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Brendon Barlow

From:

Brendon Barlow

Sent:

Thursday, 10 October 2013 9:12 AM

Cc:

Peter Kramer; Tim O'Shaughnessy; Phil Diak; Ed Killesteyn

Subject:

Australian Electoral Commission statement: Senate recount in Western Australia [DLM=For-Official-Use-Only]

File Reference:

Importance:

High

For-Official-Use-Only

Dear Candidate

The Electoral Commissioner, Ed Killesteyn said today that he had considered appeals from Senator Scott Ludlam (Australian Greens) and Mr Wayne Dropulich (Australian Sports Party) - candidates for the recent Western Australian Senate election.

The appeals were made following an earlier decision by the Australian Electoral Officer for Western Australia, Mr Peter Kramer to refuse their applications for recounts of Senate votes.

Mr Killesteyn said that after due consideration of the appeals he had decided to direct a recount of Western Australian Senate ballot papers where electors had marked their ballot above-the-line. This will involve over 96% of votes, or approximately 1.25 million of the 1.3 million formal votes. The recount will additionally re-examine informal votes.

"In making my decision I sought an explanation of the various matters raised in the appeals from Senator Ludlam and Mr Dropulich. I also provided an opportunity for written correspondence from the other key affected parties in the Senate election, namely candidates Senator Louise Pratt (Australian Labor Party) and Mr Zhenya Wang (Palmer United Party).

"While closeness of a particular count in the process of distributing Senate preferences is not in itself a basis for a recount under the *Commonwealth Electoral Act 1918* (Electoral Act), it does allow the Electoral Commissioner to direct a recount should there be appropriate grounds on appeal.

"Having considered candidates' submissions and having further regard to the criticality of particular Senate candidate exclusion counts and the small margins involved in determining Senators' elect, I have decided that there should be a recount of all formal Western Australian above-the-line ballots and informal ballots - as determined by Divisional Returning Officers for the fifteen WA electoral divisions in accordance with section 273A of the Electoral Act.

"I will therefore direct the Australian Electoral Officer (AEO) for Western Australia to conduct a full recount of all above-the-line Senate ballot papers and informal ballots originally counted in the fifteen electoral divisions in accordance with section 278 of the Electoral Act as soon as possible.

"I have concluded that the recount will be in the best interest of all candidates who contested the 2013 WA Senate election, and in the overall interest of the WA electorate's confidence in the outcome," Mr Killesteyn said.

WA State Office will be advising you shortly of arrangements for the recount, and recount update information will be provided via the AEC's website. The dates for the subsequent distribution of preferences and declaration of the Senate poll for Western Australia will follow in due course.

If you require any further information please don't hesitate to contact either Mr Kramer on 08 6363 8020 or Mr Barlow (Public Awareness Manager) on 08 6363 8026 (Mob 0413 271 869).

Yours sincerely

Brendon Barlow | Acting Operations Manager (Public Awareness)

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