

LARGEST REMAINDER

(Not quite Quota Notes)

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Senate Voting

What hubris and arrogance has been displayed by four NSW Senate teams. The Liberal/National joint ticket, the Labor Party, The Greens, and the Christian Democratic Party (Fred Nile Group) (CDP) are each standing twelve candidates for the Senate. The Greens are also standing twelve Senate candidates in Victoria and Queensland.

Political party operatives like Labor Senator Sam Dastyari, Greens Senator Lee Rhiannon, and Liberal Senator Arthur Sinodinos must be aware that a quota for election in a double dissolution is just over 7.69% of the formal vote. To get all twelve of their candidates elected, these parties would need to receive 92.25% (12 x 7.69%) of the formal vote.

Surely they are aware that this election is being held in Australia, not North Korea!

(Naturally, we don't expect the CDP to understand this as they clearly have no understanding of voting mechanics: remember they ran nine candidates for a single vacancy in the 2009 Bradfield by-election.)

Running twelve candidates insults the voters, especially the party's own supporters, by bloating the size of the ballot paper and forcing voters to consider the merits of candidates who have no realistic chance of being elected.

Worse, by standing twelve candidates, these parties give the impression to their supporters that if they vote for all twelve candidates then they will maximise the value of their vote and

will help elect the twelve Senators required.

Further, it encourages voters, who may vote either above or below the line, to stop numbering preferences after they have filled out the twelve squares. Should any of these parties have spare votes over the last full quota, then these votes will exhaust.

A basic principle of the single transferable vote (STV) is that further preferences can never hurt the chances of candidates who have been given an earlier preference.

Why don't these parties trust their supporters to make informed decisions and encourage them to continue giving preferences in the hope and expectation that these further preferences will help elect candidates who are more likely to be sympathetic to their party's legislative program?

An examination of the 2013 NSW Senate election results, using a double dissolution quota of 7.69%, demonstrates the potential increase in exhausted votes.

Party	Vote	Quotas	Wasted quotas (% of formal vote)
Liberal/National	34.2%	4.45	0.45 (3.46%)
Labor	31.6%	4.11	0.11 (0.85%)
Greens	7.79%	1.01	0.01 (0.08%)
CDP	1.66%	0.22	0.22 (1.69%)

Twelve preferences is the silliest of all numbers to recommend; it is either too many or not enough.

With the Liberal/National joint ticket above, it is too many. With 4.46 quotas, this vote will stop at the fifth candidate and preferences six to twelve will never be considered. Even if the Liberal/National joint ticket gains another half a quota, or 3.8% of the vote, these extra preferences will never be counted.

Should there be a 2% swing against the

Government, twelve is not enough. Under this scenario, a vote of 32.2% gives the joint ticket 4.19 quotas, or 1.43% more than is needed to elect four candidates. However, since the twelve recommended preferences are all Liberal or National candidates, this extra 1.43% will exhaust.

Similar results can be demonstrated for both Labor and The Greens – either too many preferences or not enough.

The CDP is slightly different. Their vote is too small to get a candidate elected, so any CDP voter who only votes for the twelve listed candidates will waste their vote. Doesn't the CDP want their supporters to have an influence on the ballot?

The big unknown in this Senate election is just how many voters will simply do what they have done for the last thirty years and just give a single [1] above the line. The actions of these four NSW groups will encourage this voter behaviour.

The average voter, unlike party operatives, is not expected to understand the intricacies of Senate voting procedures and at this election there will undoubtedly be an excessive number of Senate votes that will exhaust.

The responsibility for this must rest with the Parliament which failed to abolish above the line voting. This would have given the ballot paper a completely different look and this simple format change would have forced voters to consider their vote differently. Forty groups and 150 candidates are not a sign of a healthy democracy.

Our fear is that, as a consequence of the expected large number of exhausted votes, the next Government will take the easy option of increasing the formality requirements for voting, further eroding the rights of citizens to be able to express their democratic right to choose candidates to the extent that they deem necessary.

