**Glen Wayne Green**

19 Burradoo Crescent,

Carrington Park Estate,

Nowra NSW 2541

22 April 2020

Grand Secretary, UGL of NSW & ACT

RWBro Stephen Green PDGM

Dear Sir & Brother,

**Re Complaint re the Conduct and Election of Grand Master Held on 11 March 2020.**

Thank you for your letter of 16 April 2020 in response to my letter of 16 March 2020.

In your letter you have set out in some detail what appears to be admissions or concessions of serious breaches of the Constitution and Regulations. I note that the essence of your letter appears to be to make those admissions but then advise no action will be taken to either charge those responsible or remedy the result of those breaches. I find this difficult to comprehend as the Grand Master took an obligation to uphold the Constitution and Regulations and I would have thought he would be the first one to seek to resolve the issues I have raised previously and in this document.

I propose to respond to your letter in two parts. The first part will summarise what I understand to be the essence of your letter and to make brief comment and observations upon the same. The second part will be to formally set out my complaint as you have requested.

In regard to the second part I note I advised I would be lodging a complaint and protest on 16 March 2020, just some five days after the disputed election. It has now taken Grand Lodge a full month (16 April 2020) to prepare a four-page response in which I am required to then respond without delay.

**MY OBSERVATIONS ON GRAND LODGE’S RESPONSE TO MY INITIAL COMPLAINT/PROTEST**.

**Page 2 of your letter dated 16 April 2020**

***“Can an unsuccessful Candidate challenge the result for the Election of Grand Master?”***

I believe the answer is “yes.” We are all Freemasons and as such are all subject to the authority of the Grand Lodge. The Constitution defines the “Grand Lodge” as being:

“**1.2 Book of Constitution of Grand Lodge**

The Grand Lodge consists of the Grand Master, Past Grand Masters, Present and Past Grand Lodge Officers, and the Masters, Past Masters, Wardens and Master Masons of Private Lodges recorded in its books. This collective Body is styled the United Grand Lodge of New South Wales and the Australian Capital Territory of Ancient, Free and Accepted Masons, and is hereinafter referred to as the ‘Grand Lodge’

If the above is accepted, as it must be, then it must be also accepted that under 1.4 of the same Constitution, which states in part:

**1.4 Book of Constitution Power of Final Decision**

The Grand Lodge has the power of investigating, regulating, and deciding all matters relative to the Craft, ….”

This is a matter clearly “relative to the Craft,” how could the Election of Grand Master not be, and therefore able to be dealt with by the Grand Lodge in a Communication at the Sydney Masonic Centre, given there is no current provision for Regional Voting for anything other than the Election of Grand Master. This is a matter which should be put to the membership at a Communication and the members allowed to vote on the issue.

Further, as the Book of Constitutions and the Regulations are silent, as pointed out in your letter, then it must fall upon all interested Freemasons, meeting as a governing body as a Grand Lodge and at Grand Communication to determine the matter.

I note you agree with this proposition in your letter when you say, “There is no provision in either the BofC or AR that the declaration of the ballot is final and conclusive nor that such a declaration cannot be challenged.” In the absence of specific provision, it should be left to a Grand Communication to decide.

*“****Open to approach the Supreme Court” and “does not prevent a Brother from approaching the Court.”***

I have received similar advice but as a Freemason, I am obligated to pursue other means before moving to such resorts as suggested in your letter. My preference is to let Freemasons decide matters such as this, not Courts of law. As Masons, I believe, we should try to resolve matters between ourselves rather than taking our issues to the Supreme Court as suggested in your letter.

***“A further difficulty arises in respect to this election. A candidate is elected to the Office of Grand Master upon the Presiding Officer (i.e. the Brother ruling over the Grand Lodge at the relevant time) declaring that a “certain nominee has been elected by a majority of votes cast to the office of Grand Master”***

Whilst I was aware of this fact, I was not going to raise it as I had no intention of causing the Brother any embarrassment. As you have raised it, then I agree that the declaration was not made in accordance with the Book of Constitutions and so therefore at this point in time, indeed you are correct, and no Brother has been declared elected to the Office of Grand Master. The Book of Constitutions has not been complied as you correctly state. This is indeed another reason why this whole process requires addressing. For as long as this remains an issue, the legitimacy of who is Grand Master remains an issue and open. Again, as you have correctly stated the Grand Registrar, who was not the Presiding Officer attempted to address the confusion of the members which existed but as you have said, he was not the person appointed by the Constitution and therefore a doubt remains as to the legitimacy of who is Grand Master.

**Page 3 of your letter dated 16 April 2020:**

***“No formal list of Appointed Regional Voting Centres (as approved by the Executive Council) exists nor does any list of brethren appointed by the Executive Council to Preside over those Centres.”***

It is noted you agree that under the Constitution (6.1.5e), there is an **absolute requirement for the Executive Council to make such appointments**. As Chairman of the Executive Council it is the responsibility of the Grand Master himself to ensure but the Executive Council complies with the Book of Constitutions. The upholding of the Constitutions is indeed part of the obligation of the Grand Master. It is now admitted in your letter that this was not followed by the Grand Master? In reading your letter this appears to be the situation.

