

**From:** Justin Sowden  
**Sent:** Fri, 9 Apr 2021 15:31:04 +1000  
**To:** Louise Parrott  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Hi Louise

S 22

Happy to discuss

**Justin Sowden | Senior Lawyer**  
Legal Services Section | Legal & Procurement Branch  
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**From:** Louise Parrott <Louise.Parrott@aec.gov.au>  
**Sent:** Thursday, 8 April 2021 2:20 PM  
**To:** Justin Sowden <Justin.Sowden@aec.gov.au>  
**Subject:** FW: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

FYI

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**From:** Tom Rogers <[Tom.Rogers@aec.gov.au](mailto:Tom.Rogers@aec.gov.au)>  
**Sent:** Thursday, 8 April 2021 2:13 PM

**To:** Alex Morris <[Alex.Morris@aec.gov.au](mailto:Alex.Morris@aec.gov.au)>; media <[media@aec.gov.au](mailto:media@aec.gov.au)>; Tim Courtney <[Tim.Courtney@aec.gov.au](mailto:Tim.Courtney@aec.gov.au)>; Louise Parrott <[Louise.Parrott@aec.gov.au](mailto:Louise.Parrott@aec.gov.au)>  
**Cc:** Executive Leadership Team <[ExecutiveLeadershipTeam@aec.gov.au](mailto:ExecutiveLeadershipTeam@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

OK – many thanks: Louise will also need to examine this.

**Tom Rogers | Electoral Commissioner**  
 Australian Electoral Commission  
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**From:** Alex Morris <[Alex.Morris@aec.gov.au](mailto:Alex.Morris@aec.gov.au)>  
**Sent:** Thursday, 8 April 2021 2:03 PM  
**To:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>; Tim Courtney <[Tim.Courtney@aec.gov.au](mailto:Tim.Courtney@aec.gov.au)>; Louise Parrott <[Louise.Parrott@aec.gov.au](mailto:Louise.Parrott@aec.gov.au)>  
**Cc:** Executive Leadership Team <[ExecutiveLeadershipTeam@aec.gov.au](mailto:ExecutiveLeadershipTeam@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Good afternoon all,

S 22

Kind regards,

**Alex Morris | Digital and Social Media Manager**  
 Communications Section | Digital Technology & Communications Branch  
 Australian Electoral Commission  
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**From:** Alex Morris **On Behalf Of** media  
**Sent:** Wednesday, 7 April 2021 12:43 PM  
**To:** Tim Courtney <[tim.courtney@aec.gov.au](mailto:tim.courtney@aec.gov.au)>; media <[media@aec.gov.au](mailto:media@aec.gov.au)>; Louise Parrott <[louise.parrott@aec.gov.au](mailto:louise.parrott@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Good afternoon all,

A quick FYI – Guardian Australia has now published [a full story](#) on the Laming matter.

I'm not seeing much additional detail from the earlier blog post.

Kind regards,

**Alex Morris | Digital and Social Media Manager**  
 Communications Section | Digital Technology & Communications Branch  
 Australian Electoral Commission  
 T: (02) 6271 4786 X: 21303 M: [REDACTED]



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**From:** Tim Courtney <[Tim.Courtney@aec.gov.au](mailto:Tim.Courtney@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 12:35 PM  
**To:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>; Louise Parrott <[Louise.Parrott@aec.gov.au](mailto:Louise.Parrott@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

We might caucus and have a verbal catch-up late this afternoon on this.

**Tim Courtney | First Assistant Commissioner**  
 National Executive | National Executive  
 Australian Electoral Commission  
 T: (02) 6271 4410 X: 21261 M: [REDACTED]



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**From:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 12:27 PM  
**To:** Tim Courtney <[Tim.Courtney@aec.gov.au](mailto:Tim.Courtney@aec.gov.au)>; Louise Parrott <[Louise.Parrott@aec.gov.au](mailto:Louise.Parrott@aec.gov.au)>  
**Cc:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Thanks Tim.

We'll provide a wrap-up on activity into the afternoon sometime – to a broad group. Enquiries received from essentially the full-range of outlets over the last hour or so. Worth noting, a Ch 9 journalist also offered us 'information' on the further pages as he's been looking at them all over the past week.

Cheers  
 Evan

**Evan Ekin-Smyth**

Principal Media Advisor  
Australian Electoral Commission  
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**From:** Tim Courtney <[Tim.Courtney@aec.gov.au](mailto:Tim.Courtney@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 12:23 PM  
**To:** Louise Parrott <[Louise.Parrott@aec.gov.au](mailto:Louise.Parrott@aec.gov.au)>  
**Cc:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Subject:** FW: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

For info

**Tim Courtney | First Assistant Commissioner**  
National Executive | National Executive  
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**From:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 11:51 AM  
**To:** Executive Leadership Team <[ExecutiveLeadershipTeam@aec.gov.au](mailto:ExecutiveLeadershipTeam@aec.gov.au)>  
**Cc:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

FYI: Follow-up enquiries from 7 & ABC have now both been provided the same response. Will continue to provide the same for others

**Evan Ekin-Smyth**  
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**From:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 11:40 AM

To: Tom Rogers <[Tom.Rogers@aec.gov.au](mailto:Tom.Rogers@aec.gov.au)>; media <[media@aec.gov.au](mailto:media@aec.gov.au)>; Executive Leadership Team <[ExecutiveLeadershipTeam@aec.gov.au](mailto:ExecutiveLeadershipTeam@aec.gov.au)>

Subject: RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Hi all,

Guardian Australia have [published our response](#) as part of their live news blog.

11m ago

11:27



Sarah Martin

The Australian Electoral Commission has confirmed that it will investigate Liberal National MP Andrew Laming over more than 30 Facebook pages that he operates without any disclosure of his involvement.

