

Please find attached an objection to the proposed changes in ACT electoral boundaries by the Proportional Representation Society of Australia (Australian Capital Territory Branch). I am available to assist the Augmented Redistribution Committee with any further inquiries that it might wish to make.

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## PROPORTIONAL REPRESENTATION SOCIETY OF AUSTRALIA (AUSTRALIAN CAPITAL TERRITORY BRANCH)

The Proportional Representation Society of Australia (Australian Capital Territory Branch) acknowledges the good intentions of the Redistribution Committee in carrying out additional work in the light of evidence of faster growth in Molonglo than indicated in projections released at the time in February when submissions were invited from the public.

However, while the principle of minimum disruption to voters has been respected within the Committee's search for proposed new boundaries that foreshadow what is likely to come in the future if the number of MLAs remains unchanged, we believe that the evidence presented to date is insufficient to unleash the disruption that would come with changed boundaries for the 2008 elections.

Hare-Clark supporters have consistently and unashamedly argued that (retention of) the boundaries of existing divisions be given major weight in deliberations when population projections reveal numbers within maximum tolerances on the next election day. That numerical information that is currently in the public arena points to Molonglo remaining within the election-day statutory limits until at least early 2009 as it appears to be taking 18 months for it to move from 3.60% above quota to 4.79% above. The rate of movement is not much faster than implicit in the earlier published figures of 2.73% above quota in August 2006 and 4.38% in October 2008.

In our view, the Redistribution Committee should have obtained and evaluated further information before deciding that it wasn't "acceptable to propose that the existing boundaries should remain unchanged". Such information could have included:

- evidence of some ongoing acceleration in the relative growth of Molonglo (what is discernible from published material suggests that anything of this nature is modest); or
- a convincing discussion of what has happened in the recent past when the rolls were closed for an election and how the major door-knocking activity of the Australian Electoral Commission of early 2007 that caused the Committee some apprehension about the statutory limits being met in October 2008 if current boundaries remained unchanged was likely to impact on the roll closures for the next national and ACT elections.

Unless there are strong grounds for believing the Committee's revised projections to be understating Molonglo's relative numbers, they should be taken at face value, and the conclusion drawn that it won't be until January or February 2009 that Molonglo steps beyond the 5% tolerance that is prescribed as a maximum latitude for October 2008. Before any changes are made, the monthly rate at which Molonglo is approaching the limits of tolerance deserves lengthier consideration than apparently given by the Redistribution Committee.

It would have been helpful to those trying to assess the Committee's reasoning to have a detailed discussion of whether there is tangible evidence of continuing growth in Molonglo enrolments that suggests the projected figure of 4.79% above quota will occur appreciably earlier than October 2008. Alternatively or concurrently, a more

complete discussion of what has happened to departures from quota when previous closes of roll occurred the last few times should have been included.

If roll closures have mainly or always resulted in Molonglo shifting *noticeably* closer towards the 5% election-day tolerance limits, then clearly the Committee's reasons for acting now rather than in advance of the 2012 elections would be given greater support. On the other hand, were Molonglo's numbers to have declined relative to those in the other electorates during roll closures on past occasions, one would need to make the argument about what was more likely to happen in both 2007 and 2008 on the basis of relevant past information including times when significant AEC doorknock activity of the type that produced changes alarming the Redistribution Committee this time occurred.

When people in two suburbs are potentially being put through inconvenience prematurely, additional effort should be put into establishing whether the fears of statutory limits being exceeded are exaggerated, and presenting that information openly, especially when information currently in the public domain points to at least three months' margin of safety in relation to Molonglo's projected enrolments.

The electors of the ACT deserve to have decisions seen to be made on the basis of the best-available qualitative or quantitative information rather than essentially a statement of general concern about how close to the tolerance limits projections are apparently getting.

It is worth pointing out that electors of Molonglo waste relatively fewer votes even though the quota for election there is likely to be more than 10% above those in Ginninderra and Brindabella. This is because of the shift from at least 83.3% of formal votes being effective (helping to elect one or more candidates) in the five-member electorates of Brindabella and Ginninderra to at least 87.5% in seven-member Molonglo, in the absence of extensive exhaustion of votes. While more voters contribute to the election of each MLA in Molonglo, there are fewer wasted votes that can on average be associated with each available vacancy.

To make that assessment of the advantages and disadvantages for Molonglo's electors more concrete, it is best to examine the outer edges of tolerance in October 2008 based on the projected number of ACT electors being 238,818 as set out on page 2 of the report on the proposed redistribution for the next elections.

While relatively fewer people tend to vote in Molonglo than is the proportion in either of the other two electorates, the criteria on which the Redistribution Committee makes its decisions revolve around electors rather than voters.

The greatest number of electors Molonglo could have in October 2008 would be 103,252 as set out on page 2 of the Committee's report. In that case, the associated quota for election would become 12,907 votes. In similar vein, the minimum number of electors in either of the other two electorates would be 66,728 and the associated notional quota of 11,122 votes.

In the view of the Proportional Representation Society of Australia (Australian Capital Territory Branch), the most important thing to note is not the extent of the

maximum possible discrepancy in quotas but the extremely high proportion of effective votes in both cases.

In Molonglo, the maximum proportion of wasted votes would be just under 12.5% if all electors exercising the franchise cast a formal vote and indicated sufficient preferences for no part of their vote to become exhausted. Associated with each of the seven MLAs would be a notional maximum of 1,844 wasted votes when averages are taken simply on the basis of the number of electors. In the other two electorates, a maximum of 11,121 wasted votes would be notionally spread among five elected members, making for an average of at most 2,225.

More Molonglo voters are required for each of its MLAs to be elected to the Assembly but at the same time, fewer wasted votes are associated with the election of each Molonglo MLA. In spite of the disparity in average enrolments and quotas, electors of Molonglo benefit from having a higher proportion of effective votes and relatively fewer wasted votes. They therefore have no real grounds for complaint as the existence for them of a seven-member electorate provides both compensation in terms of effective votes, and also additional contestability of the vacancies as has been borne out in numbers of nominations in the past and how voting patterns have been reflected more closely in the representation that followed.

The Proportional Representation Society of Australia (Australian Capital Territory Branch) asks that the additional information adverted to above be obtained and analysed thoroughly by the Augmented Redistribution Committee before it agrees to any change in the current boundaries. If within this new material are pointers that Molonglo is actually likely to be more than three months shy of exceeding the maximum projected tolerance in October 2008, the boundaries for the 2008 elections should clearly remain unchanged.

Otherwise, we believe that the onus is on the Augmented Redistribution Committee to adduce and present sufficient evidence of some statistical rigour to translate the Redistribution Committee's concerns about inadvertently exceeding the maximum tolerance allowed for projected enrolments in October 2008 into an imperative to take immediate action to alter boundaries. If the Augmented Redistribution Committee is unable to quantify particular effects, they are more likely than not to be rather small when expressed in terms of the helpful metric of months closer to exceeding the 5% election-day tolerance, and hence in those circumstances remaining with the current boundaries would be the best course of action available in the absence of evidence of great current public disquiet.

It is not satisfactory for the Redistribution Committee to have introduced notions of a general desirable "margin of error", or have avoided couching of reasonable concerns about the "risk of failing to comply with paragraph 36(b)" in terms of the monthly rate at which the limits of statutory maximum tolerances are being approached. Premature changes to boundaries should be avoided when the electors of Molonglo are demonstrably advantaged by some of the features of current arrangements. Any risk of failure to comply with statutory requirements relating to projected enrolments must be real rather than merely capable of being imagined if thousands of voters are to be affected by boundary changes.