LS5289 FOI REQUEST BY ANTHONY JOHN PERROTT

Request for:

- 1. Any documents (within the full definition of the term) detailing correspondence and details of meetings between the Australian Electoral Commission and its agents and employees, the Australian newspaper and its agents and employees (including Hedley Thomas) in the period 13 August 2013 and 24 April 2015.
- 2, Any documents in relation to the investigation by the Australian Electoral Commission into the alleged voter fraud by citizens of Indi (not covered by the first clause above).
- 3. Any documents detailing correspondence between the Australian Electoral Commission and the Liberal Party of Australia in relation to enrollments in the seat of Indi through the period 13 August 2013 to 24 April 2015.

Schedule of Released Documents

Document No.	Description	Date	Recommendation/decision
Correspon	dence including meeting minutes, memos and briefings		
1	Letter from Dan Feldman, partner, CIE Legal to Tom Rogers, Electoral Commissioner	8/04/2014	Document No. 1 is within the scope of the 3 rd limb of the FOI Request.
			A third party was consulted about release of Document No. 1 who chose to make no submission about the FOI Request.
			The letter contains personal information, namely:
			(a) the facsimile of the signature of Dan Feldman;
			(b) the manuscript initialling of the

letter by Tom Rogers. Considerations of the risk of identity theft make it unreasonable to publish facsimiles of signatures or manuscript initialings of individuals for the purposes of subsection 47F(1) of the FOI Act. The potential harm arising from of identity theft outweighs the public interest in accessing Document No. 1. Accordingly, it is unreasonable for the purposes of subsection 47F(1) of the FOI Act to give access to that information. The potential harm to the individuals outweighs the public interest in accessing Document No. 1. It is both possible and practicable to prepare an edited version of Document No. 1 from which the facsimiles of the signature and manuscript initialing are redacted. I **recommend** that you refuse to give access to Document No. 1 and offer in lieu access to an edited version of Document No. 1 from which the facsimiles of the signature and manuscript initialing are redacted. I have decided to refuse to give access to Document No. 1 and offer in lieu access to an edited version of Document No. 1 from which the

			facsimiles of the signature and manuscript initialing are redacted. (LS5289 Released Document No. 1.)
2	Submission to the Joint Standing Committee on Electoral Matters Inquiry into and report on all aspects of the conduct of the 2013 Federal Election and matters related thereto This is the attachment to Document No. 25.	11/04/2014	Document No. 2 is out of scope of the FOI Request by reason of the application of paragraph (d) of the definition of 'document' in subsection 4(1) of the FOI Act.
			Document No. 2 is published for research at http://www.aph.gov.au/DocumentStore.ashx?id=6d9c5e05-d4b9-4e9b-9dcc-c42b5daeea77.
			I recommend that you find that Document No. 2 is out of scope of the FOI Request.
			I have decided to find that Document No. 2 is out of scope of the FOI Request.
3	Letter from Tom Rogers, Acting Electoral Commissioner to Ms Siobhan Leyne, Inquiry Secretary, Joint Standing Committee on Electoral Matters ('JSCEM') re JSCEM Inquiry into and report on all aspects of the conduct of the 2013 Federal Election and matters related thereto with the	11/04/2014	Document No. 3 is out of scope of the FOI Request by reason of the application of paragraph (d) of the definition of 'document' in subsection 4(1) of the FOI Act.
	 Submission to the Joint Standing Committee on Electoral Matters Inquiry into and report on all aspects of the conduct of the 2013 Federal Election and matters related thereto 		Document No. 3 is published for research at http://www.aph.gov.au/DocumentStore.ashx?id=6d9c5e05-d4b9-4e9b-9dcc-c42b5daeea77.
	This is part of the attachment to Document		I recommend that you find that

