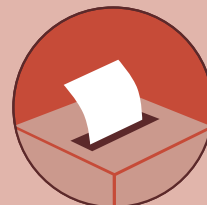
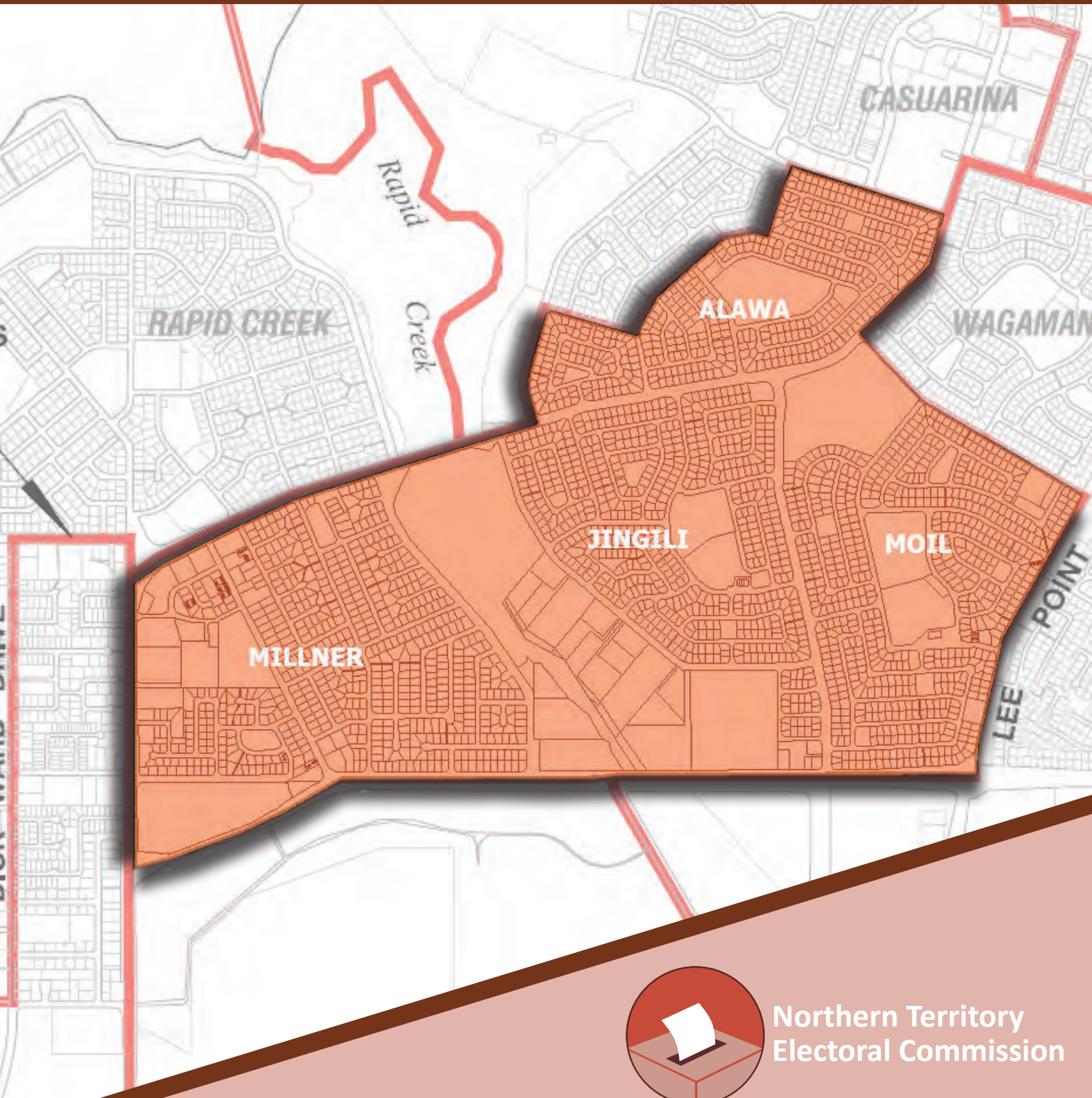


# 2020

## Division of Johnston By-election

# Report



Northern Territory  
Electoral Commission

**ISBN: 978-0-9942521-5-9**

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The Hon. N. Ah Kit MLA  
Speaker  
Northern Territory Legislative Assembly  
Parliament House  
Darwin NT 0800

Madam Speaker

This report provides information on the Legislative Assembly by-election for the division of Johnston held on 29 February 2020.

The *Electoral Act 2004* requires the report to be tabled in the Legislative Assembly within three sitting days after its receipt. Additional copies have been provided for this purpose.

Iain Loganathan  
Electoral Commissioner

16 October 2020



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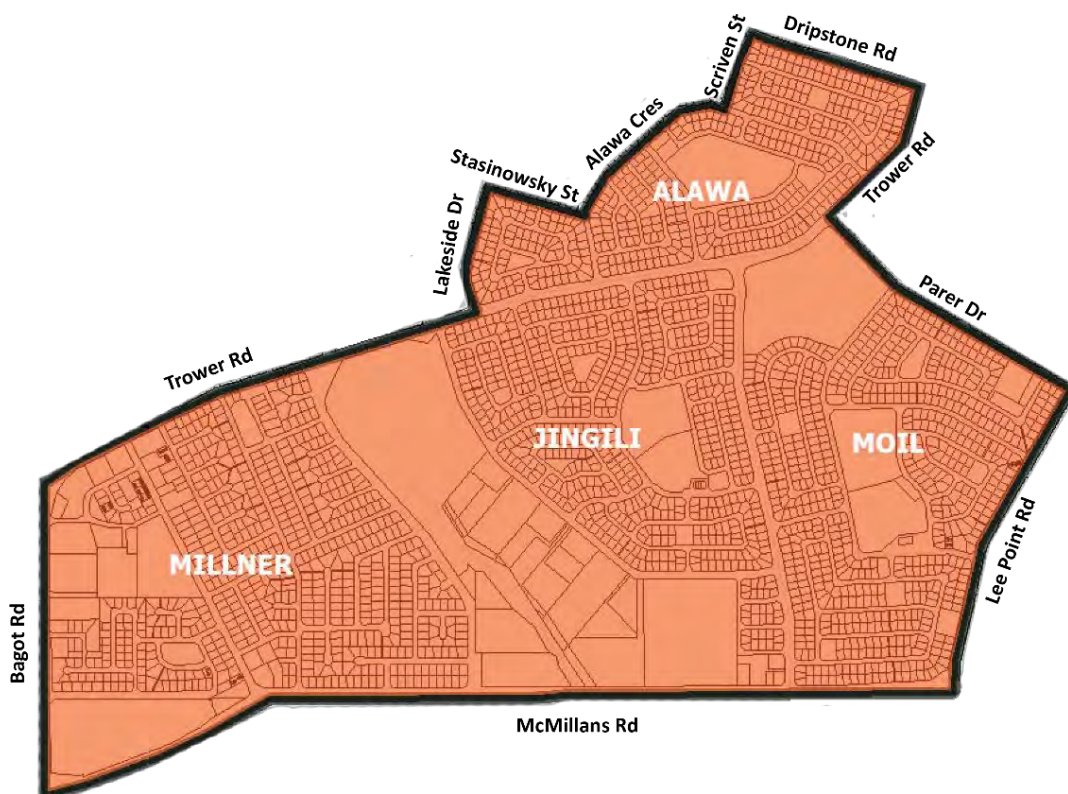
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## Division snapshot and result

The NT Legislative Assembly division of Johnston is situated in the northern part of Darwin and includes the suburbs of Jingili, Millner, Moil and part of Alawa. These boundaries were determined at the 2015 redistribution and used at the 2016 Territory Election.

