



**Electoral
Commission**
QUEENSLAND

2021 STRETTON STATE BY-ELECTION

Election Report

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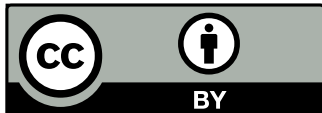


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Electoral Commission of Queensland

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7 December 2021

The Honourable Shannon Fentiman MP
Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of Domestic and Family Violence
1 William Street
BRISBANE QLD 4000
Email: attorney@ministerial.qld.gov.au

Dear Attorney-General

On behalf of the Electoral Commission of Queensland, I am pleased to submit for presentation to the Queensland Parliament, the 2021 Stretton State By-Election Report.

In accordance with section 18(2) of the *Electoral Act 1992*, the report details the operation of part 7 of the *Electoral Act* in relation to the by-election held on Saturday, 24 July 2021.

Yours sincerely

Pat Vidgen PSM
Electoral Commissioner

Introduction

On Saturday, 24 July 2021, the Electoral Commission of Queensland (ECQ) conducted a by-election for the State electoral district of Stretton.

On 10 June 2021, a vacancy arose in the Legislative Assembly after the passing of the sitting Member for Stretton, Mr Duncan Pegg MP. His Excellency the Honourable Paul de Jersey AC CVO, the Governor of Queensland, issued a writ for a by-election to fill the vacancy on Tuesday, 29 June 2021.

Under section 83(1)(b) of the *Electoral Act 1992*, the Governor is required to issue the writ to fill a vacancy that arises when the Legislative Assembly is not sitting.

This was the first State by-election held during the term of the 57th Parliament of Queensland and was the 15th election delivered by the ECQ during the coronavirus (COVID-19) pandemic. Based on previous experience delivering COVID-safe elections, the ECQ planned for and implemented a range of measures to protect the health and safety of voters, staff, candidates and volunteers, to ensure it could respond to any emerging public health risks.

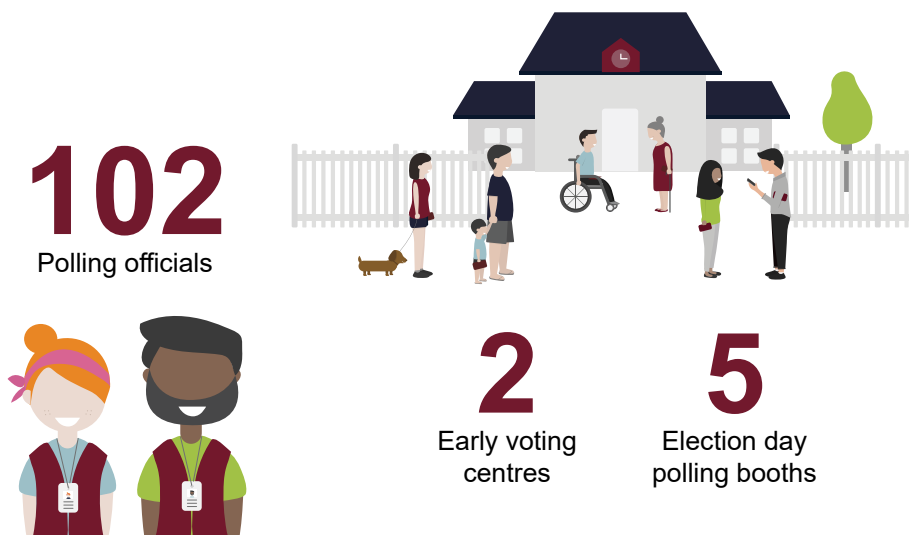
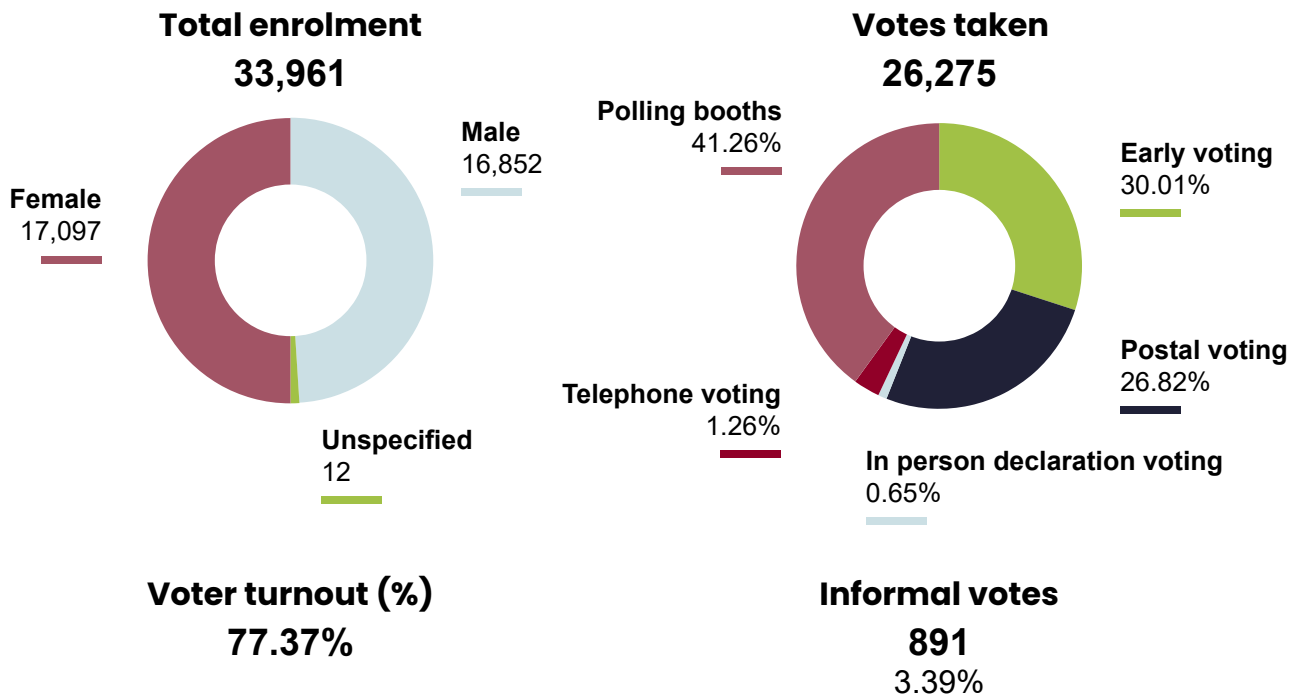
This was especially pertinent as the Brisbane local government area was subject to a lockdown between 29 June 2021 and 3 July 2021, and mask wearing was mandated throughout the election period. Despite ongoing health restrictions, the ECQ was able to deliver a COVID-safe attendance election.

Overall, 26,275 votes were cast over the election period, which represents a turnout of 77.37 per cent. Declines in by-election turnout compared to a general election are not uncommon, and this was the case in Stretton where turnout at the 2020 State general election was 87.80 per cent.

On Tuesday, 27 July 2021, the ECQ declared Mr James Martin of the Australian Labor Party as the successful candidate based on first preference votes, and returned the writ to the Governor of Queensland.

