

# **Submission to the Ministerial Expert Committee on Electoral Reform for the Western Australian Legislative Council**

**By**

**Antony Green**

**Election Analyst**

**Adjunct Professor**

**Department of Government and International Relations, University of Sydney**

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## Discussion and Recommendations

### Disclaimer

This submission is being made by me as an individual based on my background as a political scientist. It draws on experience gained over three decades covering Australian elections. That includes three decades preparing publications on elections and redistributions for state parliamentary libraries, including a long-running series of electoral publications for the Western Australian Parliamentary Library.

The views in the submission are my own and not those of the Australian Broadcasting Corporation for whom I work covering election.

### Initial comments.

This submission is based on my experience over three decades of covering Australian federal, state and territory elections, and in particular covering, complex Senate and Legislative Council counts.

I first wrote on the problems of group voting tickets and complex preference deals in the 'Sydney Morning Herald' on 10 June 1997. I warned that so-called 'preference harvesting' would be a problem at the 1999 NSW Legislative Council election. I wrote:

*Under current electoral laws, the 1999 election for the NSW Legislative Council could be reduced to political farce. Instead of 21 members elected reflecting the will of the people, the result could be distorted by electoral rorting and voter confusion.*

I went on to warn about the dangers of larger ballot papers and smaller print size, and prophetically wrote:

*The result of the election could be determined by voters incapable of reading the ballot paper, unable to manipulate a ballot paper one metre square, or simply bewildered and unable to find the party they want to vote for.*

I also noted that:

*The current growth in registered parties is clearly about manipulating this process with a string of stalking horse parties with attractive names running to attract votes that can be delivered as preferences to other related minor parties or perhaps to one of the major parties.*

The predictions turned out to be true. The 1999 NSW Legislative Council election became infamous for its 'tablecloth' ballot paper with 264 candidates triple-decked across 81 columns, the largest ballot paper ever seen in Australia.

Over the next decade I appeared for the Commonwealth Parliament's Joint Standing Committee on Electoral Matters after four elections warning that the New South Wales problem would eventually afflict Senate elections, as came to pass at the 2013 Federal election.

In an October 2014 Senate Oration I outlined the problem with Group Voting Tickets (GVTs) and summarised a series of steps that could be taken to fix the problem. The central step was to abolish GVTs. (See further references to speech.)

As part of my work with the ABC, I also developed a calculator that allowed predictions to be made on who would win the final seats in upper house contests based entirely on the lodged GVTs. They were first unveiled on election night in 2004, predicting the unexpected win of Family First's Steve Fielding in Victoria at the 2004 Senate election.

The calculators also predicted Ricky Muir's improbable Victorian Senate victory from 0.5% in 2013, a win that proved the final nail in the coffin of GVTs at Senate elections.

And in March this year, the calculators early on predicted the election of the Daylight Saving Party's Wilson Tucker from Mining and pastoral Region. His victory was achieved despite polling just 98 first preference.

It is my view that predicting such victories for low polling parties demonstrates what is wrong with the use of group voting tickets. Such victories rely entirely on arranged preference deals between a small number of participants, so-called preference whisperers.

Such victories would be impossible at elections where voters gave their own preferences. We have a century of experience with Senate-style voting systems and we know that preferences completed by voters do not flow at the high rates produced by group voting tickets.

Group Voting Tickets have been abolished for Senate elections and Legislative Council elections in New South Wales and South Australia. Those elections have increased the importance of first preference choices to produce proportional representation and have diminished the power of further preferences to distort proportionality.

The abolition of Group Voting Tickets ends party control over preferences. It puts the power over between-party preferences back into the hands of voters.

If elections are about voters choosing who will be their representatives in Parliament, better that the choice be made by the voters than a small cabal of preference negotiators.

With this background, I would make the following recommendation on the fourth question posed by the Committee.

Q4. What changes (if any) should be made to the distribution of preferences in the Legislative Council's proportional representation system, including group voting tickets?

**Recommendation 1 – Group voting tickets should be abolished. The current divided ballot paper should be retained, and voters given the right to express preferences for parties with a preferences above-the-line vote.**

From my experience covering the three jurisdictions that have abolished group voting tickets, I would also recommend the following.

**Recommendation 1a – That the NSW and South Australian method of fully optional ATL preference be adopted rather than the Senate system that recommends a minimum six preferences.**

## State-Wide or Regional Voting

The Committee's other questions related to the structure of the Legislative Council, whether it should be moved to the state-wide models used in New South Wales and South Australia, or be region based like the Victorian Legislative Council.

The question were -

Q1. Which model (whole-of-state- or region-based) is preferable to achieve electoral equality?

Q2. What are the strengths and drawbacks of each model?

Q3. Whether any other electoral model, not covered in the Discussion Paper, is better suited to achieve electoral equality, with reasons?

If 'electoral equality' is measured by where votes are cast, then clearly a state-wide electorate will provide greater electoral equality.