The division was created following the 2000 redistribution.

It is named after Commodore Eric Johnston OBE AO AM, who was the Administrator of the Northern Territory from 1981 to 1989. He was a Royal Australian Navy officer, served in the Vietnam War and was involved in the administration of emergency naval assistance following Cyclone Tracy.



### RESULT

Joel Bowden – Australian Labor Party  
Elected following a distribution of preferences

## Executive summary

The sitting member of the division of Johnston, Ken Vowles, announced his resignation from the Legislative Assembly on 28 November 2019, to take effect from 31 January, 2020. Mr Vowles had held the seat since 2012.

Since its creation in 2001, the division has been represented by two Members of the Legislative Assembly (MLAs).

Member	Affiliation	Period
K E Vowles	Australian Labor Party	2012 - 2020
C B Burns	Australian Labor Party	2001 - 2012

The writ for the election was issued on Thursday, 6 February 2020, with the following key dates:

Election timetable	Dates
Close of electoral roll	5pm, Friday, 7 February 2020
Close of nominations	12 noon, Thursday, 13 February 2020
Election day	Saturday, 29 February 2020
Writ return on or by	Monday, 6 April 2020

The writ was returned on Tuesday, 17 March 2020.

The election was conducted concurrently with a City of Darwin by-election for Lyons ward. It was the 24<sup>th</sup> Legislative Assembly by-election since 1978.

See [Appendix A](#) for a list of Legislative Assembly by-elections since self-government.

## Election snapshot

	LA General election 25 August 2012	LA General election 27 August 2016	LA By-election 29 February 2020
<b>Electors on roll</b>	<b>4,879</b>	<b>4,983</b>	<b>4,988</b>
Electors voting	4,158 (85.2%)	4,006 (80.4%)	3,415 (68.5%)
Informal ballot papers	160 (3.8%)	77 (1.9%)	123 (3.6%)
No. candidates	5	3	7
Two candidate preferred	55.7% ALP; 44.3% CLP	64.7% ALP; 35.3% CLP	53.0% ALP; 47.0% TA
Cost per elector	\$21.79	\$25.51	\$30.73

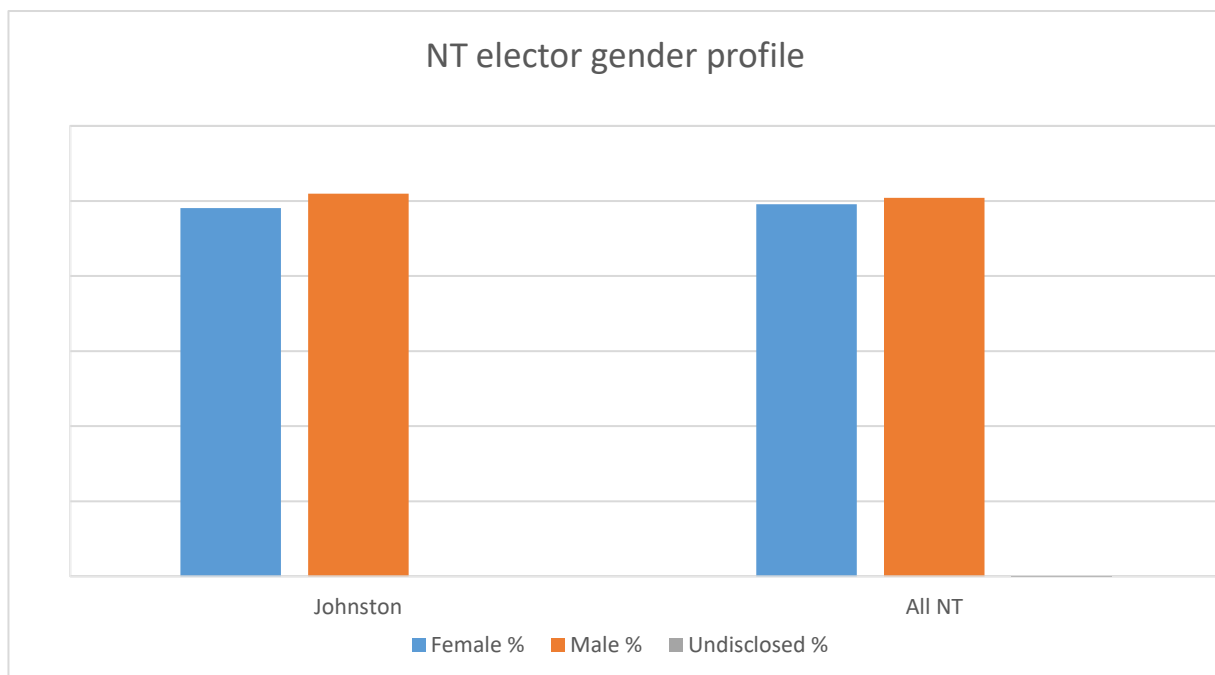
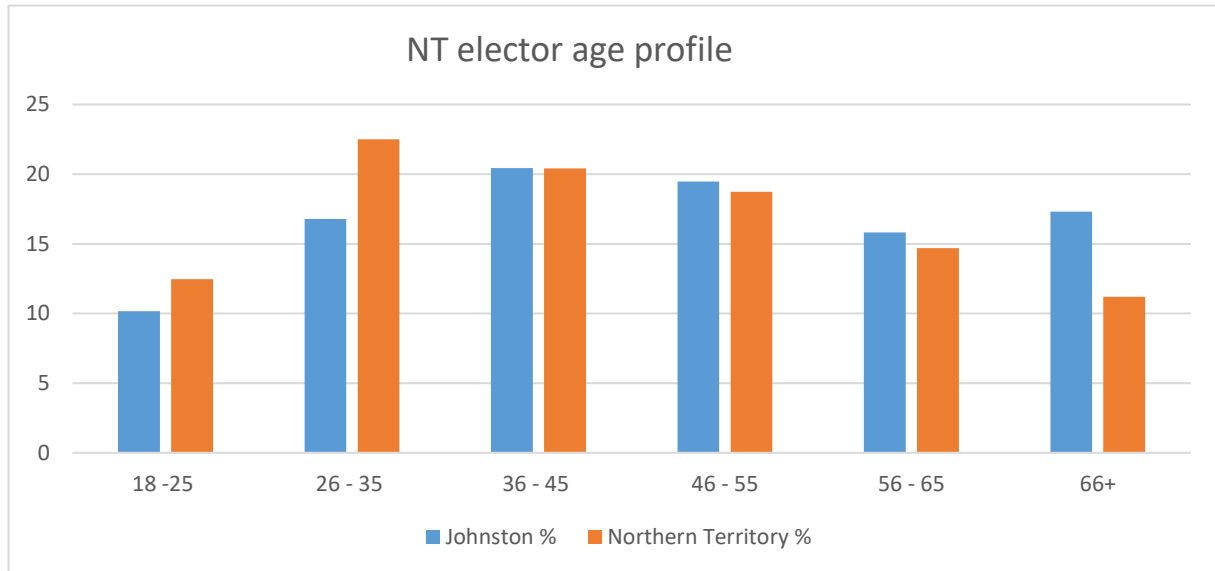
## Breakdown of costs