The name of the elected candidate was published in the Queensland Government Gazette on Tuesday, 27 July 2021. A copy of the writ and gazetted results notice is available in **Appendix A**.

By-election Snapshot



Candidates in ballot paper order

1. WILDIN, Andrea
THE GREENS
2. MARTIN, James
AUSTRALIAN LABOR PARTY
3. BELLOS, Jim
LNP
4. MELHOP, Jasmine
INFORMED MEDICAL OPTIONS PARTY (IMOP)
5. CLARKE, Suzanne
ANIMAL JUSTICE PARTY

Returning Officer (RO): Mr Darryl Sampson

RO Office: Unit 1, 17 Learoyd Road
ACACIA RIDGE QLD 4110

Voting system: Full preferential voting

Elected candidate: Mr James Martin (Australian Labor Party) was declared the successful candidate based on first preferences.

By-election Timetable

Writ issued	Tuesday, 29 June 2021
Electoral roll closed	Monday, 5 July 2021, 5.00pm
Candidate nominations closed	Wednesday, 7 July 2021, 12.00pm
Ballot paper order draw	Wednesday, 7 July 2021, 2.30pm
Postal voting application period	Tuesday, 29 June 2021 to Monday, 12 July 2021, 7.00pm
Early voting period	Monday, 12 July 2021, 9.00am to Friday, 23 July 2021, 6.00pm
Electronically assisted voting period (telephone voting)	Monday, 12 July 2021, 9.00am to Saturday, 24 July 2021, 6.00pm
How-to-vote card lodgement deadline	Friday, 16 July 2021, 5.00pm
Election day	Saturday, 24 July 2021, 8.00am to 6.00pm
Deadline for completing postal votes	Saturday, 24 July 2021, 6.00pm
Writ returned	Tuesday, 27 July 2021
Cut-off for the return of postal votes	Tuesday, 3 August 2021, 6.00pm
Cut-off for filing a challenge to the result	Tuesday, 3 August 2021
Last date for return of writ	Monday, 30 August 2021
Cut-off for the return of election summary returns	Monday, 8 November 2021

Voter Services

The ECQ offered a variety of voting services to encourage and enable eligible Stretton electors to enrol to vote and safely cast a formal ballot. While the by-election was primarily an attendance-based election, the services delivered were adjusted in response to the COVID-19 environment. Initiatives implemented by the ECQ at previous elections were again in place for this by-election, ensuring the safety and security of voters, election staff, and the wider Queensland community.

Election delivery and COVID-19

The Stretton State by-election was the 15th election conducted by the ECQ during the COVID-19 pandemic. Additionally, the issue of the writ for the by-election coincided with a four-day lockdown from 6pm on Tuesday, 29 June to 6pm on Saturday, 3 July 2021 in a number of south-east Queensland local government areas.

Following the conclusion of the lockdown, some restrictions including mandatory mask wearing remained in place throughout the election period. The ECQ worked closely with Queensland's Chief Health Officer and Queensland Health to deliver a COVID-safe election, and implemented a COVID-safe plan for polling places. In accordance with this plan, the following measures were implemented:

- ▶ use of the mandatory 'Check in Queensland' app at polling places, supplemented with paper check-in lists
- ▶ active maintenance of physical distancing, including setting and maintaining limits on venue capacity
- ▶ frequent cleaning of high touch surfaces and availability of hand sanitiser to all electors, and
- ▶ use of personal protective equipment including wearing face masks by election staff, in line with public health directions in force at the time of the by-election.

The ECQ also issued a number of notices and directions under provisions of the *Electoral Act* enacted to facilitate delivery of COVID-safe elections. This included:

- ▶ an electronically assisted (telephone) voting notice expanding eligibility for telephone voting to specified electors
- ▶ a direction not to conduct electoral visitor voting and for election staff to direct eligible electors to alternative voting services, and
- ▶ directions regulating the distribution of how-to-vote cards and the movement of candidates and scrutineers, which mandated adherence with specified health measures.

The relevant notices and directions are included at **Appendix B**.

The timing of the official count and distribution of preferences was impacted by another COVID-19 lockdown in south-east Queensland from 4.00pm Saturday, 31 July to 4.00pm Sunday, 8 August 2021. This did not delay the declaration of the successful candidate, Mr James Martin, which occurred on Tuesday, 27 July 2021 having secured a majority of first preference votes.

Enrolment

At the close of the electoral roll on Monday, 5 July 2021, the electorate of Stretton had 33,961 enrolled voters.

New enrolments and change of detail updates were accepted until 6.00pm on Friday, 23 July 2021. Voters who updated their details during this period may have had to complete a declaration vote to enable electoral staff to verify their enrolment or updated information.

Nominations

Nominations for candidates opened the day after the issue of the writ, on Wednesday, 30 June 2021 and closed at noon on Wednesday, 7 July 2021. At the close of nominations, five candidates, all endorsed by registered political parties, were nominated.

Once nominations closed, a ballot paper order draw was conducted at 2.30pm on Wednesday, 7 July 2021. The Returning Officer, in the presence of witnesses, drew the names of each of the nominated candidates to determine the order in which the candidates' names were to appear on the ballot paper.

Election day voting

On election day, Saturday, 24 July 2021, five polling booths operated from 8.00am to 6.00pm in the Stretton electorate. A list of election day polling booths is listed in the following tables.

Typically, election day voting has accounted for the majority of votes cast at Queensland elections, however during recent State and local government elections, the number of postal votes or votes cast at early voting centres has increased significantly. Despite this decline in election day voting, approximately 41 per cent of electors for the Stretton by-election cast their ballot on election day, making it the single largest day of voting for the by-election.



Electoral
Commission
QUEENSLAND

ELECTORAL ACT 1992

BALLOT PAPER

Election of a Member of the Legislative Assembly of
Queensland for the Electoral District of
Stretton, 24 July 2021
Instructions

You must number every square in the order of your
preference

☐

WILDIN, Andrea

THE GREENS

☐

MARTIN, James

AUSTRALIAN LABOR PARTY

☐

BELLOS, Jim

LNP

☐

MELHOP, Jasmine

INFORMED MEDICAL OPTIONS PARTY (IMOP)

☐

CLARKE, Suzanne

ANIMAL JUSTICE PARTY

Remember to number every box to ensure your vote counts

Authorised by the Electoral Commission of Queensland

Election Day Polling Booths			
Venue Name	Building Name	Address	Disability Access
Kuraby	Kuraby State School	1523 Beenleigh Road KURABY QLD 4112	Full Access
Runcorn East	Runcorn State High School	132 Hill Road RUNCORN QLD 4113	Full Access
Runcorn Heights	Runcorn Heights State School	200 Nemies Road RUNCORN HEIGHTS QLD 4113	Assisted Access
Stretton	Stretton State College (Illaweenaa Campus)	226 Illaweenaa Street STRETTON QLD 4116	Full Access
Sunnybank Hills	Sunnybank Hills State School	77 Symons Road SUNNYBANK HILLS QLD 4109	Full Access

Early voting

Early voting centres operated for a two-week period between Monday, 12 July and Friday, 23 July 2021 at two early voting centres. The main early voting centre was located in Acacia Ridge, and early voting was also available at the ECQ head office located in Eagle Street, Brisbane. Early voting centre details are listed in the table below.

