



## The Constitutional Commission

In December 1985, the Constitutional Commission was set up to undertake a major review of the Australian Constitution and report to the Federal Government by 30 June 1988. The Society has responded to an invitation to make a submission to the Commission. The submission emphasises that, for Australia to be a 'Federal Parliamentary democracy', as specified in the terms of reference of the Commission, it is essential that the members of its Parliaments should be elected by processes that are unquestionably democratic.

After pointing out the inadequacy of all electoral systems based on single-member electorates, the submission sets out the requirements for genuinely democratic elections for both Houses of the Federal Parliament and for State and Territory Parliaments, and for the filling of casual vacancies. It also recommends provisions that would ensure that the voters would determine which of those elected to the Senate after a dissolution or a change in the number of Senators would have long and short terms. The amendments to the Constitution that would be needed to put these recommendations into effect are set out. The submission has also been presented to the Advisory Committee on Individual and Democratic Rights Under the Constitution, one of the five committees set up by the Commission to assist it in its work.

## Western Australia's Electoral Reform Bill

After failing to find sufficient support for its electoral reform bills in the previous Parliament, the Government of Western Australia put forward modified proposals on 10 July. These provide for the retention of single-member electorates for the Legislative Assembly but for a regional system of proportional representation for the Legislative Council. Four-year terms are proposed for both Houses. For the Legislative Assembly, variation in enrolments would be permitted up to a maximum of 15% above or below the State average. Under the proposed legislation, all the electoral boundaries would be drawn by independent Electoral Distribution Commissioners.

It is intended to elect all 34 members of the Legislative Council at the same time from four 7-member regions, with approximately 25 000 voters per member, and two 3-member regions, with about 15 500 voters per member. While this is not an ideal arrangement, it is certainly much better than the system used up to the present, and than any system based on single-member electorates. The future of the proposals depends on the National Party members of the Legislative Council, in which Government members occupy less than half of the seats.

## Help With Counting

On 16 June, the New South Wales Branch collaborated with the Surry Hills Community Justice Centre in a very successful Workshop on Counting Elections. Advice and assistance to people who wish to conduct quota-preferential elections are available from the Branches of the Society. Further information can be obtained from the Secretary (address on other side) or from the Secretaries of the Branches.



## Minister Says No Self-Government for ACT

The Minister for Territories, Hon. Gordon Scholes said in a recent media release that, as the Senate will not allow the Government's Bill for partial self-government for the Australian Capital Territory to pass, there is no prospect of self-government within the life of the present Parliament. Opposition and Australian Democrat Senators had indicated earlier that they would not support the unsatisfactory proposal for an ACT Council of thirteen members, to be elected from single-member electorates. On 22 August, Australian Democrat Senator David Vigor introduced a Bill providing for proportional representation, with 21 members to be elected from three 7-member electorates. The Government now has the opportunity to show its commitment to democratic self-government by supporting this initiative.

## Local Government - South Australia

After the local-government elections of 4 May 1985, the South Australian Minister for Local Government appointed a Local Government Election Review Working Party to review all aspects of the elections. Its report and recommendations were released recently. In 93 districts, Councils were elected by the 'bottom-up' method. With optional preferential voting, candidates with the fewest votes were excluded one at a time and their votes transferred until the number remaining was equal to the number to be elected. Proportional representation with the Senate method applied in 32 districts. Voters were required to indicate preferences for at least as many candidates as the number to be elected. The Working Party is 'of the view that the proportional representation system is the fairest and most equitable system where 2 or more candidates are required to be elected'. It noted that 'there is evidence that Councils . . . are moving to adopt proportional representation'. Unfortunately, the Working Party did not appear to recognise the need to improve the Senate method and to make preference marking optional.

## Local Government - Victoria

On 24 July, proposed changes in the Local Government Act, described by Gayle Austen in the Melbourne Age of 25 July as 'one of Victoria's most archaic pieces of legislation', were announced. One of the most important changes proposed would be the introduction of proportional representation where more than one vacancy is filled. The future of the proposals is uncertain. The Opposition has a majority in the Legislative Council and its spokesman on local government has already announced that the legislation is 'in for a rough ride'.

## No Need for By-Elections

The Bass Hill and Rockdale by-elections brought the number for the New South Wales Legislative Assembly since the general election in March 1984 to ten. The resignation of Mr Rex Jackson means yet one more. If proportional representation applied to the Legislative Assembly, casual vacancies could be filled, as in the Tasmanian House of Assembly, by re-examination of the votes counted for vacating members to find the next choices of the voters left without representation. Besides ensuring better representation in regular elections, proportional representation would save the political dislocation that always accompanies by-elections and the substantial cost to the taxpayers, which now extends to funding of the parties as well as administrative costs.

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