

28 February 2023

ACT Redistribution Committee
ACT Electoral Commission
GPO Box 172
Canberra ACT 2601

Dear ACT Redistribution Committee

Submission by Sustainable Australia Party

We thank the Committee for the opportunity to lodge a submission to this review of the ACT Legislative Assembly's electoral boundaries and to make suggestions for changes.

Sustainable Australia Party

Sustainable Australia Party is an independent community movement with a science and evidence-based policy platform. We are fighting to protect our environment, stop overdevelopment and stop corruption. Further details about Sustainable Australia Party can be found at our website: www.sustainableaustralia.org.au

The need for fair democratic representation

The key aim of the redistribution is laudable, being to provide that the number of electors in each electorate is similar within certain percentage parameters. Ultimately this is about providing each Canberra voter a similar weight in determining their political representation.

However, the current electoral boundaries, in particular the number of electorates, disenfranchise Canberrans who do not support the policies of the Labor/Liberal/Green parties. It does this by making the quota to be elected so high as to be generally unobtainable by other than major parties. It therefore fails a basic test of best practice proportional representation.

Mathematically, there are 25 members of the Legislative Assembly (also known as MLAs), so the community would expect that a quota for winning one seat would require around one-twenty fifth of the vote, being 4 per cent. But the electorates have been set up by the major parties to require a quota of one-sixth, or roughly 16.67 per cent of all votes cast in one electorate, just to win one seat.

The Sustainable Australia Party submits that if the ACT were divided into just two electorates, this disenfranchisement would be significantly resolved because the quota to be elected would be significantly reduced, to under 10 per cent. This is a much fairer and more achievable aim for all candidates. An undivided ACT for electoral purposes would be the ultimate outcome for proportional representation and democratic fairness, however, two electorates would be a reasonable compromise to start with.

Current electorates are arbitrary and meaningless to most Canberrans

The current division into five arbitrary electorates is artificial whereas the ACT is naturally split into two zones, North and South. This is the way most Canberrans think about the ACT, roughly North of Lake Burley Griffin, and South of the Lake.

The ACT is compact, so political representatives can easily travel within and so appropriately represent an electorate comprising half of the Territory.

It would be ideal but not necessary for the electorates of (say) Canberra North and Canberra South to have an equal number of representatives in the ACT Legislative Assembly.

The precise boundaries would be chosen within the existing parameters of ensuring that there is no more than a ten per cent difference, and preferably no more than 5 per cent difference, in the electorates' populations. The other factors to be taken into account under both relevant Acts, such as community of interests, physical features and so on, whilst largely meaningless in the context of a compact and relatively uniform Territory, could continue to be taken into account when determining the precise boundary between North and South.

Why Canberrans are more disenfranchised than other voters in Australia

The issue of the political disenfranchisement of non-major party supporters is particularly acute in the ACT because of its lack, unlike all other Australian electorates except Queensland, of an upper house of review. Normally the upper houses have much larger electorates or even a single State-wide electorate and so provide more options for proportionality and therefore non-major party representation. This is demonstrated by the significant presence of minor parties and independents in other jurisdictions, especially in upper houses. This presence augments democracy by providing a greater plurality of views and inputs into political decisions and processes. We all benefit from this diversity of political opinion, sadly lacking in the ACT.

A pernicious funding system adds to the lack of representation

That many Canberrans are unable to have their political opinions represented in the Legislative Assembly is due in part to the current system of public funding of political parties. Parties need to achieve four per cent of the primary vote before qualifying for any campaign expenditure refunds. Effectively, this means that the three big parties – Labor, Liberal and Greens – receive refunds for most or all of their campaign spend, including a return of their nomination deposits, while small parties and independents usually receive no refund at all.

This is a regressive system that penalises small parties and leads to large voting disparities and inequality between the big three and the rest in the ACT.

It could be argued that this would not be resolved by reducing the number of electorates from five to two if the four per cent threshold were still in place. However, Canberra voters are sophisticated, and many appreciate that a vote for a non-major party candidate is currently highly unlikely to result in the candidate being elected. If the chances of electoral success were higher, due to the consequent reduction in the quota, more would choose to accurately express their political views by voting for policies they truly support.

Sustainable Australia Party recommendations for the Committee and ACT Government:

1. Reduce the number of ACT electorates to two, to be named (say) Canberra North and Canberra South, maintaining the existing (or near existing for evenness) number of members of the Legislative Assembly
2. Remove the four per cent primary vote threshold for campaign expenditure refund public funding of political parties and independent candidates, so that all candidates attract the same public funding amount per vote.

Kind regards

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