***“….however there is no requirement for the appointments to be formally listed.”***

This is a remarkable statement to make. It appears it is being suggested that “somebody unspecified” produced the list of preferred polling centres, which was never documented or formally adopted by the Executive Council and that somehow the Grand Secretary acted upon this “informal “ and unsanctioned list of Voting Stations for the election of Grand Master.”

Surely who produced the list and if it were approved would be shown in the Minutes of the Executive Council kept by the Grand Secretary and this question is therefore easily answered. Again, I request that portion of the Minutes of the Executive Council to be made known to myself and all Masons.

The most relevant question remains unanswered “who did authorise the voting stations in accordance with the constitution and Presiding Officers? “

“Scrutineers should be appointed in the Grand Lodge Room and arguably also at all regional centres by the Presiding Officer in each place.”

*“****With respect to Regional Centres that failed to open or did not operate …”***

No explanation has been given as to why the New Lambton Regional Centre, **which failed to open** was listed and advertised across the jurisdiction as a Polling Station, available to and operational for Mason's to vote at right up to and including the night of the election. If as explained in the letter, another Order was using this Regional Centre on the night then this would have been known for quite some time, at least weeks in advance, yet for some reason, (unrevealed in your letter) no explanation has been given as to why this was not made known to Masons who were expecting it to be open and available. As you have correctly pointed out in your letter a minimum of two carloads of Masons, possible more, went to this Masonic Centre to vote and were turned away.

Given that the end result of the Election claimed by the Grand Master is only 23 votes, then surely this is a major issue given the advice in your letter that at least “two known” carloads of Masons were turned away and denied the opportunity to vote at the election of a Grand Master. These Masons, (at least “two carloads”) were denied their right to vote in this election.

If the Presiding Officer Lambton was aware of the situation in regard to another Order using the building on the night surely this would have been conveyed to the Executive Council well in advance.

**Page 3 of your letter dated 16 April 2020:**

**“Scrutineers”**

I note your general comments in regard to Scrutineers but do not accept that the opinion expressed in your letter reflects the situation as set out in the Constitutions and Regulations.

The Book of Constitutions clearly states at 6.1.5:

“The meetings held at the several venues shall be deemed to form part of the Communication at which the ballot is held, and any votes cast at those venues shall be included in the overall votes cast”

Therefore, by virtue of 6.1.5 of the Constitutions, Scrutineers are required to be appointed by the Grand Master and further they must take the pledge specified in the Regulations. In particular, Regulation 6.1 states that Scrutineers are to take a pledge. This was not required or undertaken in Regional Centres.

To do otherwise is yet another contravention not of the Constitution but also the Regulations.

***“Packets of Ballot Papers and Attendance Sheets.”***

I note your advice that you have retained Ballot Papers and Attendance Sheets and offer to make them available to me. I would be grateful if you would convey to the Executive Council which is Chaired by the Grand Master my request to retain those papers pending the outcome of my challenge.

**FORMAL COMPLAINTS Re THE ELECTION OF GRAND MASTER HELD 11th MARCH 2020**

I wish to formally lodge a complaint and seek decisions and action in regard to a significant number of irregularities which occurred in respect to the conduct of the Election of Grand Master on 11 March 2020 in the nominated Country Polling Stations. I request the Executive Council to make decisions and to act in respect to each of the matters raised in this correspondence.

I would seek a specific response to each Ground and action requested from the Executive Council.

At the outset I would place on the record my support for the ideal and process of ensuring that every Mason in our jurisdiction, irrespective of where they reside, should be given the opportunity and right to vote for the Grand Master of their choice. This is a concept I believe in and I am committed too.

The Constitution and Regulations of our Grand Lodge set out the manner in which the procedure for the Election of Grand Master is to be carried out. Although I believe they do not go far enough to ensuring every Mason in this jurisdiction has the opportunity to vote, at this moment I accept they are the governing statutes which must be applied along with the directions of the Executive Council which in turn must be made in conformity with those statutes.

I also recognise that the Grand Master by virtue of his obligation is bound to uphold the Constitution and Regulations and look to his support to ensure the Constitution and Regulations are faithfully applied and upheld in respect to the election.

I have a number of grounds to my complaint which I set out hereunder:

**Ground 1 – Non-Compliance with Clause 6.1.5a of the Constitution.**

Set out below is a reproduction of Clause 6.1.5a: -

“Notwithstanding any other Regulation if there are more than two nominations for the office of Grand Master there will be a succession of ballots until one nominee achieves 50% plus one of all votes (including informal votes) cast (“a majority of votes cast”). The nominee receiving the least number of votes in a ballot will be eliminated from contesting the next ballot. “

The Constitution is clear on the number of votes required to be received by a Candidate for Grand Master i.e. “50% plus one of all votes (including informal votes)”. There is no other clause which determines how the Grand Master is to be elected in respect to voting.