Category	Cost
Advertising	9,564
Disclosure compliance review	13,600
Information technology	11,753
Materials	2,843
Postage	3,036
Premises	11,459
Staff wages	100,404
Vehicle hire	641
<b>TOTAL</b>	<b>153,300</b>



**Key result area - Enrolment**

The Johnston division has a slightly older population than average for the Northern Territory. Most electors fall into the 36-55 age bracket, while the number of electors aged 66 and over is six percent higher in Johnston than the NT average. The gender mix is similar to the NT profile.



	Female %	Male %	Undisclosed %
<b>Johnston</b>	49.04	50.96	0.00
<b>All NT</b>	49.56	50.41	0.03

### **Key result area - Elections**

Nominations closed at 12:00 noon on Friday, 7 February 2020. A total of seven candidates nominated - two independent candidates and five from the following parties:

- Australian Labor Party NT (ALP)
- Ban Fracking Fix Crime Protect Water Party (BFFCPW)
- Country Liberal Party NT (CLP)
- Territory Alliance (TA)
- The Greens

#### ***Voting locations***

<b>Early voting centres</b>	<b>Mobile voting locations</b>	<b>Static voting centres</b>
Casuarina Shopping Centre NT Electoral Commission, Darwin Rapid Creek Business Village	Darwin Private Hospital Royal Darwin Hospital	Millner Primary School Moil Primary School

#### ***Voting summary***

<b>Postal voting</b>	212 ballot papers issued
Commenced	Monday, 17 February 2020
Ceased overseas	6:00 pm Tuesday, 25 February 2020
Ceased within Australia	6:00 pm Thursday, 27 February 2020
Deadline for return	6:00 pm Friday, 13 March 2020
<b>Early voting</b>	1,545 ballot papers issued
Commenced	Monday, 17 February 2020
Ceased	6:00 pm Friday, 27 February 2020
<b>Mobile voting</b>	Three ballot papers issued
Conducted	Thursday and Friday, 27 and 28 February 2020
<b>Other declaration voting</b>	33
<b>Election day voting</b>	1,722 ballot papers issued
Conducted	Saturday, 29 February 8:00 am – 6:00 pm

A total of 3,415 ballot papers were admitted into the scrutiny, 3,292 (96.4%) of which were formal. A total of 68.5 per cent of electors on the electoral roll voted.

### **Key result area - Public awareness**

The public awareness campaign focused on providing relevant election information through paid social media advertising, print media, posters and banners in the community and a letterbox flyer drop to all residences in the division of Johnston.

The flyer advised electors of key information about election day and early voting options. Organic social media posts, public notices, media releases and the NTEC website were used to maintain contact with electors.

Four newsletters containing election information were posted on the website and emailed to candidates and other stakeholders before election day.

### **Key result area - Corporate support**

Existing facilities at the NTEC Darwin office were utilised for the day-to-day running of the election. Casual staff were employed to assist with the logistics of conducting the election.

## Election timetable

Following an amendment to the *Electoral Act 2004* (the Act), effective from 1 January 2020, the election timetable was extended to 24 days from the previous 20 days.

<b>Electoral Act 2004</b>	<b>Timetable requirements</b>	<b>Date</b>
The writ authorises the Northern Territory Electoral Commission to conduct an election in accordance with the Act and sets the date for the close of nominations, voting day, the return of the writ and triggers all other key milestones and operational deadlines <i>[Section 27]</i>	Issue of the writ	Thursday, 6 February 2020
The electoral roll is closed for the period starting at 8pm, two days after the issue of the writ for an election - and ending at the close of voting for an election <i>[Section 8]</i>	Close of electoral roll	5:00 pm Friday, 7 February 2020
Nominations must close at 12 noon, four days after the issue of the writ <i>[Sections 28(a), 34]</i>	Close of nominations	12 noon Friday, 7 February 2020
A draw for positions of candidate names on the ballot paper is conducted as soon as practicable after the close of nominations <i>[Section 41]</i>	Draw for ballot paper positions	Thursday, 13 February 2020
Early voting <i>[Section 69]</i> Postal ballot materials can be despatched as soon as possible after the draw for ballot paper positions and may be completed at any time during the postal voting period, ending at 6 pm on election day <i>[Sections 62, 66]</i>	Early and postal voting commences	Monday, 17 February 2020
Mobile voting can be provided in remote areas and special institutions and can start nine days after the issue of the writ and must end no later than 6pm on election day <i>[Section 3]</i>	Mobile voting	Thursday, 27 February 2020 to Friday, 28 February 2020
Four days before election day <i>[Section 62(3)(a)]</i>	Overseas postal vote despatch ceases	5:00 pm Tuesday, 25 February 2020
Two days before election day <i>[Section 62(3)(b)]</i>	Australian postal vote despatch ceases	5:00 pm Thursday, 27 February 2020
Hours determined by the NTEC <i>[Section 69(1)(b)]</i>	Early voting centres close	6:00 pm Friday, 28 February 2020
Election day must be 19 days after the issue of the writ <i>[Section 28(b)]</i>	Election day	8:00 am to 6:00 pm Saturday, 29 February 2020
Postal votes must be received by 6pm on the Friday following election day in order to be included in the count <i>[Section 112]</i>	Deadline for the receipt of postal votes	12 noon, Friday 13 March 2020
Results of the election are to be publicly declared as soon as practicable after they have been determined <i>[Section 131]</i>	Declaration of the election result	10:00 am Monday, 16 March 2020
The writ sets out the latest date for its return <i>[Section 133]</i>	Return of the writ	Monday, 6 April 2020 <i>(returned 17 March 2020)</i>

## **Key result area - Enrolment**

### **Enrolment program**

The electoral roll is continually maintained and updated through the Federal Direct Enrolment Update (FDEU) program managed by the Australian Electoral Commission. In addition to these monthly activities, there was a targeted social media campaign and direct SMS and email sent to electors in the division of Johnston, advising them to enrol or update their enrolment details.

