

Dear Sir,

Thank you for providing me the opportunity to comment and make suggestions on the current electoral system. For many elections I have complained about the unmanageable process for voting for the Upper House. The system has been distorted and non-representative and should have been fixed a long time ago.

Please find attached my submission for your consideration.

Regards,

Submission on WA Electoral Reform

The objective of a democratic election should be, as best as possible, to elect representatives proportionately according to the wishes and preferences of the voters. Some of the results from the 2021 Legislative Council elections (as identified in the Discussion Paper) show that the current system has clearly failed to achieve a fair outcome.

In order to exercise my right to express my will, I had to order (I think it was) 57 candidates in my South Metropolitan Region. To try to research, and then rank, all the Parties / candidates is difficult and time-consuming. It is therefore not surprising that 97.5% of the electorate did not exercise their will, but instead surrendered that right to political parties and their strategists.

I therefore submit that the following changes should be made to the system:

- 1) **Group voting tickets should be abolished** for several reasons:
 - a) Because these take away the right of the individual to choose.
 - b) The Group preferences can be manipulated by “fixers” to distort the will of the people through “preference harvesting”.
 - c) Group preferences for major parties are set up by strategists to help them win, but also to make their closest opposition lose. At the 2021 election I was surprised to see that one major Party had preferenced quite high up a Party that I consider held extreme policies. Personally I would prefer to have a candidate from the ‘opposite’ mainstream Party elected rather than allow extremists (from the left or the right) to enter the Parliament.
 - d) I suspect that many of the 97.5% were not aware of their Party’s preferences. It is quite possible that some of these voters might object to having (unknowingly) given a high preference to, for example the Daylight Savings or Legalise Cannabis parties, when they might strongly oppose their single policies.

- 2) **Voting above the line should be abolished.**

A Group ticket means a voter gives their top preferences to all that Party’s candidates in the order specified. Even if there is a candidate the voter thinks is unsuitable or undesirable, the voter cannot rank that candidate lower or not vote for them at all.

Parties can still hand out “How to Vote” cards outside polling booths if a voter wishes to follow the Party line. Otherwise it is a simple task for a voter to still number all of a Party’s candidates first.

3) Voter should only select a reduced number of preferences.

A voter should not have to number all the candidates. To allow a reasonable scope for indicating preferences, while making the system simpler and more manageable, I suggest that a voter should have to select twice the number of candidates compared to the number of seats available, i.e. if there are 6 seats in that Region, the voter would number preferences from 1 to 12 only.

4) Information needed for voter education

In order for the system changes above to better represent the voters, they will need to be better informed. It should be a requirement that every Party or Independent candidate must lodge a manifesto or set of policies with the Electoral Commission. These should be published on the Commission's website and widely advertised. In that way it would be clearer to voters what each Party stands for. It would also highlight that some single issue Parties have no policy on anything else and therefore how they might vote on issues of major importance is unknown.

5) Distortion due to Minor Parties should be reduced

In order to further avoid "preference harvesting" and simplify and speed up the counting process, any Party or Independent who receives less than 1% of the Primary vote in a Region should be eliminated and the preferences of their voters distributed. In the 2021 election this would have reduced the field to about 9 Parties after the first count.

6) Make "preference harvesting" illegal

I understand that "fixers" get paid for organising "preference harvesting". It should be made illegal for anyone to profit or benefit from a process which distorts the wishes of the voters.

7) Make all distortion of the election illegal

Other actions or processes which intentionally aim to distort the outcome of an election should also be illegal. An example in 2021 was the re-naming of the Flux Party to "Liberals for Climate". This was intended to deliberately mislead voters, as the Party has no "Liberal" policies or any policy on Climate. In fact it has no policies on any specific issues.

8) A Region-based model should be retained

Due to the wide diversity of business and lifestyle types across WA, the current system with Regions for Agriculture, Mining and Pastoral, the South-West and the Metropolitan areas should be retained. This ensures that the issues for those specific Regions can be properly represented.

With a Whole-of-State system there is a risk that the non-metropolitan regions might not be represented at all.

9) Electoral Equality

The huge variance in the weight of an individual vote in WA must be redressed. However there appears to be no legislation which requires full equality. This is apparent from the distribution of seats for the Legislative Assembly which includes regional weightings, in particular towards the Mining and Pastoral Region. The bias towards Mining and Pastoral for the Legislative Council introduced in the 1987 system was, however, excessive, and since 2005 the bias for all Regions has become significant.

The theoretically fairest system would require the Electors per MLC to be the same for every Region. However, as shown in the Table below, that yields some awkward results, such as a calculated 1.5 MLC members for the Mining & Pastoral Region. This could be rectified by changing the sizes of the Regions, but these currently reflect sensible boundaries for the non-metropolitan Regions and should be retained.

An alternative approach would be to use a similar weighting as used for the Legislative Assembly Districts. This would result in a distribution of MLC members as shown under the 'LA Equiv MLCs' column in the Table. This would still cause a significant weighting towards the Mining & Pastoral Region.

A slight modification is therefore suggested in the final columns. The number of Electors per MLC for this recommended distribution is compared to the average of 47,687 for full equality. The recommendation brings the Mining & Pastoral, and Agricultural Regions into line with a variance of up to 1.55 from the Metropolitan areas, with the South-West having a variance of 1.32. While these variances are higher than other states, I believe this is acceptable in view of the large contribution that Mining, Pastoral, Agricultural and the South-West communities make to the wealth of all in the state.

Region	Enrolment	Current MLCs	Electors per MLC	No. of MLCs for equality	LA Districts	LA % of Total	LA Equiv. MLCs	Rec. Dist.	Electors per MLC
Agric	103,378	6	17,230	2.2	4	6.8%	2.4	3	34,459
E. Metro	423,759	6	70,627	8.9	14	23.7%	8.5	8	52,970
Min / Past	69,651	6	11,609	1.5	4	6.8%	2.4	2	34,826
N. Metro	427,779	6	71,297	9.0	14	23.7%	8.5	8	53,472
S. Metro	449,182	6	74,864	9.4	15	25.4%	9.2	9	49,909
S-W	242,983	6	40,497	5.1	8	13.6%	4.9	6	40,497
Total	1,716,732	36		36	59	100%	36	36	
Average			47,687						47,687

Some adjustments to this recommended distribution could be considered. For example, one could argue that all Metropolitan Regions should have equal numbers of MLCs. A case could also be made for reducing the number of MLCs for the South-West to 5. In order to develop a robust, long-term solution, the forecast changes in population over the next 30 years should therefore be

considered. If significant changes between the populations of Regions are expected, then a formula-based system might be considered which could specify that variances or weightings are kept within certain ranges.