



ACT | Aboriginal and
Torres Strait Islander
Elected Body

2014 Election Report



Chairperson
Aboriginal and Torres Strait Islander Elected Body
C/- Office of Aboriginal and Torres Strait Islander Affairs
Level 8, 11 Moore Street
CANBERRA CITY ACT 2601

Cc:
Mr Shane Rattenbury MLA
Minister for Aboriginal and Torres Strait Islander Affairs

Ms Robyn Forrester
Director of the Office of Aboriginal and Torres Strait Islander Affairs

Dear Chairperson

Report on the 2014 ACT Aboriginal and Torres Strait Islander Elected Body election

Enclosed is the report on the 2014 election of members of the Aboriginal and Torres Strait Islander Elected Body. This report is prepared in accordance with section 189A of the *Electoral Act 1992* (the Electoral Act) as applied by the *Aboriginal and Torres Strait Islander Elected Body Act 2008* (the ATSIEB Act).

Section 189A provides:

189A Report of result of ATSIEB election

- (1) As soon as practicable after the result of an ATSIEB election has been decided, the commissioner must give the ATSIEB chair (or, if there is no chair, the Minister) a written report setting out:
 - (a) the election results; and
 - (b) the number of votes received by each candidate.
- (2) The commissioner must make the report available to the public during ordinary office hours.

This election report is available for public inspection at the office of the Electoral Commissioner. A copy of this report has also been published on the Elections ACT website www.elections.act.gov.au.

Yours sincerely



Phillip Green
Electoral Commissioner

29 July 2014

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Introduction

This report on the 2014 election of members of the Aboriginal and Torres Strait Islander Elected Body is prepared in accordance with section 189A of the *Electoral Act 1992* (the Electoral Act) as applied by the *Aboriginal and Torres Strait Islander Elected Body Act 2008* (the ATSIEB Act).

This election report is available for public inspection at the office of the Electoral Commissioner. A copy of this report has also been published on the Elections ACT website www.elections.act.gov.au.

An election for the Aboriginal and Torres Strait Islander Elected Body under the ATSIEB Act commenced on 19 May 2014 and concluded on 24 July 2014.

The formal declaration of the results of the election is set out in Notifiable Instrument NI2014-352. A copy of the instrument is at **Appendix A**. This instrument was notified on 24 July 2014 and became effective from 25 July 2014.

The number of votes received by each candidate as first preferences, and the further distribution of preferences to determine the results of the election, are set out at **Appendix B** and **Appendix C**.

Overview of the election

The ATSIEB Act provides for elections for an Elected Body to be conducted by the ACT Electoral Commissioner.

Seven members are to be elected to represent members of the ACT Aboriginal and Torres Strait Islander community on the Elected Body.

To be eligible to vote in an election or to stand as a candidate a person must be:

- an Aboriginal person or Torres Strait Islander;
- at least 18 years of age; and
- on, or eligible to be on, the ACT electoral roll.

In addition, candidates must not be under sentence of imprisonment for 1 year or longer for a conviction for an indictable offence.

Eligible electors could vote by attendance at a polling place or by post.

The voting and counting system used for the election is the Hare-Clark electoral system as set out in the Electoral Act. This is the same system used for ACT Legislative Assembly elections, with some modification to suit the circumstances.

The election was conducted according to the following timetable:

Election timetable	Date
Election start date and nominations open	Monday 19 May 2014
Nominations close	12 noon Monday 2 June 2014
Nomination of candidates declared and order on ballot papers decided	12 noon Tuesday 3 June 2014
Electoral rolls close	5pm Monday 23 June 2014
Polling start date	Saturday 5 July 2014
Polling close date	Saturday 12 July 2014
Scrutiny starts	Tuesday 22 July 2014
Election declared	6:00 pm Thursday 24 July 2014

Nominations

The nomination period opened on the election start day – Monday 19 May 2014. The nomination period closed at noon on Monday 2 June 2014.

Candidates needed to be nominated by at least 4 persons eligible to vote in the election.

