Parliamentary Committees — Queensland Parliament

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.

Report No. 66, 56th Parliament
Legal Affairs and Community Safety Committee
June 2020

Legal Affairs and Community Safety Committee

Chair	Mr Peter Russo MP, Member for Toohey
Deputy Chair	Mr James Lister MP, Member for Southern Downs
Members	Mr Stephen Andrew MP, Member for Mirani
	Mrs Laura Gerber MP, Member for Currumbin
	Mrs Melissa McMahon MP, Member for Macalister
	Ms Corrine McMillan MP, Member for Mansfield

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Abbreviations

committee	Legal Affairs and Community Safety Committee
COTS	commercial off-the-shelf
CTL	change to legislation
DHPW	Department of Housing and Public Works
DDoS	Distributed Denial of Service
Electoral Act	*Electoral Act 1992* (Qld)
ECQ	Electoral Commission Queensland
EDS	Election Disclosure System
EGP	Election Gateway Project
EGP Board/the board	Electoral Gateway Project Board
EMS	Election Management System
EOI	expressions of interest
GITC	Government Information Technology Contracting
ICT	information and communication technology
LGA	Local Government Authority
LGAQ	Local Government Association of Queensland
LNP	Liberal National Party of Queensland
MVP	minimum viable product
OSCAR	Organisation of Sunshine Coast Association of Residents
QLGRA	Queensland Local Government Reform Alliance Inc.
RFI	request for information
RFT	request for tender
SaaS	Software as a Service
SEMS	Strategic Election Management System
TRG/the group	Technical Reference Group
UAT	User acceptance testing
XML	Extensible Mark-up Language

Chair's foreword

On 22 April 2020, the Hon Yvette D'Ath MP, Attorney-General and Minister for Justice moved that the Legal Affairs and Community Safety Committee inquire into, and report to the Legislative Assembly on, the Electoral Commission of Queensland's online publication of the preliminary and formal counts of votes cast in the 2020 quadrennial local government election and the Bundamba and Currumbin state by-elections held on 28 March 2020. The committee is required to report on 2 June 2020.

This report summarises the findings from that inquiry.

On behalf of the committee, I thank those individuals and organisations who made written submissions and those who appeared before the committee at our public briefing and public hearing. I also thank the Electoral Commissioner of Queensland and officers from the Electoral Commission of Queensland who assisted the committee. Finally I would like to thank our committee secretariat and Hansard.

I commend this report to the House.

Peter Russo MP

Chair

Recommendation

Recommendation **31**

The committee recommends that the Legislative Assembly note the contents of this report.

Recommendation

1   Introduction

1.1   Role of the committee

The Legal Affairs and Community Safety Committee (the committee) is a portfolio committee of the Legislative Assembly which commenced on 15 February 2018 under the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.[1]

The committee's primary areas of responsibility include:

- Justice and Attorney-General

- Police and Corrective Services

- Fire and Emergency Services

- Aboriginal and Torres Strait Islander Partnerships.

1.2   Inquiry

On 22 April 2020 the Hon Yvette D'Ath MP, Attorney-General and Minister for Justice moved that the:

1. Legal Affairs and Community Safety Committee inquire into and report to the Legislative Assembly on the Electoral Commission of Queensland's online publication of the preliminary and formal counts of votes cast in the 2020 quadrennial local government election and the Bundamba and Currumbin state by-elections held on 28 March 2020; and

2. That the committee report to the Legislative Assembly on 2 June 2020.[2]

1.3   Background and scope of the inquiry

On 29 April 2020, the committee invited stakeholders and subscribers to make written submissions to the inquiry. The committee received 24 submissions; see Appendix B for a list of submitters.

The committee received a public briefing from the Electoral Commission of Queensland (ECQ) on 11 May 2020, followed by an *in-camera* (private) briefing from the ECQ. A transcript of the public briefing is published on the committee's web page; see Appendix C for a list of officials present at the briefing.

The committee received written advice on 14 May 2020 from the ECQ in response to matters raised in submissions.

The committee held a public hearing on 15 May 2020; see Appendix D for a list of witnesses.

The submissions, correspondence from the ECQ and transcripts of the briefing and hearing are available on the committee's webpage.[3]

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[1]   *Parliament of Queensland Act 2001*, section 88 and Standing Order 194.

[2]   Legislative Assembly transcript, 22 April 2020, p. 740

[3]   See www.parliament.qld.gov.au/LACSC.

2   The role of the ECQ in conducting elections

2.1   Local government elections

Responsibility for the administration of local government elections has sat with the ECQ since 2008, when the State acknowledged that there was a need "to ensure impartiality, objectivity and transparency in the conduct of local government elections, and to resolve an inherent conflict with council officials conducting elections for their political representatives".[4]

The functions of the ECQ include conducting:

- local government quadrennial elections
- local government by-elections
- fresh elections for local governments.[5]

2.2   State by-elections

The *Electoral Act 1992* (Qld) (the Electoral Act) sets out in detail the responsibilities of the ECQ in relation to the conduct of Queensland state elections.[6] The term 'election' is defined as 'an election of a member or members of the Legislative Assembly'.[7] Accordingly, the ECQ also has responsibility for making appropriate administrative arrangements for the conduct of state by-elections as well as general state elections.

The ECQ is required to conduct the election in accordance with a writ from the Governor or the Speaker of the Legislative Assembly, subject to Part 7 of the Electoral Act and the *Constitution of Queensland 2001* (Qld), chapter 2, part 2A.[8] Arrangements for the elections for which the ECQ is responsible are set out in Part 7 of the Electoral Act and include polling booths, pre-poll voting offices, the form of ballot papers and the counting of votes.

Recent amendments were made to the Electoral Act by the *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020* (Qld)[9] to provide for temporary measures to apply only to state by-elections held before the next state general election. The purpose of these measures was 'to provide flexibility, if required, to facilitate the holding of state by-elections in a way that helps minimise serious risks to the health and safety of persons caused by the COVID-19 pandemic', including allowing for a regulation[10] to be made to achieve this.[11] Similar amendments were made to the *Local Government Electoral Act 2011* (Qld) and other local government legislation and regulations[12] in respect of the 2020 local government election.

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4   Correspondence from the Electoral Commission of Queensland, 14 May 2020, p 2.

5   Local Government (Qld) Electoral Act 2011 (Qld), s 8.

6   *Electoral Act 1992* (Qld), see Part 7 (Elections)

7   *Electoral Act 1992* (Qld)*, s 2 (definition of 'election').

8   *Electoral Act 1992* (Qld)*, s 81(2).

9   The Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020 was passed on 18 March 2020 and received assent on 19 March 2020.

10   Public Health and Other Legislation (Public Health Emergency) Amendment Bill 2020, Explanatory Notes, p 5. This applied to the Bundamba and Currumbin by-elections, see Electoral (By-elections Before Next General Election) Regulation 2020, section 4.

11   *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020* (Qld), s 14. See also Public Health and Other Legislation (Public Health Emergency) Amendment Bill 2020, Explanatory Notes, p 9.

12   In relation to the amendments regarding the 2020 quadrennial local government election, in addition to the *Local Government Electoral Act 2011* (Qld), the *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020* (Qld) amended the *City of Brisbane Act* (Qld)*, Local Government Act* (Qld),

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3 Preparing for March 2020 – Sourcing a new Election Management System (EMS)

From 2006 the ECQ had used the Strategic Election Management System (SEMS) which was developed primarily to administratively and managerially support the administration of state general elections. Following its development, the ownership of the SEMS application was transitioned to, and hosted by, ECQ, as an on-premises application, internally maintained and managed for the most part, with some limited public resources being hosted by CITEC.[13]

This system was subsequently adapted on multiple occasions to accommodate legislative reforms and to expand its application to support the administration of local government elections from 2008 and state referendums.[14]

It became apparent over time that these expansions to the scope and functionality of SEMS were creating operational issues when electoral events were conducted, as well as posing a risk to the ECQ's operations. Those risks were identified as coming from the cumulative interaction of factors such as the tied-service model and increased exposure to cyber-security and information privacy risks, due to the existing solution having become obsolete.[15]

ECQ therefore considered three options aimed at giving Queensland an effective, reliable and future-ready Election Management System (EMS), being:

1. That ECQ continue to operate the SEMS, introducing improvements and refinements where feasible;

2. That ECQ lead the development of a bespoke EMS; or

3. That ECQ purchase a commercial off-the-shelf (COTS) EMS by seeking a vendor which could reconfigure an existing EMS to meet Queensland's legislative provisions and ECQ's business requirements (such as integration with ECQ's Electoral Disclosure System (EDS)).[16]

In sourcing a new EMS, the Queensland Government's information and communication technology (ICT) and procurement policy strongly influenced the decision to proceed with option 3, as it was Government's policy position to minimise bespoke or heavily-customised existing commercial solutions and a COTS system was determined to have the lowest risk profile.[17]

The whole-of-government information technology policy framework also supported the use of a Software as a Service (SaaS) delivery approach, which transfers most risks relating to the maintenance of current cyber security protections, redundancy, availability and maintenance, and performance upgrades, back onto the supplier.[18]

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the *Local Government (Dissolution of Ipswich City Council) Act* (Qld) and the Local Government Regulation. See *Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020* (Qld), Parts 6-9 and the Public Health and Other Legislation (Public Health Emergency) Amendment Bill 2020, Explanatory Notes, pp 5, 8-9.

