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18 February 2013

Expert Reference Group on the Size of the Assembly
C/- Elections ACT
PO Box 272
CIVIC SQUARE ACT 2608

Dear Sir / Madam

Review into the size of the ACT Legislative Assembly

The Assembly has 17 members, which is consistent with the size of some local government bodies. It is true that the ACT parliament has the responsibilities of a local government, such as roads, rubbish and recycling. However, the Assembly is unique in also having the functions of a State government, such as running the education system and being responsible for the health care of its citizens.

The problem is that the Assembly is the size of a local government body but must also fulfil the duties of a State parliament. The members of the ACT Assembly have one of the hardest jobs of government in the country in having to straddle two tiers of our federal system. Their task is made even more difficult by the fact that there are so few of them in the chamber.

It has been argued that 17 members is the right size for the ACT given its population of 375,000 people. However, the Northern Territory has a population of only 235,000 people and a parliament of 25 members, while Tasmania has a population of 512,000 people and has a parliament of 40 members. The ACT population is also growing at a faster rate than either of these jurisdictions (<http://www.abs.gov.au/ausstats/abs@.nsf/mf/3101.0>). Both the

Northern Territory and Tasmania also have a separate tier of local government. The ACT is clearly out of step. Its Assembly has greater responsibilities than either of these bodies, but relatively fewer people to do the job.

The size of the Assembly means that minority governments (such as the prior Stanhope government) may have to be formed out of only seven representatives. Five of these may be ministers. They must cover the full range of State and local functions, including representing the ACT in the negotiations over funding and other matters that take place in the myriad of ministerial councils. This leads to some ACT ministers having a smorgasbord of portfolios that no one person could do justice to. One or more areas can lose out. In the prior government, Andrew Barr had the portfolios of education, tourism, sport and recreation, industrial relations and planning. His was a herculean task, especially when it meant coming up against federal and State ministers with carriage of a single area.

A government also needs a back bench to provide a pool of future ministerial talent. Four years is an awfully long time for the ACT to stick to the same ministerial team if anyone of them fails to perform. The Stanhope government had a backbench of only two, which would have been just one had a caucus member become Speaker of the Assembly.

The problem of numbers, and its impact on the depth of talent, also strikes oppositions. If it was hard for a party with seven members to govern, it was even harder for the six Liberals to provide an effective opposition. They must cover the same areas with fewer people and without the resources and staffers available to ministers.

Having more politicians tends to be innately unpopular, in part because of the extra cost. However, the costs of inefficient, or even bad, government are far higher. Not having the strongest possible team to run areas like health and education can, over the longer term, have an enormous multiplier effect across the whole community through hospitals and schools. It is not a matter of continually increasing the number of ministers of the Assembly, but getting the balance right between the cost of government and having a big enough pool of talent from which to govern and form an opposition.

I favour an Assembly of 25 members, the same size as the Northern Territory. This would significantly increase the size of the assembly, while not taking it beyond that of any comparable parliament. It would still be the equal smallest in the nation.

It is not surprising that a similar increase has already been recommended. In 1998, Professor Philip Pettit found in his independent Review of the Governance of the ACT that the ratio of members to electors in the ACT should be maintained at around one member for every 10,000 enrolled voters. Since 1989, when the Assembly was first elected with its 17 members, the number of ACT voters has increased from 169,000 to 257,000, a rise of over 50%. The much larger community means that members of the Assembly must spread themselves more thinly, and must also come up with better policies and ideas to meet growing and complex demands in areas like health and public transport.

Taking into account Canberra's increase in voters, 17 members in 1989 translates into 25.7 members today. As there needs to be an odd number, an Assembly of 25 is reasonable and appropriate. While Professor Pettit supported 21 members in 1998, he indicated even then that 25 was the optimum number. Five members from each of five electorates would also increase the number of electorates so that they better represent local communities of interest.

In 2002 the Standing Committee on Legal Affairs, comprising Bill Stefaniak from the Liberal Party, John Hargreaves from Labor and Kerrie Tucker from the Greens handed down a report on the size of the Assembly. They also recommended that the number of members be increased. A majority found that the Assembly should have 21 members, while Hargreaves recommended a size of 23, Six years on, an increase of only four members to 21 is not enough. If the issue is to be taken on, it should be addressed so that there is no immediate need for further increases. Consequently, the most sensible option would be an Assembly of 25.

None of these recommendations has been realised, despite the Stanhope government recognising in 2002 in its response to the Committee report that an increase of members was 'both appropriate and overdue'. It is long past time that the ACT had a parliament of an appropriate size. As former Liberal Speaker of the Legislative Assembly Greg Cornwell wrote in 2001, the combination of State and local government activities in the ACT 'is proving too much for a partisan chamber of just seventeen members ... it is the size of the assembly that is the fault'. From the perspective of good government, the current size of the Assembly is insufficient. Seventeen members is simply too few to enable the Assembly and the ACT government to function as they should.

Yours sincerely

George Williams