receiving the post out for the Liberal party. How is anyone who responded as per the mail outs request, (please send a postal voting

application form to Liberal HQ) to know the outcome of what they sent off ? Surely there are many 'not so appropriate' feasible outcomes. Intended or otherwise.

If the make up of the Australian Senate comes down to postal votes from addresses where these mail outs went?

Noting of course that neither the words 'Liberal Party' or 'AEC' were in the address area of the envelope provided to electors to return the forms to!)

The Committee can and should examine why any Party would choose to use a return address for an application for postal votes to a non-descript address consisting of "The following words

**Processing Centre
Reply Paid 49 West Perth WA 6872,**
this is a Liberal Party address.

Please also note that at no time does the Liberal Party flyer inside the mail out 'mention anything about the contents of this envelope, nor that they had deliberately chosen to divert the application for a postal vote, to their own staff at their own address.

The main envelope which arrived (in my opinion) resembles enormously a genuine AEC type envelope style.

The address on the front LH side (on a red background reads);

**"IMPORTANT Voting Information for the
upcoming Western Australian Senate Election
If Undeliverable return to PO Box 3373 Bassendean WA
6942"**

The address above is not the AEC either.

The committee can/should use its resources to examine the owner/connections the PO box above.

I believe this gaping hole needs to and must be closed. This sort of behaviour is open to abuse, and must be quashed.

And on top of the possibility of skewed outcomes, peoples personal/electoral details may now have been compromised, without being asked properly!

Furthermore, I believe, this behaviour 'seems to be being defended by the AEC , by way of the 'possible' exploitation of a clause which 'allows a 3rd party to post a postal vote on behalf of someone else'. I beg to differ. There is a monumental difference between popping a letter in the mail for someone, and deliberately diverting a residents postal vote application to a building belonging to a political party. Especially a political party in power and/or in need of senate control.

The penalties quoted by the AEC for breaches in this area are manifestly inconsequential for a political party, and in my case would not reverse a compromised outcome, and it may cost the community time and money if the outcome were called into acct, as in the current 2nd Senate Election situation. And as for Subsection 184AA(1) It is unbelievable. I reiterate that it is the 'possibility' of inappropriate outcomes which I am complaining about. Its hard to see how 'justice can

be seen to be done', in a situation like this mail out, because so much of the address information is deliberately left off the docs.

Given the broad spectrum the committee represents, I would ask that the committee explain to me at its earliest convenience;(it goes to motivation and gins to be made)

'Why' Political parties, and candidates, feel the need/have the power to divert personal and private postal vote applications to a non AEC location", and further "What the committee believes or knows about what occurs with those documents which are sent there".

My way of asking 'what's in it for them'.

In my opinion a fair electoral outcome is jeopardised and compromised when political parties and candidates can legally access or divert private postal vote details.It also affords those 3rd parties the ability to bypass/subvert privacy issues of unlisted contact details.I believe strongly that this must be corrected immediately.

Regards,
Colin Fairclough
