

By-election case tough for LNP

EXCLUSIVE

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The Liberal National Party is struggling to build a “strong” case for a by-election in the Townsville-based seat of Herbert and is expected to announce whether it will formally pursue legal action as early as this week.

The LNP has until mid-September to lodge a petition with the Court of Disputed Returns to challenge the election result. Labor’s Cathy O’Toole won the seat from sitting MP Ewen Jones by 37 votes after a recount.

But a senior LNP source told *The Australian*: “The case is still not as strong as what we’d like it to be but we haven’t exhausted all of our lines of inquiry. As further information becomes available over the next couple of days, we’ll make a call.”

LNP senator Ian Macdonald, who scrutineered in the recount, said he still believed there were “good grounds” for legal action but it was ultimately an issue for the party.

He had previously expressed concern about Australian Defence Force personnel on assignment in South Australia and patients at a Townsville hospital being unable to cast votes.

Ms O’Toole said there was no appetite for a by-election in Herbert because Townsville had already been through elections at local, state and federal levels in the past 18 months.

“People talking to me feel they’ve been at the polls for such a long time and the decision has been made and we just need to get on with it,” she said.

The Australian Electoral Commission has insisted it provided voting services to military personnel on exercises and in hospitals.