### **Enrolment transactions**

From Thursday, 11 August 2016 (the day after the 2016 Territory Election close of roll), to the by-election roll close on Friday, 7 February 2020, there were 2,859 additions in Johnston (including 176 first time enrolments) and 2,851 deletions.

During the period from Mr Vowles' resignation on 28 November 2019 to the close of the roll on 7 February 2020, there were 136 additions to and 166 deletions from the roll.

At the close of the roll, 4,988 electors in the division were enrolled to vote compared to 4,983 at the 2016 Territory Election.

### **Roll products**

Following the close of roll at 5pm on Friday, 7 February 2020, the AEC provided data for the production of electronic certified lists and other roll products.

## **Key result area - Elections**

### **Legislative change**

The 2020 Johnston by-election was the first Legislative Assembly election affected by the 2019 amendments to the Act. The voting system was changed back to full preferential voting.

The *Electoral Legislation Further Amendment Bill 2019* passed by the Legislative Assembly in September 2019 included a number of financial and non-financial amendments to the Act, to take effect on 1 January 2020.

Many of the financial disclosure requirements were introduced as a result of the Inquiry into Reform of Political Funding and Donations in the Northern Territory completed by Commissioner John Mansfield AM QC in 2018.

The main amendments are listed below, but full details of all amendments are contained in the Electoral Legislation Further Amendment Bill.

### **Financial amendments**

#### ***Electoral expenditure cap***

There is an indexed cap of \$40,000 on expenditure, (excluding travel and accommodation expenses) per seat for political parties and non-endorsed candidates. This cap is to be shared with associated entities.

In an election year, the cap applies from 1 January to 30 days after election day.

For by-elections, the cap applies from the day the writ is issued to 30 days after election day.

#### ***Third-party campaigners:***

Third-party campaigners are defined as any person or entity (excluding candidates), which incurs or expects to incur \$1,000 or more in political expenditure during the capped period. They must register with the NTEC and report on their financial expenditure. Third-party expenditure is not capped.

### ***Disclosure reporting***

In election years, candidates, parties, associated entities and third-party campaigners must submit the following returns for political donations:

- two quarterly reports between 1 January and 30 June
- a report to be lodged before election day, covering the period from the day after the writ is issued, to 17 days after that
- a post-election report from 18 days after the writ is issued to 30 days after election day.

In non-election years, candidates and donors are to provide annual financial year returns.

Deadlines for reports have been shortened from 112 days to 60 days after the end of the reporting period so that voters have access to more up to date information on financial disclosures.

All returns are published on the NTEC web site.

### ***Gifts and loans***

Gifts and loans need only be disclosed if they total more than \$200 to a candidate, or \$1,500 to a registered party, associated entity or third-party campaigner, but aggregation rules apply.

Gifts include in-kind support, such as labour or professional services, of which the value must be recorded, but exclude non-remunerated labour outside normal working hours or performed by a volunteer during leave from their usual workplace.

Gifts also exclude personal gifts made in a private capacity to a candidate for their personal use, disposition of property by will and party annual membership subscriptions.

The sources of loans of \$1,500 or more must be disclosed.

### ***Territory campaign account***

Candidates or registered parties must operate a separate account with a financial institution for NT electoral income and expenditure.

### ***Publishers and broadcasters***

Publishers and broadcasters are no longer required to lodge returns.

### **Non-financial amendments**

#### ***Election timetable***

The election timetable has been extended from 20 to 24 days.

#### ***Vote savings provision***

Electors who are not on the roll can make a declaration vote at a voting centre. If they are later found to be eligible, their vote can be admitted to the scrutiny.

#### ***Prohibition areas***

Campaigning is prohibited within 10 metres of the entrance to early voting centres and mobile voting sites.

On election day, campaigning is prohibited within 100 metres of voting centres.

#### ***Postal voting***

The requirement to have a witness sign the postal vote certificate was removed. Electors are now required to sign and date a declaration.

### **Election timeframe**

The former member for Johnston, Ken Vowles MLA, announced his resignation on 28 November 2019, to take effect 31 January 2020. The election was held on 29 February, 2020.

### **Candidate support**

#### ***Nomination processes and outcomes***

Seven nominations were received by the closing date. The draw for positions on the ballot paper took place at the NTEC Darwin office.

<b>Candidate</b>	<b>Affiliation</b>
GOODRICH CARTTLING, Aiya	The Greens
THOMAS, Josh	Country Liberal Party of the Northern Territory
BOWDEN, Joel	Australian Labor Party NT Branch
JENKINS, Trevor	Independent
MAMOZZELLOS, George	Independent
KLOSE, Steven	Territory Alliance
EARLEY, Braedon	Ban Fracking Fix Crime Protect Water

#### ***Management of candidates and parties***

Communication with candidates and parties was conducted through email, which included the election newsletters.

A candidate information session was conducted on Monday, 10 February 2020 at the NT Electoral Commission office in Darwin.

The returning officer provided an overview of the election including the nomination process, election advertising, political disclosure, campaigning rules and the full preferential voting system that would be used for the election. It was attended by two candidates' representatives, but no actual candidates.

#### ***Candidate packs***

Candidate packs were available in hard copy and on USB from the NTEC office. All information and forms could be downloaded from the website.

<b>Candidate pack contents</b>	
Election timetable	Disclosure handbook for candidates
Candidate handbook	Candidate's return form
Nomination form	Appointment of candidate's agent form
NTPS employees and elections guidelines and procedures	Applications for a postal vote
Appointment forms and briefing notes for scrutineers	Enrolment forms and reply paid envelopes

#### ***Newsletters***

Four newsletters were emailed to parties, candidates and other stakeholders. The newsletters were also available on the website. The newsletters contained information on legislative changes, key dates, disclosure requirements, prohibition boundaries, designated campaign areas and relevant statistics.

## Voting services

The following voting services were provided:

- Early voting
- Postal voting
- Urban mobile voting
- Election day voting

Voter turnout in the division was 68.5%, which was 11.9% lower than it was at the 2016 Territory Election. There were seven candidates, compared to three in 2016. The percentage of informal votes overall increased from 1.9% in 2016 to 3.6% in 2020.

**Table 1:** Comparison between the 2016 Territory Election and 2020 By-election.

	2016 Territory Election		2020 Johnston By-election		
	No.	%	No.	%	+/-
<b>Participation</b>					
Electors on the roll	4,983		4,988	0.001	+ 5
Formal votes	3,929	98.1	3,292	96.4	-637
Informal votes	77	1.9	123	3.6	+46
<b>Total</b>	<b>4.006</b>	<b>80.4</b>	<b>3.415</b>	<b>68.5</b>	<b>- 591</b>
<b>Vote type</b>					
Ordinary votes	1,913	47.8	1,722	50.4	-191
Absent votes*	522	13.0	0	0	0
Postal votes	182	4.5	147	4.3	+35
Early votes	1,368	34.1	1,546	45.3	+ 312
Mobile voting	0	0	3	.08	+3
Declaration votes	21	0.5	33	.96	+12

\* Absent voting is not available at by-elections

### Postal voting

Electors could apply online for a postal vote or download and print a form from the website. All electors had the option to apply for a postal vote. Previous criteria was removed before the 2016 Territory election.