Nominations were received from 14 candidates. Their names were publicly declared by the ACT Electoral Commissioner at the Aboriginal and Torres Strait Islander Cultural Centre, Yarramundi Reach, Yarralumla, at noon on Tuesday 3 June 2014.

Draw for positions

The draw for positions on the ballot paper was conducted in public by the ACT Electoral Commissioner immediately after nominations were declared. This was achieved using the double random draw method. A copy of the ballot paper is at **Appendix D**.

Polling

Staffing

The following positions were filled to assist with the conduct of polling at 12 locations over 8 days of polling:

- 1 Officer in Charge (OIC);
- 1 Second in Charge (2IC); and
- 7 Liaison Officers, appointed in consultation with the Aboriginal and Torres Strait Islander Elected Body, also appointed as issuing officers.

All staff from the ACT Electoral Commission were also appointed as issuing officers for the 8 days of polling so votes could be issued at the Office of the ACT Electoral Commission. Two staff from the ACT Electoral Commission also assisted with the conduct of polling at a number of offsite polling locations including the NAIDOC Ball, NAIDOC on the Peninsula (AIATSIS Family Day), NAIDOC on the Green and the Aboriginal Hostel's Limited luncheon.

The Liaison Officers' role was to ensure that only eligible Aboriginal persons or Torres Strait Islanders voted in this election. If the Liaison Officer determined, on the balance of probabilities, that an elector was not eligible to vote, the Liaison Officer could issue the voter with a challenge.

One challenge was issued by a Liaison Officer over the course of the polling period. This challenge was referred to the Review Panel to determine if the ballot should be admitted to the count. See page 6 for the Review Panel's decision.

Locations

The location and hours of polling are set out in the following table:

Date	Voting times	Venue
Saturday 5 July 2014	5:00pm to 7:00pm	NAIDOC Ball QT Hotel (Formerly Rydges Lakeside Canberra) Great Lakes Ballroom 1 London Circuit CANBERRA
Sunday 6 July 2014	10:30am to 3:30pm	AIATSIS Family Day NAIDOC on the Peninsula Acton Peninsula next to AIATSIS Building ACTON
Monday 7 July 2014	9:00am to 12:00pm	Winnunga Nimmityjah (Strong Health) Aboriginal Health Service 63 Boolimba Crescent NARRABUNDAH
Monday 7 July 2014	2:00pm to 5:00pm	West Belconnen Child and Family Centre Cnr Starke Street and Luke Street HOLT
Tuesday 8 July 2014	10:00am to 4:00pm	Belconnen Library 12 Chandler Street BELCONNEN

Date	Voting times	Venue
Wednesday 9 July 2014	10:00am to 4:00pm	ABODE HOTEL 10 Bowes Street WODEN
Thursday 10 July 2014	10:00am to 4:00pm	Tuggeranong Child and Family Centre 159 Anketell Street GREENWAY
Thursday 10 July 2014	11:00am to 2:00pm	NAIDOC on the Green Colbee Court PHILLIP
Friday 11 July 2014	11:00am to 1:00pm	Aboriginal Hostels Limited (AHL) Luncheon QT Hotel (Formerly Rydges Lakeside Canberra) Great Lakes Ballroom 1 London Circuit CANBERRA
Friday 11 July 2014	2:00pm to 5:00pm	Alexander Maconochie Centre 10400 Monaro Highway HUME
Saturday 12 July 2014	9:00am to 4:00pm	Gugan Gulwan Youth Aboriginal Corporation 1 Grattan Court WANNIASSA

Voting at the Alexander Maconochie Centre

Arrangements were made through the Justice and Community Safety (JACS) Directorate and the Office of Aboriginal and Torres Strait Islander Affairs (OATSIA) to conduct polling at the Alexander Maconochie Centre (AMC). This was the first time that polling was offered inside the prison for the Aboriginal and Torres Strait Islander Elected Body election. Postal voting was offered to AMC inmates at the previous ATSIEB election.