[13] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

[14] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

[15] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

[16] As the EDS interchanges data with the EMS, the two systems must be integrated to allow them to operate in tandem.

[17] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 21.

[18] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

As explained by the ECQ:

Given the mission-critical nature of an EMS, and the potential reputational and legal damage likely to result from a significant system failure, minimising risk by procuring a system with a verifiable background was considered prudent.[19]

Acknowledging the identified obsolescence of the SEMS, in October 2015 the Queensland Government approved the procurement of a new EMS, with funding finalised in 2017.[20] It was intended that the new EMS would manage the administrative aspects of an election, but would not encompass an electronic vote counting system.[21]

A staged procurement and evaluation process was implemented by the ECQ in 2016-17, to acquire a new COTS model EMS that would address the risks posed by the obsolete SEMS and take account of the increasing complexity of electoral administration.[22]

Key frames of reference for implementing the staged delivery process were the whole-of-government procurement guidelines for projects of this nature, such as the Queensland Government Chief Information Office processes and the Government Information Technology Contracting (GITC) framework that was in place at that time.[23]

Expressions of interest (EOI) were called for the Election Gateway Project (EGP) on 29 April 2016. The EOI process consisted of a written response to specifications, with seven submissions being received for evaluation. The outcomes of the EOI demonstrated that there was some depth in the market (albeit predominantly off-shore) and enhanced ECQ's understanding of available solutions and associated risk, which guided the development of request for tender (RFT) specifications and GITC modules to manage transaction risk. The EOI stage was followed by a product viewing from four shortlisted suppliers that resulted in three of the four suppliers being invited to submit a tender at the RFT stage.[24] The RFT and associated request for information (RFI) processes occurred between December 2016 and July 2017, with two of the three selected tenderers submitting a response.[25]

The advice from the ECQ notes that 'the two submissions had quite different risk profiles', however their evaluation against the criteria of value for money, technical and business responses, risk management and meeting the ECQ's business requirements (such as being able to successfully integrate with ECQ's Electronic Disclosure System) resulted in a clear recommendation for a preferred proponent, with the EGP Steering Committee awarding preferred tenderer status to Konnech, an electoral software development specialist, on 3 August 2017.[26]

After financial and contractual negotiations and consideration by the Queensland Government Directors-General ICT Investment Council, the EMS contract was executed in January 2018. As noted above, in accordance with the government's software procurement policy, the EMS contracted for is a COTS product, procured through a SaaS delivery model whereby the ECQ licenses the product from

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[19]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 21.

[20]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

[21]   Submission 3, p 1.

[22]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

[23]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5. The Government Information Technology Contracting Framework in use at that time was GITC v5.03.

[24]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 21.

[25]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5.

[26]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 5. Evaluation Committee membership included Queensland Treasury, Department of Housing and Public Works, ECQ representatives and stakeholders from the ECQ's business and technical groups. An evaluation moderation workshop was chaired by an external, independent advisor and monitored by a probity auditor.

the supplier for a six-year period, with a range of availability, security, performance and upgrading requirements contractually imposed upon the supplier, Konnech.[27]

Committee comment

The committee notes that procurement guidelines and government tender processes appear to have been appropriately followed.

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[27] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 7.

4   The road towards a system change

4.1   2018

In the months following the January 2018 contract with Konnech, impediments to the EMS project's success began to be identified.

As advised in the submission from the Department of Housing and Public Works (DHPW) as lead agency for Queensland Government ICT, the Electoral Gateway Project Board (EGP Board/the board) reportedly identified three key issues[28] that would need to be addressed for the project to be successfully implemented in time for the March 2020 elections, being that:

- The scope of the product changes necessary to satisfy Queensland's election management requirements was 'massively underestimated' during the procurement process;

- The 'significant skills and capacity uplift required of the ECQ team to support the necessary code development velocity to deliver the extensive changes to the procured product' had also been underestimated; and

- There had been an inadequate assessment done during the procurement process of the maturity of the supplier (Konnech) to deliver such extensive code development.

In respect of the third issue, the ECQ's advice to the inquiry notes that:

> *The adoption of the COTS model as the Queensland Government preferred solution meant that no bids were received from an existing Australian company, as there is a limited local market for delivery of end-to-end electoral management systems. Konnech (a USA company) submitted a proposal predicated on creation of a local presence, Konnech Australia. It is a small, specialist software development enterprise which had demonstrated international experience in delivering large software solutions, but had limited experience in engaging with Australian governments and meeting associated governance and contractual requirements. While this was understood and identified as a risk during the selection process, the level of support Konnech has required to meet Queensland Government expectations of a project this size has exceeded expectations.*

> *Both the ECQ and Konnech believed the level of customisation required to adapt the existing Konnech solution to Australian requirements would be relatively minimal. However, it quickly became apparent that the complexity of Queensland electoral law far exceeded that of any other Konnech customer. A significant level of customisation of underlying system functionality has been required to meet that complexity.[29]*

The submission from DHPW notes that when the previous ECQ Commissioner (the project's senior responsible officer) stepped down from his position in February 2018, the project was 'significantly challenged', 'lacked adequate governance' and had 'a considerable number of open "high" and "extreme" risks that were inadequately mitigated'.[30]

To address these issues, a new board structure was established in May 2018 incorporating expert external-to-agency representation (from DHPW and Queensland Treasury) and expert external-to-government representation, with engagement from the (current) Electoral Commissioner and the ECQ leadership team.[31]

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[28]   Submission 16, p 1.

[29]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 8.

[30]   Submission 16, p 1.

[31]   Submission 16, p 1.

> **Committee comment**
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> The committee notes the identified issues and their impact on project delivery timeframes.

4.2 2019

In March 2019, despite the board's active management of the project, there were still concerns about the velocity of code delivery, with looming uncertain changes to the project scope resulting from flagged legislative amendments identified as 'the most significant threat to project success.' Accordingly the project team was directed by the board to ensure that all resources were focused on delivering the 'minimum viable product' (MVP) required for the March 2020 local government elections.[32]

The amendments to the project's scope that would be necessitated by the proposed changes to legislation were partially clarified in June, with project re-scoping undertaken in June/July 2019, (although some requirements with a direct impact on the March 2020 election would remain unclear until the final passage of the legislation in October 2019).[33] The EGP Steering Committee directed 'a change in delivery strategy to a prioritised, phased approach to mitigate risks, including the impact of timing of the legislative amendments.'[34]

Phase 1 included those functionalities required to support the March 2020 local government elections only, with Phase 2 encompassing all remaining functions. Those functionalities for March 2020 as part of Phase 1 works were:

- System administration module
- Elector search, communications and reporting functions
- Staff management module
- Vote module
- Candidate and party registrations and event functions
- Self Service Portal functionality for electors, electoral staff and candidates
- Location management functionality for planning and locating polling booths
- Event creation and management functionality (focused on local government election delivery only)
- ePollbook module (software used at polling booths), and
- Website module, including both event information and a results presentation function.[35]

Phase 2 of the delivery of the EMS is focused on enhancing existing functionality and delivering the remaining functionality necessary to support the October 2020 State election.[36]

A fuller description of what the new EMS does is available in Appendix A.

Following the June/July project re-scoping, in August 2019 the EGP board directed the project to commence reporting a more granular code development status for each module of MVP functionality, based on testing of fortnightly code drops.

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[32] Submission 16, p 2.

[33] Submission 16, p 2.

[34] Correspondence from the Electoral Commission of Queensland, 14 May 2020, p 2.

[35] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 10.

[36] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 17.

As noted by the DHPW, 'Despite these interventions, the tight timeframe and the impact of the CTL [change to legislation] amendments meant that the project status remained Amber', with the EGP Board believing that an operational EMS could be delivered for March 2020.[37]

As the Independent Special Advisor to the EGP Steering Committee[38] Lynne Hackwood noted in her submission:

The key issue with introducing new capability into an already largely developed system is the time required to make these changes, the impact that they have across other areas of the developed system, and the need for substantial retesting, much of it in parallel with bug fixes being implemented thus requiring further retesting.[39]

The submission from public sector union Together asserts that when the first full version of the EMS dropped in August/September of 2019, and in the subsequent period:

Commission staff raised concerns at this time about the apparent deficiencies in the EMS and the timing of its deployment in relation to essential staff training for election officials. Many of the concerns with the EMS and its deficiencies were rejected outright by the ECQ's senior management.