However, it is my view that there are serious problems with electing 36 Legislative Councillors from a state-wide electorate. Even if the Council is reverted to staggered terms with 18 members elected every four years, my experience observing the election of 21 members for the NSW Legislative Council raises major questions over ballot paper structure, counting method and nomination that need to be carefully considered.

In Appendix C and D I have provided material on the conduct of state-wide Legislative Council elections in NSW and South Australia. Some of the problems have also been seen at Senate elections, though the higher quota at half-Senate elections make them less of an issue.

The problems relate to control of ballot paper size and legibility. Both NSW and South Australia have taken steps including –

- toughening party registration,
- increased nomination deposits
- favouring registered parties over independents
- limiting who has access to above the line voting squares

One advantage of GVTs is they simplify the count for Electoral Commissions. Fewer than one in 10 ballot papers have to be checked for preferences, data entered or scanned.

The new Senate system that specifies there should be six ATL preferences completed by voters has resulted in 100% of ballot papers having to be scanned. The NSW and South Australian 1-ATL then optional preferences has allowed Electoral Commissions to continue counting the majority of ballot papers by hand.

My experience with NSW is that exhausted preferences combined with a low quota results in the final seats being won by candidates that are well short of a quota. That will be a major problem if the whole WA Legislative Council is elected from a state-wide electorate.

A state-wide electorate combined with a high rate of exhausted preferences under optional preferential voting could result in effective differential quotas being produced. Larger parties will elect all their members closer to the state-wide quota, while smaller parties slip in at the end of the count with a total vote well short of the quota.

It is my view that geographic equality can be approached with a well-designed region based electoral system. The question is, how to align these regions with lower house districts by formula without tying the state into the rigid districts in regions model that Victoria has adopted.

Rather than make a recommendation, I will simply state the opinion that electoral equality can be approached with a regional voting system, while avoiding the design issues that could plague election from a single state-wide electorate.

In my view, five regions electing seven-members, or seven regions electing five members, is an approach that could provide a stronger link between elected members and their region. I am aware this would require a referendum to implement, and for that reason know it is outside the scope of models the Committee can recommend.

Given the numbers, a four region by nine-member solution is possible. It could produce one region that covers everything in the state outside of Perth and Mandurah, but such are ever the difficulties of Western Australia's geography.

## Appendix : A – Enrolment Data for Western Australian Elections 1989-2021

The data in Table A.1 is derived from WAEC Election statistics. Calculations are the responsibility of this submission's author. The abbreviations below are used in the tables that follow.

- **Perth** – combines East, North and South Metropolitan Regions
- **Non-Metro** – combines, Agricultural Region, Mining and Pastoral Region and South West Region.
- **AGRI** – Agricultural Region
- **MPAS** – Mining and Pastoral Region
- **AGRI + MPAS** – combined total for the two smallest regions, Agricultural Region and Mining and Pastoral Region.

Table A.1 - Enrolment for Perth and Non-Metropolitan Regions

Election	Perth	Non-Metro	AGRI	MPAS	AGRI+MPAS	South West
1989	705,596	252,343	83,041	63,422	146,463	105,880
1993	747,605	269,145	85,373	65,114	150,487	118,658
1996	827,014	292,978	89,781	68,258	158,039	134,939
2001	879,233	308,396	90,868	66,902	157,770	150,626
2005	933,421	325,841	95,041	68,240	163,281	162,560
2008	991,040	339,359	84,553	76,005	160,558	178,801
2013	1,056,354	356,107	90,675	73,913	164,588	191,519
2017	1,195,943	397,279	102,748	68,480	171,228	226,051
2021	1,300,720	416,012	103,378	69,651	173,029	242,983

Between 1989 and 2021, enrolment in Western Australia rose 79%, in Perth by 84% and in non-metropolitan areas by 65%. By region, enrolment in Agricultural Region rose by 24%, in Mining and Pastoral Region by 10%, by 18% in these two regions combined, and by 129% in South West Region. Note that the enrolment numbers do not take account of adjustments to boundaries between the regions. Note that several councils have been transferred from South West Region to Agricultural Region to ensure the viability of the latter region.

Table A.2 - Percentages of State Enrolment for Perth and Non-Metropolitan Regions

Election	Perth	Non-Metro	AGRI	MPAS	AGRI+MPAS	South West
1989	73.7	26.3	8.7	6.6	15.3	11.1
1993	73.5	26.5	8.4	6.4	14.8	11.7
1996	73.8	26.2	8.0	6.1	14.1	12.0
2001	74.0	26.0	7.7	5.6	13.3	12.7
2005	74.1	25.9	7.5	5.4	13.0	12.9
2008	74.5	25.5	6.4	5.7	12.1	13.4
2013	74.8	25.2	6.4	5.2	11.7	13.6
2017	75.1	24.9	6.4	4.3	10.7	14.2
2021	75.8	24.2	6.0	4.1	10.1	14.2

Table A.3 - Legislative Council Members for Perth and Non-Metropolitan Regions

Election	WA	Perth	Non-Metro	AGRI	MPAS	AGRI + MPAS	SWES
1989	34	17	17	5	5	10	7
1993	34	17	17	5	5	10	7
1996	34	17	17	5	5	10	7
2001	34	17	17	5	5	10	7
2005	34	17	17	5	5	10	7
2008	36	18	18	6	6	12	6
2013	36	18	18	6	6	12	6
2017	36	18	18	6	6	12	6
2021	36	18	18	6	6	12	6

Comparing the data in the above tables, Agricultural Region and Mining and Pastoral Region together elected 10 of the 34 MLCs between 1989 and 2005, 29.4% of the Legislative Council. Since 2008 they have elected 12 of the 36 MLCs or 33.3%. Despite electing a greater proportion of MLCs, the percentage of the state's population in the two regions has continued to decline, from 15.3% in 1989 to 10.1% in 2021.