Personnel from OATSIA and the ACT Electoral Commission attended the AMC to conduct an informal information session. This information session was facilitated by the Indigenous Liaison Officer at the AMC and was attended by approximately 20 inmates. The information session was arranged to encourage inmates to vote and to provide them with information about the elected body and the process of voting. It was a successful session and it is recommended that this informal information session continue for future elections as it encourages inmates to participate in the electoral process and to ensure their vote counted in this election.

According to the JACS Directorate, approximately 60 inmates identified as being an Aboriginal person or Torres Strait Islander. Of the 60 potential inmates, a total of 38 people cast their vote. These were made up of 4 ordinary votes and 34 declaration votes. All 34 declaration votes were admitted to the scrutiny.

Votes issued

Ordinary votes were issued to those voters whose names were found on the certified list of electors printed for the election. If a name could not be found on the certified list, a declaration vote was issued. Declaration voters were asked to provide proof of residence and where provided this evidence was noted on the declaration envelope. If the voter did not provide proof of residence they were informed that they had until Wednesday 16 July 2014 to provide proof of residence to the ACT Electoral Commissioner. Of the 89 declaration voters, 75 were able to provide proof of residence.

Voters were issued with ballot papers as follows:

Date	Location	Ordinary votes	Declaration Votes
Saturday 5 July 2014	NAIDOC Ball – ACTON	67	7
Sunday 6 July 2014	AIATSIS Family Day – ACTON	106	24
Monday 7 July 2014	Winnunga Nimmityjah (Strong Health) NARRABUNDAH	15	1
Monday 7 July 2014	West Belconnen Child and Family Centre – HOLT	1	0
Monday 7 July 2014	ACT Electoral Commission Office – CIVIC	12	0
Tuesday 8 July 2014	Belconnen Library – BELCONNEN	0	0
Tuesday 8 July 2014	ACT Electoral Commission Office – CIVIC	1	0
Wednesday 9 July 2014	ABODE Hotel – WODEN	6	0
Wednesday 9 July 2014	ACT Electoral Commission Office – CIVIC	0	0
Wednesday 9 July 2014	Winnunga Nimmityjah (Strong Health) – NARRABUNDAH	0	0
Thursday 10 July 2014	Tuggeranong Child and Family Centre – GREENWAY	0	0
Thursday 10 July 2014	NAIDOC on the Green – PHILLIP	22	13
Thursday 10 July 2014	ACT Electoral Commission Office – CIVIC	0	0
Thursday 10 July 2014	Winnunga Nimmityjah (Strong Health) – NARRABUNDAH	0	0
Friday 11 July 2014	Aboriginal Hostels Limited (AHL) Luncheon – ACTON	40	5
Friday 11 July 2014	Alexander Maconochie Centre – HUME	4	34
Friday 11 July 2014	ACT Electoral Commission Office – CIVIC	0	0
Saturday 12 July 2014	Gugan Gulwan – ERINDALE	19	5
	Sub-total	293	89
	Postal votes returned completed		11
	TOTAL	293	100

Postal voting

Electors who were unable to attend a polling place were eligible to apply for a postal vote for the election. A total of 25 applications for postal votes was received and processed.

A total of 11 postal vote certificate envelopes containing ballot papers was returned to Elections ACT by Friday 18 July 2014.

Review Panel

A 3 person Review Panel was appointed in consultation with the Aboriginal and Torres Strait Islander Elected Body to review the eligibility to vote of:

- any voters challenged by the Liaison Officer at the attendance polling places; and
- all postal voters.

The Review Panel met on Monday 21 July 2014 at the office of the Electoral Commissioner. Of the 11 postal votes received, the Review Panel accepted all 11 postal votes, as on the basis of the available evidence, the Review Panel was satisfied the voter was eligible to vote in the election.