Early voting was available from 9.00am to 5.00pm Monday to Friday during the first week and 9.00am to 6.00pm Monday to Friday in the second week. Approximately 30 per cent of votes in the by-election were cast at an early voting centre.

Early Voting Centres			
Venue Name	Building Name	Address	Disability Access
ECQ office	Waterfront Place	Level 20, 1 Eagle Street BRISBANE CITY QLD 4000	Full Access
Stretton Returning Officer's Office	Stretton Office	Unit 1, 17 Learoyd Road ACACIA RIDGE QLD 4110	Assisted Access

Postal voting

Electors were able to apply for a postal vote from the issue of the writ on Tuesday, 29 June 2021 until 7.00pm Monday, 12 July 2021. Printing and despatch of postal vote materials commenced following the ballot paper order draw.

There were 8,535 postal votes issued during this election, with 7,048 returned and accepted into the count. This represents almost 27 per cent of votes cast for the by-election.

Electronically assisted voting

Electronically assisted voting, commonly known as telephone voting, is a limited service primarily designed for voters who have an impairment, disability, or low level of literacy, and enables them to cast their vote anonymously via the telephone.

For the Stretton by-election, the Electoral Commissioner issued a notice under section 392ZK of the *Electoral Act 1992* to declare additional classes of electors eligible to cast a telephone vote. The additional classes of electors were those who:

- ▶ were located interstate or overseas
- ▶ were required to quarantine or isolate because of a direction issued under sections 362B or 362H of the *Public Health Act 2005*, and
- ▶ had undergone a COVID-19 test and were required to quarantine or isolate until advised of the outcome of their test results.

A copy of the notice is available in **Appendix B**.

Eligible electors are required to make two phone calls to separate call centres. In the first call, they must apply to use the service and, if eligible, will receive a registration number and PIN to be used during the second phone call to mark their name off the electoral roll. This process ensures the voter's identity remains secret.

During the second phone call, an ECQ officer completes the ballot paper as dictated by the voter, with a second ECQ officer listening and observing to ensure the vote is recorded as per the elector's direction. The ECQ engages an independent auditor to perform a compliance review over the systems used for telephone voting and provide assurance the process adheres, in all material respects, with the *Electoral Act* for electronically assisted voting.

As both a staff and time-intensive system of taking votes, telephone voting is designed to enfranchise the community's more vulnerable members, or cater for those with a specific need such as distance voters with limited polling place access, or voters with a disability.

During the 2021 Stretton by-election, 330 telephone votes were taken. This is a significant increase when compared with the 2020 State general election, where 148 telephone votes were cast by Stretton voters.

Election staff

The ECQ relied on a temporary election workforce to deliver the Stretton by-election. In the electorate, a Returning Officer was engaged to manage most aspects of election service delivery, including administering and resourcing venues, processing candidate nominations, conducting the ballot paper order draw and overseeing the conduct of the count. The Returning Officer had previously been recruited through a merit-based process for the 2020 State general election and was re-employed for the Stretton by-election.

Temporary election staff are also employed to undertake various functions to deliver the by-election. Applications for temporary election roles opened to the public at the issue of the writ on 29 July 2021. The ECQ contacted staff who had previously worked at the 2020 State general election to advise that applications had opened. In total, the ECQ received 226 applications to work at the by-election.

A total of 102 temporary election staff were engaged, including:

- ▶ eight supervisors to oversee each polling place and ensure compliance with ECQ procedures (three during the early voting period and five for election day)
- ▶ 10 senior issuing officers to assist supervisors and issue declaration and ordinary votes (five during the early voting period and five for election day)
- ▶ 54 issuing officers to issue ordinary votes and assist with other tasks in the polling place (13 during the early voting period and 41 for election day)
- ▶ 13 count assistants to assist with counting votes and dismantling polling booths
- ▶ 17 election assistants to undertake general administrative duties and support the Returning Officer.

Accessibility services

The ECQ provided a variety of services to ensure accessibility at the by-election. This included:

- ▶ disability access information for polling places published on the ECQ website
- ▶ translation and interpreter services were available for people who speak English as a second language, and
- ▶ a Multilingual Guide to Voting was distributed to all polling booths, which included voting information in twenty languages as well as easy English.

Additionally, voters were entitled to request a person join them in the polling booth to assist them to cast their ballot. This person could act as an interpreter, read or explain the ballot paper instructions, or complete the ballot paper according to the voter's instructions and place the ballot paper in the ballot box.

Declared institution voting was not offered for the by-election due to COVID-19 and the need to ensure the safety of voters and polling staff. Ordinarily, this is a service where polling officials visit patients and residents of registered declared institutions, such as some hospitals or aged care facilities, to allow them to cast a ballot.

Electoral visitor voting was also unable to be provided at the by-election due to COVID-19 health measures. Eligible voters can usually apply for this service, where an election official will visit the voter's address to allow them to cast a ballot. Impacted electors were directed to other voting services such as postal voting and telephone voting.

Communication and awareness

The ECQ directed significant resources to ensure there was public awareness of the election. The communication and awareness strategy for the Stretton by-election was delivered through multiple channels designed to inform and educate electors and raise awareness of voting options and how to cast a formal vote. This encompassed:

- ▶ directly mailing and emailing Voter Information Cards (VICs) to all enrolled electors
- ▶ a social media information campaign
- ▶ social media advertising
- ▶ print media advertising
- ▶ radio updates
- ▶ directly emailing community organisations, and
- ▶ displaying voting information at polling booths in the electorate's five most spoken languages.

Personalised VICs were sent to Stretton electors. This card had information about voting and included a QR code that when brought to a polling place, helped mark electors off the roll more quickly.

Around one third or 12,871 electors had included their email address on the electoral roll, so a VIC was also sent to them electronically. This contact was followed up with a reminder email on 21 July 2021 to people who had not yet voted.

The ECQ's social media information campaign comprised 18 posts for ongoing stages of the election. The posts were repeated across Twitter, Facebook, and Instagram and included five advertised posts geotargeted to Stretton electors, as well as to those aged 18 to 25.

Election information advertising was published in *The Courier Mail* on the first day of early voting and on election day. This advertisement provided election dates and times, polling booth opening hours, COVID-safe voting initiatives, postal voting information and receipt deadline, and reminded electors that voting is compulsory.

The ECQ Commissioner was interviewed by a local Brisbane radio station, and ABC Radio Brisbane carried public information updates about election dates, times, and polling booth information.