The proportion of the state's enrolment in Perth has risen from 73.7% in 1989 to 75.8% in 2021, declining from 26.3% to 24.2% in non-metropolitan areas. The non-metropolitan percentage hides divergent trends, with enrolment in South West Region rising from 11.1% of the state to 14.2% while declining from 15.3% to 10.1% in the other two regions.

Table A.4 - Average Enrolment per MLC, Perth and Non-Metropolitan Regions

Election	WA	Perth	Non-Metro	AGRI	MPAS	AGRI+MPAS	South West
1989	28,175	41,506	14,844	16,608	12,684	14,646	15,126
1993	29,904	43,977	15,832	17,075	13,023	15,049	16,951
1996	32,941	48,648	17,234	17,956	13,652	15,804	19,277
2001	34,930	51,720	18,141	18,174	13,380	15,777	21,518
2005	37,037	54,907	19,167	19,008	13,648	16,328	23,223
2008	36,956	55,058	18,853	14,092	12,668	13,380	29,800
2013	39,235	58,686	19,784	15,113	12,319	13,716	31,920
2017	44,256	66,441	22,071	17,125	11,413	14,269	37,675
2021	47,687	72,262	23,112	17,230	11,609	14,419	40,497

Between 1989 and 2005, North Metropolitan Region and South West Region elected seven MLCs while the other four regions elected five members each. Since 2008 all six regions have elected six MLCs. While the boundaries of the three metropolitan regions were adjusted to provide equal representation, the non-metropolitan regions were not adjusted.

The changes implemented at the 2008 election saw electors per member in South West Region increase from 23,223 to 29,800, while representation in Agricultural Region and Mining and Pastoral Region fell from 16,328 electors per member to 13,380. By the 2021 election, enrolment per member in South West Region had risen to 40,497 but to only 14,419 in the other two regions.

Between 1989 and 2021, enrolment per member in Perth rose from 41,506 in 1989 to 72,262. This is a rise of 74%, smaller than the 168% rise in South West Region. Over the same period, enrolment per MLC in Agricultural Region rose only 4% while it declined by 8% in Mining and Pastoral Region.

### Calculation of Elector Weights

The average enrolment data in Table A.4 demonstrates the greater representation granted to non-metropolitan electors. A better representation of how the electoral system works is achieved by removing population growth from the data in table A.4. This is achieved converting the average into **Elector Weight**, a figure that standardises the average enrolment per region by removing enrolment growth. The formula is -

$$\text{Elector Weight} = \text{Avg. Enrolment in Region A divided by Avg. Enrolment in Region B.}$$

The method adopted here is to treat Perth as Region A, and work out the Elector Weights for each region by dividing the Perth average by the region average. This effectively gives Perth a weight equal to 1.0 against which other regions are measured.

The data in Table A.5 shows these weights by region for elections 1989 to 2021. The final column in Table 1.5 is slightly different by setting South West Region equal to 1.0 to measure changes in Enrolment Weights for the combination of Agricultural Region and Mining and Pastoral Region.



Table A.5 - Comparative Enrolment Weights for Non-Metropolitan Regions versus Perth and for South West Region versus Other Regions

Election	Non-Metro v Perth	AGRI v Perth	MPAS v Perth	South West v Perth	AGRI + MPAS v South West
1989	2.80	2.50	3.27	2.74	1.03
1993	2.78	2.58	3.38	2.59	1.13
1996	2.82	2.71	3.56	2.52	1.22
2001	2.85	2.85	3.87	2.40	1.36
2005	2.86	2.89	4.02	2.36	1.42
2008	2.92	3.91	4.35	1.85	2.23
2013	2.97	3.88	4.76	1.84	2.33
2017	3.01	3.88	5.82	1.76	2.64
2021	3.13	4.19	6.22	1.78	2.81

**Notes** – as mentioned in the discussion before the table, the first four Weight columns are compared to a standardised measure of 1.0 for Perth, while the final column standardises South West Region to 1.0.

The Elector Weight for Perth versus the rest of the state has increased from 2.80 in 1989 to 3.13 in 2021. This increase has been dampened by the rapid enrolment growth in South West Region and masks the very different trends emerging in the non-metropolitan regions.