At the election no account was taken of Informal Votes before MWB Robson was mistakenly and erroneously declared the successful candidate in breach of the Constitution. Indeed, on the instructions issued to presumably “Presiding Officers” we have all assumed were appointed by the Executive Council, it simply states that informal votes ***“can be included “not that they must be included.*** Therefore, how do the Masons of this jurisdiction know MWB Robson received “50% plus one of all votes (including informal votes)” as required by the Constitution? A legitimate doubt therefore hangs over the election result of MWB Robson’s as Grand Master.

This effectively questions the legitimacy of whether MWB Robson has actually been validly elected as Grand Master as he may well not have received the necessary 50% plus one of all votes cast including the informal votes.

All members of the Craft in this jurisdiction are entitled to an answer to this basic question.

This is as pointed out in your correspondence when you invited a challenge to the result be taken to the Supreme Court.

I ask for a direction from the Executive Council to immediately undertake a re-count of the votes cast to ascertain the correct number of informal votes in the presence of Observers from both MWB Robson and myself. I note your admission that this is a judicial/legal matter capable of being brought before the Supreme Court and therefore I rely upon the Executive Council to act pursuant to 8.2.3h of the Constitution.

**Ground 2 – Appointment of Presiding Officers**

Clause 6.1.5 of the Constitution clearly states that in the event of the Grand Master being a Candidate for re-election then **the Executive Council shall be** **responsible for the appointment of Presiding Officers at Regional Centres**. I understand the current make-up of the Executive Council is the Grand Master (MWB Derek Robson), Grand Treasurer (RWB Richard Collins), Grand Registrar (RWB Bill Whitby), Chairman of the Board of Management (RWB Les Hicks), Chairman of the Grand Charity (RWB Andrew Fraser) and the Deputy Grand Master or in his absence the Assistant Grand Master (RWB John Armfield). It was assumed the Executive Council complied with the requirements of the Constitution and appointed Brethren to undertake the role of Presiding Officers. The wording of your letter suggests that the Executive Council may not have done so.

I understand from the letter I received on 16th April 2020 that no formal record was made or recorded by the Executive Council of which Lodge Rooms and Masons were to be appointed as Regional Polling Centres and Presiding Officers. I find this somewhat astounding. Are the Masons of this jurisdiction to seriously accept as suggested that the Executive Council, met and decided where the Regional Centres were to be located and who were to be Presiding Officers and no official record was kept? No Minutes? No record at all? More importantly no discussion?

The question therefore is who suggested the location of the Regional Polling Centres and the Presiding Officers?

Further, Clause 6.1.5 also calls for those Brethren appointed as Presiding Officers to be **“notified by the Grand Secretary.”** This did not formally occur in breach of the Constitution. I understand none of the Presiding Officers received any form of notification by the Grand Secretary in breach of the Constitution and for such a serious and major event for our Craft. Indeed, I have been advised that just days out from the election Brethren were being called by office staff and advised that they would be receiving packets for the election and when questioned by these Masons as to why, they were advised because they were the “Presiding Officer” for various Regional Centres.

The list of Brethren nominated **by the Executive Council** has not been published and I note I have requested a copy of the same, but it has not been supplied at this stage and no reason has been supplied as to why this relatively simple request is not been actioned. This is important because who actually filled the role of Presiding Officer at the Regional Centres varies from those presumably were appointed by the Executive Council.

If this is the case, then the Regional Centre and its votes are invalidated.

I request the Executive Council to either declare all Regional Centres invalidly appointed and further that all votes from such Regional Centres be disregarded. Again, I draw attention to the powers conferred upon the Executive Council under 8.2.3 g and h of the Constitution.

**Ground 3 – Neutrality of Presiding Officers**

It is reasonable to assume by all Freemasons, that the Executive Council would appoint neutral Presiding Officers. Indeed, it is assumed the Grand Master as Chairman of the Executive Council would want to ensure, pursuant to his oath of Office to uphold the Constitution and Regulations, that all Presiding Officers were in fact neutral and the election result beyond reproach. This however appears at first sight to be under a cloud for reasons I shall elucidate.

I am informed that in Tweed Heads RWB Bruce Arnold (Chairman of the Grand Masters Task Team) acted as Presiding Officer despite **not being appointed by the Executive Council**.

At two other Regional Centres it appears a member of the Grand Masters Task Team was appointed as a Presiding Officer at both, which is of course physically impossible. There may be further examples identified if the list of appointed Presiding Officers were to be made available. I see no reason why this document is being with-held. If this Brother was not appointed as the Presiding Officer, then what possible explanation is there for Ballot Papers being sent to a member of the Grand Master’s Task Team?

At 9.44am on 28th February 2020 RWB Chris Craven sent an email to 36 Brethren forwarding to them “instruction documentation” for the 36 Lodge Rooms thought to be nominated by the Executive Council as Regional Centres. It was presumed in the absence of documentation to the contrary that the 36 recipients were nominated by the Executive Council as “Presiding Officers” otherwise why else would they receive these packets and information for “Streaming,” “password,” phone number for results, start time for broadcast and a detailed list of other procedures?” See Annexure A. More importantly, if they were not Presiding Officers appointed by the Executive Council then what was the purpose in sending unused blank Ballot Papers to these persons?