Postal vote packs were mailed from Monday, 17 February 2020. Sixty-eight percent of postal vote certificates were returned within the prescribed timeframe. Nine votes were received after the postal voting deadline of midday Friday, 13 March 2020.

**Table 2:** Postal voting summary

Postal vote certificates (PVCs) issued	No.
Registered postal voters (RPVs)	56
Postal vote applications accepted	156
PVCs reissued	7
<b>Total PVCs issued</b>	<b>219</b>
Postal vote certificates returned/not returned	
PVCs returned and admitted to scrutiny	154
PVCs undeliverable & endorsed 'Return to Sender' (RTS) & cancelled	3
PVCs received after deadline	8
<b>Total PVCs returned</b>	<b>165</b>
<b>PVCs not returned</b>	<b>54</b>
Scrutiny	
PVCs admitted to the count	139
PVCs rejected from the count:	18

**Division of Johnston**  
**By-Election Report**

**Table 2A:** Breakdown of rejected postal vote applications

Reason	No election in applicant's area	Multiple applications received	Too late for Australian address	Too late for overseas address	Not enrolled	Cancelled and rejected on request of voter	Application not witnessed & too late to reapply	Total
2016	0	7	2	1	0	2	1	13
2020	3	8	5	0	1	0	1	18

**Early voting**

Early voting was available at the following locations for the two weeks before election day. An early voting centre was established at Rapid Creek for the first time given it was the main shopping centre in the division.

Location	Operating hours
NT Electoral Commission Level 3, TCG Centre 80 Mitchell St Darwin	Monday 17 February to Friday 21 February 8:00 am to 5:00 pm Monday 24 February to Thursday 27 February 8:00 am to 5:00 pm Friday 28 February 8:00 am to 6:00 pm
Casuarina Shopping Centre 247 Trower Rd Casuarina	Monday 17 February to Thursday 20 February 8:00 am to 5:00 pm Friday 21 February 8:00 am to 8:30 pm Saturday 22 February 8:00 am to 5:00 pm Sunday 23 February 10:00 am to 3:00 pm Monday 24 February to Thursday 27 February 8:00 am to 5:00 pm Friday 28 February 8:00 am to 6:00 pm
Rapid Creek Business Village 48 Trower Rd Rapid Creek	Monday 17 February to Friday 21 February 8:00 am to 5:00 pm Saturday 22 February and Sunday 23 February 8:00 am to 3:00 pm Monday 24 February to Thursday 27 February 8:00 am to 5:00 pm Friday 28 February 8:00 am to 6:00 pm

**Table 3:** Early voting statistics in Johnston

Early voting centre	2016 Territory Election		2020 By-election	
	Formal	Informal	Formal	Informal
Casuarina	1,003	17	646	22
Rapid Creek	N/A	N/A	829	25
Darwin	266	3	70	4
Other regions	77	2	N/A	N/A
Total	1,365	22	1,545	51

The Rapid Creek early voting centre was open on the Sunday before election day to coincide with the Rapid Creek Markets. Just 27 votes were taken that day, which could indicate that most of the Sunday market clientele lives outside the division.

**Mobile voting**

A mobile voting service was provided to Darwin Private and Royal Darwin Hospitals for electors who were in-patients. Voting was conducted on Thursday 27 and Friday 28 February 2020, with a total of three votes taken.



### Election day voting

Election day voting centres were open from 8:00 am to 6:00 pm at Millner and Moil Primary Schools on Saturday, 29 February 2020.

A total of 1,722 ordinary (election day) votes were cast, 50.4% of total votes, a 10% decrease from the 1913 ordinary votes lodged in the division at the 2016 Territory Election.

**Table 4:** Comparison of election day voting in Johnston

Voting centre	2016		2020	
	Formal	Informal	Formal	Informal
Millner	821	16	687	31
Moil	1,045	31	964	40
<b>Total</b>	<b>1,866</b>	<b>47</b>	<b>1,651</b>	<b>71</b>

### Declaration voting

Declaration votes may be issued to people whose name cannot be found on the roll or whose name has already been marked as having voted. On election day, 33 declaration votes were taken from voters whose names were not on the roll, or who were enrolled in a different division. Following further investigation, five declaration votes were admitted to the count.

**Table 5:** Declaration envelope details

Event	Declaration envelopes					
	Submitted	Admitted for further scrutiny	Rejected from further scrutiny			
			Not on roll	Enrolled elsewhere	No signature	Total rejected
2016 Territory Election	91	21	70	0	0	70
2020 By-election	33	5	0	28	0	28

### Electors with special needs

Electors with special needs can access a range of different services and voting officials are also trained to respond to electors needing assistance to vote.

Services provided at the by-election included:

- Postal and early voting services for electors who could not attend a voting centre due to:
  - disability, illness, infirmity or approaching maternity
  - fears for their personal safety
  - caring for another person with a medical condition, having to work on voting day or religious reasons
- Mobile voting at the Darwin Private Hospital and Royal Darwin Hospital
- Postal votes for prisoners identified as being enrolled in the division
- Wheel-chair accessible early and election day voting centres
- Disabled parking facilities at early and election day voting centres
- Allowing electors to vote from their vehicles if they are unable to enter the voting centre
- On request, allowing electors at voting centres who were unable to mark their ballot paper to obtain assistance from a nominee or an electoral officer, or from an authorised witness if voting by post.

## The scrutiny

Following the close of voting at 6:00 pm on Saturday, 29 February, counts were conducted at two election day voting centres and the Darwin office. The recheck of ballot papers commenced on Monday 3 March.

Candidates and parties were advised of when counts would be undertaken and one scrutineer per candidate per table could scrutinise the count.

Counting concluded on Friday, 13 March and Joel Bowden (ALP) was elected at the sixth count in the distribution of preferences. The full distribution of preferences was published on the website.

## Declaration of the result and writ return

The declaration of the election result was held at 10:30am on Monday, 16 March 2020 at the NTEC Darwin office. The writ for the election was returned to the Administrator on Tuesday, 17 March 2020.

