

## Evidence of misleading an elector/s during a referendum period.

The offense being reported is the deliberate act to mislead me (and others) as electors in a referendum to influence me to vote a certain way in the referendum, through a false and misleading published statement, during the referendum period (starting on Sept. 11, 2023 when the writ was issued).

Section 122(1) of the Referendum (Machinery Provisions) Act 1984, No. 44, 1984, Compilation No. 38 [1] states: "A person shall not, during the referendum period in relation to a referendum, print, publish or distribute, or cause, permit or authorize to be printed, published or distributed, any matter or thing that is likely to mislead or deceive an elector in relation to the casting of a vote at the referendum."

A transcript of an interview by the Australian Prime Minister, Mr. Anthony Albanese, as per the official website of the PRIME MINISTER OF AUSTRALIA [2], published and dated 18 September 2023, quote Mr. Albanese to have said the following:

*"...we should acknowledge our history as a mature nation and acknowledge first peoples. Every other country in the world that was a former colony has done so."*

This is a misleading statement in that it creates the illusion that Australia is the last remaining country which has been a prior colony to acknowledge first peoples.

The Prime Minister further said:

*"... it's just an advisory committee is being asked for. An advisory committee that will only have the power of its ideas, it won't change the way Parliament works or government functions, just an opportunity to listen to advice by people who are directly affected."*

This statement is also misleading in that the final capacity and powers of THE VOICE TO PARLIAMENT is yet to be determined as per the Constitution Alteration (Aboriginal and Torres Strait Islander Voice) 2023 Bill [3] passed by Parliament which states and will amend The Australian Constitution by adding the following:

*"Chapter IX—Recognition of Aboriginal and Torres Strait Islander Peoples*

*129 Aboriginal and Torres Strait Islander Voice*

...

*(iii) the Parliament shall, subject to this Constitution, have power to make laws with respect to matters relating to the Aboriginal and Torres Strait Islander Voice, including its composition, functions, powers and procedures."*

From this, it is clear that the "powers" THE VOICE will have are yet to be determined and therefore any statement that it is, or will only have "advisory" capacity, is demonstrably false, misleading and an attempt to influence me (and others) to vote "YES" in the referendum, thinking that THE VOICE will only have "advisory" capacity, when in reality it still could be given any powers, powers unknown and undefined.

This is clearly in violation of Section 122 of the Referendum (Machinery Provisions) Act 1984 and taking into consideration the position Mr. Albanese holds and the influence his statements have on electors, like myself, is of substantial significance and that Mr. Albanese should be charged with the offence of misleading an elector and that he can not claim not to have known that this would mislead electors, due to his position and required subject matter knowledge.

According to News.com.au in an article published on September 28, 2023 [4], Mr. Albanese reiterated the misleading statement that THE VOICE would only be “advisory” and quoted him to have said the following during the referendum period: “Australians will head to the polls on October 14 to have their say on whether to enshrine an Indigenous advisory body, the Voice, in the Constitution.”, and “There’s nothing scary about having a group of people who can just give advice on matters that affect them,” Mr Albanese said.

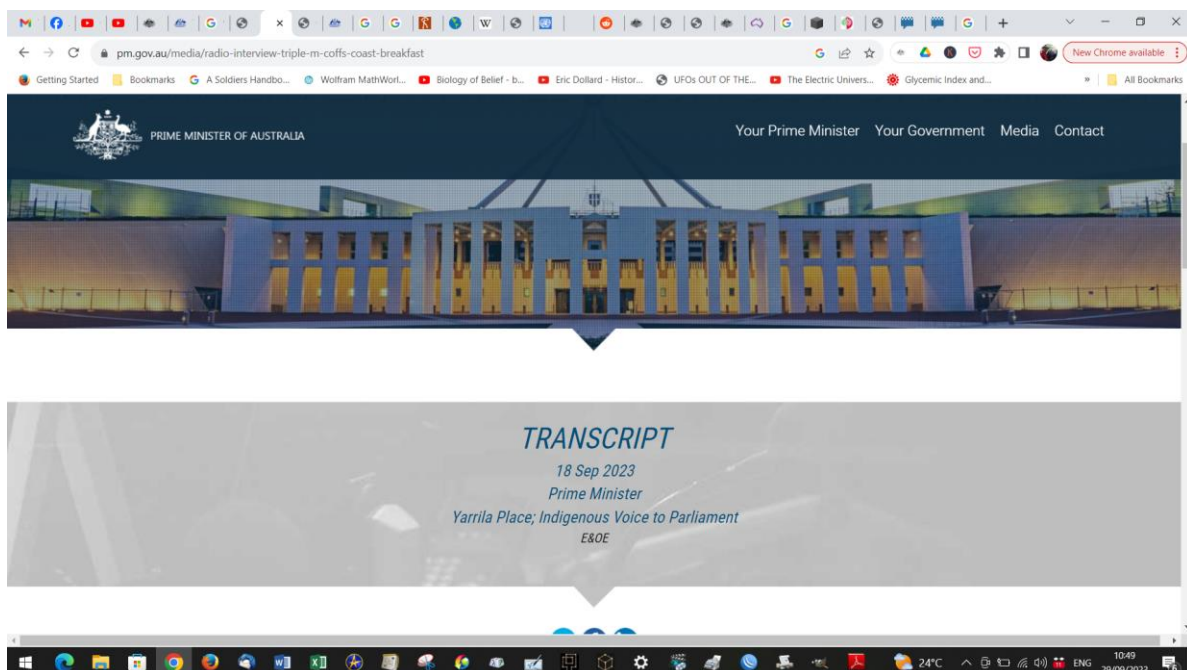
I would like to reiterate that this is misleading in that the amendment to The Constitution, should the Referendum be passed by a “YES” vote, will be such as the powers awarded to THE VOICE are yet undetermined and therefore claiming that it will be only advisory is completely false and misleading and an attempt to influence me to vote “YES” on a false pretext that the powers awarded to THE VOICE have been limited to being advisory when it has not.

