

Part 6 Preselection of candidates

25 Preselection process

Preselection of candidates will involve the appointment of a search team to identify potential candidates, the nomination of interested candidates, an interview process and a voting process by all members of the ACT Greens.

26 Search team

26.1 The search team is treated as a working group of the ACT Greens as defined in section 20 of the constitution.

26.2 The search team must identify potential candidates to be involved in the preselection processes for federal or Territory elections.

Membership

26.3 The search team must have at least 3 and at most 7 members, whose members skills and experience should include:

26.3.1 experience in, or knowledge in, preselection or search processes of the ACT Greens or other Greens organisations; and

26.3.2 having good links and networks in the party and the broader community to assist in identifying potential candidates; and

26.3.3 representing gender equity of membership.

26.4 Search team members should not be considering nominating for preselection or participating in the interview team.

Scope

26.5 The search team will only operate from its appointment until the end of the nomination process for the election preselection process for which it has been appointed.

Activities

26.6 The search team will investigate the membership of the ACT Greens and other suitable applicants who are not yet members of the ACT Greens.

26.7 When encouraging people to nominate, the search team must make it clear that the approach does not constitute endorsement of any kind.

26.8 The search team must prepare an information sheet for the preselection process so that applicants have a clear idea of how the process works, including what are the rules and timelines.

26.9 In considering people to encourage for nomination, the following aspects should be taken into account:

- integrity
- energy
- networking, communication and teamwork skills
- commitment to Green ideology
- policy knowledge
- public profile
- achievements.

26.10 The search team must tell applicants about:

- the rules for membership of the ACT Greens; and
- ACT Greens constitutional rules relating to preselection and its processes; and
- the timetable for preselection; and

- any other important matters.

Working arrangements

- 26.11 The search team will determine its working arrangements in consultation with the management committee and the election strategy working group.
- 26.12 The search team will be given access to the membership database for the duration of the search process.
- 26.13 Any expenses to be incurred must be authorised in advance by the management committee.

Reporting mechanisms

- 26.14 The search team must report regularly to the management committee, or the election campaign team if it has been formed.

27 Nomination

Nomination process

- 27.1 An applicant for preselection must:
- be nominated by at least 4 members of the ACT Greens; and
 - sign an application form, to be lodged with the returning officer by the closing date as determined by a special general meeting; and
 - provide additional documentation as outlined in this bylaw; and
 - agree to comply with other requirements as outlined in the nominations process.

Eligibility to nominate

- 27.2 Each nominee must:
- be a financial member of the ACT Greens at the time of nomination; and
 - identify any potential impediments to the nominee's eligibility to stand for office, particularly noting requirements for the federal parliament under s 44 of the Australian Constitution.

28 Additional documentation required by nominees

Candidate statements

- 28.1 Each nominee must provide a candidate statement that:
- outlines the nominee's interest in nominating, achievements and alignment to the values to the ACT Greens; and
 - notes the length of the nominee's membership with the ACT Greens and the electorate in which the nominee resides; and
 - must not be more than 1 side of an A4 page; and
 - does not refer negatively to other nominees or contain endorsements.

National police check

- 28.2 Each nominee must provide a AFP national police check no older than 3 months.
- 28.3 A nominee may apply for reimbursement of the application fee. Applications for reimbursement should be referred to the Treasurer and include a tax receipt for the fee.
- 28.4 If the police check is not completed before nomination, the nominee must include evidence that a check has been applied for.

Probity checklist

- 28.5 Each nominee must provide a completed probity checklist responding to questions outlined in this checklist.

Prospective candidate agreement

- 28.6 Each nominee must include a signed prospective candidate agreement that is provided as part of the nominee pack, which includes at a minimum the content of the relevant template in subsection 31.1.
- 28.7 The election campaign team or election strategy working group may add content to the prospective candidate agreement concerning expected conduct during an election campaign.

Expectations of nominees

- 28.8 Each nominee must be available to engage with the interview team, participate in additional vetting inquiries and for membership activities such as ‘meet the candidates’ events before the preselection ballot is taken.

29 Interview team

- 29.1 The interview team is treated in the same manner as a working group of the ACT Greens as defined under section 20 of the Constitution, noting that meetings will mostly be held in camera.
- 29.2 An interview must undertake a process to assess the suitability of potential candidates for preselection for the ACT Greens.
- 29.3 The role of the interview team is to undertake probity checks and to provide a view on the suitability of nominees as preselected candidates within the bounds of those probity checks.

Membership

- 29.4 The interview team must have at least 3 and at most 5 members, whose members skills and experience should include:
- members with an understanding of the ACT Greens and its aspirations in relation to this election
 - members with some experience in preselection or interview processes of the ACT Greens or other Greens organisations
 - represent gender equity of membership.