## Election results

Electors enrolled	4,988	
Formal votes	3,297	96.4% of total ballot papers
Informal ballot papers	122	3.6% of total ballot papers
<b>Total</b>	<b>3,419</b>	
<b>Turnout</b>	<b>68.5%</b>	<b>2016 Territory Election turnout 80.4%</b>

**Table 6:** Final distribution of preferences

Count	Comments	Aiya GOODRICH-CARTTLING (GRN)	Josh THOMAS (CLP)	Joel BOWDEN (ALP)	Trevor JENKINS (Ind)	George MAMOZZELLOS (Ind)	Steven KLOSE (TA)	Braedon EARLEY (BFFCPW)
1	<b>First preference</b>	<b>565</b>	<b>536</b>	<b>983</b>	<b>80</b>	<b>57</b>	<b>728</b>	<b>343</b>
	MAMOZZELLOS excluded	13	4	8	8	-57	14	10
2	<b>Progressive</b>	<b>578</b>	<b>540</b>	<b>991</b>	<b>88</b>	<b>0</b>	<b>742</b>	<b>353</b>
	JENKINS excluded	28	13	15	-88	0	18	14
3	<b>Progressive</b>	<b>606</b>	<b>553</b>	<b>1,006</b>	<b>0</b>	<b>0</b>	<b>760</b>	<b>367</b>
	EARLEY excluded	181	43	47	0	0	96	-367
4	<b>Progressive</b>	<b>787</b>	<b>596</b>	<b>1,053</b>	<b>0</b>	<b>0</b>	<b>856</b>	<b>0</b>
	THOMAS Excluded	120	-596	222	0	0	254	
5	<b>Progressive</b>	<b>907</b>	<b>0</b>	<b>1,275</b>	<b>0</b>	<b>0</b>	<b>1,110</b>	<b>0</b>
	GOODRICH-CARTTLING excluded	-907	0	456	0	0	451	0
6	<b>Progressive</b>	<b>0</b>	<b>0</b>	<b>1,731</b>	<b>0</b>	<b>0</b>	<b>1,561</b>	<b>0</b>

Joel BOWDEN (ALP) elected at count 6

The ALP retained the seat with a margin of 2.4%; the margin at the 2016 Territory election was 14.7%.

## Elector turnout

The 68.5% turnout was an 11.9% decrease on the turnout for the division at the 2016 Territory Election, but it was close to the average 11.1% decrease in turnout for urban NT by-elections since 1999.

**Table 7:** Turnout - NT urban by-elections 1999 to 2020

By-election division and year	Previous general election			By-election			% Variation
	No.		% Voting	No.		% Voting	
	Electors	Voters		Electors	Voters		
Johnston 2020	4,983	4,006	80.4	4,988	3,415	68.5	-11.9
Casuarina 2014	5,031	4,325	86.0	5,481	3,887	70.9	-15.1
Blain 2014	4,980	4,141	83.2	5,914	4,067	68.8	-14.4
Wanguri 2013	4,855	4,325	89.1	4,984	3,865	77.5	-11.6
Araluen 2010	4,963	3,704	74.6	5,024	2,975	59.2	-15.4
Greatorex 2007	4,529	3,908	86.3	4,564	3,366	73.8	-12.5
Katherine 2003	5,174	4,207	81.3	4,058	3,074	75.8	-5.5
Port Darwin 2000	4,012	3,384	84.3	4,868	3,432	70.5	-13.8
Blain 1999	4,091	3,632	88.8	4,610	3,570	77.4	-11.4
Wanguri 1999	3,902	3,320	85.1	3,838	2,998	78.1	-7.0

## Informal voting

The number of informal ballot papers in Johnston at the 2020 by-election was 62.5% higher than at the 2016 Territory Election.

As previously noted, it was the first election in the NT following the re-introduction of full preferential voting, where voters must show a preference for all candidates listed on the ballot paper.

Optional preferential voting, introduced for the 2016 Territory Election, enabled voters the choice of marking just their first preference.

More than half of the informal votes at the by-election were assumed to be unintentional – a considerably higher proportion than the 14.3% recorded at the 2016 Territory Election. The vast majority of errors related to non-sequential numbering of the ballot paper, possibly indicating confusion amongst some voters about the requirements of full preferential voting, coupled with a larger field of seven candidates.

**Table 8:** Formal/Informal votes in Johnston

Vote type	2016 Territory Election					2020 By-election				
	Formal	%	Informal	%	Total	Formal	%	Informal	%	Total
Ordinary	1,866	97.5	47	2.5	<b>1,913</b>	1,651	95.9	71	4.1	<b>1,722</b>
Early	1,269	98.3	22	1.7	<b>1,291</b>	1,495	96.7	51	3.3	<b>1,546</b>
Declaration	21	100	0	0	<b>21</b>	5	100	0	0.0	<b>5</b>
Postal	182	100	0	0	<b>182</b>	146	99.3	0	0.7	<b>146</b>
Absent	514	98.5	8	1.5	<b>522</b>	N/A*	0	N/A	0	<b>0</b>
<b>TOTAL</b>	<b>3,852</b>	<b>98</b>	<b>77</b>	<b>2</b>	<b>3,929</b>	<b>3,297</b>	<b>96.4</b>	<b>122</b>	<b>3.6</b>	<b>3,419</b>

\*There is no absent voting at by-elections in the NT

**Table 9:** Informal votes in Johnston by assumed voter intent

Informal category	2016 Territory Election (Three candidates)		2020 Johnston By-election (Seven candidates)	
	No.	% of total informal votes	No.	% of total informal votes
Assumed intentional informality	66	85.7	55	45
Assumed unintentional informality	11	14.3	67	55
<b>Total</b>	<b>77</b>	<b>100</b>	<b>122</b>	<b>100</b>

**Table 9A:** Informal 2020 Johnston ballot paper survey by type and voting centre

Voting centre	Moil	Millner	Darwin EVC	Casuarina EVC	Rapid Creek EVC	Postal 1	Postal 2	TOTAL
<b>Assumed intentional informality</b>								
Blank	16	13	2	12	9	0	0	52
All the same	0	1	0	1	1	0	0	3
<b>Sub-total</b>	<b>16</b>	<b>14</b>	<b>2</b>	<b>13</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>55</b>
<b>Assumed unintentional informality</b>								
First preference only	0	2	0	0	0	0	0	2
Tick or cross	5	1	0	2	1	0	0	9
Duplicated	2	0	0	0	4	0	0	6
Non-sequential	13	14	1	7	8	0	0	43
Incomplete	2	0	0	0	2	0	0	4
Alpha used	0	0	1	0	0	0	0	1
Other	2	0	0	0	0	0	0	2
<b>Sub-total</b>	<b>24</b>	<b>17</b>	<b>2</b>	<b>9</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>67</b>
<b>Grand total</b>	<b>40</b>	<b>31</b>	<b>4</b>	<b>22</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>122</b>

EVC – Early voting centre

### Apparent non-voters

Data extracted from the certified lists of electors marked by voting officials indicated electors who had been issued with a ballot paper at the election. The data was supplemented with information received during the election period regarding the reasons electors were unable to vote.

Due to the uncertainties for the whole community created by the COVID-19 pandemic shortly after the by-election, the decision was made not to send non-voter notices for this election. Historically many non-voters pay their fines in person at the office which was contrary to the health direction to limit unnecessary travel.

