

From: kate kelly
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To: Elections
Subject: Submission on Size of ACT Legislative Assembly

ACT Electoral Commissioner

Submission on the Size of the ACT Legislative Assembly

Size of the Assembly

The people of the ACT have the lowest level of representation for their government of any jurisdiction in Australia. Considered globally amongst democracies around the world, the ACT also figures amongst those with the lowest level of representation for their citizens.

Studies indicate an optimum level of representation for the working of democracy and the ACT falls below that level.

The ACT Assembly has responsibility for local government functions, state government functions and must also provide input into national programs which impact on the ACT population through forums such as Ministerial Councils and COAG. There is therefore a significant workload on the members of the government, with arguably a broader range of issues to be addressed than is the case in state governments.

The number of Assembly members is inadequate to ensure that the workload of Ministers is manageable and such that they are able to consider the issues they are making decisions on, in an efficient, thorough and reasoned way. The number of members of the Assembly therefore needs to be increased to at least 23 members to provide enough members from which to select the cabinet. I consider this number of members is also the minimum required to be able to take account of population growth in the ACT and to avoid the need to revisit this issue for some time.

Number of Members to be elected in each of the Electorates

As the discussion paper indicates that an odd number of members must be elected to each electorate, I think that the minimum number of members to be elected from each electorate should be 7 members. If the number of members is less than 7, then a significant component of the electorate may be disenfranchised as they may never have a representative for whom they vote first, elected to the Assembly. This should be unacceptable in a high quality democracy. Seven or nine members therefore appears to be the minimum number of members which should be elected in any one electorate.

I consider that configuration options for the number of electorates and the number of members which would enable a sufficiently democratic Assembly to result are:

- 2 electorates electing 7 members, plus one electorate electing 9 members, resulting in an Assembly of 23 members; or
- 2 electorates electing 9 members, plus one electorate electing 7 members, resulting in an Assembly of 25 members; or
- 3 electorates electing 9 members, resulting in an assembly of 27 members; or
- 5 electorates electing 7 members, resulting in an assembly of 35 members.

The last option provided is my preferred option. Given that we are a unicameral - style government in the ACT, this number of members is not excessive for our population and expected population growth. It is similar to that occurring in Tasmania for some time, with a comparable population (Tasmania has a slightly larger population). Tasmania has 25 lower house members and 15 Legislative Council members - a total of 40 members of the Tasmanian government, which is 5 more than if the ACT were to go to a 35 member Assembly, thereby accounting for the population difference. Tasmania also has 6 Senators compared to the ACT's just 2, and 5 House of Representatives members compared to the ACT's 2, further emphasizing the lower over-all level of political representation afforded to ACT citizens.

Particularly if the size of the Assembly were to be limited to the lower number of 23, 25 or 27 members, I would urge the Assembly to consider utilising properly resourced, designed and conducted Deliberative Democratic processes, such as citizen juries, as an adjunct to decision making processes in the Assembly. Such processes would provide an opportunity for citizens to participate more fully in the democratic process in the ACT and would enhance ACT's democracy whatever the size of the Assembly.

I consider that the need to increase the number of members of the ACT Assembly is urgent to ensure good government and adequate representation for the citizens of the ACT.

Thank you for the opportunity to comment on this important decision.

Kathryn Kelly