Scope

- 29.5 A member who intends to nominate for preselection cannot be member of the interview team.

Probity checks

- 29.6 The interview team will take on the role of undertaking a probity check in relation to potential nominees. This check is separate to an eligibility check for nominees in relation to requirements under the Australian Constitution and federal and territory electoral acts.
- 29.7 This probity check will include an investigation of a range of issues that may cause an issue for the ACT Greens. Issues that should be probed include:
- any company directorships
 - previous affiliation or with other political parties

- Any membership, affiliation, investment, shareholding or other interest in businesses that may impact on the ACT Greens if the individual were a public office holder
 - any criminal convictions, the nature of these and their relevance to a potential public role with the ACT Greens
 - any other offences, including traffic convictions, apprehended violence orders or the like that may be relevant to the nominees candidature
 - any activities that may impact on eligibility including bankruptcy (either personally or in relation to businesses that people may be associated with)
 - any inquiries, investigations, charges or proceedings which if made public could cause personal embarrassment or embarrassment to the ACT Greens
 - any relevant verbal or written statements on the public record or in social media that if made known would bring personal embarrassment or embarrassment to the ACT Greens.
- 29.8 These inquiries will include a probity checklist provided by nominees at time at nomination, the police check provided at time of nomination, investigation at point of interview, and separate investigation and inquiry by the interview team (for example, internet searches, referees checks, etc).
- 29.9 The interview team should make a finding on all potential nominees regarding whether the nominee is suitable or not suitable on these grounds of probity only. This finding should be made by consensus. Should consensus not be achieved, this must be declared to the membership.
- 29.10 The interview team shall only make a recommendation of not suitable on the basis of:
- a nominee refuses to cooperate with the interview team in relation to probity checks; or
 - fails to comply with any conditions outlined in the relevant code of conduct forms; or
 - fails to comply with any conditions outlined in the candidate agreement; or
 - probity checks identify serious criminal history that is relevant to a nominee's candidature, extensive engagement with other political parties or organisations that is at odds with the values of the ACT Greens or fails to comply with any condition imposed upon the nominee in relation to their nomination
- 29.11 if the interview team deems the matter to be so serious as to damage the party's electoral opportunities this should be identified in its interview team report.
- 29.12 Nominees must be made aware that the interview team is undertaking probity checks. A nominee will be informed as soon as practical of any decision of the interview team in relation to their nomination.
- 29.13 If the interview team is considering a recommendation of non suitability due to probity concerns, or making comment in the interview team report due to findings flowing from the probity checks:
- 29.13.1 the nominee must be informed and provided the opportunity to provide further information, or a statement addressing the concerns of interview team; and
- 29.13.2 the interview team must prepare a document setting out the reasons for the decision and make this available to the nominee.
- 29.14 The interview team will consider any response from the nominee in making a final decision. A final decision will be made within 48 hours of receipt of any response from the nominee. If the nominee fails to provide a response, the original decision will stand.
- 29.15 Decisions of the interview team in relation to probity:
- will be reported to the relevant returning officer and the nominee within 24 hours of the decision; and
 - may be appealed to the ACC

- 29.16 A nomination for any position is considered confidential until the nominations close and the interview team has completed its work. Until that time nominations may be withdrawn without prejudice.

Confidentiality and record keeping

- 29.17 All records in relation to the making of a decision in respect of a probity decision shall be kept securely and separately for a period of 5 years, provided that any authorisation to obtain a police report and accompanying appropriately certified copies of identification will be securely destroyed as soon as they are no longer needed. The secretary will have the responsibility of safe archiving and custody.
- 29.18 All members of the interview team will be responsible for permanently deleting any electronic copies they hold of documents related to probity decisions within 1 month of the election with respect to which the probity decisions related.

Suitability assessment: interview process

- 29.19 In addition to undertaking probity checks, an interview team will conduct interviews with all applicants for preselection and assess each applicant for preselection, whether as a lead candidate or a support candidate.
- 29.20 Nominees must not be ranked through the interview process but this process shall be used to provide further information to members to assist with their consideration of candidates.
- 29.21 The following aspects should be explored, with qualitative information recorded regarding strengths of candidates to assist members in their consideration of suitable candidates in the following areas:
- past campaigning history and confidence in engaging with campaign issues
 - public speaking and media experience and ability of nominees to engage with the community on greens related issues
 - prominence in the community, involvement in community organisations and including involvement in ACT Greens aligned issues
 - ability to work as part of a broader candidate team, including the ability to fulfil the specific roles of lead or support candidate

Budgetary considerations

- 29.22 The possible expenses for the interview team will be covered by the election campaign budget or appropriations from the management committee as appropriate.