If the list of Presiding Officers presumed to have been approved and appointed by the Executive Council were to be provided as well as an examination of the records of the Non-Metropolitan Regional Centres to see who did actually act as Presiding Officers, then these issues could be addressed in more detail.

**I again call upon the Executive Council to release this information to the jurisdiction and myself.**

A simple crosscheck of who was appointed by the Executive Council to act as Presiding Officer against who actually did, and the email list is all it would take to clarify what actually happened on the night of the election in respect to Presiding Officers and if the Constitution was breached.

In addition, I raise a strong objection to members of the Grand Master’s, hand-picked and answerable only to him, Task Team being appointed as Presiding Officers or in the alternate to receive Voting Ballots and then distribute the same to other Masons to act in that capacity such in the case of RWB Tom Muir. It would be appreciated if the Executive Council could provide an explanation in respect to the issues raised in this Ground.

I again request the Executive Council to either declare all Regional Centres invalidly appointed and further that all votes from such Regional Centres be disregarded. I draw attention to the powers conferred upon the Executive Council under 8.2.3 g and h of the Constitution.

**Ground 4 – Appointment of a Brother as Presiding Officer simultaneously at two Regional Centres**

Presuming Annexure A is correct, then RWB Tom Muir, a member of the Grand Master’s Task Team, was appointed to act as Presiding Officer at two Regional Centres simultaneously.

RWB Muir is of course best known for his endorsements of the Grand Master on Facebook. I understand RWB Muir’s role on the Grand Master’s Task Team to be that of Social Media Officer for the Grand Master.

I seek an explanation from the Executive Council as the body who under the 6.1.5e appointed this Member of the Grand Master’s Task Team as to:

1. why RWB Muir received two sets of unused Ballot Papers;
2. if he was appointed a Presiding Officer then, if appointed by MWB Robson why, given his position with MWB Robson in clear breach of the Constitution;
3. if not a Presiding Officer appointed by the Executive Council then why he was supplied with two sets of unused blank Ballot Papers;
4. what became of the second packet of Ballot Papers sent to RWB Muir;
5. why was RWB Muir allowed to hand Ballot Papers onto one Mason and when he declined why that Mason was then allowed to hand the unused Ballot Papers onto a third Mason, all before the election and
6. who actually appointed RWB Muir, Member of the Grand Master’s Task Team as Presiding Officer at these two Regional Centres?

**Ground 5 – Members of the Grand Master Grand Master’s Task Team acting as Presiding Officers**

Similarly, presuming Annexure A is a list of the Presiding Officers appointed by the Executive Council then a question must be raised as to why RWB Bruce Arnold, Chairman of the Grand Master’s Task Team was permitted to act as Presiding Officer at Tweed Heads Masonic Centre.

In addition, I seek advice from the Executive Council as to if any other members of the Grand Master’s personal Task Team were sent or were involved in the distribution of Ballot Papers prior to the election.

I request some explanation in the name of transparency of government and as an explanation to a question being asked by many Masons across the jurisdiction as to why such prominent and vocal members of the Grand Master’s Task Team were given such major roles in the election process. Why is it, senior and neutral members of the Craft were not trusted and enlisted in their stead?

I appreciate it is open to the Executive Council to decline to respond but to do so will simply add to the considerable questions being already asked about these appointments.

**Ground 6 – Nomination of Regional Centres**

Clause 6.5.1 of the Constitution clearly states that Regional Centres are to be nominated by the Executive Council in cases where the Grand Master is a candidate for re-election. The Executive Council is further obligated by virtue of that Clause of the Constitution to nominate **Lodge Rooms** for Polling Stations on a certain criterion.

The criteria set by the Constitution is for selection **“based on membership and proximity to Sydney, such as: Northern Rivers, New England, Mid North Coast, Newcastle, Central Coast, Blue Mountains, Central West, Riverina, Wollongong, South Coast, far South Coast and the Australian Capital Territory and such other venues outside the Sydney metropolitan area, as the Grand Master (or if the Grand Master seeks re-election in a contested ballot, the Executive Council) may appoint.”** The presumed intent of this Clause is to appoint Regional Centres/Polling Stations evenly throughout the jurisdiction to afford all Masons the opportunity of voting. This certainly was the suggestion put to the membership when the proposal of Regional Voting was first put to the Grand Lodge in 2018.

In 2019 presumably by their actions, the Executive Council saw fit to nominate Regional Polling Centres at places such as Campbelltown, Blacktown, Penrith and other such Masonic Lodges for the benefit of the members. Members of this jurisdiction living and residing in such areas face undue hardship in attending the SMC to vote. They face the challenge of possibly needing to leave work early, face the difficulty of public transport timetables or metropolitan peak hour traffic followed by the further cost and obstacle of parking. Quite a number of members from these Centres have advised that they did not travel to the SMC due to the dangers of the Corona Virus. It was logical for Regional Centres such as I have nominated to again be opened this year but that was not followed. If the Executive Council could open these Regional Centres to assist Masons in 2019 then why could the same not be done in 2020?

I see that the Blue Mountains are specifically mentioned in the Constitution yet not one Regional Centre was nominated for that area whilst last year Penrith and Blacktown were. This yet again highlights a significant anomaly by the Executive Council in nominating certain Regional Centres but ignoring others the Constitution requires the Executive Council to specifically provide for.