Training of the key election officials for the election went ahead on the early and changing versions of the EMS. As the training progressed the EMS was being constantly upgraded and revised as a result of unresolved issues that became apparent as it was being used. User Acceptance Testing (UAT) on the EMS was haphazard and very limited. In most cases significant defects were in evidence and noted, but many of the identified defects remained unaddressed in the subsequent round of testing. A common response to concerns raised was that "This will be fixed in the next version of the system". However, the promised fixes to the EMS did not occur in many cases. By way of example in the last round of UAT, one module of the EMS had 27 defects recorded against it, many of these ongoing unresolved defects were classified as either 'Critical' or 'Severe'. Senior staff in the project team with little or no election experience made determinations on what defects needed to be addressed as a priority and what did not.[40]

> **Committee comment**
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> The committee notes the impact of legislative amendments and consequential project re-scoping.

4.3 2020

Legislative amendments in November 2019 that commenced on 20 January 2020 required further consequential changes to the EMS. As noted by the ECQ:

The timeframe for implementation of system changes reduced the time available to design, implement and test new functionality and scope changes and ensure compliance with the final legislative framework. Nevertheless, the ECQ successfully addressed and reflected all statutory requirements in its systems and/or processes.[41]

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[37] Submission 16, p 2. In its response to submissions received for the inquiry, the ECQ confirms the challenges encountered in delivery of the EMS project as outlined in the DHPW submission, see correspondence from the Electoral Commission of Queensland, 14 May 2020, p 7.

[38] Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, p 2.

[39] Submission 3, p 1.

[40] Submission 19, p 1.

[41] Legislative amendments arising from the Operation Belcarra reforms commenced on 20 January 2020; correspondence from the Electoral Commission of Queensland, 8 May 2020, pp 3 and 8.

In late January 2020, the State Government's policy regarding the use of QGov also reportedly created complexity for both new and existing EDS users. QGov's late inclusion in the EMS as the primary accreditation tool for external user access saw both new and existing EDS users inadvertently create additional user profiles while trying to use the QGov interface. The issue resulted in a major increase in traffic to the ECQ's call centre, and also diverted project and vendor technical resources away from finalising system development and testing, to manually resolving the duplicate profiles in the system.[42]

In January/February 2020, delivery of the project was further impacted in the final development and bug fixing stages with the COVID-19 lockdown of Wuhan, China, where most of the coding resources are based.[43]

As noted by the ECQ:

> *The emergence of the COVID-19 global pandemic affected the capacity of the vendor to undertake new software development through its international subsidiary companies from early January 2020 onwards, a critical time period for delivery of the project. As a result, deadlines for delivery of critical functionality were directly impacted.*[44]

The submission from Lynne Hackwood outlines how the ECQ prioritised the development of system changes based on the progressive stages of the election, being [firstly] for candidate and party registration and then for 'elector and associated capability' (for pre-poll voting and on election day); with the 'results and website export capability' being 'the last functionality developed and tested in early March'.[45]

Independent load testing of the EMS's results website functionality was then undertaken, with initial load test results indicating potentially high numbers of 'slow' and 'nil' responses at loads well under those specified in EMS requirements, and subsequent further load testing confirmed the initial results.[46]

Further investigations also identified inadequacies in the ICT architecture deployed for the results website, including cyber security issues that may have made the website vulnerable to a Distributed Denial of Service (DDoS) attack.[47] On 13 March, the ECQ commenced working with Konnech to remediate the results website performance and architecture issues, and to schedule further independent load and other testing to ensure any mitigations employed were effective.[48]

With the testing outcomes of the EMS website giving low confidence that the results website would perform as required on election night, the ECQ identified its options for how it could successfully publish preliminary and formal vote count results following the close of polls.[49]

The options identified for successful results publication on election night were that the ECQ could:

- Proceed with further changes to the new EMS which could have jeopardised the viability of the already successfully tested election capability;

- Consider if the old SEMS contained any options to address results publication issues; or

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[42] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 9.

[43] Submission 16, p 2.

[44] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 9.

[45] Submission 3, p 1.

[46] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 11.

[47] DDoS is a security event occurring when an attacker prevents legitimate users from accessing specific computer systems, devices, services or other IT resources. See correspondence from the Electoral Commission of Queensland, 8 May 2020, p 11.

[48] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 11.

[49] Correspondence from the Electoral Commission of Queensland, 8 May 2020, Attachment 2, p 21 and submission 3, p 1.

- Develop an alternative system that encompassed its own separate and more secure results website.[50]

As described by Ms Hackwood in her submission to the inquiry:

The last option, develop an alternate system, was considered the only viable and least risk solution.[51]

Committee comment

The committee notes that diversion of critical resources away from final system development and testing, and the COVID-19 shut down of Wuhan, China, both impacted on the timely delivery of changes to system functionality and associated assurance testing.

4.4 Creating an election results presentation website

Creation of a 'results presentation website', an internal ECQ initiative, was then commenced to give a possible backup solution should the Konnech EMS results website not be available for use. In contrast to the EMS results website, the internal ECQ results presentation website was developed as a standalone environment, and not as an integrated component of the EMS.[52]

On 21 March 2020, the ECQ received results from another round of load testing on the EMS results website that indicated unacceptable load times of over one minute, or failures to load, when tested with large numbers of simulated users to reflect what would be expected on election night.[53]

With the load testing results highlighting a potentially irreducible risk, a decision was made by the ECQ and advised to the supplier, Konnech, on 23 March 2020 and the EGP Steering Committee on 24 March 2020, that the ECQ would progress the final development of its contingency measure, the 'backup' ECQ results presentation website for use on election night.[54]

As the committee was advised by the ECQ, the ECQ website infrastructure solution was 'developed with advice from Microsoft and implemented on a 'Platform as a Service' delivery model within Microsoft Azure'. Independent load and vulnerability testing confirmed that the ECQ results website 'exceeded the necessary load performance criteria' and any risk of potential DDoS attacks was mitigated by use of the ECQ's existing Cloudflare Service.[55]

The website was 'successfully hardened and security tested' by 26 March 2020.[56]

Advice from the ECQ notes that:

The original design concept was to take results data from EMS, process this data into the necessary formats (for the website and XML) and pass clean and validated data to the ECQ results website. Data validation of entered data would occur as part of EMS, not as part [of] the website loading process. This decision was re-evaluated as indicated above with the standing up of the ECQ backup solution.

Based on this, the decision was made to use Smartsheets (a shareable spreadsheet application similar to Excel) as a data entry method for Returning Officers, as it was a familiar product to the ECQ Business, relatively simple to use, auditable and could be set up in a short period of time.

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50   Submission 3, p 2.
51   Submission 3, p 2.
52   Correspondence from the Electoral Commission of Queensland, 8 May 2020, Attachment 2, p 21.
53   Correspondence from the Electoral Commission of Queensland, 8 May 2020, Attachment 5, pp 26-27.
54   Correspondence from the Electoral Commission of Queensland, 8 May 2020, Attachment 5, p 11.
55   Correspondence from the Electoral Commission of Queensland, 8 May 2020, Attachment 5, pp 26-27.
56   Submission 16, p 2.

This required changes to be made to the data conversion and load method for ECQ results website to support a Smartsheets entry.[57]

Committee comment

The committee notes that unacceptable load testing results and concerns about the potential for a DDoS attack necessitated the adoption of an internal 'back-up' results presentation website solution.

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[57]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 12.

5   Heading into election night

With any information technology system, the introduction of, and changes to, capabilities and functionalities, requires time for testing and continued retesting, as bugs in the system are identified and fixed.

As described above, the scope of necessary product changes and the capacity of ECQ staff and the supplier Konnech to deliver the extensive code development required had been miscalculated from the early days of the project, with 'a considerable number of open high and extreme risks that were inadequately mitigated' identified in February 2018.[58] More than a year later in March 2019, concerns remained about the velocity of code delivery, and flagged changes to electoral legislation for late 2019 precluded early finalisation of the project. With the time constraint of an election being only months away, the focus was turned to ensuring a minimum viable product could be delivered, in a phased way that reflected the stages of the election process. This approach saw the results and website export capability being the last functionality developed and tested in early March 2020.[59] When testing showed the EMS results website might not be functional for election night, the ECQ created a contingency 'results presentation website'. When final acceptance testing (stress and penetration) was undertaken on 21 March 2020 it showed the Konnech EMS results website functionality had unacceptable issues with security and load capacity. The ECQ's own backup 'results presentation website' was then hardened and security tested by 26 March, ready for use on 28 March 2020, election night.

Despite this rocky start, there was some perhaps deserved confidence from those involved with the project that the backup results presentation website would perform as needed on election night. The DHPW submission notes that 'The new Electoral Management Solution and the ECQ website performed well during pre-polling.'[60] The submission from Lynne Hackwood comments:

Process validation and performance testing of the solution was conducted and included extensive load and penetration testing. As a result, prior to the election, there was a confidence level that results would be published successfully.[61]

By contrast, the submission from the public sector union Together suggests that such confidence was possibly misguided, asserting:

During the election itself, commencing in late February, not a single module of the EMS worked as it should have. The EMS was often off-line while it was upgraded or as a result of a system failure. As a result, the older system that it was to have replaced was activated. The older system filled functional gaps in the EMS in such critical areas as ballot paper production and postal vote data. If the decision to not use EMS for results had been taken earlier, then the older system could have been configured to perform this function. The old system (i.e. SEMS) had provided timely and accurate election results for the ECQ since its creation in 2008.