Preselection information for members

- 29.23 The interview team will provide a short report to the membership which provides a short quality statement on each of the nominees in relation to their key strengths and any issues that may require development. This report should include a recommendation as a result of probity checks. The process in relation to this is outlined above.
- 29.24 Prior to the release to members of this report from the interview team, nominees will be made aware of any comments that may cause concern, given opportunity to correct factual inaccuracies, and the opportunity provided for a nominee statement responding to comments to be released at the same time as the interview team report if they so wish. All nominees will be provided feedback regarding the justification for comments made and any recommendations outlined.
- 29.25 The interview team must tell the applicants to address the following issues in their statements:

- commitment to Greens ideology
- public profile
- achievements
- membership history
- current electorate of residence.

Reporting

- 29.26 The interview team must report to the members with a written statement on each applicant in conjunction with the distribution of ballot papers for preselection.
- 29.27 This statement does not include a firm recommendation about ordering of the list of candidates but must represent their assessment of the applicants and avoid creating implicit endorsements of one eligible nominee over another.
- 29.28 The statements must be available to the corresponding applicants before they submit their own statements, which may include a response to the interview team report.
- 29.29 Statements from the interview team must be sent to all members together with the ballot papers for preselection.

30 Meet the nominee events

- 30.1 The interview team must be represented at the meetings mentioned in clause 30.9 of the constitution, which concerns meet-the-nominee events.
- 30.2 All candidates must be given equal opportunities to speak to the membership at meet the candidate events.

31 Preselection ballot

Before the ballot

- 31.1 The returning officer and search team will lead preparation of a nominee pack, containing all relevant agreements, processes and timelines for prospective nominees. This will be provided to members who are considering nominating for preselection. These will include members identified by the search team as well as any members who identify an interest. The nominee pack will be available to any member on request.
- 31.2 The search team may give sample anonymised candidate statements to each nominee at least 1 week before statements must be lodged for the ballot.
- 31.3 Party membership records must not be accessed or used for the purposes of preselection campaigning.
- 31.4 As party spokespeople, the convenors are authorised to speak to the media about the preselection. They may also coordinate any media responses relating to potential stories about the process or nominees, including arranging and distributing nominee details and statements to media representatives.

During the ballot

- 31.5 Any member who will be a full member on the final day of balloting is eligible to vote in the ballot.
- 31.6 A ballot paper must include an option to seek further nominations.
- 31.7 An online ballot will be sent to each member with a valid email address.
- 31.8 A paper ballot will be posted to each member with no email address on the member's record before the ballot opens.

- 31.9 A paper ballot may also be given to a member on request to the returning officer, with safeguards in place to ensure that no member votes twice.
- 31.10 Separate ballots will be conducted for Senate lead and Senate support positions.
- 31.11 After close of nominations, the returning officer will tell each nominee the names of the other nominees for the position for which the person has nominated.
- 31.12 At least 2 meet the nominees events should be held, incorporating different ways for members to meet and assess the nominees.
- 31.13 After nominations have opened, communication with candidates relating to official steps in the nomination process must take place through the returning officer.

After the ballot

- 31.15 As party spokespeople, the Convenors will coordinate the release of preselection results to the members and to the public.
- 31.16 After results have been publicly announced, any member may request the full results of the ballot from the returning officer.
- 31.17 In Legislative Assembly electorates, any published material featuring all candidates for that electorate will present candidates in the order in which they were preselected.
- 31.18 Some time after the preselection process concludes, a preselection review will be conducted that will include detailed descriptions of the steps in the process and suggested improvements, to be deposited with the secretary, and ECT convenor if one exists at the time.

32 Expectations of preselection nominees and election candidates

- 32.1 Preselection is an internal members process and nominees should not engage more broadly outside the party regarding their intention to preselect, without the explicit agreement of the convenor or election campaign team. In particular, nominees or others on behalf of nominees will not engage with the media or public around nomination. This includes using public facing social media platforms to publicise their nomination or dedicating funds to promote pre-selection content online. Private social media posts published by nominees about preselection would be expected to follow the guidelines relating to candidate statements, ie to contain no endorsements and no negative statements about other nominees.
- 32.2 Once preselected, candidates are expected to be available to participate in campaign activities, as directed by the election campaign team, and execute the campaign strategy as agreed by the election campaign team.

33 Expectations of elected federal parliamentary representatives

If elected to federal parliament as a representative of the ACT Greens, members are expected at all times to satisfy the eligibility criteria for candidates under electoral laws, including Australian constitutional requirements for citizenship, financial solvency, and the simultaneous holding of other offices.