I am of the opinion that this Clause 6.5.1e of the Constitution has not been complied with.

When the original list of Regional Centres was released both Wollongong and Nowra were not on the list. This is despite Clause 6.5.1e specifically mentioning Wollongong and the South Coast as examples of where Regional Centres should be. In contrast to this New Lambton and Wallsend Lodge Rooms were nominated as Regional Centres when they are just 11 minutes apart in travelling time according to Google Maps. Further, Cessnock (one Lodge meets in this Centre), which is 35 minutes away by Google Maps from Wallsend was also nominated as a Regional Centre/Polling Station.

Similarly, this year Narrabri (again with just one Lodge) for the first time was added as a Regional Centre when it is just 1 hour and 9 minutes away from Moree, which was another designated Polling Station. This is unusual when you consider say the plight of Masons in places such as Cobar (7 hours) and Bourke (7 hours 45 mins) away from Dubbo, their nearest Regional Centre/Polling Station.

I note that just prior to the election MWB Robson visited Moree, Narrabri and agreed to visit Cessnock just prior to the election.

Narrabri, Cessnock and Glen Innes by way of some examples were not previously nominated as Regional Centres/Polling Stations.

I seek an explanation from the Executive Council as to this anomaly with the nomination of Regional Centres/Polling Stations. As in the previous Ground the basis of this request is to provide some explanation in the name of transparency of government and as an answer to a question being asked by many Masons across the jurisdiction.

**Ground 7 – Attendance Sheets not used.**

In documentation sent to Presiding Officers, under Point 2, it clearly states that each Presiding Officer shall find in his packet a "Presence Sheet." The purpose of the Presence Sheet was presumably to have a roll of Masons actually in attendance at Regional Centres which could be cross checked against a number of ballots cast by members of the Craft present. In the letter I received it is stated that you are in possession of some Attendance Sheets.

Firstly, in none of the 36 Regional Centres does there appear to be any Presence Sheets actually supplied by Grand Lodge. Some astute Presiding Officers went to the trouble of hastily preparing makeshift Present sheets for use whilst others appear not to have used any. I have requested the access to the Presence Sheets, but this has not been granted.

I seek an explanation from the Executive Council as to why Attendance Sheets were not supplied to Regional Centres. This explanation is made on behalf of Masons of this jurisdiction who are seeking an answer in the name of transparency of government and as an explanation to a question being asked by many Masons across the jurisdiction.

**Ground 8 - Destruction of Unused Ballot Papers v Return of Unused Papers to Grand Lodge.**

Part of the formal instructions issued to Presiding Officers was to destroy all unused Ballot Papers rather than return them to Grand Lodge. This direction of the Executive Council in effect destroys the opportunity of crosschecking Ballots cast.

For example, if 100 ballot Papers were issued to a Regional Centre and 40 were used by Brethren present and the remaining 60 were returned to Grand Lodge then a form and check could be made when compared to the Presence Sheet for that Regional Centre, the used and unused Ballot Papers returned. This was not done.

It would also have eliminated the possibility of votes being substituted for one Candidate or the other.

The net result of this instruction is that at this point in time it is impossible to check ballots cast against the number of Masons present at the Regional Centres on the night of the Communication.

The absence of Present Sheets supports the proposition that it is impossible to say with any certainty how many Masons actually cast their ballot at Regional Centres.

Accordingly, I seek a direction from the Executive Council that in all cases where no formal Attendance Sheets supplied by Grand Lodge were used then all votes cast at such Regional Centres be declared void and not taken into account. This request is made pursuant to the powers conferred upon the Executive Council under 8.2.3 g and h of the Constitution.

**Ground 9 – Lack of Accountability and Cross Checking of Votes Cast.**

At the election conducted on 11 March 2020 there is a general lack of accountability in respect to the voting system employed on the night compounded by a failure to conform to the Constitution and Regulations.

Without Presence Sheets to know how many Masons were actually in attendance and the return of the unused Ballot Papers, considerable shadows are cast over the whole polling system in regional centres, indeed, enough to invalidate the same unless proven otherwise.

It would not have been difficult to have issued Presence Sheets as set out and required in the instructions given in writing to Presiding Officers. Similarly, as the “used” ballot Papers were required to be sent back to Grand Lodge, it would be just as easy to have had the unused Ballot Papers sent back as well so that a cross check could occur.

If this procedure had been adopted, then several cross checks would have authenticated the ballots cast. For example, again if 100 Ballot Papers were issued and only 40 were used and there was a Presence Sheet available with 40 names on it, and 60 unused Ballot Papers were all returned to Grand Lodge with the 40 used Ballot Papers, then the number of ballots cast that night would not be the subject of any doubt as now is the case.

I seek a declaration by the Executive Council, under the powers conferred upon the Executive Council under 8.2.3 g and h of the Constitution that all votes cast at Regional Polling Stations be disregarded for the purpose of determining the outcome of the election of Grand Master.