On the Wednesday 25 March 2020 (less than 3 days before polling day) senior election staff with the ECQ were called together and it was announced that EMS would not be used for the publishing of election results. Instead, a yet to be completed 'manual' system would be deployed for election results. This new system was built on 'SmartSheets' with Returning Officers entering results into a web-based spreadsheet. The data collected in this new and untested way was to be verified against expected results and then published on the ECQ website. There was no broad

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[58]   Submission 16, p 1.

[59]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, pp 9-10.

[60]   Submission 16, p 2.

[61]   Submission 3, p 2.

(certainly none was visible) testing of the new system and the 'training material' in its use was only deployed a day ahead of polling day of the election.

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To summarise, we believe that the failure to publish results of vote counts on polling night was the by-product of a rushed and poorly managed deployment of critical election infrastructure – namely the EMS. Elections rely on stable and reliable infrastructure to enable administrative bodies (Electoral Commissions) to deliver the required election critical tasks within immutable timelines.

…

However, the ECQ entered the election with an unfinished, untested and unfamiliar EMS, which still contained known critical defects. Few, if any staff, both permanent and temporary were properly trained in its use. To have to institute a manual 'work-around' on the eve of polling day for election results invited the unprecedented system failure that unfolded on election night on 28 March 2020.[62]

In response to Together's criticisms, the ECQ advised:

As noted in the ECQ's submission, the progress of development of the new Election Management System was affected by a range of factors including the timing of commencement of legislative amendments, the level of customisation required to a 'Customised off the shelf' system and the impact of COVID-19 on the supplier, Konnech. As a result, during 2019, the EGP Steering Committee directed a change in delivery strategy to a prioritised, phased approach to mitigate risks including the impact of timing of the legislative amendments.

As with all IT systems, there have been risks and complexities associated with implementation of the EMS, reflecting the complexities of Queensland's electoral system. However, despite these complexities, the majority of functionality of the EMS was delivered and employed for the March 2020 elections.

….

As acknowledged by the ECQ in its submission, the decision to stand up the alternative election result website solution was considered necessary to address identified technical and cybersecurity issues. Information and support were communicated to Returning Officers and other temporary election staff as soon as it was possible to do so.[63]

Committee comment

The committee notes the range of disparate factors that influenced the implementation of the new EMS for the March 2020 elections, and that the ECQ took the steps it considered necessary to find a work-around solution when load testing and cyber security concerns were realised.

The committee notes that, despite these issues, the majority of the EMS functionality was successfully delivered and employed for the election and that there has been no suggestion that the integrity of the voting process or the legitimacy of the results were in any way compromised.

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[62]   Submission 19, p 2.

[63]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, pp 9-10.

6   28 March 2020, election night

Following the 6pm close of polls on election night, the highly manual and decentralised process of vote counting began across Queensland, under the supervision of Returning Officers and/or polling booth supervisors, for the following preliminary (unofficial) counts:

- Preliminary counts of early voting centre votes

- Preliminary counts of ordinary votes received at election day polling booths for both mayoral and councillor contests

- Preliminary counts of Brisbane City Lord Mayor and councillor votes across all wards including City Hall

- Counts for full postal council mayors and councillors

- Preliminary counts and indicative counts for Bundamba and Currumbin State by-elections.[64]

The counts below were commenced after election night:

- Telephone voting

- Votes taken at Brisbane City Hall for other local government areas

- The continued counting of early voting centre votes if required

- The counting of ordinary absent votes for councillor from polling booths and pre-poll centres

- Scrutiny and counting of declaration votes, other than postal votes.[65]

As soon as practicable following the completion of the preliminary counts, the official counts were undertaken under supervision of the relevant Returning Officer. All preliminary counts are recounted for the official count.[66]

Election staff who conducted the counts manually recorded the results data in Smartsheets for reporting through to the ECQ. An automated process would then load the data to an ECQ development website where it would be reviewed by experienced ECQ staff prior to its publication on the ECQ website. The intention was that this process would become fully automated after several successful loads of data, however issues with data formatting delayed the data loading process and consequently the loading of results.[67]

As noted by the ECQ, the 'revised process for reporting data to the results [presentation] website was a more manual and data-driven process compared with the integrated and automated functionality anticipated through the EMS results website,'[68] with this creating 'new risks in relation to the timeliness of reporting results, while addressing previously identified risks around website load capacity and cyber security.'[69]

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[64]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 15.

[65]   In the 2020 elections, over 470,000 electors cast a postal vote. Postal ballots received after 5pm on Tuesday, 7 April 2020, were excluded from the count. The counting of postal votes involves additional processes to verify the validity of votes while ensuring the secrecy of individual ballots. See correspondence from the Electoral Commission of Queensland, 8 May 2020, p 15.

[66]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 15.

[67]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 12.

[68]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 12.

[69]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 12.

The submission from Lynne Hackwood noted that:

Analysis of the problem identified the issue to be that there had been inconsistent format presentation of the data (eg. Punctuation and the use of different naming conventions between the source data and the results website).[70]

As acknowledged in the submission from DHPW:

ECQ had implemented a workflow for result accuracy which included ECQ personnel and machine-based data integrity and sense testing. Nevertheless, this process was susceptible to mis-keying and miscellaneous character input. Through tracing, ECQ identified the root of the problem and tightened the manual quality control processes on Election Night and was able to present the available preliminary counts on the ECQ website by 11pm that evening.

There was no suggestion that the count data was incorrect and it fact it was verified twice before being uploaded. The sole issue was the upload process.[71]

The below timeline shows the progress of the count and results publication on election night[72]:

6pm-7pm Election Night

- After polls closed at 6pm, counting commenced and results were progressively reported through Smartsheets to ECQ.

- Data formatting issues begin to be identified where Smartsheets data deviated from the provided specifications (eg. incorrect contest names, invalid values with non-alphanumeric characters, and the use of multiple Smartsheets for a single contest rather than one per contest).

- By 7pm, initial data issues are rectified, with available results then loaded to the results website.

7pm-10pm Election Night

- From 7pm, issues related to input data affecting the loading of data were still occurring, being investigated, and rectified. The use of multiple Smartsheets for a single contest caused the automated data loading process to fail.

- A workaround was implemented for the multiple sheet issue, whilst the issue was further investigated. The public website became the priority focus rather than the generation of the XML feed.

- From 9pm, political parties and Returning Officers were contacted to allow scrutineers admittance inside polling booths to view the preliminary count. Candidates and parties were emailed and the ECQ website had an update posted.

10pm-12.30am Election Night

- By 10pm, after further input data quality checks, loading recommenced to the website with data being reviewed and issues rectified prior to loading results to the website.

- By 11pm, most results were published.

- By 11.45pm, all available results data was publicly available.

- By 12.30am, two further emails had been sent to candidates and political parties, two further updates posted to the ECQ website, advice provided to media outlets and an update posted to social media.

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[70] Submission 3, p 2.
[71] Submission 16, p 2.
[72] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 13.

Committee comment

The committee notes that issues with inconsistent format presentation of contest data on election night delayed the count data loading process and consequently the timeliness of reporting results.

7   After election night – an assurance audit of the results website

On Sunday, 29 March 2020, results data continued to be loaded to ECQ's website via workaround processes developed on election night. By 1pm, the issue relating to the contest with multiple sheets was rectified, the workaround process was removed, and the normal loading process worked as expected.

Additional verification processes were also implemented where ECQ staff would further review data in the development environment before it was released to the public. XML data was made available after applying the same changes to validate data input. The additional processes implemented to review and validate input data prior to public release addressed the input issues; however, they added additional time to the release of data to the website. Those processes were therefore subsequently reviewed and refined.[73]

Also on that day, because of the problems experienced on election night, the Electoral Commissioner requested that an assurance audit of the results website be conducted by senior IT officers from DHPW to determine the stability of the system and processes, and assess whether it should be used for the remainder of the election period.[74] The review process confirmed that the sole problem on election night had been poorly formed data, an issue that had subsequently been successfully rectified.[75]

Although ultimately the existing processes were continued with, the assurance audit resulted in recommendations for improving those processes and the officers from DHPW also provided further technical assistance regarding automating the export of data from Smartsheets. As advised by the ECQ:

> *The processes implemented to manage data flowing from Smartsheets to the results website relied on both automated checking and quality review by experienced ECQ staff prior to public release.*
>
> *In implementing these additional processes, the ECQ continued to seek expert advice from DHPW. As a result, DHPW provided resources to assist in periodic reviews of website and XML data generation during the initial stages of this process.*
>
> *Once the augmented data load process was fully finalised on Tuesday 31 March, the ECQ updated data three to four times per day based on available results reported from Returning Officers. Further validations were added to improve performance; however, the limiting factor became the speed of Returning Officers counting votes within the COVID-19 restrictions and associated resourcing impacts.*[76]

Committee comment

The committee notes the outcome of the DHPW assurance audit review, being confirmation that the data publishing problems on election night were attributable to poorly formed data, an issue that was subsequently successfully rectified.