	No. 25. Sub020_3[1].pdf		Document No. 3 is out of scope of the FOI Request. I have decided to find that Document No. 3 is out of scope of the FOI Request.
4	Draft letter from Paul Pirani, Chief Legal Officer to Dan Feldman, CIE Legal replying to a letter dated 8/04/2014	14/04/2014	Document No. 4 is within the scope of the 3 rd limb of the FOI Request. A third party was consulted about release of Document No. 4 who chose to make no submission about the FOI Request. No exemptions under the FOI Act apply to Document No. 4. I recommend that you release Document No. 4. I have decided to release Document No. 4. (LS5289 Released Document No. 2.)
5	 Email from Paul Pirani, Chief Legal Officer to Andrew Gately, Assistant Commissioner, Roll Management Branch, Marie Neilson, Assistant Commissioner, Elections Branch and Tom Rogers, Acting Electoral Commissioner re <i>Proposed response to Libs Lawyers</i> with the following attachment: CIE legal access to Indi roll information.docx (Document No. 4). 	14/04/2014 12:00 PM	

			I recommend that you release Document No. 5. I have decided to release Document No. 5. (LS5289 Released Document No. 3.)
6	 Email from Andrew Gately, Assistant Commissioner, Roll Management Branch to Paul Pirani re: Proposed response to Libs Lawyers with thread including: Email dated 14/04/2014 12:00 PM from Paul Pirani, Chief Legal Officer to Andrew Gately, Marie Neilson, Tom Rogers re Proposed response to Libs Lawyers (Document No. 5) 	14/04/2014 12:10 PM	
7	Letter from Paul Pirani Chief Legal Officer to Dan Feldman CIE Legal replying to his letter dated 8/04/2014 to Tom Rogers, Acting Electoral Commissioner This is the attachment to Document No. 8.	15/04/2014	Document No. 7 is within the scope of the 3 rd limb of the FOI Request. A third party was consulted about release of Document No. 7 who chose to make no submission about the FOI Request. Document No. 7 contains personal information about individuals being their names. It is not unreasonable for the purposes of subsection 47F(1) of the FOI Act to give access to that

			personal information. I recommend that you give access to Document No. 7. I have decided to give access to Document No. 7. (LS5289 Released Document No. 5.)
8	Email from Paul Pirani to Legal Services – NO mailbox re Final response to CIE Legal with the following attachment: • CIE legal access to Indi roll information V2.docx (Document No. 7).	15/04/2014 9:35 AM	
9	Letter from Damien Matach, State Director, Liberal Party of Australia (Victorian Division) to Paul Pirani, Chief Legal Officer, Australian Electoral Commission re Federal Election 2013 – Electoral Division of Indi	3/07/2014	Document No. 9 is within the scope of the 3 rd limb of the FOI Request. A third party was consulted about release of Document No. 9 who chose to make no submission about the FOI Request. The letter contains personal

			information, namely the facsimile of the signature of Damien Mantach. Considerations of the risk of identity
			theft make it unreasonable to publish facsimiles of signatures of individuals for the purposes of subsection 47F(1) of the FOI Act. The potential harm arising from of identity theft outweighs the public interest in accessing Document No. 9. It is both possible and practicable to prepare an edited version of Document No. 9 from which the facsimile of the signature is redacted.
			I recommend that you refuse to give access to Document No. 9 and offer in lieu access to an edited version of Document No. 9 from which the facsimile of the signature is redacted.
			I have decided to refuse to give access to Document No. 9 and offer in lieu access to an edited version of Document No. 9 from which the facsimile of the signature is redacted. (LS5289 Released Document No. 7.)
10	Email from Paul Pirani to Paul Pirani (no subject) with the following attachment:	14/07/2014 11:27 PM	l
	• img-714112702-0001.pdf (Document No. 9).		No exemptions under the FOI Act apply to Document No. 10.
			I recommend that you release

			Document No. 10.
			I have decided to release Document No. 10. (LS5289 Released Document No. 8.)
11	Draft letter from Paul Pirani, Chief Legal Officer to Dan Feldman, CIE Legal replying to a letter dated 8/04/2014	14/04/2014	Document No. 11 is within the scope of the 3 rd limb of the FOI Request.
	This is the attachment mentioned in Document No. 12.		A third party was consulted about release of Document No. 11 who chose to make no submission about the FOI Request.
			No exemptions under the FOI Act apply to Document No. 11.
			I recommend that you release Document No. 11.
			I have decided to release Document No. 11. (LS5289 Released Document No. 9.)
12	Email from Paul Pirani to Kellie Browning, Nicole Robertson, Tim Courtney, Kevin Kitson, Legal Service – NO, Irene Lambiris, Steve Kennedy re <i>Final response to</i>	14/072014 11:37 AM	Document No. 12 is within the scope of
	 CIE Legal with a thread including: Email dated 15 April 2014 9:35 AM from Paul Pirani to the Legal Services – NO mailbox re Final 		release of Document No. 12 who chose to make no submission about the FOI Request.
	response to CIE Legal and with the following attachments:		No exemptions under the FOI Act apply to Document No. 12
	CIE legal access to Indi roll information V2.docx		I recommend that you release Document No. 12.