**Ground 10 - Attendance Sheets Not Returned to Grand Lodge**

It is assumed the Executive Council issued instructions for all Presiding Officers to maintain a “Presence Sheet.” This inference is drawn from the fact that it clearly states in the instructions emailed to each Presiding Officer that the procedures “are approved by the Executive Council.”

Whilst the executive Council has approved and directed that Presence Sheets be included in packs to Presiding Officers clearly this directive was not followed. No Presence Sheet was included, and it was left to Presiding Officers to make their own decisions regarding how to deal with the situation.

There is no doubt Attendance Sheets were necessary as:

1. Firstly, they were directed by the Executive Council.
2. Instructions were given to Presiding Officers to prepare the4 same and
3. Attendance Sheets were required by the Executive Council to be returned to Grand Lodge with the Ballot Papers.

The non-compliance with this procedure and contravention of the Executive Councils direction is clear breach which renders authenticating those in attendance at Regional Centres impossible.

Accordingly, all votes cast at Regional Centres where Attendance Sheets were not used should be declared invalid under Clause 6.1.5e of the Constitution or alternately the powers conferred upon the Executive Council under 8.2.3 g and h of the Constitution.

**Ground 11 – Failure of New Lambton Regional Centre to Open**

New Lambton Lodge Room was nominated and advertised as a Regional Centre/Polling Station. Therefore, members of the Craft would expect to be able to attend and vote at this particular Masonic Centre. It seems that just before the opening of the Grand Communication it became apparent that the New Lambton Centre would not open. It is not known how many Masons would have attended that centre only to be turned away.

Certainly, RWB Tom Muir, a member of the Grand Master’s Task Team who received the documentation for New Lambton has since advised the Grand Registrar that he was aware at some stage prior to the election that Centre would not open. No effort was made to advise Masons generally of this fact. No explanation is available as to why this did not occur.

In your letter you advise that it is “known” two carloads of Masons attempted to vote at New Lambton and were turned away. What is not known is how many more might also have tried.

Certainly, one prominent Mason in the area was required to dash across to Wallsend to cast his vote but how many others just went home or did not have sufficient time?

I seek advice as to how this situation could have occurred and in particular:

1. why did the Executive Council not make contact to ensure Lodge Rooms were available as soon as the Executive Council commenced consideration of nominating Lodge Rooms as Polling Stations?
2. why was the Executive Council not advised of the unavailability of the New Lambton Lodge Room prior to the night of the election?
3. whose responsibility was it to advise the Executive Council of the unavailability?
4. What action did the Executive Council take to ensure no Mason was disadvantaged by this closure or in other words why did the Executive Council not advertise the withdrawal of the New Lambton Lodge Room as a Polling Station prior to the night of the election?
5. I seek confirmation that RWB Muir was in fact the Presiding Officer appointed by the Executive Council for the New Lambton Lodge Room.
6. Why was the New Lambton Lodge Room nominated when Wallsend Lodge Room is just 11 minutes by Google Maps away?
7. What was the logic behind nominating two Lodge Rooms so close together?

This request for explanations is made on behalf of myself and the many other Masons of this jurisdiction who have spoken to me about this issue. In the interests of transparency and providing members of the Craft with an explanation I call upon the Executive Council to provide them with a reasonable explanation for this fiasco.

**Ground 12 – “Cross” v “Tick” on Ballots**

My understanding is that the Executive Council was quite firm in the instructions issued in an email to Presiding Officers in respect to voting. Clear instructions were given that the only accepted way of voting to be cast was by way of a “tick” next to the preferred Candidate. This was repeated several times leading up to the opening of the Ballot and made clear on the evening. Therefore, any other form of indication e.g. a “cross” would be considered invalid or an informal vote we were informed.

A re-count of the votes cast is sought to ensure that this was applied right across the whole jurisdiction as to do otherwise will leave the election open to speculation.

I request the Executive Council, pursuant to the powers conferred upon the Executive Council under 8.2.3 g and h of the Constitution. to order a recount of all votes **with** two Representatives of the Grand Master and myself present should MWB Robson also wish to have observers present.

**Ground 13 – Scrutineers to be Appointed by the Grand Master (Regulation 6.3)**

Regulation 6.3 clearly states that Scrutineers are to be appointed **by the Grand Master**. In the SMC, the Scrutineers were named and appointed **however** at Regional Centre/Polling Stations they were not. At Regional Polling Stations Scrutineers were not appointed by the Grand Master as required by Regulation 6.1. This represents a clear breach of the Regulation and in my opinion and the advice I have received, renders all votes cast at Regional Centres/Polling Stations informal.

This is especially so when combined with Ground 14 and 15 of this complaint.

I request the Executive Council to please advise:

1. If the capability exists to appoint Presiding Officers, why then were Scrutineers not appointed in advance of the election?
2. Why was the Regulation not followed?

**Ground 14 -** **Scrutineers to “Pledge Themselves” (Regulation 6.3)**

Regulation 6.3 also required Scrutineers to **undertake a pledge** to “make a correct report under their hands” of the result. The Scrutineers at Regional Centres/Polling Stations **did not** do so. Indeed, I would think that the Executive Council may not be even able to identify who acted as Scrutineers at Regional Polling Stations in the absence of documentation such as a Presence Sheet.