The committee also notes the impact of COVID-19 restrictions and associated resourcing impacts on the speed at which Returning Officers were able to complete vote counts, and acknowledges the vital role of Returning Officers in the success of the electoral process.

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[73]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 14.

[74]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 14.

[75]   Submission 16, p 3.

[76]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 14.

8   The election night failures and candidates, parties and the community

Having examined what led up to the results presentation website problems on election night, it is also necessary to examine the impact of those failings on candidates, parties and the community.

In response to its call for submissions the committee received submissions from a wide variety of persons and organisations, including an election analyst, major parties, numerous councils, the Local Government Association of Queensland (LGAQ), IT experts, community groups and concerned individuals.

Some of the submissions received also raised extraneous issues outside the scope of this inquiry, including the following:

Billing of councils for ECQ services – submissions 1, 2, 5, 14, 24

Behaviour of candidates and their supporters – submissions 1, 10, 24

Pre-polling – submissions 1, 4, 12, 24

Postal voting – submissions 1, 2, 4, 9, 22, 24

Telephone voting – submissions 1, 2, 4, 9, 23, 24

Other problems with ECQ website (eg. concerning nominations) – submissions 1, 2, 24

Delay in declaration of the poll – submissions 1, 2, 13, 23, 24

Electronic counting – submissions 1, 2

Advice given by polling booth staff on election day – submissions 4, 7, 17, 24

COVID-19 – submissions 4, 9, 10, 22, 24

Signage – submissions 1, 6, 9, 10, 12, 24

ECQ not attending aged care homes – submissions 9, 17

How to vote cards – submissions 1, 12, 15, 24

Accessibility of voting for remote and regional communities – submission 22

Returning officers – submission 24

Polling booths – submissions 14, 24

Committee comment

The committee appreciates that the recent elections raised a variety of disparate concerns for a significant proportion of the Queensland community.

The committee thanks those submitters who took the time to put in a submission, even where those submissions raised issues that were extraneous to the scope of this inquiry.

The committee wishes to reassure submitters that all submissions received by the committee have been provided to the ECQ for its consideration and reflection.

From those submissions that referred to the publication of results on election night and associated issues, several common areas of concern were identified. Those concerns are canvassed below.

8.1 Delays in posting updated figures to ECQ website

Election night

A considerable number of submitters[77] were concerned with the ECQ's delay in posting updated count figures to its website on election night.

In its submission the Mackay Regional Council noted that the 'displaying of count information was greatly delayed' and:

> *When needed most (election night when the candidates and the public are craving information), the on-line system crashed. It remained out of action all night and through most of the next day, and at one stage had a notice displayed acknowledging issues that were being worked on 'through the night'. In the interim there was no data available.*[78]

After election night

Others noted that there were only limited updates in the days following the election,[79] which generated community concern about whether the ECQ website was up to date or reporting accurate counts.

The submission from the LGAQ noted that:

> *After polling day the counting of the votes was delayed and the updating of results on ECQ's website was not timely. There was a delay between when returning officers advised candidates that divisions had been declared, when councils were notified, and advice being published on the ECQ website.*[80]

The LGAQ also reported that its survey of council chief executive officers (CEOs) (for which half of local government CEOs provided a response) revealed the following dissatisfaction ratings ("poor" or "very poor"):

- *80.77% dissatisfied with process of counting*

- *80.76% dissatisfied with the speed of count*

- *80.77% dissatisfied with website functionality*

- *92.3% dissatisfied with time taken to declare results*

- *73.08% dissatisfied with the publishing of results*[81]

Further, LGAQ submitted that 55% of candidates who responded to the LGAQ's election survey rated the ECQ's management of the publication of results as "poor" or "very poor"; while 48% of candidates responding disapproved of how notification of results was managed by the ECQ, with 30% rating it "very poor" and 18% "poor".[82]

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[77] Submission 5, p 2; submission 7, p 1; submission 8, p 2; submission 11, p 1; submission 17, p 2; submission 18, p 3-5; submission 23, p 1 and submission 24, pp 10-11.

[78] Submission 2, p 3.

[79] Submission 1, p 2; submission 2, p 3; submission 5, p 1; submission 11, p 1; submission 17, p 2; submission 23, p 1; submission 24, p 8 and 12.

[80] Submission 24, p 11.

[81] Submission 24, pp 8 and 12.

[82] Submission 24, p 12.

Mackay Regional Council noted:

Even as the count continued across the following week, the data from the daily counts was not posted on the system for some time (up to a day or so later). There were no election results for Mackay Regional Council posted from Sunday night through till Wednesday.[83]

The Central Highlands Regional Council similarly noted that:

Counting of our votes and providing updates to the website was irregular.[84]

In its submission, the Whitsunday Regional Council advised that:

…between the Monday following the election (30 March 2020) and close of business Tuesday (31 March 2020), the Council had received almost 100 calls from people wanting election results as they did not believe the ECQ website had been updated or was accurate.

It was also apparent that many residents believed that Council was responsible for conducting the election and were dissatisfied with the way it was conducted.[85]

Similarly, Burdekin Shire Council observed:

Issues with the ability to access the website to obtain information were largely resolved post-election night. However, the lack of regular publication of progress counts to the website was a source of considerable frustration for the community and the candidates. It appears that regular updates were being provided by the local Returning Officer to ECQ but that this information was not being updated until some time later, leaving the community somewhat 'in the dark' in relation to the progress of the count.

This resulted in Council receiving a number of enquiries from the public about the counting of votes due to their inability to obtain up to date information on the progress of the count.[86]

The election analyst Antony Green also raised concerns in his submission about the failure of the results feed on election night and the ECQ's inability to deliver more than two updates a day in the post-election period, observing:

What was delivered was also less than satisfactory. The ECQ was unable to deliver polling place results to its website, a particular problem at an election where public health regulations prevented scrutineers from observing the count.[87]

Polling place results were available in a results data file, but the generation of this file failed on election night, leaving the media, scrutineers and candidates in the dark as to results. The data was available post-election, but publication only occurred twice a day. I took to updating the ABC's website manually at times with more up to date figures sourced from scrutineers.[88]

Preference counts were not conducted on election night at the local government elections, but were conducted for the Bundamba and Currumbin by-elections. However, these counts could not be delivered on election night, again sowing confusion due to scrutineers not being able to do their own calculation of two-candidate preferred results. The counts taken on election night were not published until early the next week. As with the Brisbane City Council election, I reverted to updating the ABC website with scrutineer reports.[89]

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[83]   Submission 2, p 3.
[84]   Submission 23, p 1.
[85]   Submission 1, p 2.
[86]   Submission 5, p 1.
[87]   Submission 11, p 1.
[88]   Submission 11, p 2.
[89]   Submission 11, p 2.

The submission from Estelle Blair noted that some divisional results were 'patchy' and updated irregularly 'with long delays between updates'. Her submission also questioned why it took so long to obtain results even when there were only two candidates.[90]

The submission from Queensland Local Government Reform Alliance Inc. (QLGRA) advised that QLGRA had considerable feedback from candidates and its membership 'expressing frustration at the lack of timeliness in the publication of figures.'[91] Its submission also noted that some member respondents had turned to infrequent ad-hoc emails from Returning Officers for more up to date results,[92] while another had expressed concern over the difference between figures from the Returning Officer and the ECQ website when both sources were 'supposedly showing the updated totals'.[93]

Similar observations were made by the Organisation of Sunshine Coast Association of Residents (OSCAR) in its submission, with some of its surveyed members observing that 'online info did not change for days', 'info [was] not up-to-date and lagging other LGAs', 'the site did not update on a daily basis', 'not updated in a timely manner'. Concerns were also expressed in OSCAR's submission about the discrepancy between information available on the ECQ website and that available from scrutineers, with one OSCAR survey respondent commenting:

> *In general the results came out far too slowly and were days behind the info available by scrutineers. Further the lack of any website info on preference trends meant total reliance on subjective trends identified by scrutineers (who had limited access) was the only way to have any real idea of what was happening in some divisions over a week after Election day.*[94]

Other OSCAR survey respondents observed about the website that:

> *It had frequently not changed and was always behind the RO's figs when it had changed.*[95]

> *It often went days without changing or any explanation. No expectations on time frames were set.*[96]

> *No-one either candidate or a community member found the ECQ website reliable, informative or timely in posting updates. It was not a true reflection of what was happening.*[97]

In respect of submitter concerns about delays in publishing results, the ECQ acknowledged:

> *The ECQ accepts that the delay in publishing results on election night is unacceptable. The delay was due to issues with the data feed to the website from results reported from Returning Officers. This did not affect the progress or integrity of the count being undertaken in individual councils under the direction of the responsible Returning Officer or Polling Booth supervisor.*

> *ECQ staff continued to count votes every day from election night onwards, excluding Good Friday, and the declaration of individual elections was the ECQ's highest priority. The ECQ implemented additional verification and validation processes prior to public release of data, and results data was updated based on results reported from Returning Officers. However, the*

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[90]   Submission 8, pp 1-2.

