

From: XXXXXX@XXXXXX.net.au

To: XXXXXX@XXXXXX.net.au

Subject: Democracy within the Party duded again - Understanding the Broadmeadows fiasco.

Date: Sun, 30 Jan 2011 10:02:19 +1100

Dear Friends,

You have probably been following the reports in the Age and on the ABC about the Victorian ALP Administrative Committee passing the process for preselecting Labor's candidate to replace John Brumby in the State seat of Broadmeadows to the ALP National Executive with a view to having Frank McGuire (Eddie's brother), a non-Party Member who lives in Brighton and who had worked for Democrat Natasha Stott Despoja, installed as Labor's candidate for the forthcoming Broadmeadow's by-election.

This is a betrayal of the long suffering rank and file of the Victorian Party who had worked tirelessly in 2 gruelling election campaigns and had been hearing commitments from factional leaders that they would now have greater say and greater opportunity for real participation in the Party. Yet the first post election action of the administration of the Party is more of the same - deciding to parachute a high flyer (or the brother of one) non-party member to be our "representative" - it is a discredited approach littered with disappointments - Madden, Kernot, etc.

Yes there were Party members connected with "creative local recruitment" seeking the seat but Labor also has talented loyal members of the Party who would have made excellent candidates and parliamentarians - we should have chosen one of them and in a properly managed party we could have had a preselection which included local party members.

What follows is an excellent and comprehensive report of the Administrative Committees considerations from David Imber who was my proxy at the meeting. In my view David represented the interests of genuine Party members admirably.

For those wanting more detail this is followed by background material prepared by myself and at the end of the email suggestions to assist members who are angry, to take constructive action.

Feel free to forward this email to other members of the Party.

Eric Dearricott (Independents Secretary)

### **David Imber's Report from the Administrative Committee:**

On 25 Jan the Administrative Committee of the Victorian Branch met to decide on its pre-selection for the Broadmeadows By Election.

In normal circumstances a pre-selection timetable that allowed for a local vote and a meeting of the Public Office Selection Committee would be set by Admin Committee. However the combination of the calling of the writs for the minimum amount of time possible, the Australia Day holiday, and an Admin Committee that probably met a few days too late meant that it didn't seem that a regular timetable was at all possible. There are of course other reasons why a local pre selection would have been problematic. There have been serious allegations of branch stacking in the local area, including a dispute lodged, and concerns across the party that a local vote would not only be messy for factional reasons (outlined below) but be compromised by these allegations affecting many members in the electorate and FEAs that comprise it.

Given the factional make- up of the Victorian Branch and the stability agreement between the part of the right known as the ShortCons (after Bill Shorten and Stephen Conroy) and the Socialist Left meaning that given John Brumby was a member of the ShortCons faction the SL are required to support their nominee. However, it appears that the majority of the local vote is controlled by the other half of the right (largely comprised of an alliance between the SDA/ NUW). They were widely

seen to be backing Burhan Yigit. The larger block at the Administrative Committee appeared to be backing Frank McGuire.

### **What happened at the meeting:**

The first motion was put by the SDA/ NUW alliance (moved George Seitz, seconded Stephen Donnelly) and it essentially called for a local vote undertaken within an extremely tight timetable (including a retrospective nomination date, 24 hours to check the roll, 4 hours for provided errors or omissions and a local plebiscite to be held Saturday Jan 29 between 12pm and 6pm). POSC would vote on Sunday 30 at midday). Their motion was preceded by a letter sent to Party Officers that claimed that any outcome other than a local vote, including a referral to the National Executive, would be against the rules and that the Branch would be taken to court to enforce the rules.

The debate around this motion was heated and at times bizarre. Members of this alliance who had supported referrals to the National Executive before (such as for the 2006 upper house pre selection) were arguing against it. People who are known to control large numbers of votes claimed to care deeply about the right of all individuals to make their own decisions at local ballots. Opponents to the motion obviously made these points while also using the rules and precedent to claim that this motion was impossible (also referred to lack of time to post, actually talk to members and to contact and POSC members especially those who didn't live in Melbourne).

Kimberly Kitching spoke for the ShortCon / SL alliance against the motion while foreshadowing her own motion which was a referral to National Executive.

