

Submission of Alan Maxwell Menadue (contact details on cover note, via email)

Inquiry into the 2014 Victorian state election

Terms of Reference: The Electoral matters Committee – for inquiry, consideration and report no later than 1 December 2015 an inquiry into the conduct of the Victorian State election.

1. The key word is CONDUCT

The MAJOR problem and differentiator from the previous State Election of 2010 was the CONDUCT of the Pre-Polling Booths becoming a place to vote early regardless of reason.

2. The VEC has attempted to create new law through this practice – that the voter has now the convenience of voting on 11 days prior to the stipulated Election Day, plus Election Day, which is 12 days to vote. This CONDUCT now invalidates the Election Day as a single day – or does it?

3. I contend that the Constitution and its demand in the form of a Writ sets out a specific time frame for the Election and that the Conducting of the Election can only be validated if those CONDUCTING the process (the VEC) ensures that everyone follows this time frame. The Writ, regarding the Election Date, is very clear as it states unambiguously that a vote can only be cast on the Election Day.

4. The accepted interpretation by Statute that Postal Voting allows voting early is also incorrect by the Constitution and the Election Writ.

5. The new interpretation of Early Voting is also incorrect under the Constitution and the Election Writ

6. Summing up the Conduct of Early Voting: The Writ of the Election sets out specific dates for the CONDUCT of an Election. The Election Date in this Writ cannot be altered by the Electoral Act or by the VEC.

7. In Conclusion: The Early Voting Booths was not the only failure of CONDUCT in this 2014 Election, but it highlights an Election, and, on a broader note, a Governing system, that has lost sight of Democratic principles and its mandatory Constitutional requirements.

Sincerely,

Alan Maxwell Menadue

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