The Elector Weights for **Agricultural Region** was 2.50 versus Perth when the current regional system was first used in 1989 and slower Agricultural Region enrolment growth saw this increase to 2.89 by the 2005 election. The increase from five to six MLCs in 2008, and the transfer of Esperance to Mining and Pastoral Region, saw the Elector Weight jump to 3.91 in 2008, slower enrolment growth seeing it increase further to 4.19 in 2021 despite the return of Esperance in 2017.

The same pattern emerges for **Mining and Pastoral Region**, slower enrolment growth seeing the Elector Weight increase from 3.27 in 1989 to 4.02 in 2005. In 2008 the increase from five to six MLCs in 2008 was offset by the transfer of Esperance from Agricultural Region, the Elector Weight increasing to only 4.35. The removal of Esperance in 2017 saw the Weight jump to 5.82 and to 6.22 in 2021.

The reverse trend is evident in **South West Region**. Population growth saw it decline compared to Perth, down from 2.74 in 2.36 in 2005. The reduction from seven to six MLCs saw it fall to 1.85 in 2008, and population growth has seen it fall further to 1.78 at the 2021 election.

The real distortion that has developed is between **South West Region** and the combined numbers in Agricultural Region and Mining and Pastoral Region. Where in 1989 the Elector Weight of the smaller regions versus South West approached equality at 1.02, South West population growth saw it increase to 1.42 in 2005. The change in MLC numbers saw the Elector Weight jump to 2.23 in 2008 and it has increased further to reach 2.81 at the 2021 election.

The data in Table A.5 shows these weights by region for elections 1989 to 2021. The final column in Table 1.5 is slightly different by setting South West Region equal to 1.0 to measure changes in Enrolment Weights for the combination of Agricultural Region and Mining and Pastoral Region.

## Appendix B – Upper House Voting Rules by Jurisdiction

Table B.1 - Ratios of Lower to Upper House Seats

Jurisdiction	Lower House Seats	Upper House Seats	Ratio
Commonwealth	151	76	1.99
New South Wales	93	42	2.21
Victoria	88	40	2.20
Western Australia	59	36	1.64
South Australia	47	22	2.14
Tasmania	25	15	1.67

Table B.2 – Members Elected and Percentage Quota for Election

Jurisdiction	Election Type	Members Elected	% Quota
Commonwealth	Half-Senate	6	14.29
Commonwealth	Double Dissolution	12	7.69
New South Wales	Half-Council	21	4.55
Victoria	MLCs per Region	5	16.67
Western Australia	MLCs per Region	6	14.29
South Australia	Half-Council	11	8.33

Table B.3 – Summary of Ballot Paper Marking Rules

Jurisdiction	Ballot Paper Rules
<b>Commonwealth</b>	GVTs abolished. Ballot paper instructions advise minimum six preferences above the line with further preferences optional. Savings provision allows any ATL vote with an identifiable first preference. BTL votes advised minimum 12 preferences with six preferences the saving provision.
<b>New South Wales</b>	GVTs abolished. ATL votes advised to mark a first preference with further preferences optional. BTL votes advised minimum 15 preferences with some savings provisions protecting numbering errors before 15.
<b>Victoria</b>	GVT voting with all ATL marking other than a valid first preference ignored. BTL voting advises a minimum five preferences below the line.
<b>Western Australia</b>	GVT voting with all ATL marking other than a valid first preference ignored. BTL voting is full preferential voting with no savings provisions.
<b>South Australia</b>	GVTs abolished. ATL votes advised to mark a first preference with further preferences optional. BTL votes advised minimum 12.

## Appendix C – New South Wales Legislative Council Elections

### Timeline of Changes

- **Pre-1933** – appointed chamber
- **1933-1978** – indirectly elected chamber
- **1978** – Referendum introduced direct election. Membership reduced from 60 serving four three-year terms. New chamber of 45 members (initially 43) introduced with one-third of members (15) to face election at each lower house election. Then existing Senate ballot paper and counting instructions adopted but with optional preferential voting beyond a minimum 10 preferences. Quota for election 6.25%.
- **1984** – third Legislative Council election brings chamber to 45 members all fully elected.
- **1988** – group voting tickets introduced but without party names being printed on ballot paper. Lodged GVTs must include at least 10 preferences.
- **1991** – Party names printed on ballot paper for first time. Referendum held on same day re-structured the Council to 42 members serving two terms of the Assembly, 21 elected at each election. Number of preferences increased to 15 and quota reduced to 4.55%.
- **1999** – infamous tablecloth ballot paper election. Ballot paper was one metre wide and 700mm deep with 264 candidates distributed across 81 columns on a triple-decked ballot paper. The election was a logistical nightmare that could have been challenged on many grounds. It was fortunately not challenged.
- **2000** – changes to electoral act toughened rules on party registration, abolished GVTs, allowed ATL voting with preferences but required parties to stand 15 candidates if they wanted an ATL group voting squares.
- **2003** – first election after abolition of GVTs

### Party Registration Rules since 2000

- Party must have 750 members for registration. All members relied on for membership must complete a declaration of party membership form.
- An initial registration fee of \$2,000 is charged.
- Membership is reviewed every year.
- A party must be registered for 12 months before they can use central nomination or have a party name printed on ballot papers. For state elections, this means a new party must have completed the registration process one year before writs are issued.

