

Hello,

Please find attached submission on behalf of The Greens (WA).

This submission is public (not confidential), contact details for the submission are:

The Greens (WA)

Please let me know if you require any amendments to the formating or additional information.

Kind Regards,

20th May 2021

The Greens (WA) welcome the opportunity to provide a submission to the Ministerial Expert Committee on Electoral Reform. The Greens (WA) have supported the principle of one vote, one value and abolition of the undemocratic group ticket voting process. We also agree with comments made by ABC electoral analyst Antony Green who says the following:

The malapportionment that applied to lower house boundaries was abolished with the introduction of one-vote one-value electoral boundaries at the 2008 election.

But malapportionment remains for the Legislative Council and was in fact made worse by changes to region representation in 2008.

On the first component of this review, as to how electoral equality might be achieved for all citizens entitled to vote for the Legislative Council.

The malapportionment of Western Australia's Legislative Council has skewed further and further into unequal vote weighting between the rural regions and the metropolitan regions, and between the South West region and other rural regions election to election. The weighting of the Mining & Pastoral region compared to the metropolitan regions have become 6-1, by electors, while in reality the weighting is closer to 7-1 when voter turnout is considered. The Greens (WA) understand the concerns covered in the terms of reference, referring to the issues of elected members in comparison to the number of votes received. The Greens (WA) have long supported the ideal that one vote should hold one value. We encourage a move to a model that reflects this principle but also supports the principle of proportional representation. The Members of the two Houses need to be selected on different criteria and we argue that the Legislative Council, via proportional representation, should represent the diversity of voters including the voices of smaller parties.

It is The Greens (WA) view that this can be achieved through one of following models:

1. A single state-wide region for the Legislative Council, in which all 36 members are elected every four years, for four year terms. We believe this model is the most appropriate to deliver proportional representation. Parties can determine the balance of metropolitan and non-metropolitan Members based on where they place them on their list.

or

2. A model of four (4) regions with nine (9) members in each region, in which all 36 members are elected every four years, for four year terms. The three existing metropolitan regions, and a single rural region combining the current regions of Mining and Pastoral, Agricultural and South West. This model is less proportional, but allows for representation from regional WA without the current vote weighting. We note the combined population of the non-metropolitan regions is similar to that of each metropolitan region.

In response to the second component of this review, the distribution of preferences in the Legislative Council's proportional representation system.

The current group ticket voting system allows micro parties, aided by preference advocate Glenn Druery, to game our electoral system. As noted, the Daylight Saving Party achieved a seat with 98 primary votes, just 0.2%, an egregious example of how the current system is being gamed. While The Greens (WA) support a diversity of opinion in and membership of the Legislative Council, such opinion and membership should reflect voter intentions, not the manipulation of the existing electoral rules via deals done between parties and their advocates.

We note that WA and Victoria are the only Australian jurisdictions which retain group ticket voting. Group ticket voting was recently abolished in the Australian Senate, promoted by similar disproportionate micro-party results.

Further, the current WA system deters voters from voting 'below the line' due to the requirement to number numerous boxes sequentially and without error. This means that the overwhelming majority of voters put a one in the box above the line, i.e. a group ticket vote. In doing so, many of these voters are unaware of how their full preferential vote is used.

It is The Greens (WA) view that group voting tickets should be abolished in WA, and be replaced with semi-optional preferential voting. We agree that the Western Australian Legislative Council voting system should be brought into line with the voting system used for the Australian Senate to avoid voter confusion. We support the comments of former Senator for NSW Lee Rhiannon's speech during the Second Reading of the Commonwealth Electoral Amendment Bill 2016:

Why the Greens and many others have worked so hard for Senate voting reform is clearly apparent when one considers the current voting system. As we all know, voting above the line leads to the problem of the backroom deals deciding the outcome, which I outlined earlier. The essence of the change here is that it will be voters who have the final say in allocating their preferences. The group-voting ticket system results in some candidates being elected with less than one per cent of the vote; I would argue that that does not reflect the intent of the voters—when a candidate needs to get to 14.3 percent of the vote for a quota. The current system is not democratic; you could call the current Senate voting system a lottery in which the will of the voters goes untranslated. You may vote for one party but end up electing another—that is how preferences currently work.

I go back to the intent of the voter: when voters consider their preferences they look for a party that has values similar to their own party, and that is what gets lost—what gets wiped out—under the current system. There are several examples in Senate elections that reflect this problem ... Antony Green in his testimony to

the recent inquiry noted that even through thorough research of group-voting ticket arrangements, it is in practice near impossible for voters to know with 100 percent certainty where their preferences will flow.

Voters should be given the opportunity to vote 1-6 above-the-line or 1-12 below-the-line, or as similar as can be below-the-line requirement of preferences to allow for an adequate number of preferences to elect a Legislative Council without excessive exhausting of preferences, based on the adopted model.

The current Australian Senate voting system includes generous ballot-saving measures. Any vote cast above-the-line where the voter's intention is clear is counted as formal. Should a voter vote both below the line and above the line, the below the line preferences are followed if they are formal, and otherwise the above the line vote is used. There is scope, however, for improvement without risk of voter confusion. We recommend that if Western Australia adopts the Australian senate model, a below the line voter who indicates a clear first preference should have their vote included in the count. Additionally, any vote that is valid under the current electoral system should also be valid under the new system, as a part of ballot-saving measures.

In summary, The Greens (WA) recommendations to the Ministerial Expert Committee on Electoral Reform are:

1. We recommend the 1x36 model for the Legislative Council, ensuring the ideal of one vote, one value. We would also support a 4x9 model.
2. The abolishment of Group Ticket Voting, removing the gaming of our electoral processes.
3. Voting reform in line with the Australian Senate voting method, or as close to as possible allowing for the election of a full Council and avoiding excess exhaustion of preferences.

Regards,

Francesca Pandolfino and Gareth Doogue.
Co-Convenors, The Greens (WA) Inc.