There was one challenge issued by a Liaison Officer at polling at NAIDOC on the Green on Thursday 10 July 2014. This challenge was referred to the Review Panel for consideration and the Review Panel unanimously decided, on the balance of probabilities, that the voter was not an Aboriginal person or Torres Strait Islander and therefore the ballot was not admitted to the scrutiny. The Electoral Commissioner wrote to the voter to inform him of the Review Panel's decision.

Scrutiny

The scrutiny for the election was conducted using the Hare-Clark electoral system, in the reception room of the ACT Legislative Assembly Building, commencing at 10 am on Tuesday 22 July 2014. Elections ACT staff conducted the scrutiny. Three scrutineers were appointed by two candidates and were present throughout. The scrutiny was also observed by staff from the OATSIA Office and a Review Panel member.

Two election officials verified that seals on the ballot boxes were intact before the seals were removed.

At the preliminary scrutiny of the 89 declaration votes, 14 declaration votes were rejected as the voters were not on the electoral roll and they did not provide proof of ACT residency. A further 1 declaration vote was rejected by the Review Panel, upholding the Liaison Officer's challenge. At the preliminary scrutiny of the 11 postal votes, all 11 postal votes were admitted to the scrutiny.

A total of 100 declaration votes (including postal votes) was issued and 85 were admitted to the count. A total of 293 ordinary votes was admitted to the count.

At the beginning of the scrutiny, 1 declaration vote was deemed to be informal as the ballot paper was incorrectly placed by the voter in the ordinary ballot box.

After combining ordinary votes and declaration votes, a total of 378 votes was admitted to the count. Four ballot papers were informal. With 374 formal votes in the count the quota for election was 47.

The scrutiny was completed by 12:30 pm on Tuesday 22 July 2014.

The Electoral Commissioner officially declared the poll at 6 pm on Thursday 24 July 2014 at the Aboriginal and Torres Strait Islander Cultural Centre, Yarramundi Reach, Yarralumla. Full scrutiny sheets were made available at the public declaration and a copy is attached at **Appendix B**.

Candidates were elected in the following order:

- Rod Little
- Fred Monaghan
- Diane Collins
- Jo Chivers
- Jo Donovan
- Maurice Walker
- Ross Fowler

Contact information

For more information on ACT Aboriginal and Torres Strait Islander Elected Body election you can contact the ACT Electoral Commission:

- Phone: (02) 6205 0033
- Email: elections@act.gov.au
- Website: www.elections.act.gov.au
- The Commission's office:
Ground Floor, North Building, Civic Square, 180 London Circuit, Canberra City ACT 2601
- Postal address: PO Box 272 Civic Square ACT 2608

ACT Electoral Commission
July 2014

Appendix A

Australian Capital Territory

Electoral (Result of Aboriginal and Torres Strait Islander Elected Body election) Declaration 2014

Notifiable instrument NI2014–

made under the

Electoral Act 1992, s 189(1) (Declaration of result of election) as applied by the Aboriginal and Torres Strait Islander Elected Body Act 2008, s 31 (Application of Electoral Act)

1 Name of instrument

This instrument is the *Electoral (Result of Aboriginal and Torres Strait Islander Elected Body election) Declaration 2014*.

2 Commencement

This instrument commences on the day after it is notified.

3 Election results

The following candidates in the 2014 Aboriginal and Torres Strait Islander Elected Body election were successful and are declared elected:

Rod Little
Fred Monaghan
Diane Collins
Jo Chivers
Jo Donovan
Maurice Walker
Ross Fowler