It was at this point of the meeting that I sought to speak. I spoke about my concern that both this motion and the next were unacceptable to me and should be to the Party. I said that everyone in the room knew that a process would be needed the minute John Brumby announced his retirement from Parliament in December 2010 yet what has happened? I said local processes should always be preferred and it was a tragedy that so many people across the party had no faith in the legitimacy of the local membership to be arguing against a local vote. I said that it was disgraceful that the two opposing outcomes appeared to be a compromised local vote that would likely vote in someone widely alleged to be a branch stacker while a referral to National Exec would bring in a non ALP member who has worked for the Democrats and lives in Brighton. I said going to National Exec was an expression of no faith in anyone in the Victorian Branch being able to contest the seat including members in this room. I said there must be a better way- rules need to be upheld to ensure that local processes can be conducted freely and fairly but more broadly that dialogue across the party needed to be improved to ensure that Admin wasn't held too late to make a valid decision and that consensus can be achieved on nominees broadly acceptable to the party (being a member would be a start!) if an expedited process needed to occur.

After about 40 mins of debate all up, the vote on the SDA/ NUW motion was put- 13 in favour, 18 against and my single abstain. I had made it clear in my speech that I would not be voting for either motion as a protest that two such bad options were being presented. Interestingly both Peter Marshall of the United Fire-fighters union (who sits on his own) and Steve Darvegal (AMWU) who sits in the SL caucus voted for the motion on the basis that they supported local votes.

When the alternative motion (a whole page of justification that ended with a call for Nat Executive to take over the process and call for a ballot if necessary) was put, it was clear the numbers would fall the same way and so after much shorter debate that rehashed the same ground it was put with the same names- 18 for, 13 against and my abstention.

Following the meeting there were some harsh words between former members of Labor Unity now on opposing sides but also a broader discussion across the membership that this decision reflected poorly across the Party and that Party Officers and factional leaders needed to find some common ground to enable more responsible decisions to be made. It is clear that no-one really liked the outcome, even those who won. The mood on exit was reasonably glum by everyone.

**David Imber 27 Jan 2011**

## **Outline of background to the Broadmeadows preselection - Eric Dearth Jan 29 2011:**

### *1. The timing of John Brumby's resignation caused problems because:*

- (i) The adjustment of the organisational wing of the Party to being in opposition had only just begun.
- (ii) The process of changing to a new State Secretary had commenced.
- (iii) When John Brumby resigned his seat on Dec 21 the ALP State Office had already closed for the holiday period and was not scheduled to reopen until the second week of January.
- (iv) Although there was a collective view that selection of our candidates for election so that they were representative of their Party and connected to the community, and not simply the product of internal numbers and stacking, needed a new approach there had not been the time to work through how this could occur.

### *2. Why wasn't there a local plebiscite vote?*

The State rules allow, if necessary, for an abbreviated preselection process involving the local plebiscite and the Public Office Selection Committee voting on the same day and at the same location as happened with the Kororoit preselection. By Jan 25th when the Admin Committee first met to consider the Broadmeadows preselection process with the Australia Day holiday the next day it would have been nigh on impossible to finalise the rolls, inform the voters and conduct the preselection before noon on Feb 1 when nominations closed with the VEC.

It would have been possible if the Party had opened nominations and started work on the preselection rolls in the second week of January and the Special Administrative Committee meeting had been called much earlier. This should have been done but for whatever reason there was neither the will nor the energy to prepare for the possibility of an early by-election.

It wasn't as though thought wasn't being given to who the candidate could be, names of possible candidates, including non Party member Frank McGuire, were already appearing in the press soon after John Brumby's resignation.

But nominations were not sought until after Jan 20 - the day the Lib Speaker announced the by-election would be on Feb 19. Letters were sent to members in the Broadmeadows electorate but rank and file members from outside that electorate, who were entitled to nominate, have never been informed, not even by email, of their right to nominate even though most nominations were likely to come outside from the electorate and one from outside the Party.

One cause was procrastination by the Shorton-Conroy part of the Right (the ShortCons) who had a deal with the Left that they could annoint the candidate for Broadmeadows and that the Left were bound to support that person. The Left had previously benefitted from this deal in annointing Bronwyn Halfpenny as Peter Batchelor's replacement in Thomastown just before the election.

Internal matters, including lack of a quality local candidate within their ranks and keeping things sweet with their local operatives resulted in the ShortCons having great difficulty in annointing a quality candidate without connections to Broadmeadows - thus procrastination in making the decision and starting the pre-selection ball rolling within the Party. For the ShortCons ensuring that one of their own was preselected for Broadmeadows was of far greater importance than keeping faith with the Party membership at large and the intent of the rules through a pre-selection of an existing party member by enabling a timely local plebiscite carrying equal weighting with the Public Office Selection Committee.