### Nomination Rules for Legislative Council

- Parties can nominate candidates through the party's registered officer. Independents require 25 unique nominators per candidate. Candidates can request to be grouped.
- Nomination deposit is \$500 or capped at \$5,000 where a group stands at least 10 candidates.
- Groups must stand 15 candidates for access to an ATL group voting square.

Table C.1 – NSW Legislative Council 1978-2019 – Groups and Candidates Contesting Election

<b>Election</b>	<b>Vacancies</b>	<b>Groups</b>	<b>Candidates</b>	<b>Notes (See above for details)</b>
<b>1978</b>	15	8	46	First popular election
<b>1981</b>	15	9	48	
<b>1984</b>	15	8	43	
<b>1988</b>	15	13	56	Group voting tickets introduced
<b>1991</b>	15	12	54	Party names on ballot paper
<b>1995</b>	21	28	99	First election for 21
<b>1999</b>	21	81	264	'Tablecloth' ballot paper
<b>2003</b>	21	16	284	Group voting tickets abolished.
<b>2007</b>	21	20	333	
<b>2011</b>	21	17	311	
<b>2015</b>	21	25	394	
<b>2019</b>	21	21	346	

Table C.2 – Elected Members Categorised Compared to Highest Remainder List Proportional Representation

<b>Election</b>	<b>Filled Quotas</b>	<b>Highest Remainder</b>	<b>Trailing Wins</b>	<b>Parties Passed</b>
1978	13	2	..	..
1981	14	1	..	..
1984	13	2	..	..
1988	13	2	..	..
1991	13	2	..	..
1995	15	5	1	4
1999	15	3	3	31
2003	17	4	..	..
2007	17	4	..	..
2011	17	3	1	1
2015	17	3	1	2
2019	17	3	1	2

Table C.3 – NSW Legislative Council Elections 1988-2019 – Ballot Paper Completion Categories

Election	ATL no Preferences	ATL with preferences	BTL
1988	85.9	..	14.1
1991	89.3	..	10.7
1995	90.9	..	9.1
1999	96.2	..	3.8
2003	98.2	..	1.8
2007	98.3	..	1.7
2011	82.2	15.6	2.2
2015	83.0	15.3	1.7
2019	69.7	27.6	2.7

**Source:** Calculations by author based on NSW Electoral Commission statistical returns and information on ballot papers after 2011. Note that the ATL with preference totals are not available for the 2003 and 2007 elections, but exhaustion rates during the distribution of preferences suggest the rate pf ATL with preferences voting is in line with the available percentages for the 2011 and 2015 election.

Image – 1999 NSW Legislative Council Ballot Paper.

