

Rafferty, Janice

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**From:** Michael Moore [mmoore@phaa.net.au]  
**Sent:** Thursday, 15 March 2012 7:09 PM  
**To:** Rafferty, Janice  
**Subject:** Inquiry into ACT Self-govt Act

Janice Rafferty  
Secretary  
Standing Committee on Administration and Procedures

Dear Janice,

I would like the Committee to take as one of its submissions the article that was published this week in City News. It may be accessed on <http://citynews.com.au/category/politics/>

In a nutshell I would like the Committee to consider the following:

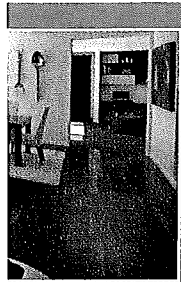
- Taking whatever action it can to ensure that the people of the ACT have as close as possible to the same rights and status as that of citizens who live within the States. Some examples:
  - Ensure appropriate names and titles are applied as with other jurisdictions. Even though arguments can be applied against these – when they are not used it diminishes the status and the power of the people of Canberra compared to other Australians
    - Examples are: Parliament, Premier, the term Honourable for Speaker and Ministers
- Reconsidering the work of Professor Pettit, Tim Keady and Bill Blick in the 1998 *Review of Governance of the Australian Capital Territory*
  - I draw particular attention to the system that they suggested for the number of members remaining largely at a proportion of 1:10,000 voters. The size of electorates and the boundaries should be drawn by Elections ACT although there should be a minimum of 5 members elected per electorate
- It is appropriate to recognise the changes that have already occurred where the “Constitution” of the ACT (the Self-government Act) is at least not subject to the whim of the Federal Executive but changes that impact on our laws require a vote of the Federal Parliament
- The restrictions in the Self-Government Act that are properly the business of an ACT Parliament in equivalence to the States should be removed:
  - For example the restrictions on ability to make laws relating to voluntary active euthanasia or any other social issue

Thank you for the opportunity to make this submission. I am happy for it to be made public.

*Michael*

Michael Moore  
Former Member ACT Assembly

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# More pollies? The eyes may have it this time



Columnist MICHAEL MOORE says it's time we grew up, democratically that is

**MORE MLAs in the Assembly? Should we just have a city council? More power to the Assembly? Single-member electorates? Five per electorate or seven? Different electoral boundaries? A premier rather than a chief minister?**

These are some of the questions to be considered by an Assembly Committee looking at the operation of the Australian Capital Territory (Self-Government) Act 1988 (Cwlth), which is effectively the ACT Constitution. Submissions are due this week.

Most Canberrans accept the reality that self-government is here to stay. So it is not a bad time to ask how it can be improved. Three of the four committee members considering this issue are in their first term: Speaker, Shane Rattenbury is chairing the committee with other MLAs Amanda Bresnan and Jeremy Hanson. The long-term MLA, John Hargreaves, brings some

of the Assembly's "corporate knowledge".

Former Speaker Greg Cornwell, in a submission to the committee, argues for a bigger Assembly to 23 or 25 members for the 2016 election. He argues that the ratio of voters to MLAs at the inception of the Assembly was one to 10,000. With the most recently published figures of 248,087 ACT voters, the ratio of voters to MLAs is now closer to one to 15,000.

One of the documents that should form the basis of the committee's considerations is the 1998 "Review of Governance of the Australian Capital Territory". When Philip Pettit chaired this last inquiry into self-government supported by Tim Keady and Bill Blick, he was professor of political philosophy at ANU. He is now professor of politics and human values at Princeton University and has made a submission.

The 1998 review recommended modifying the Self Government Act so that the

Territory has the same powers "as those enjoyed by a State parliament" and also recommended retaining a ratio of one elected member to 10,000 voters.

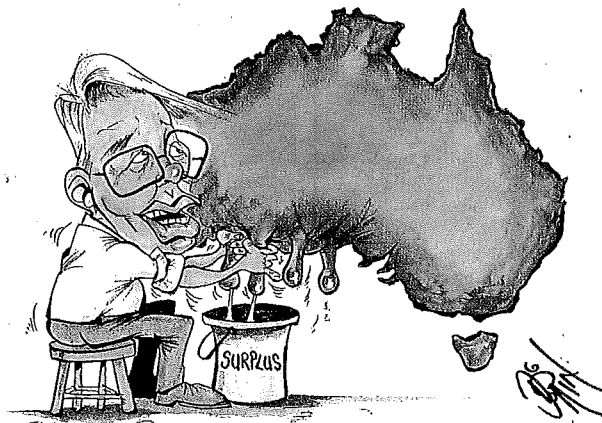
Professor Pettit has now written to the committee suggesting consideration of "Deliberative Democracy" for dealing with controversial issues. In a nutshell, voters are selected randomly, presented with all the arguments for and against a controversial issue and then asked for a final view of what action the government should take. The system has been used successfully in British Columbia and a number of other international jurisdictions. Variations have been used in Australia to gain informed views from the public rather than relying on popularity polling.

No democracy provides a perfect system of governance. However, the self-government Act should be referring to the Assembly as a parliament, the leader should be premier and the ministers should wear the title "Honourable", the same as every other Minister and some local councillors throughout Australia. The ACT Parliament should be able to determine its own limits in the same way as all State Parliaments in Australia. While this is not the case the ACT Parliament and its people will remain second-class citizens.

*Michael Moore was an independent member of the ACT Legislative Assembly (1989 to 2001) and was minister for health.*

*Details of the Inquiry may be found at <http://goo.gl/5wUHN>*

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