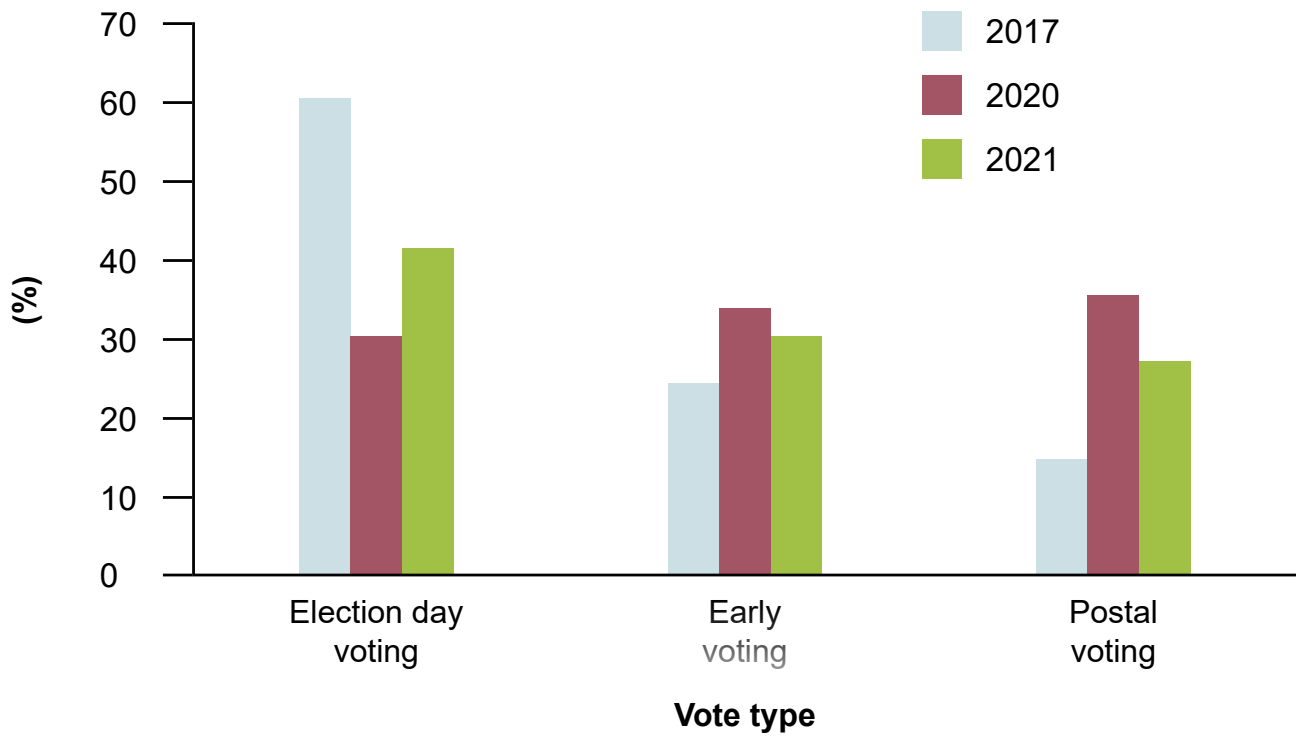
On 9 July 2021, an email was sent to 157 local community organisations about the by-election which included links to the Multilingual Guide to Voting and other useful resources available on the ECQ's website, such as the [Voting with Ease animation](#). Community organisations were encouraged to share the information with their local membership and networks. The information was also forwarded to all registered political parties. There were five multilingual election information posters available at all early voting centres and election day booths written in the electorate's most spoken languages: easy English, Mandarin, Cantonese, Arabic, and Punjabi.

Seven media releases were disseminated to journalists across Queensland between Tuesday, 29 June 2021 when the writ was issued for the election, through to Tuesday, 27 July 2021 when the ECQ declared the successful candidate. Key information about the election delivery process, relevant facts and data, and a map of the electorate, were also sent to journalists before the start of early voting.

Analysis of voter behaviour

The COVID-19 pandemic has had major impacts on the delivery of elections. As the ECQ has implemented various strategies to ensure public health and safety, there have been significant shifts in the voting channels used by electors, compared to elections prior to the pandemic. The following graph highlights the changes that have occurred in the main voting channels within the Stretton electorate over the last three State elections.

Stretton voter behaviour over time



During the most recent State election in Stretton prior to the pandemic, the 2017 State general election, election day voting was the primary method of voting (60 per cent). This was followed by early voting (24 per cent) and postal voting (15 per cent). The remainder was made up of electoral visitor voting, declared institution voting and declaration voting.

At the 2020 State general election, the ECQ expanded early voting and postal voting services to reduce the number of people at a polling place at any one time. As a result, the largest number of votes cast in Stretton was via postal voting (35 per cent), which was followed by early voting (34 per cent). The rate of election day voting in Stretton during the 2020 State general election declined by half to 30 per cent.

A key question for election management bodies will be whether these changes will endure in future elections or are limited to the duration of the pandemic. While still operating in a COVID-19 context, the Stretton by-election suggests there is some evidence election day voting will again be the primary form of voting in the future, albeit at lower levels than previous (41 per cent). At the by-election, there were declines in early voting (30 per cent) and postal voting (27 per cent), however rates were still higher compared to 2017. It should be noted telephone voting has increased (from negligible levels in 2017 to a little over one per cent in the by-election) but this is also driven by the ECQ expanding the classes of voters eligible to use the service.

As the impacts of the pandemic decline, the ECQ will continue monitoring voter behaviour at other elections to determine the legacy COVID-19 will have on future election delivery.

Election Results

Following the closure of polling booths at 6.00pm on election day, Saturday, 24 July 2021, the preliminary election count commenced. The purpose of this count is to provide the voters, candidates, parties and other election participants an early indication of the final results.

The official first preference count commenced on Sunday, 25 July 2021. Mr James Martin of the Australian Labor Party received 56.39 per cent of the first preference votes, which made it possible to declare the result before the deadline for the return of the postal ballots on Tuesday 3, August 2021. After the distribution of preferences, Mr Martin received 63.91 per cent of the vote. The first preference count and distribution of preferences for the Stretton State by-election is in **Appendix C**.

On Tuesday, 27 July 2021, the Electoral Commissioner returned the writ to the Governor of Queensland and published the name of the elected candidate in the Queensland Government Gazette.

The official distribution of preferences was completed following the deadline for the return of postal votes, to progressively exclude the candidates with the lowest votes. The finalisation of the vote count was impacted by a second COVID-19 related lockdown in south-east Queensland from 4.00pm on Saturday, 31 July to 4.00pm on Sunday, 8 August 2021. Following the conclusion of the lockdown, the full count was finalised and the full distribution of preferences published on the ECQ website on Monday, 9 August 2021.

Compliance Services

The ECQ carried out compliance and enforcement actions for the by-election, including ensuring electoral participants were adhering to funding and disclosure obligations.

The ECQ also undertakes enforcement action against electors who have failed to vote. These actions promote transparency in the electoral system and incentivise greater electoral participation.

Election compliance

The ECQ works closely with candidates and registered political parties, as well as their staff and volunteers, to promote public awareness and support compliance with legislative obligations. The ECQ produces a range of resources for these electoral participants including handbooks, fact sheets and guides to explain endorsement, nomination and disclosure requirements.

For the Stretton by-election, the ECQ distributed regular newsletters to provide updates on the by-election for registered political parties and candidates. Five newsletters were sent at various points in the lead-up to, and during the by-election, on topics such as how-to-vote cards, signage, COVID-19 measures, disclosure obligations and expectations for conduct by candidates and volunteers at polling places.

During the election period, the ECQ's compliance activities were focussed on the proper authorisation of election material, compliance with signage requirements at polling places, and enforcement of the Electoral Commissioner's COVID-19 directions about the distribution of how-to-vote cards and activities of scrutineering.