[91]   Submission 17, p 2.

[92]   Submission 17, p 2.

[93]   Submission 17, p 3.

[94]   Submission 18, p 4.

[95]   Submission 18, p 4.

[96]   Submission 18, p 4.

[97]   Submission 18, p 6.

upload of additional data for individual elections was dependent on the progress of vote counting and reporting of results for individual council areas.[98]

…

While there were issues experienced with data formatting that delayed the data loading process and the publication of results on election night, it should be noted that automated and manual validation processes are always required to be implemented by the ECQ to verify results. In addition, the process of counting votes occurs in a number of stages to ensure that all votes are counted multiple times to provide confidence in the results.[99]

…

The counting of votes is a highly manual and decentralised process and electoral legislation requires the conduct of multiple counts as a safeguard to the accuracy and legitimacy of election results. Once the augmented data load process was fully finalised on Tuesday 31 March, the ECQ updated data based on available results reported from Returning Officers. Further validations were added to improve performance; however, the limiting factor became the speed of Returning Officers counting votes within the COVID-19 restrictions and associated resourcing impacts.[100]

Committee comment

The committee notes submitter concerns about the delay in posting updated results to the ECQ website on election night and subsequently, and the ECQ's acknowledgement that this delay was unacceptable.

The committee also recognises the causes that contributed to that delay and notes that the delayed posting of results to the website in no way affected the integrity of the count or the validity of results.

8.2   Poor communication and engagement by ECQ

Another area of concern that emerged from the submissions was a perception that ECQ did not provide frequent or timely enough communications to candidates, parties and the community, both before and after the election night.

The LGAQ's submission asserted that:

Likewise, the ECQ either did not understand the role and requirements of, or did not provide effort to support and engage with, analysts, media commentators, council administrations and other important stakeholders beyond the candidates themselves. This meant communication, risk management and engagement strategies were not in place to assure quality of the performance. The lack of effective engagement channels with stakeholders who could have assisted in the communication of results was magnified by the technical failure of the website.[101]

Whitsunday Regional Council submitted that:

Council was not advised of problems encountered with posting the election results onto the ECQ website, with the figures provided to candidates failing to match the results published

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[98]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, p 1.

[99]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, p 3.

[100] Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, p 4.

[101] Submission 24, p 8.

on the ECQ website (Candidates had little faith in the ECQ figures being published, believing that the published results did not reflect the official count).[102]

Burdekin Shire Council submitted that:

The lack of proactive and regular communication by ECQ to councils on the issues being encountered and its processes for updating count information on the website was disappointing.[103]

Community group, Redlands 2030, observed in its submission that:

During the days that followed, the ECQ continued to fail in keeping the community aware of the status of vote counting.

It appears to be the case that ECQ returning officers were advising candidates of the status of vote counting while not keeping the community fully informed.

Some candidates were posting information on their Facebook pages about the progress of counts and this was the only information that was publicly available.

The ECQ's failure to provide information about vote counting in a timely fashion to the public was unacceptable.

Many people are interested in understanding the voting results on a division and booth basis.[104]

Similarly, the submission from the Townsville Residents Association stated that:

…ECQ in many cases did not email or notify the Candidates or team management vie ECQ email system regarding the changes to the voting process that they instigated while the election process was on.[105]

OSCAR's submission expressed concerns at the perceived lack of communication, noting observations from its survey respondents:

The website should have advised the cause of the delays. It was very frustrating to log on daily and find no updates and no explanation.[106]

Community members had to turn to other sources of information. Many of which were covered by media paywalls or given at varied time across a day and week.[107]

Expressing a degree of frustration with the consistency of the advice coming from the ECQ, the Liberal National Party of Queensland (LNP) submitted:

There was no consistent advice from the ECQ about when the post-election count would resume.

The lack of consistent advice from the ECQ meant the LNP had to contact candidates and scrutineers to ascertain the status of their count, with some receiving very limited advice from the ECQ about resumption of their count.[108]

Further, the LNP submitted that:

The ECQ must take time to consider their failure to engage meaningfully with parties in advance of making decisions and communicating with candidates. In many cases, parties were only

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[102]   Submission 1, p 1.
[103]   Submission 5, p 2.
[104]   Submission 7, p 2.
[105]   Submission 9, p 3.
[106]   Submission 18, p 7.
[107]   Submission 18, p 6.
[108]   Submission 20, p 3.

advised of updated directions minutes before candidates were advised. This left parties with no time to consider the ECQ's directions, seek clarification from the ECQ and advise candidates of their effect.[109]

Burdekin Shire Council's submission also lamented that it had to initiate direct contact with ECQ officials to obtain up to date information, for both the count and for the declaration of the poll.[110]

The submission from the LGAQ noted that:

Communication strategies needed to be better planned to provide guidance as challenges unfold. The lag in communicating the issue (technology failure), inconsistent messaging and the lack of centralised communications created even larger frustrations than were being understandably experienced due to the technology failures.[111]

In respect of its approach to communication with stakeholders before election night, the ECQ observed:

As the pandemic escalated throughout the election period, the need to develop and deploy a state-wide response and the dynamic decision-making environment precluded the usual level of stakeholder consultation and engagement that the ECQ would generally undertake so that local impacts are understood.[112]

In respect of its approach to communication with stakeholders on election night, the ECQ advised:

As the issues relating to the publication of results were identified, the ECQ proactively issued a number of communications to key stakeholders to ensure they were aware of the status of publication of results and to provide regular updates on progress. This included telephone contact with representatives of registered political parties, email communications to candidates and political parties to advise of the issue and subsequent rectification, regular liaison with media outlets, updates posted to the ECQ website and social media posts.

In addition, following the earlier Direction to prohibit the attendance of scrutineers during the preliminary count on election night due to the need to enforce COVID-19 social distancing requirements, the ECQ advised Returning Officers that scrutineers should be allowed entry to polling booths to view the preliminary count. It was the ECQ's intention to maximise transparency throughout the night, as it worked to understand the cause of delays, and resolve these as quickly as possible.

A number of follow-up communications were put in place on Sunday, 29 March and beyond, primarily through social media, media releases and an online daily update to provide regular summary information on the progress of the counts. This continued until all results were formally declared on 20 April.[113]

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[109]   Submission 20, p 3.

[110]   Submission 5, p 2.

[111]   Submission 24, p 11.

[112]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter, p 1.

[113]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, p 3.

> **Committee comment**
>
> The committee notes submitter concerns regarding communications from the ECQ and public and stakeholder engagement, however recognises that the impact of COVID-19 during the election period precluded the ECQ from attaining its desired level of stakeholder consultation and engagement.
>
> The committee also recognises that database issues on election night necessitated a swift recalibration of ECQ priorities, and that, unfortunately, this also had a negative impact on the frequency and means of communication avenues utilised.

8.3   The prohibition on scrutineers on election night

The prohibition on having scrutineers for the preliminary count on election night, attributable to COVID-19 social distancing directives,[114] was also a theme that arose in the submissions received from representative groups, political parties and others.[115] Submitters lamented that scrutineers for the preliminary count could have been a reliable source of preliminary count data in the absence of regular updates to the website.

The submission from the LGAQ lamented that:

> *The decision to limit the opportunity for scrutineers to be engaged on the night compounded the technology failures in the publication of results. It meant there was no alternative vehicle to communicate results to candidates and other impacted stakeholders on the night. The ECQ's inability to publish results online on the night meant the public, media and other stakeholders were left without a primary avenue to be informed.*[116]

Similarly, the submission from the Queensland Branch of the Australian Labor Party observed that:

> *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.*[117]

The submission from the LNP observed:

> *When the ECQ failed to report results and that failure was criticised by the media, they belatedly invited scrutineers to come into the counting centre for 15 minutes to ascertain the status of the sorting and counting of votes at that booth.*
>
> *However, the invitation came very late on election night (after 9pm), affecting the parties' ability to mobilise scrutineers.*
>
> *This was effectively a concession from the ECQ that they had failed to conduct the scrutiny of ballots on their own and required the assistance of the parties to communicate results to the media, despite the ECQ's earlier and absolute refusal to permit the presence of scrutineers.*
>
> *…..*
>
> *In some instances, the resumption of the preliminary count and the official count took place without notice being given to the candidate, and accordingly, without the presence of their scrutineer.*

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[114]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, pp 3 and 10.

[115]   See submissions 4, 9, 12, 17, 20, 21 and 24.

[116]   Submission 24, p 10.

[117]   Submission 21, p 3.

