

**LS5826 Released Document No. 29**

**From:** Kathryn Toohey  
**Sent:** Monday, 25 July 2016 5:18 PM  
**To:** Pablo Carpay ; Kellie Browning ; Anna Robinson ; Thomas Ryan ; Paul Pirani  
**Cc:** Peita Mamo ; Andrew Gately ; Tom Rogers  
**Subject:** RE: Multi-voters Herbert [DLM=For-Official-Use-Only]

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Thanks Pablo.

The AFP Deputy Commissioner only returned from leave on Sun. Sounds like there has been a disconnect at their end.

I have called and left message (voicemail and text) with him to call me back. Will let you know how it goes.

Tom - if I am unable to get on to Mike, perhaps you could call AJ?

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**From:** Pablo Carpay <[Pablo.Carpay@aec.gov.au](mailto:Pablo.Carpay@aec.gov.au)>  
**Date:** Monday, 25 Jul 2016, 4:46 PM  
**To:** Kathryn Toohey <[Kathryn.Toohey@aec.gov.au](mailto:Kathryn.Toohey@aec.gov.au)>, Kellie Browning <[Kellie.Browning@aec.gov.au](mailto:Kellie.Browning@aec.gov.au)>, Anna Robinson <[Anna.Robinson@aec.gov.au](mailto:Anna.Robinson@aec.gov.au)>, Thomas Ryan <[Thomas.Ryan@aec.gov.au](mailto:Thomas.Ryan@aec.gov.au)>, Paul Pirani <[Paul.Pirani@aec.gov.au](mailto:Paul.Pirani@aec.gov.au)>  
**Cc:** Peita Mamo <[Peita.Mamo@aec.gov.au](mailto:Peita.Mamo@aec.gov.au)>, Andrew Gately <[Andrew.Gately@aec.gov.au](mailto:Andrew.Gately@aec.gov.au)>, Tom Rogers <[Tom.Rogers@aec.gov.au](mailto:Tom.Rogers@aec.gov.au)>  
**Subject:** RE: Multi-voters Herbert [DLM=For-Official-Use-Only]

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Hello Kath

Anna, Kellie and I met this afternoon at 1430 for about an hour with three members of the AFP (Shane Connolly has been on leave for several weeks (sick leave)) and I spoke with the person acting (Paul Osbourne) in his stead.

The officers we in turn met with face to face after I spoke with Mr Osbourne consisted of two of the people Kellie met with last week, and one other (roger brown) who was the AFP lead in the discussion.

It would be fair to say that the message that they had received about their role/involvement was not very clear to them - so we outlined the issues and sought their engagement and indicated some sense of high level AFP interest and possible commitment to assisting based on EC and DEC calls to AFP counterparts over the weekend.

We left material with them (photocopies of certified lists and Dec vote envelopes) for their further consideration – but I don't think it likely we will get much traction from them in terms of a) assisting to determine if the multi-marks we have are indeed related to multi-voters (ie ringing the people and asking them questions to establish what may have occurred), or then

b) any possible subsequent prosecution action. 23

We agreed that the meeting was not an official referral of the matters – more a discussion on possible ways forward. They needed to talk again further with their management, and would get back to us later today (or at least that was what they intended to do).

While we were persistent in putting the matters and case forward for their action, our options going forward will really depend on what they come back with as their response, and whether we see value in pushing it further with them. Ultimately, as we did in WA in 2013 with the lost votes, we would still be able to say that we sought “advice” from the AFP, and they were unable to assist. That in itself is an outcome of sorts (though not the one we are seeking of course).

Happy to chat - and will advise what response I get when I have something further to report.

Regards  
Pablo

Pablo Carpay  
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### For-Official-Use-Only

**From:** Kathryn Toohey  
**Sent:** Sunday, 24 July 2016 1:00 PM  
**To:** Kellie Browning <[Kellie.Browning@aec.gov.au](mailto:Kellie.Browning@aec.gov.au)>; Anna Robinson <[Anna.Robinson@aec.gov.au](mailto:Anna.Robinson@aec.gov.au)>; Pablo Carpay <[Pablo.Carpay@aec.gov.au](mailto:Pablo.Carpay@aec.gov.au)>; Alexandra Borthwick <[Alexandra.Borthwick@aec.gov.au](mailto:Alexandra.Borthwick@aec.gov.au)>; Thomas Ryan <[Thomas.Ryan@aec.gov.au](mailto:Thomas.Ryan@aec.gov.au)>; Paul Pirani <[Paul.Pirani@aec.gov.au](mailto:Paul.Pirani@aec.gov.au)>; Leonie Mahar

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**Subject:** RE: Multi-voters Herbert [DLM=For-Official-Use-Only]

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Folks,

This morning I discussed the multiple mark joint review for Herbert with the AFP Deputy Commissioner - Mike Phelan. He indicated that he has instructed his team that it is their highest priority for attention tomorrow. Notwithstanding this, he requested that we formalise the referral first thing tomorrow.