The real solution is to do the opposite – give the voters greater rights to express their own preferences by abolishing above the line voting and by accepting fully optional preferential voting.

After this election, the Government will need

to commission a select committee to investigate further electoral reform. The committee should be chaired by an independent mathematician. The rushed Joint Standing Committee on Electoral Matters (JSCEM) hearings in 2016 and the poor recommendations delivered demonstrates that electoral reform should not be left in the hands of self-interested politicians.

This select committee should recommend, among other things:

- The implementation of the ACT Legislative Assembly procedure which allows votes that have no continuing preference to be retained by the candidate at full value; any surplus is carried by those votes that do give further preferences.
- The Meek method of counting an STV ballot should be used. Under Meek, as candidates are excluded and votes exhaust the quota is reduced and the ballot recounted. Candidates who already have a quota are able to release more of their surplus to other candidates. Every candidate is elected with a quota.
- A substantial increase in the electoral deposit, which would should apply to candidates not parties. Voters should not be required to consider the merits of candidates who cannot be (and in many cases do not want to be) elected.

Genuine Senate electoral reform will help reduce the size and complexity of Senate ballot papers by reducing the number of bogus parties and discouraging single issue lobby groups from running as political parties.

Hung Parliaments

Hung parliaments are the norm in Australia and we need to accept that every future Federal Parliament will be a hung parliament.

We are not talking here about a 'hung' House of Representatives – we need to recognise that Parliament does not consist solely of the lower house, but is made up of two houses. Cries of 'but we have a mandate!' will not change the opinion of Senators who can say, with equal validity, 'so have we.' It will especially not change the opinions of minor

party Senators whose parties are excluded from participating in debates in the House of Representatives.

In this century all but three years have seen either a coalition or a minority federal government. Only the 2007 election resulted in a parliament in which a single party had control of the House of Representatives.

(For those who believe that a Liberal/National government is not a coalition – has the leader of the National Party ever stated loudly and unequivocally that the National Party is just the country branch of the Liberal Party? Conversely, has the Liberal Party ever claimed to be the city branch of the National Party? Even members of Queensland's Liberal National Party attend separate Liberal and National Party caucuses when in Canberra.)

After every election a government is formed. It might be a single party, a coalition or a minority government, but this government will have the numbers in the House of Representatives. These numbers will be tested from time to time by votes of no confidence. A loss of the confidence of the House normally requires the Government to resign in favour of an alternative government or to advise a dissolution of the House of Representatives.

If a no confidence motion is passed early in the life of the parliament, a new government will be formed from among the successful movers of this motion. This happened in 1941, installing John Curtin as Prime Minister of a minority Labor Government. If the vote of no confidence is carried late in the life of a parliament, as happened with the Scullin Government in 1931, the Prime Minister will probably call a new election.

Unlike Britain and New Zealand, Australia does not have a textbook Westminster system of government – control of the House of Representatives does not guarantee passage of bills through the Parliament. For a bill to pass Parliament it needs to pass both the House of Representatives and the Senate. It seems reasonable, therefore, to state that every Australian parliament this century has been a hung parliament.

Historically, the last Prime Minister with a single party majority in both houses was Ben Chifley.

If every future parliament will be a hung parliament, why the hysteria about having a hung House of Representatives?

Winning a large majority in the House of Representatives does not help governments pass legislation through the Senate. Manufacturing majorities through the use of single member electorates is undemocratic.

Our country is a coalition of different values, traditions and philosophies. We should not try to avoid a hung House of Representatives and we should not fear it – we should embrace it.

What is needed is an electoral system that mirrors the mind of the nation. We need a genuine STV model for the House of Representatives – one which will allow for the formation of a government that will truly reflect the diversity and the strengths of our nation.

Future Meetings

The next meeting will be held on Tuesday 2 August 2016 at 7.30 pm.

Anyone is welcome to attend. For details, please contact Stephen Lesslie at president@electoralreformaustralia.org or on (02) 6351 2598 for the relevant information.

Comments and/or contributions are welcome:

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