

**Submission to the ACT Legislative Assembly Select Committee Inquiry into Amendments to
the Electoral Act 1992 (ACT)**

1. I am writing as a private citizen of the ACT in relation to:
 - (a) Term of Reference (1)(a) of the above Inquiry (namely, that “*the public position of the current Labor Government and the Liberal Opposition is that membership of the Legislative Assembly be expanded to 25 members at the 2016 elections.*”); and
 - (b) the related issue of the number of members there should be in each electorate.

2. I note that the ACT Electoral Commission made a detailed submission to the 2002 inquiry into the size of the ACT Legislative Assembly and in that submission (quoting from the Commission's 2012 submission)

“include[d] the following principles:

- *Each electorate should have at least 5 Members;*
- *Each electorate should have an odd number of Members;*
- *Electorates should each return the same number of Members; and*
- *The total number of Members should be an odd number – accordingly there should be an odd number of electorates.*

Other factors raised in the Commission’s submission include:

- *The proportionality of the outcome, recognizing that the greater the number of Members to be elected in an electorate, the more proportional is the ratio of the number of seats won by a party to the number of votes won by a party;*
- *The impact that any change may have on the stability of the Legislative Assembly, recognising that the greater the number of Members to be elected in an electorate, the lower is the quota in percentage terms, potentially making it easier for minor party candidates and independents to be elected;*
- *The cost of increasing the number of Members to be elected, for both Assembly administration and for electoral administration and the conduct of elections; and*
- *The impact of any change to the number of Members to be elected on the redistribution process.”*

3. I mention these views because, though my comments in this submission concern only the

number of members of the Assembly and per electorate, the above factors mentioned by the Commission are also critically important.

4. I also note that the 2013 Report of the Expert Reference Group into the size of the Assembly recommended that:

“(a) The ACT Legislative Assembly be increased to 25 members at the 2016 election, consisting of 5 electorates each returning 5 members; and

(b) The Assembly be increased to 35 members at the 2020 election, consisting of 5 electorates each returning 7 members.

5. And I note that in paragraph 16 of its Executive Summary, the Expert Reference Group says:

“Examining only electorate sizes, the ERG is of the view that 7 member electorates would provide for a better balance between proportional representation and stability than would 5 or 9 member electorates.”

6. It is widely known that both the Labor Government and the Liberal Opposition favour 5 member electorates, almost certainly because they would be disadvantageous to minor parties. In my view 5 member electorates are clearly less democratic in representing the diversity of opinion within any electorate than electorates with more members. Five member electorates would also more likely result in one of the two major parties being able to form Government without entering into coalitions with other parties. Experience here and elsewhere has shown that this would give the Executive too much power with the result that more issues would effectively be decided in Cabinet and the quality of debate on the floor of the Assembly would be poorer. I therefore strongly recommend that, as inconvenient as the major parties might find it, it would be in the interests of the citizens of the ACT for 5 electorates of 5 members to be avoided. Five member electorates are a lazy option for the major parties. They don't want to have to bother with the views of those who didn't vote for them and they don't want to have to argue their case on the floor of the Assembly.
7. If, as the Expert Reference Group says in paragraphs 14 and 17 of the Executive Summary of its Report, that 21 members of the Assembly (3 electorates of 7 members) would be too few and 35 members would be too many in one step, then I recommend that 27 Assembly members (3 electorates of 9 members) would be a much better solution to the problem of increasing the size of the talent pool from which Governments can draw their ministers than 5 electorates of 5 members. Three 9 member electorates would lead to better Assembly debates

8. In summary, for the sake of a better informed Assembly and citizenry and for the sake of Assembly decisions that represent the views of a wider cross-section of the ACT community, I strongly urge the Committee NOT to recommend 5 electorates of 5 members each, but instead, in the interests of the whole ACT community to recommend 3 electorates of 9 members each.

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