Compliance activities at the by-election, particularly relating to the distribution of how-to-vote cards, were more complex due to the application of public health directions during the election period, including the mandated wearing of face masks and physical distancing requirements. The ECQ's compliance officers maintained a strong presence during the voting period, and engaged regularly with candidates, registered political parties and volunteers to promote and enforce compliance with the directions, and signage requirements.

During the by-election, the ECQ dealt with 10 notifications of potential non-compliance from all types of electoral participants. Of these:

- ▶ one related to failing to comply with the Electoral Commissioner's directions about the distribution of how-to-vote cards and other election material, and about the movement of candidates and scrutineers
- ▶ five related to signage issues at polling venues, all of which were resolved within a short time by the parties and candidates involved, and
- ▶ four related to candidate conduct at polling venues, which were outside the ECQ's jurisdiction and were referred to the relevant agency.

Electoral expenditure disclosure and registration requirements

No third parties registered for the by-election. As of the 8 November 2021 deadline, four candidates and five registered political parties had lodged their election summary return.

The ECQ will assess election disclosure returns and conduct further compliance activities as required.

Voter compliance

Voting is compulsory in Queensland, and it is an offence for an elector to fail to cast a vote without a valid and sufficient reason. Following the by-election, the ECQ commenced a non-voter compliance program to identify and communicate with individuals who appeared to have failed to vote, aimed at reinforcing the need to vote and encouraging future compliance.

Electors who appear not to have voted are given several opportunities to contact the ECQ and provide an explanation. Approximately 7,175 electors appear to have failed to vote in the by-election without providing a valid and sufficient excuse. The ECQ can close the matter and take no further action if the elector provides a valid and sufficient excuse. However, if the elector fails to respond to the ECQ's correspondence, or if the excuse is not deemed to be valid and sufficient, further action may be taken, including issuing a penalty infringement notice.

The number of times an elector has failed to vote in previous elections will also be a factor in determining the compliance response.

Review of Informal Voting

At State elections in Queensland, voters must elect their representatives using the full preferential voting system. Therefore, to cast a formal vote, electors must number every box on the ballot paper in their order of preference. In accordance with section 123 of the *Electoral Act 1992*, if 'a ballot paper does not have effect to indicate a vote, it is an informal ballot paper' and will not contribute towards the election result.

The ECQ conducted an analysis of informal ballot papers for the by-election to identify whether voters intentionally or unintentionally voted informally. This was achieved through a process of categorisation for each informal ballot paper. The review was undertaken to provide insight into informal voting patterns and inform future strategies aimed at increasing formal voting.

To provide a point of comparison over time, the ECQ also categorised the informal ballot papers from the Stretton electorate in the 2020 State general election.

Overview

The rate of informal voting did not change significantly from the 3.42 per cent rate achieved during the October 2020 State general election, with a 3.39 per cent informality rate at the Stretton by-election.

The rates of assumed intentional and assumed unintentional informality in the Stretton electorate also remained stable over the two elections. However, previous research undertaken by the ECQ¹, suggests the majority of informality is assumed to be intentional, whereas in Stretton the findings suggests that the majority of informal ballots are assumed to be unintentional.

Methodology

Informal ballot papers for Stretton at both elections were reviewed at a polling booth level and were organised into categories that were classed as either 'assumed unintentional' or 'assumed intentional'. The categories and their definitions are listed in the table below.

Categories and Definitions of Informality	
Assumed Intentional	
Blank	Ballot papers that have been left blank
COVID-19 commentary	Ballot papers with comments, questions or other marks that specifically reference the pandemic
Writing, marks, scribbles, or pictures	Ballot papers with writing, markings, scribbles or pictures
Other - intentional	Any other ballot papers deemed to be intentionally informal

¹ See informal ballot paper review in [2020 State general election: Report on the Election](#).

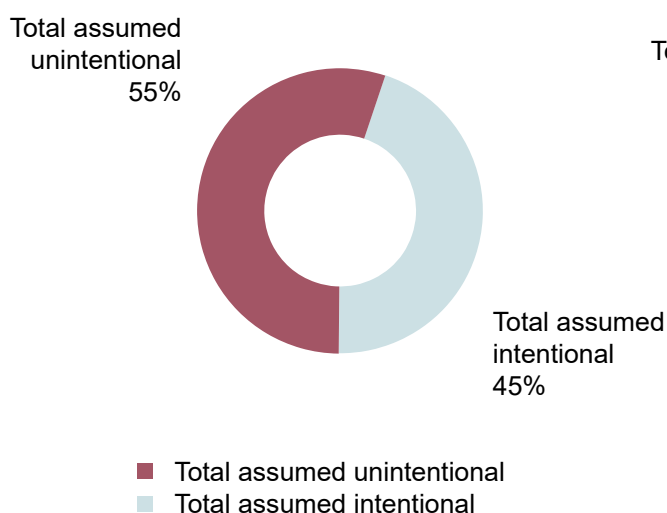
Assumed Unintentional	
OPV	Incomplete ballot papers where the elector allocated preferences for one or some of the candidates, but not all as required for FPV elections
Non-sequential numbering	Ballot papers with repeated or skipped numbers
Ticks and crosses	Ballot papers marked with a cross or tick next to the candidates' names instead of numbering
Voter identifiable	Ballot papers that identify the elector
Other - unintentional	Any other ballots deemed to be unintentionally informal

Review results

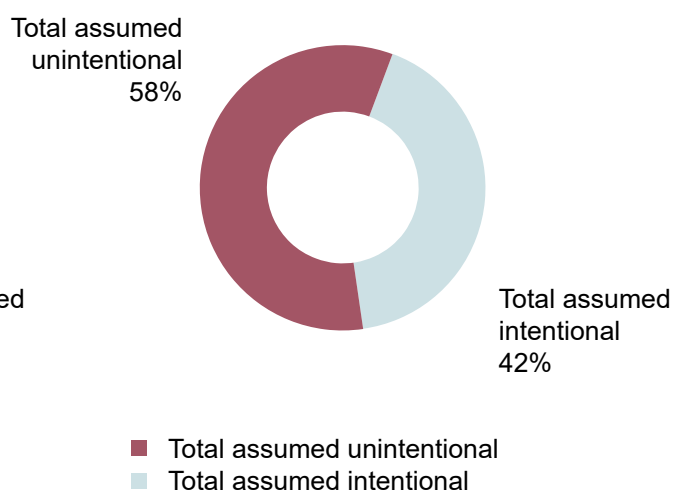
The results of the review found that for the Stretton State by-election, assumed unintentional informal voting accounted for 55 per cent of informal ballot papers, while 45 per cent were assumed to be intentionally informal.

These figures remain largely unchanged for the Stretton electorate during the 2020 State general election where unintentional informal voting accounted for 58 per cent of informal ballot papers and intentional informal voting accounted for 42 per cent.