	(Document No. 11);		
	FOR OFFICIAL USE ONLY.msg (Document No. 10).		I have decided to release Document No. 12.
			(LS5289 Released Document No. 10.)
13	Facsimile tranmission from Paul Pirani, Chief Legal Officer to phone number 0398048041 with thread	15/04/2014 9:10 AM	· •
	 Letter dated 15/07/2014 from Paul Pirani, Chief Legal Officer to Dan Felman, CIE Legal replying to a letter dated 8/4/2014 (Document No. 14). 		A third party was consulted about release of Document No. 13 who chose to make no submission about the FOI Request.
			The letter contains personal information, namely the facsimile of the signature of Paul Pirani.
			Considerations of the risk of identity theft make it unreasonable to publish facsimiles of signatures or manuscript initialings of individuals for the purposes of subsection 47F(1) of the FOI Act. The potential harm arising from of identity theft outweighs the public interest in accessing Document No. 13. It is both possible and practicable to prepare an edited version of Document No. 1 from which the facsimile of the signature is redacted.
			I recommend that you refuse to give access to Document No. 13 and offer in lieu access to an edited version of Document No. 13 from which the facsimile of the signature is redacted.

			I have decided to refuse to give access to Document No. 13 and offer in lieu access to an edited version of Document No. 13 from which the facsimiles of the signature is redacted. (LS5289 Released Document No. 11.)
14	Letter from Paul Pirani, Chief Legal Officer to Damien Mantach, State Director, Liberal Party of Australia, (Victorian Division) replying to a letter of 3/07/2014.	15/07/2014	Document No. 14 is within the scope of the 3 rd limb of the FOI Request. A third party was consulted about release of Document No. 14 who chose to make no submission about the FOI Request. No exemptions under the FOI Act apply to Document No. 14. I recommend that you release Document No. 14. I have decided to release Document
			No. 14. (LS5289 Released Document No. 12.)
15	Letter from Paul Pirani, Chief Legal Officer to Dan Feldman, CIE Legal replying to a letter dated 8/4/2014	15/07/2014	Document No. 15 is within the scope of the 3 rd limb of the FOI Request.
			A third party was consulted about release of Document No. 15 who chose to make no submission about the FOI Request.
			The letter contains personal information, namely the facsimile of the

			signature of Paul Pirani.
			Considerations of the risk of identity theft make it unreasonable to publish facsimiles of signatures or manuscript initialings of individuals for the purposes of subsection 47F(1) of the FOI Act. The potential harm arising from of identity theft outweighs the public interest in accessing Document No. 14. It is both possible and practicable to prepare an edited version of Document No. 1 from which the facsimile of the signature is redacted.
			I recommend that you refuse to give access to Document No. 15 and offer in lieu access to an edited version of Document No. 15 from which the facsimile of the signature is redacted.
			I have decided to refuse to give access to Document No. 15 and offer in lieu access to an edited version of Document No. 15 from which the facsimiles of the signature is redacted. (LS5289 Released Document No. 13.)
16	Letter from Paul Pirani, Chief Legal Officer to Damien Mantach, State Direct, Liberal Part of Australia replying to a letter dated 3/07/2014.	16/07/2015	Document No. 16 is within the scope of the 3 rd limb of the FOI Request. A third party was consulted about release of Document No. 16 who chose to make no submission about the FOI Request.

