

Mr. Mick Gentleman MLA
Chairman
Select Committee on Amendments to the *Electoral Act 1992*,
Legislative Assembly
GPO Box 1020,
CANBERRA
ACT 2601

By email and mail

Dear Mr. Gentleman,

I submit to your enquiry into Amendments to Electoral Act 1992 that:

Any decision on the size of the Assembly ought to be decided by the electors of the ACT directly by referendum.

This ought to be a direct referendum not some 'mandate' mixed in with other issues at the next Assembly election.

Annex A, which forms a part of this submission, was my submission to reference group in March 2013. It still remains valid.

I draw your particular attention to paragraphs 12 - 19 which is the crux of democratic government.

If you wish me clarify or expand further then I would be available to appear before the Committee.

Simon J Fisk

28 April 2014

Annex A: Submission to reference group March 2013

Mr Phillip Green
ACT Electoral Commissioner
Chairman of the Expert Reference Group

Mr Green and other members of the Group

There three points I wish to make.

- A. **Do we need more or less?**
- B. **Are the Terms of Reference appropriate?**
- C. **ACT Electors to determine directly via a referendum**

Do we need more or less?

1. Prior to self-government there was one junior Federal Minister of the Capital Territory and one department. There was the NCDC who presumably was accountable to Parliament/Federal Minister. The Royal Canberra Hospital and other health facilities were run directly by the federal department of health. Our police were a division of the Federal Police - as now. So that makes possibly 4 Federal Ministers with minor involvement with only one full-time. It required one designated department and a couple more with very minor roles.
2. I was well satisfied by that arrangement and since self-government I have seen no added benefit to ACT's, mine or to my family's. I know since self-government my costs, rates and utility charges, have gone up in real terms without commensurate benefit.
3. I appreciate the population has gone from around 100000 to 300000 but that is not relevant as far as the duties or work load of the "Ministers" and members are concerned. The size of the population or the expenditure of a department is not proportional to the number of ministers in change. So no valid argument can be put forward that says more ministers therefore more assembly members is justified because of increase in population.
4. The argument put forward by politicians is very much a case of making space in order to fill it. The solution is either to be more efficient in the way they do things, rearrange their priorities or stop doing certain things. It is not to keep stamping their feet saying *'we want to do this and this and this and you as ratepayers pick up the tab, no questions asked'*.
5. So of course politicians will argue that they do not want to have to attend so many committees or not have to study as many subjects or want to spend more time in the 'community' so they get re-elected next time. I understand that but I do not acquiesce to it.
6. The way the party system is set up now, 7 labour members or 7 liberal members is exactly the same as 1 of each, for they do not directly represent their electorate members but what the party has dictated. I cannot recollect any member of the Assembly voting against their party on behalf of their electorate. So 3 members would be sufficient from a debating point of view.

7. That said I appreciate that for members to be across all the legislative issues there needs spread of 'expertise' over the opposing views. It would also be desirable to give the opportunity for a wide range of political views to be elected and therefore avoid a dictatorial regime. I would submit then that 3 x 4 members = 12 would be a starting point.
 8. I also do not want 'greater' representation as the cost of employing more politicians, chiefs of staff, secretaries, staffers and accommodation etc at \$100 000s will not be worth it in anyway. Therefore I submit that there ought to be reduction in the number of assembly members.
 9. **Do we need more or less - we need and deserve FEWER politicians.**
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Term of References

10. Unfortunately the Terms of Reference (TOR) are biased and purposefully tie the hands of the Reference Group only to enquire whether the assembly numbers should increase. If I proper analysis of the cost effectiveness of this system of government is to be done then the TOR should not have mentioned an increase or decrease.
11. The Group, if it has not already, should ask the ACT government to change the TOR to remove that bias of 'increase' and thereby make such an enquiry credible.

Terms of reference need to be amended to remove any reference to 'increase' in Assembly numbers.

The ACT Electors ought to determine the number by a direct Referendum - not Politicians

12. This is THE fundamental issue.
13. Mark Twain said, "*A politician has one person's interest in mind, what's the chances its yours*".
14. Human nature is mostly driven by self-interest. All organisms whether an amoeba, federal departments or politicians like firstly to survive and if possible get bigger. I have never heard of a public service department or area saying '*we are no longer needed so sack us*' unless the redundancy pay or other incentives are a better trade off.
15. Politicians, the political parties and hangers-on will of course wish to increase as it is in their self-interest, I understand that. As their employer though I ought at least to have a direct say and determine whether the cost of them is worth it. Will I get value for money?

16. Asking politicians whether their own numbers should increase (or similarly whether they want an increase in salary) is most likely to get a self-interested answer. It is obvious human nature whether in public or private sector that employees will tend to ask for more benefits (including salary) for doing less arduous or demanding work. It is being suggested that an employee, public or private, can go to the boss and demand that he/she is given more staff and the employer has to comply and pay the bill? That is what the politicians are suggesting here if they alone are going to determine their own numbers.
17. I submit therefore any proposal to increase or decrease the number of members be only done by a specific referendum of the ACT electors as they are the ones that should take that responsibility and will pay consequences. Any other method particularly of any majority of the ACT Assembly for an increase will not only give confirmation of 'snouts in the trough' but also be an insult to the competence of the ACT Electors to make the decision, which they perceive are good for them.
18. I wonder, perhaps naively, whether the politicians will have sufficient integrity to remove themselves from any decision on numbers and show respect to the electors to determine that directly through a referendum.
19. **ACT electors ought to determine the size of the assembly by direct specific referendum.**
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20. This is a brief submission as I did not want to go 'over the top' at this stage. I am willing though to clarify the points above or provide further input, such as the local/state responsibility aspects, if thought fit.

Simon Fisk

1 March 2013