> *The LNP would have expected the ECQ to be at pains to ensure the notification and presence of scrutineers at the resumption of the preliminary count and the official count given the situation on election night.*[118]

In responding to the concerns about the absence of scrutineers for part of election night, the ECQ advised the inquiry that:

> *In recognition of the extraordinary circumstances of the March 2020 elections, the Parliament passed the* Public Health and Other Legislation (Public Health Emergency) Amendment Act 2020. *Under the authority of this Act, the Local Government Electoral (2020 Quadrennial Election) Regulation 2020 empowered the ECQ to issue a Direction regulating or prohibiting the attendance of scrutineers during the counting of votes. This was undertaken in recognition of the public health risk posed by the attendance of multiple election staff, candidates and scrutineers within the confined areas of polling booths.*

> *In accordance with this Regulation, the ECQ made the decision to prohibit scrutineers from polling booths on election night, to ensure that appropriate social distancing measures were in place in polling booths during the conduct of the preliminary count under the Direction about Candidates and Scrutineers at Particular Places. Following the delay in publication of election results on election night, the ECQ determined that scrutineers should be admitted to polling booths to observe the count, to ensure transparency in the counting process. This decision was communicated to registered political parties and candidates on election night. The ECQ also posted a number of updates to the website and on social media. Under the Direction, one scrutineer per candidate was able to be present for the official count to observe subsequent stages of the counting process.*

> *The ECQ acknowledges the views of political parties and candidates regarding the prohibition of scrutineers from the preliminary count on election night. As advised to the Committee, the ECQ acknowledges the significance of the decision and the contrary views expressed by stakeholders regarding the issuing of the Direction. Due to the circumstances and timeframes involved, the usual process of consultation with key stakeholders was unable to be undertaken. However, ultimately, the Direction was issued in the interests of ensuring public health and safety during the counting process, during the extraordinary circumstances of the COVID-19 global pandemic.*

> *…*

> *The ECQ acknowledges the critical role of scrutineers within the electoral system and is committed to ensuring maximum transparency during the vote counting process.*[119]

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[118]   Submission 20, pp 2-3.

[119]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, pp 10-12.

> **Committee comment**
>
> The committee notes the concerns of submitters regarding the absence of scrutineers from the preliminary count, which, in conjunction with the technological problems experienced on election night, removed the avenues by which candidates and the community could obtain timely preliminary count information.
>
> The committee recognises that the social distancing restrictions related to the COVID-19 pandemic necessitated the initial restrictions on scrutineer numbers and the ECQ's making of the *Direction about Candidates and Scrutineers at Particular Places.*

8.4 The ECQ website is not perceived as user friendly

Several submitters commented that they find the ECQ website to be difficult to use.

The LGAQ observed that:

> *The ECQ website is a primary data source for many. The navigation and home pages are key information sources before, during and after the elections. The lack of simple and clear links to relevant pages from the home page, simple navigation and functionality to enable review of results, and some basic analysis of results provided a frustrating user experience again undermining confidence in the election.*[120]

The LGAQ's submission also noted that almost 60% of candidates who responded to its election survey 'rated the ECQ website functionality and user experience as "poor" or "very poor" with only 6% indicating very high satisfaction'.[121]

Mark Huges submitted that:

> *After all of this occurred the ECQ website could not be called user friendly. It only gives a broad interpretation of results per each Division. There is no easy way for interested parties to breakdown the results for a Candidate per booth and then see the second distribution of preferences as they were only available as a background in a XML media feed file. They are not displayed on the ECQ website as it was previously available for easy consumption.*[122]

Community group, Redlands 2030, submitted that:

> *The ECQ has, to date, failed to provide this information for the 2020 local government elections in a form which can be readily accessed by members of the public.*
>
> *Instead ECQ has produced an XML file which consolidates all election results for all local government elections. This is not suitable for use by the general public.*
>
> *The ECQ should ensure that division and booth voting results are made available promptly in a form which can easily be comprehended by all members of the community.*[123]

OSCAR's submission observed that 'the XML zip file currently available for downloading the election results is not user friendly' and [the website] 'does not have an easily usable interface'.[124]

The submission from Estelle Blair lamented that she found the spreadsheet 'far too unwieldy and difficult to understand for the progressive preference tallies' and noted that:

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[120] Submission 24, p 10.

[121] Submission 24, p 12.

[122] Submission 11, p 3.

[123] Submission 7, p 2.

[124] Submission 18, p 6.

After several attempts to download the enormous XML dataset (an error message continually appeared). Several of my more computer-literate friends also attempted to download the dataset, either unsuccessfully or achieving only a partial download. The dataset for SCRC alone occupied 6,321 rows and 255 columns.[125]

A number of submitters[126]expressed concern that they were not able to obtain individual polling booths/station count results in the original election counts.

The submission from QLGRA observed that:

The web based interface was not the problem although we would recommend that the page should have included an explanation of the different counts (Official Preliminary, Official First Preference and Official Distribution of Preferences Counts) that were available on the page to make it clearer for users.[127]

In addressing the concerns raised about the user friendliness of the website, the ECQ advised:

Booth level data is now available on the results website and the ECQ is reviewing display of information on the website to ensure that the information can be accessed and used by stakeholders for a variety of purposes.

The data in the XML feed is the same as the results data displayed on the website but is stored in a machine-readable manner with specialised coding required for extracting data. It is generally utilised by specialised information technology systems belonging to interested parties such as the media and political organisations.[128]

Committee comment

The committee notes submitter concerns about the need for the ECQ website to be made as user friendly as possible so that it can continue to be a valuable source of electoral information for the community.

The committee also notes the advice from the ECQ that it is reviewing the display of information on its website to ensure that the information can be accessed and used by stakeholders for a variety of purposes.

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[125]   Submission 8, p 1.

[126]   Submission 7, p 3; submission 8, p 1; submission 12, p 2; submission 14, p 1; submission 17, p 3; submission 18, p 6; Submission 24, p 11.

[127]   Submission 17, p 2.

[128]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, response to submissions, pp 4-5.

9 Preparing for October 2020 and beyond

As noted above, the assurance audit review process conducted by senior IT officers from DHPW after election night confirmed that the sole problem on election night had been poorly formed data, an issue that had subsequently been successfully rectified.

With the State general election to be held on 31 October 2020, the ECQ is currently planning for how best to conduct the election given the continuing impacts of the COVID-19 pandemic. As noted by ECQ:

> As the Premier has indicated, a predominantly postal election is one such option, along with a more traditional 'mixed method' of voting via a combination of COVID-safe in-person voting in the early voting period as well as on election day, postal voting, and via telephone voting.
>
> While the method of election delivery does not affect the need to publish election results data, it can affect what information is available to be published, and when it is available. For example, a predominantly postal election presents a very different vote counting scenario than a more traditional election, given electors have until 10 days after election day to return their votes.
>
> Naturally, that could greatly reduce the information available to the ECQ on election day for publishing that same night if many electors do not return their votes quickly. By comparison, the mixed model of election delivery usually results in a significant number of early votes and election day votes being available for preliminary counting and publication on election night.[129]

As acknowledged by the ECQ, 'the experiences and external influences on the EMS project through 2019 and early 2020' have highlighted the need to focus on system stability ahead of October's State general election, so as to ensure an effective, functional, secure and user-friendly results website is available for use throughout that election period.

ECQ's focus in preparing the EMS to deliver the October election is to:

- rectify any outstanding identified defects
- develop additional functionality to eliminate the need for manual/external work-arounds (underway)
- identify [load and architectural] issues that arose during delivery of the March 2020 elections (underway) and develop functionality to address these issues, and
- implement remaining EMS functions necessary to deliver and manage the election.[130]

It is ECQ's intention that all work will be actively managed with the EMS vendor [Konnech] to minimise risk and development time, and maximise time for testing, defect correction and training for key election staff. Testing to be undertaken includes user acceptance testing, load testing and penetration vulnerability testing.[131]

An internal analysis by ECQ of the EMS results website compared to the ECQ results presentation website concluded that development of the EMS results website, to achieve the fully integrated solution originally planned for, is the preferred system for use in the State general election.[132]

Development of the results website to be integrated with the new EMS is now being finalised. It will allow for an automated feed of election results to the website and remove the manual verification and

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[129]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 16.

[130]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 3.

[131]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 3.

[132]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 3.

validation process that was used for the March 2020 elections. This should improve accessibility and availability of election results to the public, including updates to election counts.[133]

The ECQ has identified the key stages in the finalisation of the results website as being:

- *Migration of local government election results data to the EMS results website (April-May)*

- *Finalise XML data feed specification with stakeholders (April-May)*

- *Undertake ongoing load and security testing in line with development activities, including testing, analysing and remediating any identified issues (May-September)*

- *Develop and test XML data feed (May-June)*

- *Develop and test changes to EMS website (June-July)*

- *Validate results site against 2020 local government data (July)*

- *Incorporate stakeholder feedback on XML data feed (July-August)*

- *Undertake final targeted load and security testing as required (September).*[134]

The finalisation of website development will be overseen by a new Technical Reference Group (TRG/the group) established by the ECQ with the support of the EGP Steering Committee. The group will be chaired by the Chief Digital Officer, Department of Housing and Public Works[135] and will include the Chief Information Officer of the Department of Justice and Attorney-General, the Queensland Government Chief Information Security Officer and senior representatives of the ECQ. It will report to the Election Gateway Project Steering Committee, as part of the existing governance structure established to oversee development of the EMS.[136]

The purpose of the TRG is to provide assurance that both the results website and XML data feed are fit-for-purpose for the delivery of election results appropriate to the needs of interested parties. The group will also work to ensure that the solution meets performance needs, has appropriate cyber security protections in place, and that specific technical issues relating to the presentation of election result data are addressed prior to the State general election.[137]

The committee was advised that, in respect of performance and the presentation of election result data, the website will undergo rigorous load testing to ensure it can perform effectively when accessed by large numbers of people, as well as penetration and vulnerability testing to ensure that there are no identifiable cyber security weaknesses. Testing will occur at multiple stages during system development and will be undertaken by independent expert agencies on behalf of the ECQ. The ECQ is also working collaboratively with cyber security agencies (the Queensland Government Chief Information Security Office and the Australian Cyber Security Centre, part of the Australian Signals Directorate) to ensure that the website adheres with all cyber security requirements and specifications and that the integrity and security of the EMS is ensured.[138]

The ECQ has also reinforced its commitment to establishing constructive relationships with stakeholders and the community and to pursuing enhanced stakeholder engagement in the future.[139]

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[133]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 3.