			The letter contains personal information, namely the facsimile of the signature of Paul Pirani. Considerations of the risk of identity theft make it unreasonable to publish facsimiles of signatures of individuals for the purposes of subsection 47F(1) of the FOI Act. The potential harm arising from of identity theft outweighs the public interest in accessing Document No. 16. It is both possible and practicable to prepare an edited version of Document No. 16 from which the facsimile of the signature is redacted. I recommend that you refuse to give access to Document No. 16 and offer in lieu access to an edited version of Document No. 16 from which the facsimile of the signature is redacted. I have decided to refuse to give access to Document No. 16 and offer in lieu access to an edited version of Document No. 16 from which the facsimile of the signature is redacted.
			(LS5289 Released Document No. 14.)
17	Email from Phil Diak, Director, Media and External Communication to Hedley Thomas, National Chief Correspondent, The Australian re <i>Response</i>	26/09/2014 12:02 PM	· · ·
			No exemption or conditional exemption under the FOI Act applies to Document No. 17.

			I recommend that you give access to Document No. 17. I have decided to give access to Document No. 17. (LS5289 Released Document No. 15.)
18	 Email from Phil Diak, Media and External Communication to Kathy Mitchell, Assistant Commissioner, Education & Communications Branch re <i>Response</i> with a thread including: Email dated 26/09/2014 12:01 PM from Phil Diak to 'thomash' re Response. 	26/09/2014 12:03 PM	l
19	 Email from Kathy Mitchell, Assistant Commissioner, Education & Communications Branch to Tom Rogers, Electoral Commissioner and other re <i>Response</i> with email thread including: Email dated 26/09/2014 12:03 PM from Phil Diak, to Kathy Mitchell re Response; Email dated 26/09/2014 12:01 PM from Phil Diak to 'thomash' re Response. 	26/09/14 3:11 PM	

20	Email from Phil Diak, Director, Media and External Communication to Tom Rogers re For info: contact with Hedley	30/09/2014 7:13 PM	l
21	AEC Media Release re Statement from the Australian Electoral Commission - Division of Indi	2/10/2014	Document No. 21 is out of scope of the FOI Request by reason of the application of paragraph (d) of the definition of 'document' in subsection 4(1) of the FOI Act. Document No. 21 is published for research at http://www.aec.gov.au/media/media-releases/2014/10-02.htm. I recommend that you find that Document No. 21 is out of scope of the FOI Request. I have decided to find that Document No. 21 is out of scope of the FOI Request.
22	Email from Phil Diak, Director, Media and External Communication to Hedley Thomas (no subject) with the	2/10/2014 10:59 PM	· .

	Statement from the Australian Electoral Commission - Division of Indipdf (Document No. 21)		No exemption or conditional exemption under the FOI Act applies to Document No. 22. I recommend that you give access to Document No. 22. I have decided to give access to Document No. 22. (LS5289 Released Document No. 19.)
23	 Email from Hedley Thomas, journalist The Australian to Phil Diak, Director, Media and External Communication re <i>Indi media release</i>; Email dated 2/10/2014 10:58 PM from Phil Diak to Hedley Thomas 	3/10/2014 12:58 PM	· · · · · · · · · · · · · · · · · · ·
24	 Email dated 3/10/2014 1:28 PM from Phil Diak to Tom Rogers re <i>Indi media release</i> with a thread including: Email dated 3/10/2014 12:58 PM from Hedley Thomas, journalist The Australian to Phil Diak re <i>Indi media release</i>; Email dated 2/10/2014 10:58 PM from Phil Diak to Hedley Thomas (No subject). 	3/10/2014 1:28 PM	· ·