2021 Stretton State by-election



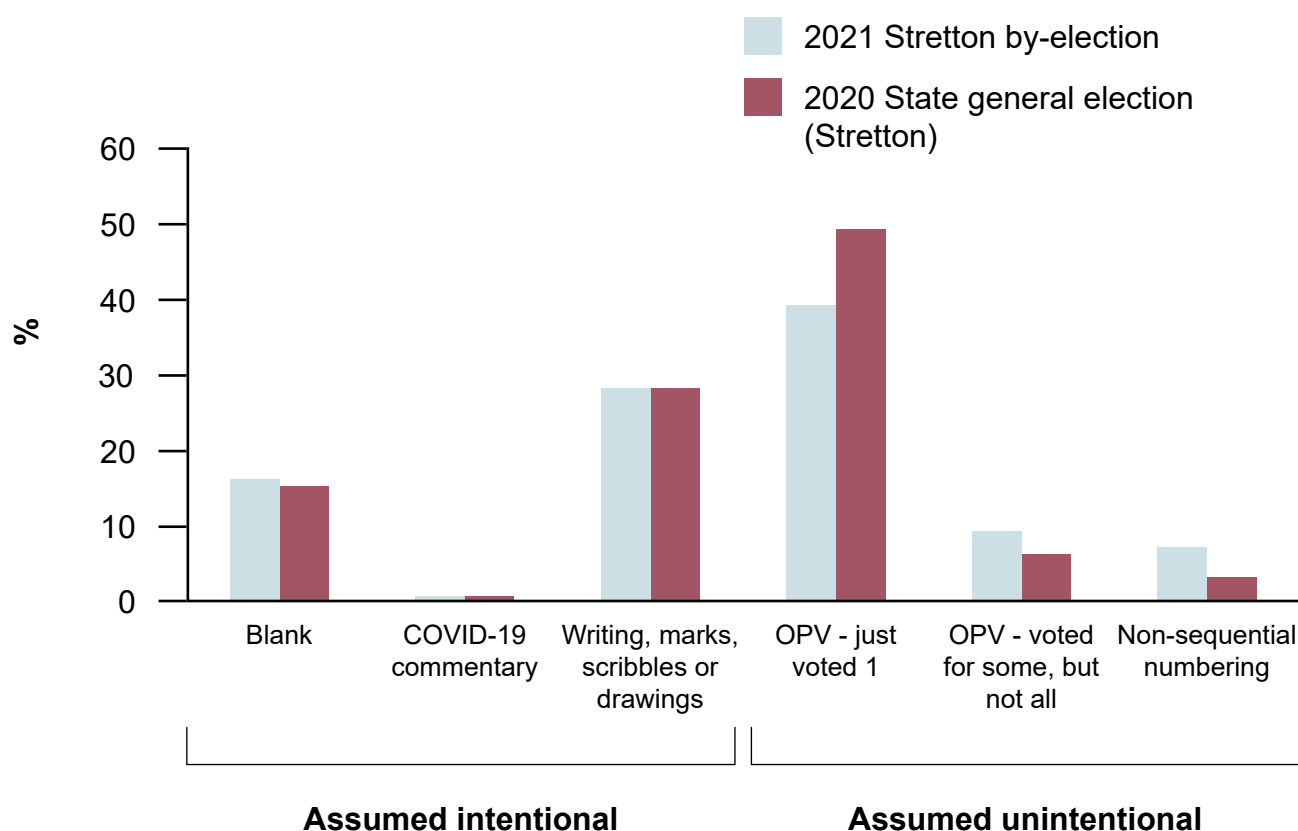
2020 State general election - Stretton electorate



The categorisation of informal ballot papers from both elections revealed the following information:

- ▶ The 'OPV' category, where a voter must express a first preference for one candidate and has the option of expressing further preferences for some or all of the remaining candidates, captured the most assumed unintentional informal votes. This category was separated into those who expressed a preference for only one candidate (just voted one) and those who expressed a preference for some but not all candidates. The 'just voted 1' category had the largest proportion of informal ballots across both elections with 39 per cent at the Stretton State by-election and 49 per cent at the State general election. Much of the decline
- in this category between elections is explained by small increases in the proportion who expressed a preference for some but not all candidates (nine per cent, up from six per cent) and non-sequential numbering (seven per cent, up from three per cent).
- ▶ Of the assumed intentional informal categories, the 'writing, marks, scribbles or pictures' category received just under 30 per cent of all informal votes cast in Stretton at both elections. 'Blank' also captured a large proportion of assumed intentional informal votes, representing approximately 15 per cent of all informal votes cast in the Stretton electorate at both elections.
- ▶ Commentary about the COVID-19 pandemic was a negligible proportion of informal ballot papers.

Stretton electorate - Comparison of informal voting results



Analysis

Stretton is an electorate with average informality (between three per cent and four per cent) and the stability of the rate of informality across elections is a positive outcome. However, the composition of informality in Stretton is significantly different to other Queensland electorates with similar levels of informality.

The data from the 2020 State general election informal ballot paper review suggested that approximately two thirds (67 per cent) of informal ballots from average informality electorates were assumed to be intentional. However, in the Stretton electorate, the data suggest that the majority of informal ballots are assumed to be unintentional (55 per cent at the by-election and 58 per cent at the general election).

Previous statistical analysis conducted by the ECQ does suggest that higher informality in an electorate is correlated with higher proportions of residents being born overseas. It is possible a similar correlation exists between assumed unintentional informality and indicators of cultural and linguistic diversity. According to 2016 census data, 45.4 per cent of Stretton residents were born outside of Australia in non-English speaking countries. This is compared to 11.1 per cent of Queensland residents. Additionally from the 2016 census, 11.3 per cent of Stretton residents reported speaking English not well or not at all, compared to 1.8 per cent of Queensland residents.

The high numbers of culturally and linguistically diverse people in the Stretton electorate may be one possible explanation for the relatively high level of unintentional informality although it is not possible to determine a causal relationship based on one electorate.

The results of the review indicate that unintentional informality significantly contributed to the number of informal ballots papers cast at the by-election. Voters incorrectly voting using the OPV system accounted for the largest number of informal votes.

Informality in the Stretton electorate has remained consistent when compared to the 2020 State general election. However, the review of informal ballot papers has demonstrated that only examining the metric of informality may mask some issues, or possible causes of informal voting within an electorate. While the level of informality in Stretton is considered average, the rate of unintentional informality is high when compared to electorates with similar levels of informality. This presents the ECQ with an opportunity to consider how it might engage with voters and target areas with higher unintentional informality and improve formal voting at future elections.

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Appendix A — By-election Writs and Results Notices

Writ

STATE OF QUEENSLAND

Electoral Act 1992

Writ for Election

*Elizabeth the Second, by the Grace of God, Queen of Australia and Her other
Realms and Territories, Head of the Commonwealth.*

To the Electoral Commission of Queensland

I, Paul de Jersey AC CVO, Governor -

- (i) direct that you proceed according to the law to an election of a Member of the Legislative Assembly of Queensland for the Electoral District of Stretton;

- (ii) appoint -

Tuesday, the twenty-ninth day of June 2021 to be the day of issue of this Writ;
Monday, the fifth day of July 2021 to be the cut-off day for electoral rolls for the election;

Wednesday, the seventh day of July 2021 to be the cut-off day for the nomination of candidates for the election;

Saturday, the twenty-fourth day of July 2021 to be the polling day; and

Monday, the thirtieth day of August 2021 for the return of this Writ.



Signed and sealed with the Public Seal of the State on 29 June 2021.

By Command

RECORDED in the Register of Patents, No. 52, page 55, on 29 June 2021.

