




Speech By  
**Hon. Yvette D'Ath**

**MEMBER FOR REDCLIFFE**

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Record of Proceedings, 2 December 2015

**ELECTORAL (IMPROVING REPRESENTATION) AND ANOTHER ACT  
AMENDMENT BILL**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (4.42 pm): The Electoral (Improving Representation) and Another Act Amendment Bill 2015 introduced by the member for Mount Isa would change the number of electoral districts for the state from 89 to 93, with a corresponding increase in the number of members of the Legislative Assembly. The bill would also change the prerequisite qualification for the non-judicial commissioner of the Queensland Redistribution Commission from a person who is a chief executive of a department or the equivalent to a person with qualifications and experience in applied demography relevant to electoral redistributions.

Further, the bill would make the appointment of the Electoral Commissioner and the QRC commissioners subject to bipartisan support of the parliamentary committee. Bipartisan support is defined to mean unanimous support or majority support, other than a majority consisting wholly of government members.

The Legal Affairs and Community Safety Committee reported on the bill on 27 November. It was unable to reach a majority decision as to whether the bill should be passed. It did not make any recommendations.

The government opposes the bill in its entirety on the basis that the proposals are unnecessary and have not been developed through a process of wide consultation. The current electoral district boundary arrangements were agreed, with cross-party support, following the review of Queensland's electoral laws by the former Electoral and Administrative Review Commission, EARC. EARC tabled its report in November 1990.

The Electoral Act generally requires that an electoral district redistribution take place every 7½ years or after three parliaments have been elected on the existing boundaries. The next redistribution is due to commence in February 2016. The redistribution process is intended to address the changing demographics in electoral districts that can result in the relative numbers of voters across the electoral districts becoming unbalanced over time. It provides a process for the existing electoral boundaries to be independently reviewed and modified.

The substantive issues in this bill and the issue they raise were effectively dealt with by the parliament when the parliament rejected the private member's bill put forward by the member for Mansfield. This bill does not present any new evidence that should change the position of this House.

The first proposal in the bill would increase the number of electoral districts for the state from 89 to 93, in the absence of a compelling, evidence based case for such a change. When I travel around the state and I talk to people about growing jobs in this state to deliver a high-skilled workforce and innovation, not a single person has suggested that what they want is more politicians. I find it astonishing that the LNP members opposite would come into this House and tell Queenslanders their jobs plan is to employ more politicians.

The bill gives no guidance as to where the extra districts would be located, as this would obviously be the domain of the independent redistribution commission. It may have a marginal impact on whether some electorates change, but adding new seats would likely see new seats pop up in South-East Queensland. Are those opposite pretending that this is about rural MPs when in fact there might be some within the LNP party room who will see this as an opportunity to fight for more South-East Queensland Liberal seats and help topple the control of the old Nats. The technology and communications landscape has significantly changed and transformed and enhanced the way that members fulfil both their constituency and legislative roles.

There are also existing mechanisms in place under the current members' remuneration arrangements, including an additional general travel allocation and provision for additional electorate office accommodation and services, to assist members to effectively represent large rural electorates. Indeed, as recently as October this year, the Remuneration Tribunal awarded additional travel resources for large electorates. In his submission to the LACSC, Professor Orr observed that the bill does not explain how or why the increase by four seats was decided upon and it is speculation as to whether the increase will impact on the issues that the bill is purported to address.

The second proposal in the bill would change the prerequisite qualification required for the non-judicial commissioner of the QRC from a person who is a chief executive of a department or the equivalent to a person with qualifications and experience in applied demography relevant to electoral redistributions. Section 46 of the Electoral Act already provides that the QRC must consider economic, social, regional and other interests in each proposed electoral district, the methods of communication and travel, the physical features within each proposed electoral district and the boundaries of existing electoral districts and demographic trends in the state when preparing a proposed electoral redistribution.

The extensive consultation process that is mandated by the Electoral Act also provides the opportunity for stakeholders and experts to provide their input into the process. The QRC can access the advice of professionals with qualifications and expertise in demography, statistics and regional and town planning as needed. In his submission to the LACSC, Professor Orr queried that the amending provision would unduly limit the pool of people who would qualify for appointment.

The third proposal in the bill would make the appointment of the Electoral Commissioner and the QRC commissioners subject to bipartisan support of the parliamentary committee. Bipartisan support is defined to mean unanimous support or majority support, other than the majority consisting wholly of government members. The current composition of the QRC is sufficient to ensure the independence and integrity of the redistribution process.

As is the case with the chairperson, the non-judicial member may only be appointed if the minister has consulted with each political party leader in the Legislative Assembly and the parliamentary committee. The appointment of the Electoral Commissioner already follows a statutory process which involves public advertising and consultation with each political party leader in the Legislative Assembly and the parliamentary committee. Currently, there is no requirement for the appointment of any commissioner to be subject to cross-party approval.

A requirement for the appointment of the commissioners to be subject to bipartisan support of the parliamentary committee would have the potential to frustrate the redistribution process in the event of a stalemate. The bill offers no alternative mechanism in the event of such a stalemate. It is fair to say that unfortunately, when it comes to bipartisan appointment processes, the immaturity of some opposite is frustrating what would otherwise be a constructive and inclusive process.

The reality is, unlike other bipartisan support for positions that require or allow an acting appointment, no such provisions exist in this bill. What that means is that, if I, as the Attorney-General, am unable to get bipartisan support of the parliamentary committee, the Queensland Redistribution Commission cannot be formed. If the Queensland Redistribution Commission cannot be formed, the redistribution cannot occur. So it could lead to significant ramifications and substantial delays as a consequence.

In summary, the government opposes the bill on the basis that a compelling evidence based case has not been made for an increase in electoral districts, the qualification for appointment as the non-judicial commissioner is unnecessary and unduly restrictive, and the requirement for bipartisan support for the commissioners has the potential to frustrate the upcoming redistribution process in the event of a stalemate. The government opposes the bill.