			Document No. 24.	
			(LS5289 Released Document No. 21.)	
25	Email from Ben Hamilton, A/g Senior Policy Officer, National Roll Program Design to Nicole Taylor, Acting Director, Roll Management Branch re <i>JSCEM Sub 2013: Close seat analysis section(s)</i> with the following attachment: • Sub020_3[1].pdf (Document Nos. 2 & 3)	3/10/2014 2:47 PM	Document No. 25 falls within the scope of the 1 st limb of the FOI Request.	
			No exemption or conditional exemption under the FOI Act applies to Document No. 25.	
			I recommend that you give access to Document No. 25.	
			I have decided to give access to Document No. 25.	
			(LS5289 Released Document No. 22.)	
26	Phil Diak, Director, Media and External Communication to Tom Rogers, Acting Electoral Commissioner re <i>Indi points</i> for discussion with Hedley with a thread including:	3/10/14 3:48 PM	Document No. 26 falls within the scope of the 1 st limb of the FOI Request.	
	Email dated 3/10/2014 1:28 PM from Phil Diak to Tom Rogers re Indi media release;		No exemption or conditional exemption under the FOI Act applies to Document	
	 Email dated 3/10/2014 12:58 PM from Hedley Thomas, journalist The Australian to Phil Diak re Indi media release; 		No. 26. I recommend that you give access to Document No. 26.	
	Email dated 2/10/2014 10:58 PM from Phil Diak to Hedley Thomas		I have decided to give access to	
	with the following attachment		Document No. 26.	
	JSCEM Sub 2013 Close seat analysis section(s) SECUNCLASSIFIED.msg (Document No. 25).		(LS5289 Released Document No. 23.)	
27	Comparative Official AEC enrolment figures for Indi and certain Victorian electorates.		Document No. 27 falls within the scope of the 1 st limb of the FOI Request.	

			No exemption or conditional exemption under the FOI Act applies to Document No. 27. I recommend that you give access to Document No. 27. I have decided to give access to Document No. 27. (LS5289 Released Document No. 24.)
28	Email from Nicole Taylor, Acting Director, Roll Management Branch to Phil Diak re Document1,	3/10/2014 3:49 PM	· ' '
	with the following attachment: • Document1.docx (Document No. 27)		No exemption or conditional exemption under the FOI Act applies to Document No. 28.
			I recommend that you give access to Document No. 28.
			I have decided to give access to Document No. 28. (LS5289 Released Document No. 25.)
29	Email Phil Diak to Nicole Taylor re <i>Document1</i> with a thread including:	3/10/2014 3:51 PM	· .
	Email dated 3/10/2014 3:49 PM from Nicole Taylor to Phil Diak re <i>Document1</i>		No exemption or conditional exemption under the FOI Act applies to Document No. 29.
			I recommend that you give access to Document No. 29.
			I have decided to give access to

			Document No. 29 . (LS5289 Released Document No. 26.)
30	 Email from Nicole Taylor to Phil Diak, Director, Media and External Communication re <i>Document1</i> with a thread including: Email dated 3/10/2014 3:51 PM from Phil Diak to Nicole Taylor re <i>Document1</i>; Email dated 3/10/2014 3:49 PM from Nicole Taylor to Phil Diak re <i>Document1</i> 	3/10/2014 3:52 PM	of the 1 st limb of the FOI Request. No exemption or conditional exemption under the FOI Act applies to Document No. 30. I recommend that you give access to Document No. 30.
			I have decided to give access to Document No. 30. (LS5289 Released Document No. 27.)
31	Email Phil Diak, Director, Media and External Communication to Tom Rogers, Acting Electoral Commisioner re <i>Indi and Vic roll growth comparisons</i> with a thread including: • Email dated 3/10/2014 3:49 PM from Nicole Taylor,	3/10/14 3:55 PM	
	Acting Director, Roll Management Branch to Phil Diak re Document1, with the following attachment:		I recommend that you give access to Document No. 31.
	Document1.docx (Document No. 27)		I have decided to give access to Document No. 31. (LS5289 Released Document No. 28.)
32	Email from Phil Diak to Hedley Thomas, The Guardian, Australia edition re Response to your email	3/10/2014 5:44 PM	

		No. 32. I recommend that you give access to Document No. 32. I have decided to give access to Document No. 32. (LS5289 Released Document No. 29.)
33	 Email Phil Diak, Director, Media and External Communication to Tom Rogers and others re Response to Mr Hedley Thomas with thread including: Email dated 3/10/2014 5:44 PM from Phil Diak to Hedley Thomas, The Guardian, Australia edition re Response to your email. 	Document No. 33 falls within the scope of the 1 st limb of the FOI Request. No exemption or conditional exemption under the FOI Act applies to Document No. 33. I recommend that you give access to Document No. 33. I have decided to give access to Document No. 33. (LS5289 Released Document No. 30.)

End