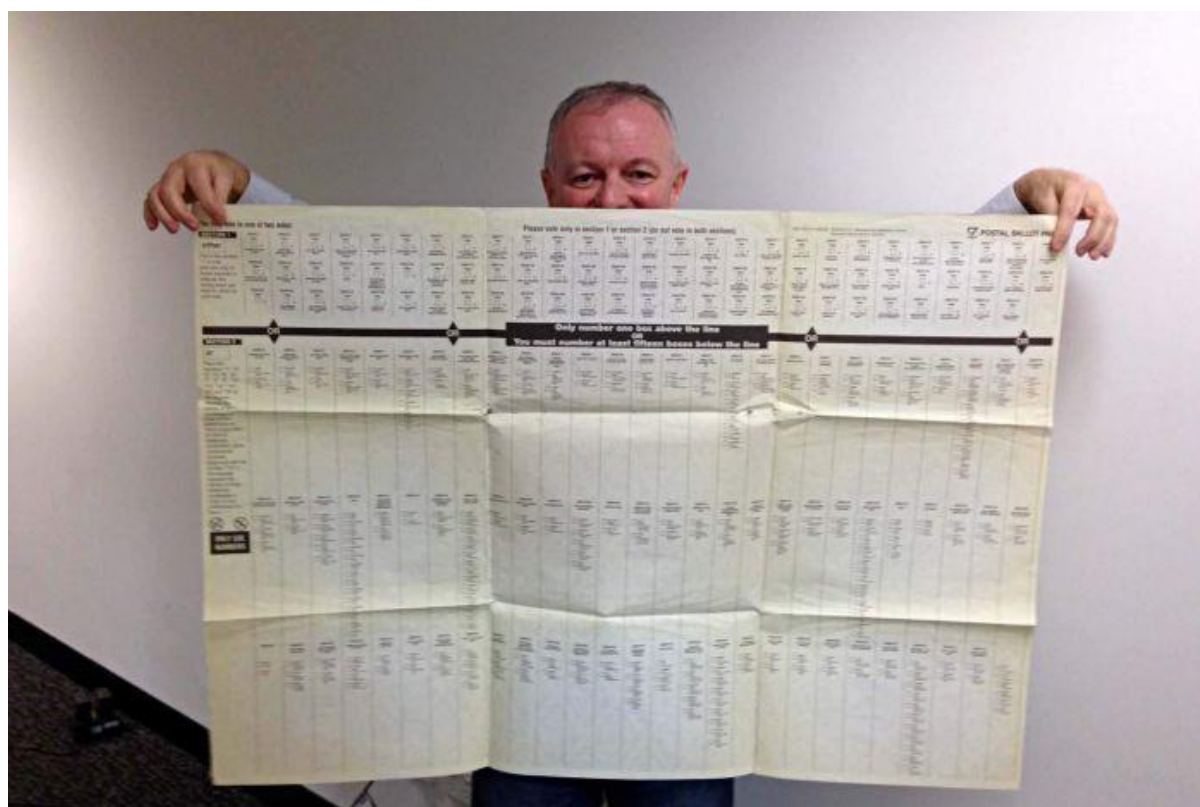
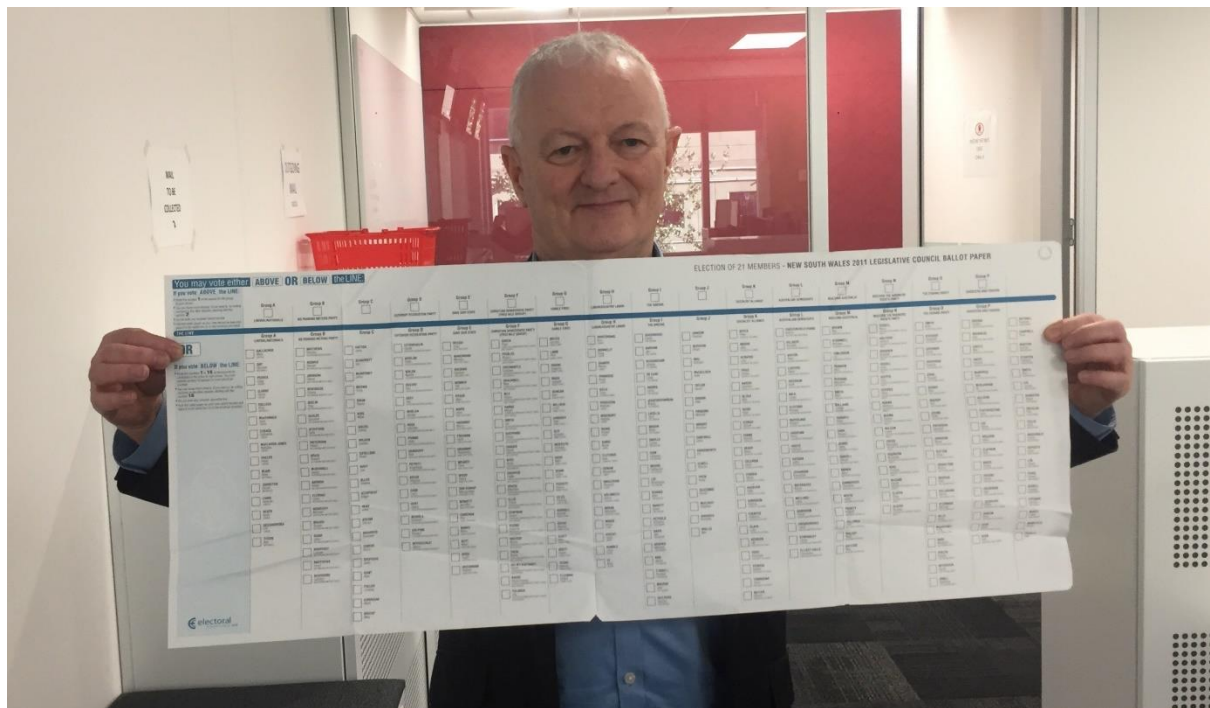


Image – 2015 NSW Legislative Council Ballot Paper



## Appendix D – South Australian Legislative Council Elections

### Timeline of Changes

- **Pre-1975** – two-member provinces serving six-year terms with one elected members facing election every three years.
- **1975** – first election using state-wide proportional representation. 22-member Council with staggered terms, 11 members facing election each term. Closed list proportional representation with voters having no choice of candidate. Voters were permitted to indicate party preferences. A party that failed to reach half a quota (4.17%) was excluded, its preferences counted out to a continuing party. Seats then allocated to parties using a highest remainder method.
- **1982** – Senate style PR-STV used for the first time.
- **1985** – divided ballot paper and GVTs introduced. Unlike the Senate, ungrouped candidates were allowed their own column on the ballot paper and a GVT rather than be placed in an ungrouped column. All candidates that were grouped together appeared on the ballot paper before single ungrouped candidates.
- **2014** – to avoid the giant ballot papers that afflicted the 2013 Senate election, single candidates were moved to an ungrouped column without a GVT. Registered parties appeared on the ballot paper before Independent groups. Nomination deposits were increased from \$400 to \$3,000.
- **2018** – Group Voting tickets were abolished ahead of the 2018 election with full optional preferences above the line and optional beyond 12 below.