It is clear that Mr. Albanese has repeatedly attempted to mislead and influence me to vote in favour of THE VOICE by making the above stated misleading statements publically and have it published on at least the official website of the PRIME MINISTER OF AUSTRALIA.

## References

- [1] <https://www.legislation.gov.au/Details/C2023C00069>
- [2] <https://www.pm.gov.au/media/radio-interview-triple-m-coffs-coast-breakfast>,
- [3] <https://www.legislation.gov.au/Details/C2023B00060>
- [4] <https://www.news.com.au/finance/work/leaders/anthony-albanese-says-aussies-can-care-about-voice-and-costofliving-pressures-at-the-same-time/news-story/6c2c41dd8c449232f2998fcdb164596f>

## Screen shots of published statements



attraction for people to come from around the country and indeed from around the world, for international visitors as well. We know that the Coffs Coast is such a beautiful place, I've spent a fair bit of time there over the years and you're very lucky, your listeners, to be enjoying it and don't take it for granted because it is indeed a wonderful part of Australia.

**CHABAUD:** We know it, we know it. Well, it's great to have you here and yes, so many smiling faces, I think a lot of people were really blown away by it. So, Yarrila, definitely something worth checking out, maybe next week with the school holidays, take the kids. So, the other thing we want to talk about, of course, is a referendum, Anthony Albanese. Now, we have today to enrol to vote, eight o'clock tonight local time, is when that wraps up, if you're not enrolled, which you have to be for the referendum. Now, there's not long to go, but there's something I want to put to you. Obviously, there's been a lot of misinformation and a lot of stuff going out that is putting fear into a lot of people. That's a bit of a vibe that we're getting. And so, I obviously know which side of the camp you're on, if you were on the Coffs Coast right now, walking down the esplanade and someone came up and said, 'You know, I'm just not sure. I just don't know quite how it works and I've heard some negatives but I've heard some positives.' What could you say to them in 30 seconds or so that would clear the air?

**PRIME MINISTER:** What I'd say is, this is a really simple proposition to recognise our history, that our country didn't begin in 1901 with Federation and we left off the oldest continuous culture on earth, and we should acknowledge our history as a mature nation and acknowledge first peoples. **Every other country in the world that was a former colony has done so. That's the first point. And secondly, is it just an advisory committee is being asked for.** An advisory committee that will only have the power of its ideas, it won't change the way Parliament works or government functions, just an opportunity to listen to advice by people who are directly affected. And so if I want to know something about Coffs Harbour, it's probably a pretty good idea that I ask people in Coffs Harbour what they think, rather than just decide from Canberra. And that is essentially what this is, asking people what they think, Aboriginal and Torres Strait Islander people, about matters that affect them, so we get better results. And at the end of the day, too, it's about the fair go, simple as that. Australians are fair people. This is a fair thing to do. It won't change most people's lives, but it just might make the lives better for people who are very disadvantaged, which Indigenous Australians are.

**CHABAUD:** Well, I love how you put that, as you know, if you want Coffs Harbour to be represented, you have to come and check out what's happening in Coffs Harbour and we love our voice being heard in Canberra. So, that's a really good parallel. Albo, look, one question without notice - is Jodie tired of you playing 'You're the Voice' in the car every five minutes? Does she say, 'Darling, you're not at work, can we play something else?'

**PRIME MINISTER:** Well, I've got to say, it does play a lot in the background memes and of course it's on the news all the time too. But it's an anthem. It's such a positive, uplifting song. And so, for John Farnham, it was great that he lent his voice to it. And, as well, there's a great Paul Kelly song, too, 'If not now, then when?' And

Deals of the Week 10:52am Friday, September 29th, 2023

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# Anthony Albanese says Aussies can care about Voice and cost-of-living pressures at the same time

Prime Minister Anthony Albanese has denied he's already raised the white flag with just weeks to go before the Voice referendum.

**Courtney Gould**  
 2 min read September 28, 2023 - 10:44AM NCA NewsWire

But he's denied he's already raised the white flag by conceding if the Voice does fail at least Indigenous disadvantage has been put the centre of the national conversation.

"Not at all. I'm very hopeful that the Voice will be carried," he said.

Australians will head to the polls on October 14 to have their say on whether to enshrine an Indigenous advisory body, the Voice, in the Constitution.



Anthony Albanese says he believes the Voice can still be successful. NCA NewsWire / David Mariuz

"There's nothing scary about having a group of people who can just give advice on matters that affect them," Mr Albanese said.

Support for the Voice has slumped in recent months. The most recent Newspoll suggested the Yes vote would fail 36 to 56 per cent.