

Meta Department of the Guardians

Audit review into the Commonwealth Party Internal Ballot on Leadership Matters

Conducted on 29/03/2022 by Guardian Youma

Requested by Commonwealth Party Chairman 12MaxWild and Australian Electoral Commission Deputy Griffonomics

As approved by the Moderation Team

STATEMENT OF FACTS

On the 28th of March 2022, it was resolved by a resolution of the Commonwealth Party National Executive Council (otherwise referred to as CPNEC) that a vote of no confidence was to be held in the position of Leader, presently held by r/buttsforpm / Russian Hacker. Under the provisions of the Commonwealth Party Constitution (otherwise referred to as CPC), a ballot was conducted by the Australian Electoral Commission per the request of the CPNEC due to a conflict of interest occurring with the incumbent party chairman being the member to initially move a vote of no confidence. This ballot was announced publicly at 16:16 on 28/03/2022, and ran for 24 hours per the announcement by the AEC. The AEC began the counting of the ballots at 19:11 on 29/03/2022, with the result in the affirmative to continued leadership being announced at 21:13 on 29/03/2022 as a 7-6-1 vote.

CONSTITUTIONAL DEFINITIONS

The Commonwealth Party has a Leader, a Deputy Leader, a Party Chairman, and the National Executive Council as part of the leadership apparatus. The NEC is appointed by the party chairman on advice of the leader, and there are 4 NEC members plus the leader, deputy leader, as well as chairman and deputy chairman for a total of 8 CPA NEC members.

The Party Chairman is elected by the party once every two months, and can be removed by a vote of no confidence requiring the unanimous vote of the NEC and a majority of regular party members; they cannot run, and the election will be held after 48 hours. The leader is elected upon the resignation, removal or death of the previous leader. To remove the leader a vote of no confidence must be filed to the party chairman and must be seconded by two appointed NEC members. There will then be an election between 2 and 7 days of the VONC, at the discretion of the party chairman. The leader can run in a leadership election. The deputy leader is elected once every 4 months, and can be removed by the same process as the leader. If a VONC fails, there is a grace period of one month.

The party chairman is responsible for all internal party affairs and is responsible for calling NEC meetings. All elections are conducted by the chairman in confidence unless there is a conflict of interest in which the AEC will be involved.

INITIAL AUDIT

On the basis of the 24 hour limit to the internal ballot, the initial audit found there to be some issues with the count of the result. In the initial audit, it was found that there were six verified votes in the affirmative, four verified votes in the negative, and one abstention. Against the initial list, one vote was found to have been changed after the close of the voting process, one vote was found to have been cast after the close of the voting process, and one vote was found to have not been correctly verified. Overall, 42 ballots were counted, with 11 found to meet all verification criteria.

STRUCTURAL QUESTIONS

How is a vote of no confidence conducted under the CPC?

A vote of no confidence of a member within the Leader position is found within paragraph two of the CPC;

> *"To remove the leader a vote of no confidence must be filed to the party chairman and must be seconded by two appointed NEC members. There will then be an election between 2 and 7 days of the VONC, at the discretion of the party chairman. The leader can run in a leadership election. The deputy leader is elected once every 4 months, and can be removed by the same process as the leader. If a VONC fails, there is a grace period of one month.*
>
> *The party chairman is responsible for all internal party affairs and is responsible for calling NEC meetings. All elections are conducted by the chairman in confidence unless there is a conflict of interest in which the AEC will be involved."*

The CPC outlines the difference between the initiation of a vote of confidence, and a vote of no confidence itself through the line "If a vonc fails, there is a grace period of one month". It is therefore found that the practice for votes of no confidence within the Commonwealth Party is for the initiation to be declared by a petition submitted to the Party Chairman seconded by two appointed CPNEC members. Once this initiation process has been verified, a formal vote of no confidence vote must be held within the party membership per the practices of normal leadership election, thus requiring 48 hours for the vote to run. This ballot is to be run by the chairman in confidence per paragraph 3 of the CPC, "unless there is a conflict of interest in which the AEC will be involved".

How is a CPNEC VONC Initiation conducted?

Per the previous decision, the conducting of a CPNEC VONC must occur within these conditions under the CPC:

> *"To remove the leader a vote of no confidence must be filed to the party chairman and must be seconded by two appointed NEC members."*

Under Paragraph 1 of the constitution, the executive structure of the Commonwealth Party is outlined as:

> *“The Commonwealth Party has a Leader, a Deputy Leader, a Party Chairman, and the National Executive Council as part of the leadership apparatus. The NEC is appointed by the party chairman on advice of the leader, and there are 4 NEC members plus the leader, deputy leader, as well as chairman and deputy chairman for a total of 8 CPA NEC members.”*

Per this discretion, it is found that the Leader, Deputy Leader, Chairman, nor Deputy Chairman may not be counted as a seconder in the initiation process. No CPNEC member may second their own proposal, however any CPNEC member may make the initial proposal.

PROCESS CONDUCT QUESTIONS

Was the initiation ballot within the CPNEC valid?

As verified by the Chairman of the Commonwealth Party, the initiation ballot for the vote of no confidence was moved by 12MaxWild, and seconded by Frosty and Tbyrn. As tbyrn is considered an elected member of the CPNEC, rather than an appointed member, it is found that the initiation ballot did not meet the threshold set out in the Commonwealth Party Constitution.

Was the Vote of No Confidence ballot held correctly?

The vote of no confidence ballot was held in a secure and valid way by the AEC. There were three previously found issues with the counting, however this was recognised and not challenged. The VONC ballot was only run for a period of 24 hours, against the leadership election timeline of 48 hours, and is found to have not been run for a long enough period.

Were there any further issues?

No further issues were found in this audit. The AEC conducted themselves in a correct manner, and any issues relating to the conducting of the VONC ballot are surrounding confusing or contradictory language within the CPC. Final vote count not required.

FINAL VERDICT

It is hereby found that there were issues in the conducting of these proceedings due to the rushed nature of ongoing events. Both the initiation ballot and VONC ballot were found not to meet the required standard, and are both thus discarded. It is the verdict of the audit that the process should be restarted, and the instructions written in this document followed to ensure any controversy is avoided.

Hereby certified on 29/03/2022

Youma

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