

Shawn O'Brien

From: National President, Australian Democrats <president@democrats.org.au>
Sent: Tuesday, 12 March 2013 7:14 PM
To: Shawn O'Brien; FAD
Cc: Alex Lewis; secretary@democrats.org.au
Subject: Australian Democrats Registered Officer (March version)
Attachments: Registered_Officer_Letter_2.pdf

Importance: High

Dear Shawn (cc Alex),

Please find the letter from Roger Howe and me attached. I have posted the original.

As discussed with Alex this afternoon, we have addressed the letter to Shawn. Thanks Alex for your updates.

Regards,
Darren

Darren Churchill
National President, Australian Democrats
[REDACTED]

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Darren Churchill
National President, Australian Democrats darren.churchill@democrats.org.au
[REDACTED]

**National President****Darren Churchill**

President@democrats.org.au

12th March, 2013

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Shawn O'Brien, Registrar of Political Parties
 Australian Electoral Commission
 West Block Offices
 Victoria Terrace
 PARKES ACT 2600

PO Box 6172
 KINGSTON ACT 2604

Dear Shawn,

E: National Registered Officer

We refer to your letter of 5th March, 2013, referring to an application to change the Registered Officer of the Australian Democrats.

We note that our current Registered Officer, John Charles (Charlie) Bell has written and advised you of his position in relation to the proposal, in a letter dated 11th March, 2013.

Please be advised that there has been no valid motion of National Executive to change the Registered Officer, since 6th October 2009 when Charlie Bell was appointed to replace Andrew Bartlett, nor does National Executive wish to change the Registered Officer.

Charlie advised you in January, "there is a small group within the Australian Democrats that is conspiring to take over the party." Members of that group include members who in March 2012, lodged an unauthorised submission to the AEC's membership audit of the party, which contained many errors and would have resulted in loss of registration.

Charlie has further advised you in his letter of 11th March, "there is a dispute within the Australian Democrats about who is on the National Executive and represents the party." I acknowledge that the Australian Democrats is a party in dispute. National Executive is endeavoring to implement the processes (a ballot of the membership) to determine the legitimacy of elected officials and thence, officers of the party.

The person the faction has attempted to appoint, Paul Morgan, is a relatively new member (less than 12 months). Mr Morgan did not even provide the party with his correct electoral address and was therefore not included in the final list submitted by the National Secretary, Roger Howe to the AEC in March last year.

The three people claiming to appoint Mr Morgan have been members of the party. However, two of them were expelled from membership by a quorate meeting of the National Executive on 27th February, 2013. The third has had his membership suspended by the South Australia Division, pending an explanation of his behaviour. These people are **NOT** authorised to make any applications to the AEC.

RECEIVED

14 MAR 2013

Funding & Disclosure**National Secretary****Roger Howe (Acting)**

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██████████ is **NOT** the National Treasurer, nor has he ever been. He was a member for about 18 months before National Executive expelled him for breaches under Section 4.8 (2), 4.9 and 4.8 (3) of the National Constitution. The AEC will remember his unauthorised actions in trying to have a flawed, renegade submission readmitted to the membership audit, almost a year ago.

██████████ is **NOT** the National Secretary, nor has he ever been. He was for a period of time a Deputy National President but National Executive has now expelled him for breaches under Section 4.8 (2) of the National Constitution. Roger Howe is the Secretary and has been acting in that role since July 2011 (officially appointed August 2011).

██████████ does **NOT** hold any office in the Australian Democrats. A ballot of the South Australia Division members in January, declared the position of South Australia Division President vacant (previously held by ██████████). ██████████ membership privileges were subsequently suspended by the South Australian State Management Committee (and also nationally). National Executive is waiting on advice from the State Management Committee before deciding the future of ██████████ membership status.

Due to the internal situation, National Executive did not meet from 18th September 2012 (a meeting which collapsed) to 31st January 2013. The newly elected National President (The National President ballot, which concluded on 12th December, saw Mr Churchill win 73% of the vote.), Darren Churchill has convened three constitutional meetings of the National Executive since the end of January.

The factional group has attempted to conduct unauthorised National Executive business by email motions. This included an attempt to appoint officer positions in a secretive, invalid process, which deliberately excluded three voting members of the National Executive and included some invalid proxies from Tasmania and Queensland, as well as one person claiming to be a Deputy National President when he wasn't.

In light of this information and that provided by Charlie Bell, we ask the AEC to continue to recognise John Charles (Charlie) Bell as Registered Officer of the Australian Democrats.

Yours Sincerely,

██████████
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National President
Australian Democrats

██████████
Roger Howe
National Secretary (Acting)
Australian Democrats

National Secretary

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