Clerk of the Executive Council

IT IS HEREBY CERTIFIED THAT:

James Robert MARTIN..... was duly elected a Member of the Legislative Assembly of Queensland for the Electoral District of Stretton by virtue of the within Writ.


Electoral Commission of Queensland

*Received at Government House
from the Electoral Commissioner of Queensland
27th July 2021*

[523]



Queensland Government Gazette

EXTRAORDINARY

PUBLISHED BY AUTHORITY

ISSN 0155-9370

VOL. 387]

TUESDAY 27 JULY 2021

[No. 73

Elected Candidate Notice **STRETTON STATE BY-ELECTION** **SATURDAY, 24 JULY 2021**



**Electoral
Commission**
QUEENSLAND

A by-election for the Queensland electorate of Stretton was held on Saturday, 24 July 2021.

In accordance with section 132(2)(c) of the *Electoral Act 1992*, this notice advises that the following candidate has been duly elected as a Member of the Legislative Assembly:

Electoral district	Elected candidate
Stretton	James Robert MARTIN

In accordance with section 132(2)(a) of the *Electoral Act*, the successful candidate's name has been written on the writ, which in accordance with section 132(2)(b) of the *Electoral Act*, was returned to His Excellency the Governor on Tuesday, 27 July 2021.

Pat Vidgen PSM
Electoral Commissioner of Queensland

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Gazette Advertising, GPO Box 2457, Brisbane QLD 4001.

BRISBANE
27 July 2021

Appendix B – COVID-19 Directions and Notices

Electronically Assisted (Telephone) Voting Notice

Electronically Assisted (Telephone) Voting Notice STRETTON STATE BY-ELECTION SATURDAY, 24 JULY 2021



The Stretton State by-election will be held on Saturday, 24 July 2021. **Voting is compulsory.**

This notice identifies the classes of electors who, under section 121A of the *Electoral Act 1992* and 4AA of the *Electoral Regulation 2013*, may make an electronically assisted vote (telephone vote) at the 2021 Stretton State by-election.

This notice also declares, under section 392ZK of the *Electoral Act*, additional classes of electors who may make a telephone vote at the 2021 Stretton State by-election to minimise serious risks to health and safety due to COVID-19.

Electors who are eligible to use telephone voting for this by-election include:

- electors who cannot vote without assistance due to an impairment or an insufficient level of literacy
- electors who cannot vote at a polling booth because of an impairment
- special postal voters who are not detained in lawful custody
- distance voters whose enrolled address is more than 20km from a polling booth
- electors who during the by-election period, are located interstate or overseas
- electors who, during the by-election period, are required to quarantine or isolate, for example those diagnosed with COVID-19, because of a direction issued under sections 362B or 362H of the *Public Health Act 2005*, and
- electors who have undergone a COVID-19 test and have been asked to quarantine or isolate until advised of the outcome of their test result.

For information about registering to use the telephone voting service, please see the ECQ website or phone 1300 881 665.

Electoral Commission of Queensland

T: 1300 881 665

E: ecq@ecq.qld.gov.au

W: www.ecq.qld.gov.au/

Direction about Electoral Visitor Voting for the 2021 Stretton State by-election

Version 1.0

Approval



Pat Vidgen

Electoral Commissioner

30 / 06 / 2021

Purpose

To facilitate the holding of the 2021 Stretton State by-election in a way that helps minimise serious risks to the health and safety of persons caused by the COVID-19 emergency, by issuing directions about Electoral Visitor Voting (EVV).

Rationale

Ordinarily, the Electoral Commission of Queensland (ECQ) conducts EVV under section 120 of the *Electoral Act 1992*. However, for the 2021 Stretton State by-election, if the ECQ is satisfied that it would pose a risk to the health and safety of Issuing Officers, it may direct Issuing Officers not to visit a particular elector, any elector, or electors in a particular electoral district or class under section 392ZJ of the *Electoral Act*.

Direction

The ECQ is satisfied that it would pose a risk to the health and safety of Issuing Officers to visit any electors for the purpose of conducting EVV and directs all Issuing Officers for the 2021 Stretton State by-election:

- not to visit any elector for the purpose of conducting EVV, and
- if a request for EVV is received, the ECQ or Returning Officer must, to the extent practicable, have an Issuing Officer make alternative arrangements to enable an elector affected by the direction to vote in the 2021 Stretton State by-election.

Human Rights Considerations

In accordance with section 58(5) of the *Human Rights Act 2019*, the ECQ has considered any human rights that might be affected by this decision or action and, if so, whether the decision is compatible with human rights in accordance with section 13 of the *Human Rights Act*.

The decision to not offer EVV arguably limits people's access and opportunity to vote in the State by-election, and in doing so predominantly limits their right to participate in public life which is protected under section 23 of the *Human Rights Act*. However, this decision is not incompatible with that right because sufficient provision is being made for electors to vote using the other voting services in this by-election, namely, electronically assisted voting, postal voting, early voting, and in-person voting on election day.

This decision adequately balances the interests of giving people as much of an opportunity to vote and so participate in public life, with the competing interests of protecting the public's health and safety as provided for under section 16 of the *Human Rights Act*. Therefore, it is considered that this decision limits human rights only to the extent that it is reasonable and demonstrably justifiable in accordance with section 13 of the *Human Rights Act*.

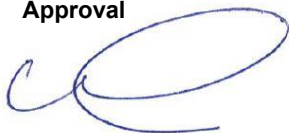
Effective

This Direction has immediate effect and remains in place until the close of voting for the 2021 Stretton State by-election on Saturday, 24 July 2021.

Direction about the Distribution or Display of How- to-Vote Cards or other Election Material for the 2021 Stretton State by-election

Version 1.0

Approval



Wade Lewis

Acting Electoral Commissioner

08 / 07 / 2021

Purpose

To facilitate the holding of the 2021 Stretton State by-election in a way that helps minimise serious risks to the health and safety of persons caused by the declared COVID-19 emergency under the *Public Health Act 2005*.

Legislative authority

The Electoral Commission of Queensland (ECQ) is empowered under section 392ZL of the *Electoral Act 1992* to give directions about the distribution or display of how-to-vote cards or other election material for the 2021 Stretton State by-election.

Under Chief Health Officer public health directions, the ECQ is also required, as a government service to which the public is given access, to ensure directions issued by the Chief Health Officer are complied with. Without limiting the contents of this Direction, any individual in the vicinity of or in a venue used to conduct the Stretton State by-election must comply with all relevant public health directions made by the Chief Health Officer under the *Public Health Act*.

Direction

The ECQ is satisfied that it is in the public interest to regulate the distribution or display of how-to-vote cards or other election material at a polling booth for the 2021 Stretton State by-election. This Direction applies to all persons distributing or displaying how-to-vote cards or other election material at any polling booth that is taking votes for the 2021 Stretton State by-election.