[134]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 3.

[135]   DHPW is the lead agency for Queensland Government ICT

[136]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, pp 7-8.

[137]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 3.

[138]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter p 4.

[139]   Correspondence from the Electoral Commission of Queensland, 14 May 2020, covering letter, p 1.

Committee comment

The committee notes the strategy being implemented by ECQ to secure system stability for the 2020 State general election in October, as well as the enhanced governance structure that has been put in place to ensure that outcome.

Recommendation

The committee recommends that the Legislative Assembly note the contents of this report.

Appendix A – Functionality of the new EMS

The ECQ's new online EMS is designed to manage most of the administrative processes needed to support the efficient, effective and reliable conduct of elections, but it is not designed to conduct electronic voting, count votes or be used to determine election results.

The EMS comprises over 300 processes or functionalities, incorporated into a single, integrated election management software system that supports a number of ECQ's electoral activities, including:

- electoral administration – managing voters, electorates and political parties; maintaining system controls such as the electoral roll; and creating events

- election planning and preparation – populating data sets to systematically and financially plan for an election, including the generation of data about staffing levels, equipment and other logistical information

- election management – managing the varied elements involved in conducting an electoral event in accordance with an election timetable, and

- electoral event reporting, analysis and evaluation – managing the continuous supply of information (internal and external) that is required for reporting throughout an election cycle.

The EMS also shares data feeds with a number of other critical systems within the ECQ's software environment such as the EDS and election staff payroll and training systems; as well as sharing data feeds with external agencies such as the Australian Electoral Commission.

The EMS's election results website is an integrated solution for the recording, reporting and publication of election results, as well as publishing event results data through an XML feed.[140] It has three fundamental parts:

1. Entry and loading of data

2. Presentation of data via the website and XML feed

3. Infrastructure used to host the website and XML feed

For local government elections, results are displayed for each current electoral event and for each local government area contest for mayors and councillors, aligned to each local government area's voting method (optional preferential voting or first-past-the-post) and whether a council is divided (multiple divisions) or undivided (single division with multiple councillors). For an uncontested election the only data to be displayed is the declaration of the successful candidate. For each contest there are several counts of data published:

1. the unofficial preliminary count (counted on the night of the election)

2. an unofficial indicative count for certain contests

3. the official first preference count (generally commences the day after the election) and

4. the official distribution of preferences count (for optional preferential voting contests where there are three or more candidates).

The results website module functionality of the EMS accounts for under 10 percent of the EMS's total functionality.[141]

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[140] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 11. XML stands for Extensible Mark-up Language.

[141] Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 6.

Polling booth level data is published after the event. Once a candidate is declared as elected the website is updated to show a "Declared Status" with a link to a signed certificate declaring the candidate as being elected to a position.[142]

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[142]   Correspondence from the Electoral Commission of Queensland, 8 May 2020, p 11.

Appendix B – Submitters

Sub #	Submitter
001	Whitsundays Regional Council
002	Mackay Regional Council
003	Lynne Hackwood
004	Paul Gleeson
004A	Paul Gleeson
005	Burdekin Shire Council
006	Coolum Residents Association
007	Redlands2030
008	Estelle Blair
009	Townsville Residents and Ratepayers Association
010	Lonnie Nielsen
011	Antony Green
012	Mark Huges
013	Rockhampton Regional Council
014	Hinchinbrook Shire Council
015	Dave Barrowcliffe
016	Department of Housing and Public Works
017	Queensland Local Government Reform Alliance Inc (QLGRA)
018	Organisation of Sunshine Coast Association of Residents (OSCAR)
019	Together Branch of ASU
020	Liberal National Party of Queensland
021	Queensland Branch of the Australian Labor Party
022	Ken Kirby
023	Central Highlands Regional Council
024	Local Government Association of Queensland (LGAQ)

Appendix C – Officials at public briefing

Queensland Electoral Commission

- Mr Pat Vidgen, Electoral Commissioner

- Mr Wade Lewis, Assistant Electoral Commissioner

- Mrs Julie Cavanagh, Executive Director, Election Event Management

- Mr Gary Whitelaw, Executive Director, Digital Technologies

- Ms Cecelia Nuttall, Director, Strategy, Policy and Governance

Appendix D – Witnesses at public hearing

Liberal National Party of Queensland

- Angela Awabdy, State Secretary
- Brodie Thompson, Deputy Campaign Director

Queensland Branch of the Australian Labor Party

- Julie-Ann Campbell, State Secretary
- Zac Beers, Assistant Secretary

Burdekin Shire Council

- Terry Brennan, Chief Executive Officer

Mackay Regional Council

- Councillor Fran Mann
- David McKendry, Executive Officer

Organisation of Sunshine Coast Association of Residents (OSCAR)

- Melva Hobson, President

Department of Housing and Public Works

- Dallas Stower, Acting Deputy Director-General Transformation and Enabling Technologies
- Andy Stokes, Acting Executive Director Office of Assurance and Investment
- Chris Fechner, Chief Customer and Digital Officer

Local Government Association Queensland (LGAQ)

- Greg Hallam, CEO
- Stephan Bohnen, Lead Intergovernmental Relations

Private capacity

- Antony Green, Election analyst
- Estelle Blair
- Lynne Hackwood

Statement of Reservations

The LNP members of the Legal Affairs and Community Safety Committee (Committee) acknowledge that the Electoral Commission Queensland (ECQ) plays an integral role to ensuring that democratic principles are maintained during local government and state elections. In particular, it is the case that any failure on behalf of the ECQ to perform its functions competently can lead to dramatic consequences for political parties and cause a loss of public confidence in the electoral system.

While the members are concerned about the online publication of preliminary and formal counts of votes cast in the local government elections and state by-elections held on 28 March 2020, the members are even more concerned about the narrow terms of reference to which the committee could make inquiries, and more broadly with the overall functioning of the ECQ.

The members share concerns raised by many stakeholders, particularly those concerns about the 'wholly inadequate' communication, as described by the Liberal National Party of Queensland, between ECQ and key stakeholders such as political parties and returning officers. Of great concern is the submission given by Mr Antony Green, an experienced Election Analyst who has covered an estimated 80 elections throughout his 30 year career. Specifically, when asked whether he had experienced IT failures of this magnitude in other Australian jurisdictions, Mr Green responded –

> *"For a long time we have not had one as bad as the local government election here. There were problems with the local government election in 2016. That was entirely to do with denial-of-service attack software blocking people from using their website. That was a relatively simple thing to fix once they knew what the problem was. **This is the biggest failure**. I have not done an election like this for a long time. **I would have to be thinking back 25 years to find the last time I did not get results on a regular basis on the night**".*

It is disappointing this is yet another major failure by ECQ only three years after the Soorley Report made 74 recommendations to overhaul ECQ's management, communication and accountability systems and processes, which the implementation is costing taxpayers millions.

The very nature of this inquiry suggests that public confidence in the ECQ, and the election system more broadly has been diminished. This is backed by comments from stakeholders such as the Organisation of Sunshine Coast Association of Residents, who submitted that there is now 'reputational damage to the ECQ, cynicism and distrust from the community'.

Furthermore, the members are of the view that all questions that relate to the ECQ's functioning are important if improvements are to be made to electoral processes. Significantly, the limited scope of this inquiry fundamentally undermines the principle of transparency and accountability. First, the narrow terms of reference limited the Committee's ability to adequately inquire into the truth. This is despite Labor's Premier Annastacia Palaszczuk promising Queenslanders that there would be a full review into the failure. Secondly, we are extremely disappointed the Chair did not allow our questions to be taken on notice. For example, answers to questions which the Committee could have benefited from, such as whether the Australian Labor Party had received any indication from the Palaszczuk Labor government that it had concerns about how the ECQ would perform in the March by-elections and local government elections, could not be pursued.

Consequently, it is anticipated that the limited scope of the inquiry will likely result in a number of issues remaining unresolved, which in turn may lead to many uncovered issues resurfacing at future elections.

James Lister MP
Deputy Chair
Member for Southern Downs

Laura Gerber MP
Member for Currumbin