### Party Registration Rules

- Party must have 200 members for registration. All members relied on for membership must complete a declaration of party membership form.
- A cut-off date for application for registration applies six months before the date of a state election.
- South Australia has a unique provision that allows Independent candidates to nominate a three-word description for their candidacy. (e.g. Independent Ban Duck Shooting) It has been used in the past as a pseudo-party name (e.g. Independent Palmer United).

### Nomination Rules for Legislative Council

- Parties can nominate candidates through the party's registered officer.
- Independents require 250 unique nominators per candidate, so grouped Independents cannot rely on the same nominators. Lower house Independents only require 20 nominators.
- Columns on the ballot paper are allocated in three lots, registered parties first, then Independent groups, then the ungrouped candidates. Allocation of position within these lots is by random draw.
- The nomination deposit has been retained at the high rate of \$3,000 per candidate.

Table D.1 – South Australian Legislative Council Elections – Groups and Candidates Contesting

Election	Vacancies	Grouped Groups	Ungrouped Groups	Total Groups	Party Candidates	Independent Candidates	Total Candidates
1989	11	7/0	0/3	10	31	3	34
1993	11	10/3	0/4	17	34	10	44
1997	11	10/3	2/4	19	39	12	51
2002	11	9/4	10/25	48	43	33	76
2006	11	9/1	1/14	25	37	17	54
2010	11	13/10	2/10	35	43	31	74
2014	11	14/10	1*	25	41	22	63
2018	11	11/1	1*	13	39	4	43

**Note:** Grouped groups are parties or Independents with two or more candidates. Ungrouped groups are groups with single candidates. Listing in columns is (Party groups)/(Independent groups). \* indicates single ungrouped column in 2014 and 2018.

**Comment:** The huge increase in Independent ungrouped candidates at the 2002 election followed the success of Nick Xenophon running as Independent No Pokies. Xenophon had appeared as an Independent group. The number single Independents declined with the introduction of an Ungrouped column in 2014.

Table D.2 – Elected Members Categorised Compared to Highest Remainder List Proportional Representation

Election	Groups	Filled Quotas	Highest Remainder	Trailing Wins	Parties Passed
1993	17	9	2	..	..
1997	19	9	1	1	1
2002	48	7	4	..	..
2006	25	9	2	..	..
2010	35	8	2	1	2
2014	25	8	2	1	1
2018	13	8	3	..	..