**Table 10:** Apparent non-voters

Apparent non-voters	No.	% of electors
Electors who appeared to have failed to vote	1,573	31.5
Elector excuses lodged	97	1.9

**Table 11:** Non-voter excuses

Excuse	Darwin reception	Email	Phone	Total
Aged or incapacitated			2	2
Deceased	2			2
Illness of elector	17			17
Interstate temporarily	8	7	16	31
Moved address in NT	1		2	3
Moved interstate permanently	2	1	6	9
Other	1		1	2
Overseas permanently	2	2		4
Overseas temporarily	3	12	4	19
Remote		1	2	3
Work - unable to early/postal vote	3	1	1	5
<b>Total</b>	<b>39</b>	<b>24</b>	<b>34</b>	<b>97</b>

### Disclosure compliance review

Recent changes to the Act require a new scheme to regulate political donations and campaign expenditure across candidates, political parties, associated entities and third-party campaigners. The scheme, which took effect on 1 January 2020, requires all entities involved in the Johnston by-election to adhere to more stringent reporting requirements.

There is a cap of \$40,000 on electoral expenditure per individual candidate or party with a requirement for political parties, candidates, associated entities and third-party campaigners to lodge the following returns:

#### Reporting of gifts

Return	Period	Due
Return 1	1 July 2019 to 6 February 2020	11 February 2020
Return 2	7 February 2020 to 24 February 2020	27 February 2020
Return 3	25 February 2020 to 30 March 2020	9 April 2020

#### Reporting of electoral expenditure

Return	Period	Due
Return 1	6 February 2020 to 30 March 2020	29 April 2020

All returns were received by the due date. Summaries of the returns were placed on the NTEC website and copies were available for public inspection at the Darwin office.

A compliance review of election returns was conducted by the accounting firm BDO Pty Ltd. BDO made the following findings and recommendations in its report:

- a. There are some inconsistencies noted in the way the Electoral Bank Account is used as some candidates used non designated accounts to pay for their electoral expenditure.
- b. Not all candidates had adequate accounting systems to be able to capture all expenditure in its entirety.
- c. There were some variances noted between the figures declared to the NTEC and those noted in the respective accounting systems.

The key recommendations for the overall finding above include the following:

- a. The Northern Territory Electoral Commission should conduct some education/awareness initiative to ensure that potential candidates and political parties are well versed in the new scheme requirements especially on maintaining a designated Electoral Bank Account to capture all electoral expenditure.
- b. The cost of completing the review of some independent candidates is not commensurate to the benefit to be derived from such an exercise. Going forward, a sample selection for the review of independent candidates would be the best option for NTEC.<sup>1</sup>

#### Third-party campaigners and associated entities

Third-party campaigners are defined as any person or entity (not a candidate) that incurs or expects to incur \$1,000 or more in political expenditure during the capped period.

Associated entities are defined as an entity that is controlled by one or more registered parties or operates wholly or to a significant extent for the benefit of one or more registered parties.

<sup>1</sup> Taziwa, Carmel (2020) *Compliance Review of Johnston by-election electoral expenditure*, Darwin: BDO (NT), July 2020 p.3

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There were two registered third-party campaigners and two associated entities in the by-election:

Name of entity	Type	Address	Date registered
CPSU PSU Group	Third-party	Level 7, 191-199 Thomas St, Haymarket NSW	4 February 2020
CEPU Electrical Division QLD/NT	Third-party	41 Peel St, South Brisbane QLD	7 February 2020
CLP Gifts and Legacies Pty Ltd	Associated entity	PO Box 199, Darwin, NT	16 February 2016
NT ALP Investment Trust	Associated entity	PO Box 479, Parap, NT	17 February 2016

There were no donations made or received by third-party campaigners or associated entities that were above the threshold.

**Return of candidate deposits**

Candidates were required to lodge a deposit of \$500 at the time of their nomination. Nomination deposits were returned if the candidate was elected or polled more than 20% of the total of the first preference votes cast for the successful candidate.

After the election, the deposits for the following candidates were returned:

Name	Affiliation
Joel Bowden	Australian Labor Party – Northern Territory Branch
Braedon Earley	Ban Fracking Fix Crime Protect Water
Aiya Goodrich	NT Greens
Steven Klose	Territory Alliance
Josh Thomas	Country Liberal Party of the Northern Territory

The deposits for the two independent candidates, Trevor Jenkins and George Mamouzellos, were forfeited.

## Key result area – public awareness

### The NTEC role and strategies

Public awareness and media management activities, required to publicise the by-election and meet statutory obligations, were implemented following the issue of the writ on 06 February 2020.

The information strategy included:

- implementing an advertising campaign, using election-specific branding
- using the NTEC website as a key tool for providing election information
- publishing statutory notices in the *NT News*
- supplementing advertising with a letterbox drop to all residences in the division of Johnston
- erecting posters, banners and signage
- issuing regular election newsletters and media releases to stakeholders to provide information at significant stages of the election timetable and to clarify matters as they arose
- contacting stakeholders, informing them of authorisation requirements and advertising responsibilities
- monitoring media reports and editorial comment.

The prime objective was to conduct an election awareness campaign to inform all electors in the division of Johnston of how, when and where to enrol and vote. One of the complexities was that the 2019 redistribution of electoral boundaries significantly changed the Johnston boundaries but the by-election was conducted on the 2015 boundaries.

### External advertising

Location targeted social media was the primary form of external advertising used for the by-election. With a City of Darwin by-election being held on the same day, the ability to target specific electoral areas helped reduce confusion among the two different voter groups.

A large component of the public awareness program also included statutory advertising in the newspaper; a letter box dropped flyer containing by-election information; sms and email messages sent to enrolled electors and election awareness banners located in relevant geographic locations. The NTEC website [www.ntec.nt.gov.au](http://www.ntec.nt.gov.au) was also publicised on all advertising.

### Newspaper advertising

Statutory print advertising with specific voting information was published in the *NT News*. Advertisements included a call for candidate nominations; a call for third-party campaigners to register for the election; a list of candidates; early and election day voting centre information - and the election result. The statutory advertisements were augmented by two front-page advertisements in the *NT News*.

To minimise confusion amongst the electors in the wider Darwin area, television and radio advertising was not used for this election.

Substantial campaigning and door knocking by candidates, commentary by local media and numerous articles in the *NT News* in the lead-up to voting day assisted in notifying electors of their voting obligations.

## **NTEC information and publicity**

### **Social media**

Social media advertisements promoting enrolment and how and where to vote were posted on Facebook, Instagram and Twitter on 30 January and 5, 16 and 29 February. Four posts that targeted electors in the division of Johnston received a total engagement (link clicks, reactions, shares and video thru plays) of 4,823. Those who engaged with the NTEC's social media primarily did so through mobile devices.

### **Newsletter**

An election newsletter was emailed to stakeholders, including candidates and the media. Newsletters were published on 6, 20 and 27 February and a post-election newsletter distributed on 3 April outlined the electoral expenditure disclosure requirements for the by-election. The newsletters were available on the NTEC website with links shared on Facebook.

### **Email**

Email and SMS were used to contact division of Johnston electors who had provided contact details on their enrolment forms. Three emails were sent at different stages of the campaign with adjustments based on previous replies and whether or not electors had already voted.

1,633 emails were sent to electors informing them of when the electoral roll would close; 1,472 were sent providing early voting centre information and 1,104 were sent providing information on election day voting centres.

