

# 5 WAYS THE SENATE VOTING SYSTEM IS BROKEN — AND HOW TO FIX IT

For 10 years, the Greens have been campaigning for Senate voting reform that ends backroom preference deals. We have ensured that the vital role small parties play in our democracy is protected. But now Labor's factional powerbrokers are threatening to derail these essential reforms.

The Greens have campaigned for Senate reform for more than a decade. We believe that the Senate should be controlled by the voters, not by faceless backroom preference dealers.

Bob Brown and Christine Milne began the slow, hard process of building understanding and support for senate voting reform amongst people across the political spectrum over ten years ago. There used to be tripartisan support for Senate reform — the Greens, Labor Party and Liberal party all supported the recommendations that came out of the Joint Standing Committee on Electoral Matters. Now the Labor party have backflipped in an election year. We can't let them derail this important reform.

## WHY DO WE NEED REFORM?

### **1// Right now, the Senate voting system is undemocratic**

The current Senate voting system is almost like a lottery. You vote for one person, then your vote ends up electing somebody totally different.

Convoluting, complicated, and often secretive preference deals means you have no control over where your vote ends up. Some micro-parties are even created for the sole purpose of funnelling preferences and being a cog in the machine that manipulates your vote, distorting our democracy.

### **2// It's secretive**

The system we've got now gives political parties power over your preferences, letting them wheel and deal with 'Group Voting Tickets' to maximise their own chances.

If you vote [1] above the line and your choice doesn't receive enough votes to get elected to the Senate, you have no control over where your vote goes next, and often no idea where it will end up.

In 2013 votes for progressive sounding parties like the WikiLeaks Party went toward conservative parties. Your vote can end up electing a Senator you don't support - and you wouldn't even know it.

### **3// It produces perverse outcomes**

In 2013, the Sports Party candidate in Western Australia was set to be elected on 0.2% of the vote (that's less than 3000 votes out of more than a million). Think getting elected on 0.2% of the vote is perverse? It gets worse. The current rules allows for "leapfrogging" - where micro-parties negotiate complex preference arrangements that mean they can get elected instead of someone who wins more of the vote than they do!

Micro-parties have become very good at swapping preferences amongst themselves to allow them to "leapfrog" over candidates who have won a much bigger vote than them.

### **4// It's too complicated**

Backroom dealers who game the system are making elections easier for their candidates, but harder for voters. More tiny parties - and more parties that are just fronts for funnelling preferences - means bigger ballot papers, many more candidates, and means voters are more likely to vote above the line and hand over control of their preferences.

We support small parties and independents running for the Senate. We don't support front parties trying to game the system and get elected on a unrepresentative vote that doesn't reflect your voting intentions.

### **5// It undermines the Senate as a house of review**

The Senate acts as a check and balance on the government of the day. The current electoral system undermines the integrity of the Senate as a house of review as candidates who win only a tiny fraction of the votes can be elected. This is not how an elected house of review should operate.

### **What do the Greens want to do about it?**

The simplest and most democratic way to fix the Senate voting system is to outlaw secretive preference deals by abolishing Group Voting Tickets. This takes the power over preferences away from political parties, and gives it back to voters. It protects the rights of small parties to run and get elected if they have genuine voter support, but removes the incentive for micro-parties to set up "front parties" to funnel preferences through secretive and convoluted backroom deals. Your vote is as you intended.

We support the abolition of the Group Voting Ticket, and for voters to be asked to number number [1] to [6] above the line on the ballot paper so they can show support

for a diversity of voices in the Senate.

This puts the power firmly back in the hands of the voter, not the factional leaders or preference dealers who come up with the complicated secretive deals behind the Group Voting Tickets.

## **Frequently asked questions**

### **Q: What does the Bill do?**

**A:** Rather than having to number about 100 boxes to control their preferences, now voters only have to number 6.

Voters will be able to number the parties listed above the line rather than voting below the line.

The Bill makes sure that your vote will count even if you make mistakes in filling out your ballot including accidentally only number one box

The Bill contains retains the protections for small parties. It does not adopt the recommendation to make parties triple their membership numbers to be eligible to run.

### **Q: What about 'Below the Line' preferential voting?**

**A:** The Greens have always supported below-the-line preferential voting. Today, the Joint Standing Committee on Electoral Matters reported to the Parliament with its recommendations. As well as agreeing that we must proceed with the proposed reform to make Senate voting above the line more democratic, the committee (which included Lee Rhiannon) also called for 'below the line preferential voting' reform.

We have pushed the government to support this reform, and today they agreed.

The 'below the line' reform we have helped achieve will mean that voters can number [1] - [12] below the line. At the moment, only three per cent of people vote below the line — no doubt in part because navigating a ballot paper the size of a tablecloth is near impossible!

### **Q: What happens next?**

**A:** The Greens will ensure that the details of the legislation will be scrutinised by the Committee that undertook the original inquiry into Senate Reform to ensure that the legislation is robust and reflects the committee's recommendations.

### **Q: Why has Labor changed their position on voting reform?**

**A:** Labor has a history of supporting such reforms, in NSW in 1999 and in the joint electoral matters inquiry in 2014.

But now Labor's factional warlords are worried about giving up their backroom power to voters and are trying to get their party to back-flip.

**Q: Will the Coalition win control of the Senate?**

**A:** No. The suggestion that the Coalition would seize control of the Senate is simply not true. It assumes that the Coalition will get more than 50 per cent in first preferences which is not supported by any current polling. As Antony Green tweeted, "Same dud opinion the pair have been spreading around for months. Choc full of errors."

**Q: What if someone makes a mistake on the ballot?**

**A:** The reforms guard against informal votes through a comprehensive AEC education campaign and 'savings provisions' which ensure if the voter's intention is clear their vote will be counted.

**Q: Will it lock out the small parties or Independents?**

**A:** The Greens value the vital role small parties play in our democracy. We have ensured that small parties are protected by retaining the current party membership requirements and nomination fees. In fact the Greens have a Bill to halve nomination fees to make it easier for small parties to run.

It protects the rights of small parties to run and get elected if they have genuine voter support, but removes the incentive for micro-parties to set up "front parties" to funnel preferences through secretive and convoluted backroom deals.

**Q: Why are you doing this reform now?**

**A:** Right now we have an opportunity to make our Senate more democratic. We've never shied away from doing the right thing before, and we are not going to start now. If we go to another election with our Senate voting system as it is, there will be more wheeling and dealing and more undemocratic backroom preference deals — who knows what that will look like! The more undemocratic, micro parties that are elected to the Senate the harder it will be to ever get reforms through in the future.

**Q: Does this benefit the Greens?**

**A:** Our analysis indicates that we are relatively unaffected by the reforms. The only real beneficiary of these reforms is the voter.

## **Q: Did the Greens just do a deal with the Liberals?**

**A:** No. The Greens have spent the last two years in the Joint Standing Committee on Electoral Matters working across the political spectrum to build support and understanding for this crucial reform. This is not a deal with the Liberals, this is the end of a long and slow reform process that the Greens have lead for over a decade.

The best way to make sure the Liberals don't control the Senate is not to run tricky, backroom deals, but instead to run strong campaigns that provide voters with a real alternative.

Many voters are already concerned that there isn't much differentiation between Labor and Liberal on the issues that matter to them – from refugees to higher education to data retention.

Any party with genuine support in the community will be able to have that support translated into seat in Parliament once this reform takes place, instead of the Senate being a lottery.