Pablo,

Can you please coord directly with AC Commissioner Shane Connolly to confirm arrangements, etc. (Peita will have the contact details). Obviously this is our highest priority for attention also. Kellie Browning can provide support/ coord at the working level given just last week she met with the AFP team to discuss processes for multivoter/ nonvoters for FE16. Can you also please ensure we provide the required written referral.

Can you please confirm to Tom and I the likely timeframe to process once you have discussed with Shane and agreed a way forward. Thanks.

Regards,

Kath

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**From:** Kathryn Toohey <[Kathryn.Toohey@aec.gov.au](mailto:Kathryn.Toohey@aec.gov.au)>

**Date:** Friday, 22 Jul 2016, 7:37 PM

**To:** Kellie Browning <[kellie.browning@aec.gov.au](mailto:kellie.browning@aec.gov.au)>, Anna Robinson <[Anna.Robinson@aec.gov.au](mailto:Anna.Robinson@aec.gov.au)>, Pablo Carpay <[pablo.carpay@aec.gov.au](mailto:pablo.carpay@aec.gov.au)>, Alexandra Borthwick <[alexandra.borthwick@aec.gov.au](mailto:alexandra.borthwick@aec.gov.au)>, Thomas Ryan <[thomas.ryan@aec.gov.au](mailto:thomas.ryan@aec.gov.au)>, Kevin Kitson <[kevin.kitson@aec.gov.au](mailto:kevin.kitson@aec.gov.au)>, Paul Pirani <[paul.pirani@aec.gov.au](mailto:paul.pirani@aec.gov.au)>

**Cc:** Peita Mamo <[peita.mamo@aec.gov.au](mailto:peita.mamo@aec.gov.au)>, Andrew Gately <[Andrew.Gately@aec.gov.au](mailto:Andrew.Gately@aec.gov.au)>, Tom Rogers <[tom.rogers@aec.gov.au](mailto:tom.rogers@aec.gov.au)>

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Folks,

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We are conscious of the time imperative to understand the extent of multi-voting in the electorate of Herbert, but equally the importance of ensuring multiple marks are dealt with entirely appropriately and in a manner to withstand (potentially) significant external scrutiny.

With this as a backdrop, the AFP Commissioner has agreed that the AFP will work with us to jointly review the identified instances of multiple marks in Herbert. I have a telecon scheduled with the Deputy Commissioner on Sun to confirm the details for the joint review process. However, it is likely that this joint review will commence on Mon.

I will update you all on the outcome of the telecon as soon as possible afterwards.

Pablo – can we please catch up via telecon tomorrow to confirm the status of our multiple mark assessment for Herbert and confirm we have staff available to work with the AFP starting on Mon. And, it would be good to have you on the line to the Deputy Commissioner on Sun too, if you were available. Suggest we discuss.

Regards,  
Kath

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- 1 Personal Information (name) redacted.
- 2 Personal Information (date of birth) redacted.
- 3 Personal Information (photograph) redacted
- 4 Personal Information (facsimile of signature) redacted.
- 5 Personal Information (facsimile of manuscript initialling) redacted.
- 6 Personal Information (Individual's address) redacted.
- 7 Personal Information (individual's telephone number) redacted.
- 8 Personal Information (individual's opinion) redacted.
- 9 Personal Information (opinion about individual) redacted.
- 10 Personal Information (employment history) redacted.
- 11 Personal Information (qualifications) redacted.
- 12 Personal Information (health) redacted.
- 13 Personal Information (identifying individual) redacted.
- 14 Business information (Bank Account details) redacted.
- 15 Business information (Billing Account details) redacted.
- 16 Legal Professional Communication redacted.
- 17 Deliberative material redacted.
- 18 Irrelevant material redacted.
- 19 Electoral Roll material redacted.
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- 22 Proper and efficient conduct of the operations of AEC material redacted.\
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