

Terms of Reference



Bell Campbell Auditing Pty Ltd

for

The Wikileaks Party

1. Terms of Reference

- a) To undertake an independent review of the WikiLeaks Party preferences in relation to the 2013 Federal Election.
- b) To recommend solutions to improve existing lines of communication by Wikileaks Party policy decision-makers

2. Review

Reviewed by	Name	Date
Bell Campbell Auditing	S. Bell & staff	November 2013

3. Approval

Approved by	Name	Date
Wikileaks Party	K. Tranter	26 October 2013

4. Background

- a) The author of this review is a current member of the Wikileaks Party (“WLP”), a practicing auditor with a PPC, and former liquidator & company auditor
- b) The author was approached by John Shipton, a member of the WLP National Council, to assess information provided by preference decision-makers and make recommendations

5. TOR mandate

This inquiry arose as a direct result of an “administrative error” by the National Council preferencing candidates from parties and groups in NSW. It also extends to the preferencing in WA.

Over a period of several weeks prior to the 2013 Federal Election, the WLP National Council members attended internal meetings and conversed via email, telephone conferencing and other electronic media to preference a record number of Senate candidates.

A WLP press release stated (inter alia) that we “aren’t aligned with anyone”..... and will “support and oppose the policies of other parties and groups according to our stated principles”.

(Note: the press release was lifted from email dated 18 August 2013 sent by Kellie Tranter to Sam Castro).

The WLP publicly released its group voting ticket on 17 August 2013, in which preferences for the Australia First and the Shooters and Fishers Parties were placed above the Greens in NSW, contrary to exchanges of emails between WLP National Council members leading-up to the deadline with the AEC.

(Note: Annexure "A" from Cassie Findlay to National Council members specifically refers to the resolution passed 12 August 2013).

In WA, the Greens were placed below the National Party.

6. Objectives

- To ascertain whether there was an administrative error and/or misunderstanding of preferencing due to other factors
- To examine lines of communication between WLP decision-makers
- To recommend changes to avoid any future communication errors affecting WLP policy in relation to preferencing of candidates

7. Scope

The TOR scope was limited by the author's inability or access to all relevant information and WLP personnel, especially where there has been a severe fall-out over the 2013 preferencing issues in NSW and WA, including resignation of a candidate and several National Council members.

The TOR was advertised on the WLP website in October/November 2013 with a cut-off date for submissions by 29 September 2013.

The author and/or staff have not had opportunity to personally interview current and former National Council members, except for John Shipton. Cassie Findlay rang on 2 separate occasions and provided substantial information of meetings, conversations and exchange of information between National Council members.

Written and verbal submissions were received from the following National Council members:

- John Shipton
- Cassie Findlay
- Greg Barns
- Kellie Tranter
- Gail Malone
- Omar Todd

8. Methodology

BCA examined the following data to determine outcomes:

- Website media and WLP press releases
- Written submissions from National Council members (past & present)
- Verbal information from John Shipton & Cassie Findlay

9. Assumptions

Due to limited or no access to WLP official transcripts, minutes of National Council meetings and official emails/correspondence, the author has made assumptions based on the accuracy of information supplied by WLP members.

The author has no vested interest in the decision-making processes of WLP, and is providing this report at the invitation of the National Council as a financial member contracted on a pro-bono basis.

10. Findings

It would appear from the author's research there are broader issues which would have impacted on the "administrative error".

- a. The tight lead-up timeframe to the 2013 Federal election
- b. Political "newness" of the WLP, which was registered in July 2013 and largely supported by volunteer members on a part-time basis
- c. An energetic but disorganized internal infrastructure, possibly lacking effective systems without defined lines of communication and responsibilities
- d. A lack of funding to support effective operational activities as a political party
- e. Unclear lines of responsibility within the National Council

Some all or of these factors contributed to the issues regarding party preferencing.

It cannot be shown it was an "administrative error", based on the electronic & verbal hyper-activity by the National Council members in the days prior to the 17 August 2013 AEC group voting ticket (GVT) deadline.

In the author's opinion, it was a combination of human errors caused by a highly emotional and volatile atmosphere, where a number of key WLP members were

instrumental in causing confusion, not from malicious intent but due to a lack of defined responsibilities.

11. Recommendations

As stated earlier, the TOR is limited in scope however, there may be several solutions to reducing mis-communication for future GVT's:

1. Circulation of GVT parties and groups to be circulated to National Council members and WLP members as early as possible for open forum
2. National Council to appoint a Registered Officer within a sub-committee of 3 National Council members
3. The 3 sub-committee members will be responsible for preference negotiations
4. The RO will be responsible for collating final preferences
5. The RO will be responsible for the final GVT submission to the AEC

Stuart Bell

Director – Bell Campbell Auditing Pty Ltd

"A"

Kellie Tranter

From: Cassie Findlay [findlay.cassie@██████████]
Sent: Monday, 12 August 2013 7:22 PM
To: John Shipton; JA Legal; samcastro@██████████; Kaz Cochrane; omar todd; Niraj Lal; Gail Malone; Daniel Mathews; Luke Pearson; Kellie Tranter
Subject: NC resolution 12/8/13

The resolution from tonight's meeting regarding preferences is below. I will wait for any feedback on this in case I have missed anything before sending to Greg - in the next couple of hours if you can

Thanks

C

a) The National Council acknowledges and accepts that we will position Family First after the Sex Party and the LDP but above Labor and the Greens.

b) The National Council requests the following written advice from Greg Barns to inform final decision making on placement of Family First and other parties.

- the draft preference listing of the WLP based on current state of negotiations, including the proposed ordering of parties below the majors
- the expected positioning of WLP on other parties' preferences where known, based on the current state of negotiations

Moved: Kaz Cochrane

Seconded: Sam Castro

Carried