Phillip Green
Electoral Commissioner
24 July 2014

Appendix B

Table I - Counting of the Choices

Count	Description of Choices Counted (NAC = Next Available Choice)	Donovan	McCulloch	Allan	Little	Chivers	Goreng Goreng	Keen	Fraser	Monaghan	Fowler	Collins	Brown	Walker	Miller	Ballot Papers Exhausted at Count	Total Ballot Papers Counted	Transfer Value	Votes Transferred to Table II
1	First choice of all ballot papers	26	4	23	2	30	6	15	12	3	27	39	19	12	9	0	374	1	374
2	NAC after Little	9	0	25	68	11	7	17	13	54	2	12	20	27	10	0	68	21/68	21
3	On ballot papers at Count 1	6	5	26	Elected	1	4	18	0		7	1	4	7	11	4	54	7/50	7
4	NAC after Monaghan	1	Excluded	23		1	0	6	12		1	0	0	1	NV	1	7	1	7
5	NAC after McCulloch	1		26		0	0	0	0		0	1	0	2	NV	1	6	7/50	0
6	On ballot papers at Count 3	1		23		1	Excluded	0	1		2	1	0	1	9	0	12	1	12
7	NAC after Goreng Goreng	4		1		1		0	0		0	1	0	0	NV	0	4	21/68	1
8	On ballot papers at Count 2	1		0		2		0	0		0	1	0	0	NV	0	4	21/68	1
9	NAC after Goreng Goreng	2		26		0		0	0		0	0	0	1	NV	0	4	7/50	0
10	On ballot papers at Count 3	1		1		0		0	0		0	3	3	3	Excluded	0	13	1	13
11	NAC after Miller	1		0		1		0	1		0	1	0	2		0	5	21/68	1
12	On ballot papers at Count 2	0		0		0		0	0		0	0	0	1		0	1	7/50	0
13	NAC after Fraser	3		0		3		1	Excluded		1	2	2	4		0	16	1	16
14	On ballot papers at Count 1,4,6,9	0		0		0		0	0		0	14	19	19		0	1	21/68	0
15	NAC after Collins	0		0		0		0	0		0	0	0	1		0	2	1/2	1
16	On ballot papers at Count 2	0		0		0		0	0		0	0	0	1		0	17	1	17
17	NAC after Keen	5		23		2		1	0		4	0	0	0		0	1	1/2	0
18	On ballot papers at Count 1,12	0		3		1		0	0		0	0	1	1		0	3	21/68	0
19	NAC after Keen	1		0		0		0	0		0	0	0	0		0	6	7/50	0
20	On ballot papers at Count 3	3		0		1		0	0		0	0	0	1		1	6	7/50	0
21	NAC after Brown	5		23		22		0	0		4	0	0	3		0	20	1	20
22	On ballot papers at Count 1,9,12,15	1		1		7		0	0		0	0	0	0		0	6	21/68	1
23	NAC after Brown	1		26		Elected		0	0		0	0	0	4		1	4	7/50	0
24	On ballot papers at Count 3	3		3		0		0	0		0	0	0	0		1	7	2/6	2
25	NAC after Chivers	2		2		0		0	0		0	0	0	4		4	35	1	35
26	On ballot papers at Count 19	Excluded		Excluded							15			16		4	35	1	35

Aboriginal :

$$\text{Quota} = \frac{374}{7+1}$$

Table II - Distrib

[illegible]



Ballot paper



Aboriginal and Torres Strait Islander Elected Body ACT

2014 Election

**Number seven boxes from 1 to 7
in the order of your choice.**

You may then show as many
further preferences as you wish
by writing numbers from
8 onwards in the other boxes.

Election of 7 representatives

- | | |
|--------------------------|-----------------------|
| <input type="checkbox"/> | Jo DONOVAN |
| <input type="checkbox"/> | Tony McCULLOCH |
| <input type="checkbox"/> | Richie ALLAN |
| <input type="checkbox"/> | Rod LITTLE |
| <input type="checkbox"/> | Jo CHIVERS |
| <input type="checkbox"/> | Tjanara GORENG GORENG |
| <input type="checkbox"/> | Lynnice Letty KEEN |
| <input type="checkbox"/> | Delephene FRASER |
| <input type="checkbox"/> | Fred MONAGHAN |
| <input type="checkbox"/> | Ross FOWLER |
| <input type="checkbox"/> | Diane COLLINS |
| <input type="checkbox"/> | Steven BROWN |
| <input type="checkbox"/> | Maurice WALKER |
| <input type="checkbox"/> | Darryl MILLER |