### *Why did the Left support the ShortCon candidate?*

It needs to be understood that the Right in Victoria divided when it became apparent to the ShortCons, that what might be called the Alternative Right (the SDA, NUW and others), had the numbers to take control of Labor Unity. To preserve their power the ShortCons did a power sharing deal with the Left, part of which involved guaranteeing support for selection of successors to

retiring members in seats members of their factions already held. The Independents believe that this type of arrangement is not in the long term interests the Party, is undemocratic and is unlikely to lead to selection of the best candidates. So concerned were those connected to the ShortCon camp to be seen as the "Real Right" even if they didn't have the numbers, in January 2009 they registered "Labor Unity Inc" as an incorporated association.

Some newspaper reports have given the impression that it is the Left that has driven the push for the pre-selection of non-Party member McGuire's pre-selection for Broadmeadows - this is wrong- they are simply honouring (with little enthusiasm) their deal with the ShortCons which obliged the Left to support at the local level in Broadmeadows and on the Public Office Selection Committee whomever the ShortCons annointed as their candidate. Make no mistake - if Frank McGuire becomes the Member for Broadmeadows he will be a number for the ShortCons within the caucus.

Paradoxically both the Alternative Right and the Left have greater support than the ShortCons in Broadmeadows, yet now that the Supreme Court has cleared the way for the National Executive to chose the candidate, it is almost certain that the Executive will endorse the ShortCon's Frank McGuire as a fast tracked new Party member and as the (ShortCon) Labor candidate for Broadmeadows.

It is clear that if, as it should have, the Party started the preselection process in early January which would have allowed a adequate lead time to ensure the rolls were correct and preselectors came out to vote, the Left and the Shortcons would have been able to be close to break even with the Alternative Rights preferred candidate Burhan Yigit in a local members plebiscite. When that vote was combined with that of the POSC where the Left plus the Shortcons have significantly more numbers that the Alternative Right the Shortcon annointed candidate would have won the preselection.

But whilst the Shortcons procrastinated in annointing their preferred candidate and State Office did nothing to start the pre-selection process, Burhan Yigit had an open field to marshal his numbers to turn to support him out in a local plebiscite at very short notice. This made a hastily organised local plebiscite more problematic for the ShortCons and by the time of Tuesday's Admin Committee almost impossible to inform voters and to conduct and to ensure adequate scrutiny of what was almost certain to be a voters roll with many doubtful inclusions given the candidate would have to be chosen by Mon Jan 31 to meet the VEC's nomination deadline of noon on Tues Feb 1.

The Alternative Right are correct when they strongly object to the failure to conduct a local plebiscite and the appointment of a non-party member as Labor's Broadmeadow's candidate, but there was no push from them to bring on a Special Administrative Committee to push for the preselection process to start.

It should also be noted that the candidate the Alternative Right is supporting , Burhan Yigit, leads the huge Coolaroo (Turkish) Branch - the biggest in the State. It is important to the Alternative Right that his numbers stay within their grouping.

#### *Stacking in Broadmeadows?*

Broadmeadows is heavily stacked with 95% of Party members renewed at the 2 lowest possible membership payment levels - in non-stacked electorates the proportion at these levels is around 50%.

Despite the large number of Party members on the books for Broadmeadows, volunteers from outside the electorate had to be brought in to ensure that all of the booths were staffed - and this was the Premier's electorate!

The Broadmeadows stacking is not confined to one section of the Party - there are several sources of stacks in Broadmeadows State electorate and no single entity controls the majority of votes. The existance of stacks has never been used as an excuse to exclude local plebiscites before (although, without admitting it, lack of enough stacks has - eg the last 2 upper house pre-selections in Victoria).

Only since the State election when they have finally realised that stacking has forced so many active members out of the Party that we can no longer staff booths or properly interact with our communities

have the factions finally accepted that the Party has to offer a greater role to its real members if it is to survive. But at the first test it the real members have again been betrayed and the failed fallback of appointing a high-flying non-party member to represent Labor has yet again been inflicted on the membership.

*If you are angry - what can you do?*

If you believe in what Labor should stand for **the worst thing you can do is resign** from the Party - It makes one person less calling for change from within and gives even greater power to the stackers and the players.

I believe that, despite this appalling preselection decision, change for the better is imminent and the more members express their displeasure to about this decision (and the exclusion of members even being informed of their right to nominate for pre-selection) and other undemocratic aspects of our Party, the greater the chance of real change.

You can email the Victorian Administrative Committee at [info@vic.alp.org.au](mailto:info@vic.alp.org.au) and the National Executive at [info@cbr.alp.org.au](mailto:info@cbr.alp.org.au) .

But make your protests as wider if you are able.

Eric Dearthcott  
(Vic ALP Independents Secretary)  
0419 357 192