



Media Release

2022 Local Government Election Results

The Electoral Commission of South Australia (ECSA) has notified Council that it has identified an error in the manner in which the computer software used for counting votes in complex elections was operated in respect of the count for Council's 2022 general election.

In a media statement released today by ECSA, the Commission states "...this issue has regrettably changed the outcome of the election in [the] Adelaide Plains Council area with two candidates incorrectly declared as elected members."

The Electoral Commissioner has advised the affected elected members Councillor Terry-Anne Keen and Councillor Eddie Stubing and candidates Mr Brian Parker and Mr Mel Lawrence, and are working closely with them to resolve the matter.

In accordance with the provisions of the *Local Government Act 1999* and *Local Government (Elections) Act 1999*, Councillor Terry-Anne Keen and Councillor Eddie Stubing are entitled to sit as members of Council until such time as any order of the Court of Disputed Returns provides otherwise. Council is satisfied that the lawfulness of its decisions will not be impacted in these circumstances.

Acting Mayor Strudwicke, upon receipt of this news, remarked "...I am quite shocked that an error can occur in the systems we rely on for delivering fair and trusted outcomes of council elections. I feel for the two current councillors, both of whom are passionate supporters of our community. It is important that the ECSA now resolve this matter expeditiously, to provide certainty to Council and its community this serious system failure does not adversely affect the smooth functioning of the council."

A copy of the media statement from ECSA is attached.

Council understands that the Electoral Commissioner is considering seeking leave to file a petition with the Court of Disputed Returns as soon as possible and we will continue to work closely with ECSA and the Local Government Association as matters progress.

Marcus Strudwicke
Acting Mayor

7 December 2023

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MEDIA STATEMENT FROM THE ELECTORAL COMMISSION OF SA (ECSA)

In preparation for the Court of Disputed Returns case involving an unsuccessful candidate in the City of Adelaide Central Ward Election, the Electoral Commission of SA (ECSA) has reviewed results for the 2022 Local Council Elections and identified an error in the computer software which it uses for counting votes in complex elections.

This issue has regrettably changed the outcome of the election in Adelaide Plains Council area with two candidates incorrectly declared as elected members.

The Electoral Commissioner has advised Adelaide Plains Council, the affected candidates and council members and is working closely with them to resolve this issue as a matter of urgency.

The Electoral Commissioner is considering seeking leave to file a petition with the Court of Disputed Returns to correct the results of the election as soon as possible to ensure that the results reflect the will of the voters.

For Local Council Elections with a large number of candidates and multiple vacancies, ECSA uses computer software to support the complex count process. This software was used to conduct counts in 25 of the 184 Local Council Elections held in November 2022.

In this case, human error was detected in the settings which has resulted in the incorrect number of ballot papers being distributed from elected candidates for Adelaide Plains Council.

ECSA has reviewed the results of the 25 elections. For 24 of these elections, there was no change in the members elected when the votes were counted again.

ECSA is committed to delivering all elections with the highest possible quality control measures in place and is currently reviewing its internal processes and procedures to ensure errors of this nature do not occur again.

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