I seek an explanation from the Executive Council as to why the Regulations relating to Scrutineers was not followed and adhered to?

**Ground 15 – Distribution of Ballot Papers (Regulation 6.3)**

As in the two previous Grounds, Regulation 6.3 calls for specific actions to be taken in respect to the Election. In particular it requires that Ballot Papers “shall be distributed under the superintendence of the Grand Director of Ceremonies” along with provision for his absence the Deputy and Assistant Grand Director of Ceremonies to undertake this role.

This did not happen at Regional Centres/Polling Stations. Ballot Papers were distributed, in some cases by multiple hands. Firstly, Ballot Papers were sent from Sydney to persons on the email list previously referred to and then those persons handed them onto others (see my previous comments in regard to RWB Tom Muir, member of the Grand Masters Task Team). In fact, right up to the casting of votes multiple breaches of the Regulation were occurring across the jurisdiction. At Regional Centres/Polling Stations, instructions were issued for Ballot Papers to be distributed by unauthorised persons randomly appointed to be a “Porch Committee” (see page one of Instructions issued to Presiding Officers) not under the guidance and supervision of one of the invested Grand Directors referred to in the Regulation.

The points raised in this ground represent multiple breaches in Regional Centres/Polling Stations of Regulation 6.3 rendering all Regional Centres/Polling Stations “invalid” by virtue of Clause 6.5.1e of the Constitution and therefore votes cast at the same “informal.”

I seek a declaration from the Executive Council that all Regional Centres/Polling Stations be declared invalid due to the non-compliance with the Constitution and Regulations.

**Ground 16 - Non-Distribution of Statement**

Masons attending the SMC were handed a copy of **both** Candidates Statement. **This was not a benefit afforded to other Regional Centres thus creating an inequality between country and the SMC Masons**.

Further neither statement was sent out via email and instead Masons were told to undertake the difficult process of finding it on the Grand Lodge webpage.

Both candidates’ statements should have been made available at all Regional Centres so that every Mason who took the trouble to attend and vote would have had the opportunity to consider each statement before casting their vote.

I ask for a declaration by the Executive Council that due to the inequality between Masons attending the SMC and those in Regional Centres/Polling Stations that all votes cast at Regional Polling Stations be declared void pursuant to 8.2.3 g and h of the Constitution.

**Ground 17 - Use of Grand Master’s Newsletter**

Quite recently and leading up to the election we saw the introduction for the first time I am aware of, a publication devoted to promoting the Grand Master personally as distinct from Freemasonry. We have had newsletter type publications devoted to promoting communication between Masons but never to one specific person. No other jurisdiction has such a publication that I am aware of. Whilst the introduction of any service which benefits communication with members is an asset, one which blatantly promotes a single mason alone is of little benefit. This issue is further compounded when, leading up to an election, Lodge Secretaries are encouraged to print it and include it in their circulars.

A further complaint is the frequency of the publication. Initially it commenced as a monthly publication but a number of Masons have complained that the publication was self-promoting of the Grand Master and eventually came down to weekly just before the election and has now dropped away to only two since the election thus confirming in their mind that the purpose of the publication was to swing votes to the Grand Master.

Another issue is that this newsletter utilises Grand Lodge resources, staff and funds for self-promotion leading up to the election and may be construed by Masons as canvassing under the Constitution.

To be totally neutral and avoid these issues it would have been prudent, if the purpose of the Grand Master’s Newsletter was not to promote the Grand Master as an individual, to suspend the publication once the election was called thus placing all candidates on a level playing field instead of using the funds and the resources of Grand Lodge to promote one candidate.

I seek a direction from the Executive Council, pursuant to 8.2.3 g and h of the Constitution. that the Grand Masters Newsletter cease immediately and be replaced with a general newsletter of interest to all the Craft. Further I seek a direction that a neutral Mason be appointed to edit that publication and that it ceases distribution once an election is called.

**Ground 18 – Use of Lodge Rooms Required by Clause 6.1.5e**

The Constitution is clear at 6.1.5e where it states that ballots are to be conducted “**in Lodge Rooms.”** It is assumed it is for this reason amongst others, that Masons were required to wear aprons. In a random check it is clear that many ballots on the election night were **not** conducted in “Lodge Rooms” but various other rooms adjoining the Lodge. This is a clear breach of 6.1.5e of the Constitution and the non-wearing of aprons is a clear violation of the Executive Council’s Directions to Presiding Officers.

I seek a direction by the Executive Council that all ballots cast in places other than a “Lodge Room” be declared in contravention of the Constitution and rendered invalid.

**Executive Council Action Requested**.

The Executive Council is comprised of the Grand Master (MWB Derek Robson), Grand Treasurer (RWB Richard Collins), Grand Registrar (RWB Bill Whitby), Chairman of the Board of Management (RWB Les Hicks), Chairman of the Grand Charity (RWB Andrew Fraser) and the Deputy Grand Master or in his absence the Assistant Grand Master (RWB John Armfield).

