



Please address correspondence to:
THE STATE SECRETARY, ALP (Qld.) PO Box 5032 West End Q 4101
1st Floor, TLC Building, 16 Peel Street, South Brisbane Q 4101

Tel: [REDACTED] Email: [REDACTED]

11 May 2020

Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Q 4000

Sent via email: lacsc@parliament.qld.gov.au

SUBMISSION TO THE LEGAL AFFAIRS & COMMUNITY SAFETY COMMITTEE'S ECQ INQUIRY

To whom it may concern,

Thank you for the opportunity to make a submission to the inquiry into the Electoral Commission of Queensland's online publication of the preliminary and formal counts of the votes cast in the 2020 quadrennial local government election and the Bundamba and Currumbin state by-elections held on 28 March 2020 ("the Inquiry") to the Legal Affairs and Community Safety Committee ("the Committee").

I make this submission of behalf of the Queensland Branch of the Australian Labor Party.

Our submission is focussed on ensuring that the ECQ and its processes fulfil its primary objectives of ensuring that the people are safely enfranchised and giving confidence that voting accurately reflects that enfranchisement in compliance with law

Should the Committee require any further information, please do not hesitate to contact me.

The ALP will participate in the consultation as required.

A handwritten signature in black ink, appearing to read "Julie-Ann Campbell".

Julie-Ann Campbell
STATE SECRETARY

Submission of Australian Labor Party (State of Queensland) to Legal Affairs & Community Safety Committee

GENERAL PRINCIPLES

The ALP's submission seeks to present suggestions and recommendations with respect to the ECQ's operations in the recent elections held on 28 March 2020. Specifically, those recommendations will be underpinned by the fundamental principles of:

- Maximising the enfranchisement of Queenslanders;
- Giving the voting public confidence in the integrity of the ECQ's processes;
- Delivering an accurate and timely result; and
- Ensuring the safety of the voting public, staff, candidates and volunteers

This submission will deal with the following aspects in relation to the online publication of the preliminary and formal counts of the votes cast:

- Results Systems
- Scrutineering
- Communications

ELECTION NIGHT RESULTS SYSTEMS

It is vitally important that election results are conveyed to the public and candidates in an accurate and timely manner. The technological difficulties experienced at the 28 March elections did not allow for this to occur. In order to ensure this does not happen in the future the ECQ should ensure that:

- Data feeds are tested in advance
- More information be provided in data feeds and publicly available online
- Consultation as to what information should be provided is undertaken
- Scrutineers are present as another means of collecting results

Testing Data

Ensuring that both the ECQ website and candidates' systems are able to receive accurate data on an election night requires thorough testing beforehand. Specifically, we submit that there should be a test data feed with test candidates and results created. This should be conducted well in advance of election night and be made available to parties, candidates, media and the ECQ team in order to troubleshoot systems and process the data feed in election-like conditions.

This was a particularly pronounced issue on 28 March 2020, due to changes to the data feed, which were not tested in conditions analogous to an election.

Specifically, those data sets should cover a multitude of scenarios including but not limited to:

- Electorates with no results in
- Electorates with only primary (unofficial first preference) results in some booths
- Electorates with some postal votes in
- Electorates with some booths having both primary (unofficial first preference) and 2CP (unofficial indicative) results in

- Electorates with some pre-poll votes in
- Electorates with some absent votes in
- Electorates with some declaration votes in
- Electorates with all four distribution rounds for an electorate with at least five candidates

Additional Information & Consultation

Ensuring useful and fulsome information is provided in relation to online counts is important to providing confidence to the voting public on the integrity and accuracy of the ballot.

The information that the ECQ chooses to make publicly available should be decided with reference to consultations with parties, candidates and the media.

Specifically, we submit that the following information should be included in the information already provided:

- Booth-by-booth results on the public website so that these are accessible
- We recognise that for obvious reasons the chosen candidates for the indicative count cannot be provided until after polls close
- Postal voter identification

SCRUTINEERING ARRANGEMENTS

To ensure the integrity of the vote and give confidence in the process being undertaken, it is crucial that candidates be allowed to have scrutineers, with arrangements that are safe, in each polling booth on election night, for the duration of the count.

The absence of scrutineers, combined with technological difficulties in conveying the vote, meant that candidates and the public had no means by which to assess the progress of the count.

Scrutineers provide another means by which information can be conveyed when there are technical difficulties, in addition to ensuring the integrity of the vote. In order to do this effectively:

- Scrutineers must be able to write down numbers on their own tally sheets independently of the presiding officer to ensure that, in instances of technological failure, there is a means for the result to be conveyed accurately;
- Scrutineers must be able to see ballot papers to assist in the prevention of errors, leading to a more accurate election night count;
- Notional/indicative/2CP counts must be conducted on the night. Except in cases where it becomes plainly obvious that the incorrect candidates have been chosen, these are useful in helping to project the final result; and
- Scrutineers should be present at the post-election scrutiny, with the re-instatement of the one scrutineer per count staff rule, where it can be achieved safely.

COMMUNICATIONS

Given the ECQ's reliance on a temporary workforce, due to the nature of the work involved, it is imperative that staff are properly trained well in advance of voting.

This is important to ensure that staff, both centrally and in the field, understand their roles and responsibilities, limitations of their positions and processes. This is particularly important in relation to interactions with candidates and parties.

During the 28 March 2020 election, we experienced inconsistency of interpretation and a lack of clarity with respect to processes. It is assumed that this too may have impacted on issues relating to the online publication of results.

Accordingly, we submit that more thorough practical and theoretical training, with clear information, regularly enforced at the earliest time possible, be undertaken. Specifically, this should include but not be limited to:

- Legislation and regulations;
- Inputting of data and familiarity with online systems;
- The electoral process and system;
- Political parties and their practical role in the electoral system; and
- The importance of compliance with instructions and pathways to rectify or clarify issues;

In addition to this, the ECQ must have mechanisms to be able to communicate issues out to all staff in a quick and efficient way. This is particularly important to clarify issues that arise in multiple locations.