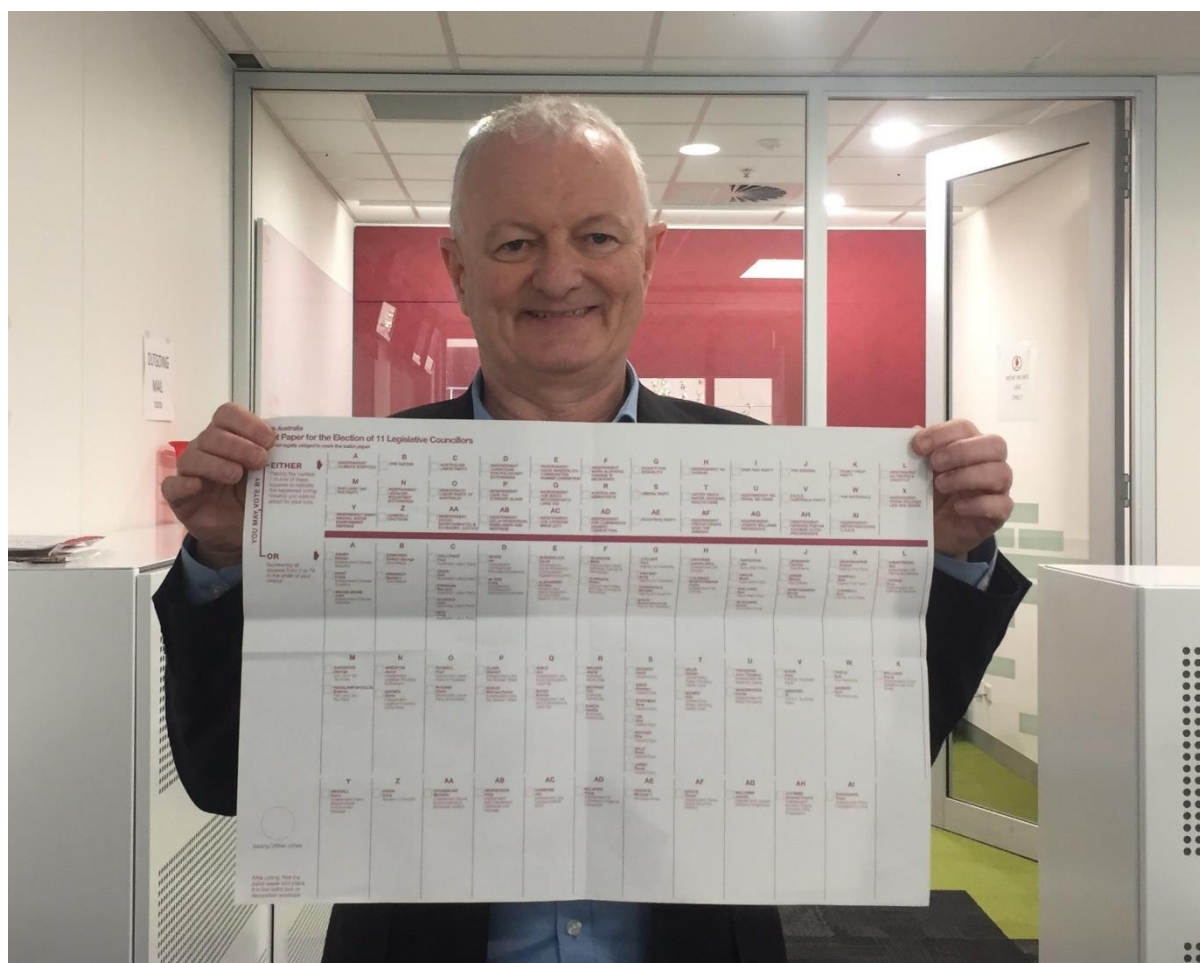


Table D.3 – South Australian Legislative Council Elections 1988-2019 – Ballot Paper Completion Categories

Election	ATL no Preferences	ATL with preferences	BTL
1989	95.7	..	4.3
1993	96.2	..	3.8
1997	95.7	..	4.3
2002	97.1	..	2.9
2006	94.6	..	5.4
2010	96.8	..	3.2
2014	95.9	..	4.1
2018	60.4	33.4	4.1

**Source:** Calculations by author based on Electoral Commission of SA statistical returns and provided information on ballot papers for 2018.

Image – Triple Decked 2010 Legislative Council Ballot Paper

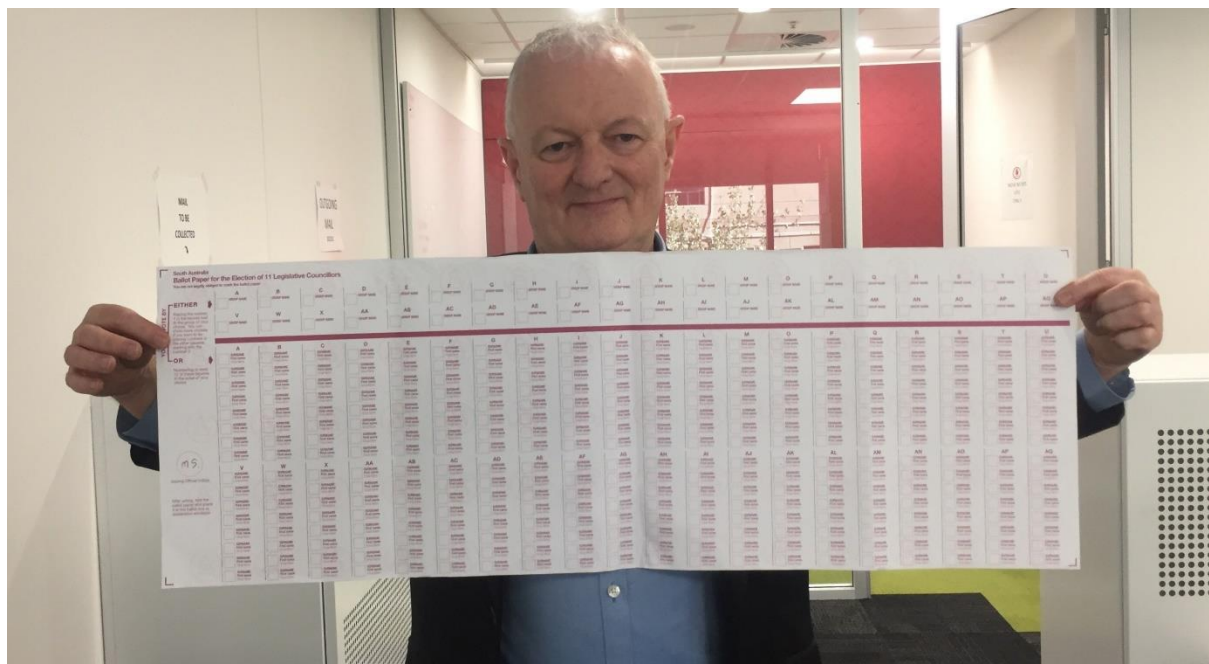


**Comment:** The 2010 ballot paper above was designed to lie flat within a 600mm voting partition. It was easier for a voter to see all parties at once and avoided sliding a 1-metre ballot paper backwards and forwards within the voting partition.

With GVTs still in use, only 3.2% of ballot papers were completed below-the-line. These could be data entered. The abolition of GVTs for the 2018 election meant that nearly 40% of ballot papers were completed with preferences either above or below the line. The 2010 cannot be scanned with conventional scanning equipment and in future the maximum 1-metre ballot paper will be used.

A mock-up of a maximum size scannable ballot paper is shown below.

Image – Sample Large Scannable Ballot Paper



Proposed scannable ballot paper is South Australia is faced with more than 24 groups.