Having listed numerous breaches of the Constitution, Regulations and Instructions (and reserving my right to list more grounds once I am supplied with copies of the Executive Council’s Directions regarding the election and a re-count of the ballots cast in the presence of Observers, the appointment of Presiding Officers) and all other issues raised in this complaint I now formally request the Executive Council to take a number of actions.

***Actions requested:*** -

1. That the aforementioned requests for explanations, directions and actions be initiated immediately;
2. Order that all Ballot Papers, Presence Sheets and communications (electronic, email, SMS, text, photographic or in hard form) received from Regional Centres/Polling Stations be secured at Grand Lodge under the exclusive and personal control of the Grand Secretary. I seek advice as to who has had access to the ballots and other documents and for what purpose.
3. Order a recount of all Ballots cast in the presence of myself, the Grand Master or our Representive(s), (up to two, nominated by each of us).
4. Advise the jurisdiction that a protest has been received in regard to the election of Grand Master and the action the Executive Council will be taking.
5. Release to myself and the jurisdiction, retracted if necessary, Minutes of the Executive Council appointing Presiding Officers, nominating Regional Polling Centres, any discussion recorded in regard to the same and the logic and reasoning behind each appointment.
6. Release to myself and the jurisdiction what input, if any, the Grand Master had into the nomination of Regional Centre/Polling Stations and Presiding Officers.
7. Advise in writing if the Grand Master declared a conflict of interest as he was a candidate for re-election and absented himself from the meeting whilst these issues (appointment of Regional Centres and Presiding Officers) were discussed and agreed upon.
8. Advise in writing as to who prepared the list of Presiding Officers and Regional Polling Stations.
9. Declare as “Invalid and therefore not taken into account” all votes cast at Regional Centres/Polling Stations where the appointed Presiding Officer appointed by the Executive Council did not in fact conduct the ballot process.
10. Declare as “Informal” all votes cast with a “cross” instead of a “tick” as directed.
11. Declare as “Invalid and therefore not taken into account” all votes cast at Regional Centres/Polling Stations where Scrutineers were not appointed by the Grand Master, nor took a “pledge” as required by Regulation 6.3.
12. Declare as “Invalid and therefore not taken into account” all votes from Regional Centres/Polling Stations where the Ballot Papers were not distributed in accordance with Regulation 6.3.
13. If the Executive Council, consisting of the Grand Master, Deputy Grand Master, Assistant Grand Master, Chairman of the Board of Management, Chairman of the Grand Charity, Grand Treasurer and Grand Registrar are against the aforementioned requests then I request the Executive Council to stay the Installation of the Grand Master and call a fresh election for the Office of Grand Master ensuring all of the breaches of the Constitution, Regulations and Executive Council Instructions are strictly enforced and observed at the earliest opportunity.
14. Should the Executive Council agree and declare the election held on 11 March 2020 null and void then I request the Executive Council to enforce a strict adherence to the Constitution in regard to the selection of Regional Centres. It is noted that the Grand Master oddly visited a number of Lodges which were subsequently nominated, presumably by the Executive Council, as Polling Stations. I received advice of one instance where a Regional Centre was declared which had not previously been nominated where during a visit in an address to the Brethren, they were told that if they were to write to the Grand Secretary, they would get approval for air-conditioning “within a week.” If this report by a Mason present at that meeting is correct (and I do not see why it would not be), then a serious issue arises.

 I seek a direction and assurance from the Executive Council that all Polling Stations be strictly nominated on the wording of the Constitution, that is, “based on membership and proximity to Sydney, such as: Northern Rivers, New England, Mid North Coast, Newcastle, Central Coast, Blue Mountains, Central West, Riverina, Wollongong, South Coast, far South Coast and the Australian Capital Territory and such other venues outside the Sydney metropolitan area, as the Grand Master (or if the Grand Master seeks re-election in a contested ballot, the Executive Council) may appoint.”

 A fair way of doing this would be for the Executive Council to allocate Polling Stations on the basis of five per Region. I seek a decision from the Executive Council as to if they to follow this procedure for future elections.

1. It is clear that the current Clause 6 of the Constitution and accompanying Regulations do not adequately meet the needs of the current Election procedures based upon the numerous breaches observed in the March 2020 Election. I seek an assurance from the Executive Council that the Council will prior to the Election in 2021 correct these anomalies and ensure the 2021 election is conducted in conformity with the Constitution, Regulations and Instructions (conforming with the same) issued by the Executive Council. The most efficient way to address this is by way of a Committee and I seek the co-operation of the Executive Council to nominate at least two persons suitably experienced to that Committee as symbol and indication of neutrality to the jurisdiction in the process for the election of the Grand Master on 2021.

I would like to believe that Most Worshipful Brother Robson would support the issues raised herein given the wording of his Obligation to support and uphold the Constitution and Regulations of the United Grand Lodge of Free and Accepted Masons of NSW & ACT. In addition, I would assume that MWB Robson and his administration would like to reassure the jurisdiction that the Constitution and Regulations have been complied with and if not, what action will be taken.

Should all or any of the above issues be rejected by the Executive Council or it fail to act then I give notice of my intention to appeal to the Grand Lodge under Regulation 11.4.2 against the decision to reject by the Executive Council.

Yours fraternally,

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