**As reported by us on Tuesday,** Laming has set up dozens of Facebook pages under the guise of community and news groups, including one that poses as a fake education institute.

According to the Australian Electoral Commission, political authorisation is required for “information that is a matter communicated, or intended to be communicated, for the dominant purpose of influencing the way electors vote in a federal election”.

**“** *This includes, but is not limited to, a communication that expressly promotes or opposes a candidate, political party, member or senator.*

The disclosure laws, which were updated following the 2016 election, also explicitly include social media posts, requiring authorisation details either in the message or through the page’s biography details.

Laming is currently on leave for clinical and empathy counselling following revelations that he stalked two Brisbane online and took a cover photograph of a woman’s bottom with her underwear exposed.

Kind regards,

**Alex Morris | Digital and Social Media Manager**  
Communications Section | Digital Technology & Communications Branch  
Australian Electoral Commission



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**From:** Tom Rogers <[Tom.Rogers@aec.gov.au](mailto:Tom.Rogers@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 11:27 AM  
**To:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>; Executive Leadership Team  
 <[ExecutiveLeadershipTeam@aec.gov.au](mailto:ExecutiveLeadershipTeam@aec.gov.au)>  
**Subject:** RE: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Thanks, Evan – we'll need to make sure we move pretty smartly with this.

**Tom Rogers | Electoral Commissioner**  
 Australian Electoral Commission  
 T: (02) 6271 4400 X: 21000



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**From:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 11:25 AM  
**To:** Executive Leadership Team <[ExecutiveLeadershipTeam@aec.gov.au](mailto:ExecutiveLeadershipTeam@aec.gov.au)>  
**Cc:** David Lang <[David.Lang@aec.gov.au](mailto:David.Lang@aec.gov.au)>; Bernadette O'Meara <[Bernadette.OMeara@aec.gov.au](mailto:Bernadette.OMeara@aec.gov.au)>;  
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**Subject:** FYI: Guardian response re Laming FB authorisation [SEC=OFFICIAL]

Hi all

The below response has now been sent to The Guardian. The response simply confirms our investigation of the matter and otherwise provides minor extraneous details re application of the law. Receipt has been acknowledged & we can expect a follow-up article very soon with AEC investigation as a lead.

#### Twitter activity

There is a reasonable level of Twitter activity on the matter off the back of tweets like the ones below. The general response in relation to the AEC – from members of the public - is a mixture of “don't expect AEC to do anything”, “the AEC is biased so won't take action” and “they don't have any power to take action”. As is standard on the channel – purple signs have been raised a number of times.

We will monitor Twitter traffic and provide some select responses – based on the below enquiry response.

Cheers  
Evan



**Virginia Trioli** @LaTrioli · 17h

What. A. Story.



180 584 1.7K



**Sarah Martin** @msmarto · 20h

New from me: Liberal MP Andrew Laming has set up dozens of Facebook pages to attack his opponents, including a fake "institute" and phoney community news pages



122 671 1.2K

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**From:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Sent:** Wednesday, 7 April 2021 11:04 AM  
**To:** <sup>s 47F</sup> [REDACTED] <[\[REDACTED\]@theguardian.com](mailto:[REDACTED]@theguardian.com)>  
**Cc:** media <[media@aec.gov.au](mailto:media@aec.gov.au)>  
**Subject:** RE: Laming Facebook pages without political authorisation [SEC=OFFICIAL]

Hi <sup>s 47F</sup> [REDACTED]

Apologies for not getting back to you earlier.

As discussed yesterday afternoon, the AEC looks at information either referred to us or available in the public domain - including through media coverage. If there is a potential application of the *Commonwealth Electoral Act 1918* then we follow up on that information.

With regard to the Facebook activity mentioned in your article published yesterday, I can confirm that we will be investigating the requirement for electoral authorisation.

Again as discussed – and as outlined in our [electoral backgrounder on authorisations](#) – a key purpose of the authorisation laws is to allow voters to know who is communicating. To require an authorisation statement the communication needs to be deemed 'electoral matter'. I've pasted a screen shot from the electoral backgrounder that provides a dot point around unpaid content by disclosure entities being one of the tests for determining if a piece of communication is 'electoral matter'.

*Q. What is an electoral communication?*

**A.** An electoral communication is the communication of 'electoral matter':

- in the form of 'paid for' advertisements, including where all or only part of the distribution or production of the advertisement was 'paid for';
- in the form of promotional items, such as stickers, fridge magnets, leaflets, flyers, pamphlets, notices, posters and how-to-vote cards; or
- by, or on behalf of, a disclosure entity, that is intended to affect voting in a federal election.

Cheers  
Evan

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 Australian Electoral Commission  
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From: [REDACTED] s 47F @theguardian.com>  
 Sent: Tuesday, 6 April 2021 5:04 PM  
 To: media <media@aec.gov.au>  
 Subject: Laming Facebook pages without political authorisation

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Hi Evan, as discussed, here is the story,  
<https://www.theguardian.com/australia-news/2021/apr/06/liberal-mp-andrew-laming-used-dozens-of-facebook-pages-to-promote-lnp-and-attack-opponents>

And have a look at [REDACTED] s 47F Tweets which have pulled out some examples from some of the pages which he says suggests disclosure required.  
[https://twitter.com/\[REDACTED\] s 47F /status/1379303705447591936?s=20](https://twitter.com/[REDACTED] s 47F /status/1379303705447591936?s=20)

Also keen to know if paid advertising makes any difference or not to the requirement of disclosure.

Thanks so much.

--

[REDACTED] s 47F  
 Chief political correspondent  
 The Guardian | Australia

[REDACTED] s 47F  
 [REDACTED] s 47F @theguardian.com

-----  
 twitter [REDACTED] s 47F  
 -----

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