Although how-to-vote cards or election material may be handed out to electors, the ECQ hereby directs that any person distributing or displaying how-to-vote cards or other election material to:

- check-in using the 'Check In Qld' app to record their attendance at the relevant polling booth
- practice good hand hygiene, particularly before commencing distributing how-to-vote cards and other election materials
- not re-use how-to-vote cards or election material
- abide by the current physical distancing rules, including staying 1.5 metres away from other persons when handing out how-to-vote cards or election material
- maintain hygiene standards, in accordance with Chief Health Officer guidelines and public health directions
- not shake hands, or attempt to shake hands, with electors as they are entering or waiting to enter the polling booth
- not go near people if they are coughing or sneezing, and
- wear a face mask as required in compliance with any relevant Chief Health Officer public health directions.

ECQ staff will be actively monitoring compliance with this Direction. The Electoral Commissioner has the power to issue further directions in the event ECQ staff observe non-compliance.

Failure to comply with this Direction carries a maximum of 10 penalty units, currently valued at \$1,378.

All existing laws and regulations regarding canvassing for votes at a polling booth continue to apply, including those relating to exclusion zones.

Effective

This Direction has immediate effect and remains in place until the close of voting for the 2021 Stretton State by-election on Saturday, 24 July 2021, unless otherwise revised.

Direction on movement of candidates and scrutineers



Direction about the Movement of Candidates or Scrutineers for the 2021 Stretton State by-election

Version 1.0

Approval

A blue ink signature, appearing to be "Wade Lewis", written over a horizontal line.

Wade Lewis

Acting Electoral Commissioner

08 / 07 / 2021



Direction on movement of candidates and scrutineers

Purpose

To facilitate the holding of the 2021 Stretton State by-election in a way that helps minimise serious risks to the health and safety of persons caused by the declared COVID-19 emergency under the *Public Health Act 2005*.

Legislative authority

The Electoral Commission of Queensland (ECQ) is empowered under section 392ZN of the *Electoral Act 1992* to give directions about candidates and scrutineers at a place that is a polling booth or another place at which the candidate or scrutineer is entitled to be present during the 2021 Stretton State by-election.

Under Chief Health Officer public health directions, the ECQ is also required, as a government service to which the public is given access, to ensure directions issued by the Chief Health Officer are complied with. Without limiting the effect of this Direction, any individual in the vicinity of or in a venue used to conduct the Stretton State by-election must comply with all public health directions made by the Chief Health Officer under the *Public Health Act*.

Direction

The ECQ is satisfied that it is in the public interest to regulate the activities and movement of candidates and scrutineers at the places where they are entitled to be present under the *Electoral Act* during the 2021 Stretton State by-election.

The ECQ hereby directs scrutineers and candidates to:

- check-in using the 'Check In Qld' app to record their attendance at the relevant venue
- abide by the current physical distancing rules, including staying 1.5 metres away from other persons where possible
- wear a face mask as required in compliance with any relevant Chief Health Officer public health directions
- maintain hygiene standards, in accordance with Chief Health Officer guidelines and public health directions, and
- not shake hands or attempt to shake hands with persons at polling booths or at places declaration envelopes are being scrutinised and/or votes counted.

ECQ staff will be actively monitoring compliance with this Direction. The Electoral Commissioner has the power to issue further directions in the event ECQ staff observe non-compliance.

Failure to comply with this Direction carries a maximum of 20 penalty units, currently valued at \$2,757.

All existing laws and regulations regarding canvassing for votes at a polling booth continue to apply, including those relating to exclusion zones.

Effective

This Direction has immediate effect and remains in place until the declaration of results for the 2021 Stretton State by-election, unless otherwise revised.

Appendix C — First Preference Count and Distribution of Preferences

All results from the Stretton by-election can be viewed and downloaded from the ECQ website.

First preference count by booth

	WILDIN, Andrea		MARTIN, James		BELLOS, Jim		MELHOP, Jasmine		CLARKE, Suzanne		Formal Votes		Informal Votes		Total Votes
	Votes	Percentage	Votes	Percentage	Votes	Percentage	Votes	Percentage	Votes	Percentage	Votes	Percentage	Votes	Percentage	
ECQ Headquarters - Early Voting Centre	20	12.99%	80	51.95%	45	29.22%	5	3.25%	4	2.60%	154	98.09%	3	1.91%	157
In Person Declaration Votes	19	11.45%	96	57.83%	42	25.30%	8	4.82%	1	0.60%	166	96.51%	6	3.49%	172
Kuraby	117	5.64%	1193	57.47%	674	32.47%	60	2.89%	32	1.54%	2076	94.58%	119	5.42%	2195
Postal Declaration Votes	380	5.50%	3724	53.86%	2529	36.58%	122	1.76%	159	2.30%	6914	98.10%	134	1.90%	7048
Returning Officer Stretton	415	5.53%	4315	57.50%	2468	32.88%	186	2.48%	121	1.61%	7505	97.11%	223	2.89%	7728
Runcorn East	139	10.77%	710	55.00%	374	28.97%	35	2.71%	33	2.56%	1291	95.28%	64	4.72%	1355
Runcorn Heights	167	8.79%	1123	59.11%	504	26.53%	60	3.16%	46	2.42%	1900	94.53%	110	5.47%	2010
Stretton	152	5.62%	1622	59.96%	847	31.31%	50	1.85%	34	1.26%	2705	95.58%	125	4.42%	2830
Sunnybank Hills	212	9.04%	1300	55.46%	708	30.20%	79	3.37%	45	1.92%	2344	95.67%	106	4.33%	2450
Telephone Voting	10	12.66%	38	48.10%	30	37.97%	1	1.27%	0	0.00%	79	98.75%	1	1.25%	80
Telephone Voting - Early Voting	23	9.20%	113	45.20%	101	40.40%	10	4.00%	3	1.20%	250	100.00%	0	0.00%	250
Totals:	1654	6.52%	14314	56.39%	8322	32.78%	616	2.43%	478	1.88%	25384	96.61%	891	3.39%	26275

Full distribution of preferences by booth

	MARTIN, James		BELLOS, Jim		Total Votes
	Votes	Percentage	Votes	Percentage	
ECQ Headquarters - Early Voting Centre	100	64.94%	54	35.06%	154
In Person Declaration Votes	113	68.07%	53	31.93%	166
Kuraby	1328	63.97%	748	36.03%	2076
Postal Declaration Votes	4188	60.57%	2726	39.43%	6914
Returning Officer Stretton	4795	63.89%	2710	36.11%	7505
Runcorn East	851	65.92%	440	34.08%	1291
Runcorn Heights	1346	70.84%	554	29.16%	1900
Stretton	1790	66.17%	915	33.83%	2705
Sunnybank Hills	1532	65.36%	812	34.64%	2344
Telephone Voting	45	56.96%	34	43.04%	79
Telephone Voting - Early Voting	136	54.40%	114	45.60%	250
Totals:	16224	63.91%	9160	36.09%	25384

Summary of distribution of preferences

	WILDIN, Andrea	MARTIN, James	BELLOS, Jim	MELHOP, Jasmine	CLARKE, Suzanne	Total Formal Votes
First Preference	1654	14314	8322	616	478	25384
CLARKE, Suzanne excluded	173	64	64	177		478
Total	1827	14378	8386	793		25384
MELHOP, Jasmine excluded	256	176	361			793
Total	2083	14554	8747			25384
WILDIN, Andrea excluded		1670	413			2083
Total		16224	9160			25384



**Electoral
Commission**
QUEENSLAND

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