### **SMS**

2,081 SMS messages were sent to electors informing them when the electoral roll would close; 1,954 subsequent messages provided early voting information. At 10:00 am on election day, a voting reminder was sent to 1,291 electors who had not yet voted.

### **Letter box drop**

A total of 2,983 households in the division of Johnston received a flyer that provided information on the location of their nearest early and election day voting centres. The flyer advised electors who lived in the suburbs of Jingili, Millner, Moil and part of Alawa that they were required to vote in the by-election.

### **Signage**

Banners were erected on fences at the election day voting centres one week before the by-election, enabling electors and stakeholders to easily identify voting centres. Election day 'vote here' signage was also erected at the two voting centres. There were also signs at early voting centres, promoting voting before the 29 February election day.

### **Media communication**

The Commissioner took part in a number of radio and TV interviews in the lead-up to the by-election. Media releases and information relating to authorisation requirements and advertising responsibilities were also distributed by email to media contacts and stakeholders.

### **Website**

The 2020 Johnston by-election website went live on Monday, 3 February 2020. It provided comprehensive information for candidates and voters including information on nominating, voting centre locations and how to complete a ballot paper. The site also hosted an election results page that was updated throughout the counts. There were 22,389 page views during the election period.

### **Public events**

The declaration of nominations, draw for positions on the ballot paper and declaration of the election result took place at the NTEC office in Darwin, with the media, public and interested parties attending



## Key result area – Corporate support

### Human resource management

The day-to-day operations of the by-election were managed internally, supplemented by casual staff who assisted with administrative support, telephone enquiries, early and election day voting.

Outlined below are the positions held by the 13 casual staff employed at the two appointed election day voting centres. NTEC staff members were also in attendance at both voting centres.

Voting centre	OIC	2IC	DEC	VCS	Total
Millner	1	1	1	3	6
Moil	1	1	1	4	7
<b>Total</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>7</b>	<b>13</b>

**OIC** - Officer in Charge    **2IC** –Second in Charge    **DEC** - Declaration Vote Officer    **VCS** - Ordinary Vote Issuing Officer

### Information and Communications Technology (ICT) support

The NTEC utilised existing ICT infrastructure to support the Johnston by-election.

F1 Solutions was engaged for the electronic elector mark off system, known as eLAPPS. It effectively reduced the workload at Voting Centres and lessened wait times encountered by electors during the voting process.

Additionally, six Telstra Mobile Broadband connections were established to aid communications with voting centres over the voting period.

### Election expenditure, controls and costs

The cost of the election was \$153,300. The cost of the election per enrolled elector was \$31.

The NTEC’s annual appropriation does not include funding to conduct elections. Arrangements were made with Treasury to meet the costs of the election.

Standard financial program controls in line with the Treasurer’s Directions were put in place for staff payroll transactions and the processing of other election expenses.



**APPENDIX A:**  
**List of Legislative Assembly by-elections since 1976**

Division	Previous general election					By-election					
	Date	Elected	No. of candidates	STL %*	PVM %^	Cause	Date	Elected	No. of candidates	STL %*	PVM %^
Johnston	27.08.2016	Vowles (ALP)	3	14.7	-	Res.	29.02.2020	Bowden (ALP)	7	2.4	-
Casuarina	25.08.2012	Vatskalis (ALP)	2	9.4	-	Res.	18.10.2014	Moss (ALP)	7	5.3	-
Blain	25.08.2012	Mills (CLP)	3	13.3	-	Res.	12.04.2014	Barrett (CLP)	5	3.3	-
Wanguri	25.08.2012	Henderson (ALP)	2	7.1	-	Res.	16.02.2013	Manison (ALP)	3	19.5	-
Araluen	18.06.2008	Carney (CLP)	3	7.4	-	Res.	09.10.2010	Lambley (CLP)	2	18.1	-
Greatorex	18.06.2005	Lim (CLP)	3	1.5	-	Res.	28.07.2007	Conlan (CLP)	4	15.4	-
Stuart	18.06.2005	Toyne (ALP)	2	21.1	-	Res.	23.09.2006	Hampton (ALP)	6	17.7	-
Katherine	18.08.2001	Reed (CLP)	5	See note	52.2	Res.	04.10.2003	Miller (CLP)	5	4.4	-
Port Darwin	30.08.1997	Stone (CLP)	3	See note	64.5	Res.	11.03.2000	Carter (CLP)	4	See note	51.0
Blain	30.08.1997	Coulter (CLP)	2	23.9	-	Res.	31.07.1999	Mills (CLP)	4	3.4	-
Wanguri	30.08.1997	Bailey (ALP)	2	2.1	-	Res.	31.07.1999	Henderson (ALP)	4	See note	53.6
Stuart	04.06.1994	Ede (ALP)	2	2	-	Res.	28.09.1996	Toyne (ALP)	2	5.3	-
Arnhem	04.06.1994	Lanhupuy (ALP)	2	24.6	-	Res.	07.10.1995	Ah Kit (ALP)	4	See note	51.8
Fannie Bay	04.06.1994	Perron (CLP)	2	8	-	Res.	17.06.1995	Martin (ALP)	2	1.4	-
Arafura	27.10.1990	Tipiloura (ALP)	2	16.6	-	Dec'd	07.11.1992	Rioli (ALP)	3	See note	64.0
Millner	27.10.1990	Smith (ALP)	2	6.8	-	Res.	07.12.1991	Parish (ALP)	4	See note	51.1
Wanguri	07.03.1987	Dale (CLP)	3	9.5	-	Res.	19.08.1989	Bailey (ALP)	5	8.1	-
Flynn	07.03.1987	Hanrahan (CLP)	3	See note	50.5	Res.	10.09.1988	Floreani (NAT)	3	5.5	-
Barkly	07.03.1987	Tuxworth (CLP)	4	0.6	-	GE result voided	05.09.1987	Tuxworth (NAT)	4	6	-
Araluen	03.12.1983	Robertson (CLP)	3	See note	61.7	Res.	19.04.1986	Poole (CLP)	2	7	-
Jingili	03.12.1983	Everingham (CLP)	2	21.9	-	Res.	15.12.1984	Setter (CLP)	2	5	-
Millner	07.06.1980	Isaacs (ALP)	2	1.9	-	Res.	21.11.1981	Smith (ALP)	5	4.3	-
MacDonnell	07.06.1980	Perkins (ALP)	2	7.7	-	Res.	28.03.1981	Bell (ALP)	2	17.8	-
Alice Springs	19.10.1974	Kilgariff (CLP)	3	See note	72.2	Res.	07.02.1976	Manuell (CLP)	3	See note	53.2

Res. – Resignation | Dec'd – Deceased | \* STL – Swing to lose | ^ PVM – Primary vote margin

**Note:** A full distribution of preferences has only taken place as a matter of course since 2005. Before that, counting ceased when a candidate received an absolute majority. The swing to lose can still be calculated prior to 2005 if only two candidates contested the election; or where three or more candidates contested the election and a full distribution was required in order to establish the successful candidate.