



Something for Everyone: the LNP's Electoral Redistribution Bill

Graeme Orr¹

How big should parliament be? Should vast constituencies be reined in by reducing their number of electors? Who should decide such matters? These enduring questions are raised in an opposition proposal, the *Electoral Redistribution and Another Enactment Amendment Bill* of 2015.² Normally opposition Bills do not attract much attention. But in a hung parliament, and with electoral law being of direct interest to every politician, this Bill is an exception.

Introducing the Bill on 15 July 2015, the Shadow Attorney-General, Ian Walker pointed out that Queensland MPs represent over 33,000 electors, or over 50,000 residents per seat. More than any other state or territory, bar NSW. In addition, there are no upper house MPs in Queensland to assist with that role, unlike say Victoria and WA, where there are regionally focused Legislative Councillors.

The Palaszczuk government immediately scorned the very idea of increasing the number of MPs in the Legislative Assembly. That knee-jerk unhelpfully pre-empts *Courier-Mail* style populism.³ Of course, every generation, the number of constituency MPs – those representing distinct regions – should be reviewed.

This Bill cleverly tries to defuse some of the partisanship by referring the question of the size of parliament to the Redistribution Commission, which is due anyway to redraw boundaries in 2016. It also seeks to expand and increase the independence of that Commission, an adjunct of the Electoral Commission Queensland. Future appointments would need bipartisan support.

So far, so good. Democrats should applaud the idea of regularly reconsidering constitutional issues like the size of parliament, and measures to entrench the independence of the body that makes the all-important electoral maps.

¹ Graeme Orr is Professor of Law at the University of Queensland, a TJRyan Foundation Research Associate, and author of [The Law of Politics](#) and [Ritual and Rhythm in Electoral Systems](#).

² The text of the Bill can be found at http://www.legislation.qld.gov.au/Bills/55PDF/2015/ElectRedistCoAmB15_P.pdf. The Explanatory Notes are at: https://www.legislation.qld.gov.au/Bills/55PDF/2015/ElectRedistCoAmB15_PE.pdf. The deadline for submissions to the Legal Affairs and Community Safety Committee, which is examining the Bill, is 15 August 2015, see: <https://www.parliament.qld.gov.au/work-of-committees/committees/LACSC/inquiries/current-inquiries/05-ElectoralRedistAAAB15>.

³ See Joff Lelliott, 'More politicians means better representation', *Courier-Mail*, 5.8.15.

A problem with the bill is that in outsourcing the size of parliament to an independent body, it paradoxically and unduly then constrains that body.⁴ The Commission could only consider increasing parliament by up to five seats – between the present 89 and 94 – a scope of barely six percent. The principle is independent review, but within a politically narrow scope.

There is also the question of whether a Redistribution Commission ought to make such big policy decisions. An all-party parliamentary committee is a better option. After all, MPs know better than most how stretched they are, and whether the answer for servicing a growing population is more MPs, or more staff and enhanced communication processes.

There are also inescapable community concerns. Is state politics attracting a suitable calibre of candidates, to justify expansion? Or are party pre-selection processes dominated by insiders with union, lawyer and employer association backgrounds?

A final, weeping sore is Queensland's unicameral system, and executive dominance of that one house of parliament. This is exacerbated by majority – really plurality – rules voting. That voting system disenfranchises the eight percent who vote Greens.

Extra MPs may better address constituents' grievances. They will not address the deeper problem of accountability, which have haunted Labor and most recently the Newman Cabinets. Queensland has a history of hubris consuming governments with massive majorities or long-terms. Queensland needs to seriously consider an Upper House with proportional voting or, better yet, the New Zealand style mixed member proportional voting system.⁵

Finally, the Bill proposes a modest but troubling move away from one-vote, one-value. (A move sure to encourage the Labor Party to oppose it). Since 1992 and the post-Fitzgerald reforms, Queensland has had equal vote weighting, *except* for the five massive electorates covering almost 1.5 million km² in the far north and west: Cook, Dalrymple, Gregory, Mount Isa, Warrego. By law, any electorate over 100,000km² is treated as if it had notional electors, at the rate of two percent of its size.

So Mount Isa, the geographically biggest electorate at over 570,000 km², needs over 10,000 fewer electors than the average. The Bill encourages the Redistribution Commission to consider doubling that allowance of 'phantom electors' to four percent.

With a population density about 1/6000th that of inner Brisbane, an electorate such as Mount Isa is very difficult to service. If the proposal were adopted, Mount Isa would shrink physically – rather than expand to the southern border, as it risks doing. Because it would need barely 10,000 electors. If all five of the vast electorates shrink, a sixth north-western electorate will certainly have to be born. Votes in those electorates will be worth two-to-three times more than those of other Queenslanders.

The Bill in the end has something for everyone. The majority of the five new MPs would almost certainly turn up in the growing south-east corner, which is shared between the Liberal wing of the LNP (Gold and Sunshine Coast) and Labor (Brisbane/Ipswich). The dispensation for the vast electorates would assist the Nationals wing of the LNP, the Katter Party and Labor-Independent (Billy Gordon) who represent those electorates. The Katter Party and Mr Gordon, indeed, will decide its fate.

And constitutional lawyers and citizens have much to ponder.

⁴ Joshua Robertson, 'LNP wants Queensland electoral ruling taken out of parliament's hands', *The Guardian*, 16.7.15: <http://www.theguardian.com/australia-news/2015/jul/16/lnp-wants-queensland-electoral-ruling-taken-out-of-parliaments-hands>.

⁵ "Mixed Member Proportional" voting system, New Zealand Electoral Commission, <http://www.elections.org.nz/voting-system/mmp-voting-system>