

THE NEED TO INCREASE TASMANIAN PARLIAMENTARY NUMBERS

by

Reg. A. Watson

There is a catch cry that Tasmania is over governed. It is a popular notion. After all, haven't we got three tiers of government, which is unnecessary for the smallest of Australian States; and don't we have too many municipalities? Wouldn't it be better to regionalise Tasmania into three areas, do away with the State Government and just have Canberra administering us? Or better still, amalgamate with Victoria? These options have been put forward.

With the existing situation don't we have too many politicians and it costs us too much? All current questions and on the face of it, they seem reasonable enough....but are they? Is there another side to the story, but because the present political climate it never gets a full hearing? There have been timid suggestions of late that there is a need to increase the numbers in Parliament, but being unpopular with the electorate, it has been dropped. However, is it the public that actually misses out?

We are aware of course that the present State Government system consists of the Executive with the Tasmanian Parliament made up of the Governor, Legislative Council (Upper House) and the House of Assembly (Lower House). There are different roles for the Houses. The executive arm of Government is vested in the Governor acting on the advice of the Executive Council. The latter gives legal form to the decisions made by the authority of the Cabinet.

Before 1994 the Lower House had 35 members; now it has 25. The Upper House had 19, now it is 15. Why was it reduced and by whom? It would appear it was only because of political motives and survival, by the then Premier and his government. It took up a popular cause, but it can be argued the Tasmanian people have not benefited.

In November 1993, the Liberal Premier of Tasmania, Ray Groom gave notice to substantially increase the salaries and associated benefits of members of Parliament – the 40 per cent increase. Needless to say, this did not go well with the public and there was widespread condemnation. As a reaction to this substantial protest, the Government announced it proposed a reduction of the number of politicians in Parliament. Bills were subsequently presented to the Houses, but failed to pass. As a response the Government decided to hold an inquiry. Those holding the inquiry *"Into the Size and Constitution of the Tasmanian Parliament"* were Hon. T.R. Morling (Chairman); Ralph J.K. Chapman; Mr. B.R. Archer and Hon. B.K. Miller. Its two main functions were firstly to determine whether there should be a reduction in the number of members elected to the Tasmanian Parliament and secondly, how such a reduction should be achieved. As a result, the reduction of members for both

Houses was recommended with the retention of the Hare-Clark system of voting for the Lower House which was judged to be a better method than preferential voting although the Board was not unanimous of that opinion. It also took into consideration the possibility of recommending a unicameral system, but in the event that it recommended a bicameral Parliament, they would retain "*the single member preferential voting system for election of members of the Council*" (i.e. the Upper House). (1.2 ii from the Inquiry papers)

The Board presented their findings in June 1994, but it was not until 13th July 1998 that the Liberal Premier Tony Rundle implemented the recommendations, thus we saw a reduction in parliamentary numbers, with the Lower House numbers down to 25, not the suggested 30. This was a huge reduction. All this was welcomed by the general public and the media. As stated by the ex-President of the Liberal Party in Tasmania, James Bolwer the concept was promoted with "*almost mass hysteria*". (Letter to Emeritus Professor Peter Boyce AO 9th Dec 2010).

The Cabinet was reduced from ten to eight, although in 2002 it was altered to nine.

I took great interest in the Inquiry of 1994 and I gave a verbal and written submission along with 250 other submissions. I believed the proposal was not good for effective, efficient government. Privately the late Dr George Howatt MA PhD agreed with me. Dr. Howatt, an American who arrived in Tasmania in 1957 on a Fulbright Scholarship and a Political Scientist, was the world's foremost expert on the Hare-Clark voting system.

I believe time has proven me right.

With the substantial reduction in numbers, particularly for the Lower House, there is simply not enough to choose from to accept not only portfolios, but to form Select Committees and to scrutinize legislation. At the time of the Inquiry (1994) each Minister in Tasmania held an average of 2.3 portfolios. By March 2011, Bryan Green held six; with others holding four. Just about every sitting member of the Government held a ministerial position, regardless how long they have been elected. Clearly someone holding six portfolios, besides being at the time Deputy Premier, could not possibly handle the work load effectively.

Come 2019 little has changed. Will Hodgman while just not Premier is also Minister for Tourism; Hospitality and Events; Heritage; Trade; and finally Parks. Being Premier is a full time responsibility in itself.

The current Deputy Premier, Jeremy Rockliff, is not only deputy Premier, but Minister for the following: Education and Training; Infrastructure; Advance Manufacturing and Defence Industries. The current Attorney-General, Elise Archer, while more than competent, holds six portfolios.

With increased parliamentarians, there would be a greater number available to form Cabinet, besides providing more talent from which to draw. Quality debate on Bills because of the low number has to be substantially reduced.

The other major factor is that more politicians representing the people is of benefit to the electorate. Here in Tasmania we have the opportunity to know our local representative. The lower the population of the electorate means easier access to their member. In large electorates on the mainland, most would not even know who their Parliamentary representative is, let alone ever meeting them. It's just too big. Tasmanians have a wonderful opportunity to be familiar with their representative. Increasing numbers of representatives would help this even further. Thus the ratio between member and population decreases, which is to everyone's advantage. Tasmania does have an expanding population (perhaps too expanding with the infrastructure not keeping up which includes housing for the locals), despite what is claimed and it is important to ensure that ready access and familiarity is protected. This is Tasmania after all, not the mainland; one reason why we are unique.

It is time that the numbers are increased back to 35 for the Lower House and 19 for the Upper House. The reductions should be seen as a reform which has failed. However, increasing numbers will be hard to sell to an unconvinced public. After all, will we not be returning to the days of being "*over governed?*" Within the Federal system of government which we have in Australia, we are not. There may be too many minders and assistants, but that is a separate concern. Our founding fathers knew the nature of man and as a result decided to break up the "*power*" that human nature craves. In an attempt to do this they established two tiers of government, the Federal and State, with the Australian Constitution outlying the division of powers between the tiers of government. Increasingly of course, the Federal Government has been centralising their power by taking away from the States, responsibilities as an example, resources, environmental matters, education and hospitals. Local government is not mentioned in the Australian Constitution. As the late Dr David Mitchell RFD - B.A.LL.B LL.M.PhD put it: "*it is an exercise of the executive (administrative) power of the governments of the States. Local government has no legislative, executive (administration) or judicial power of its own but all power that it has is only derived by delegation from the State Government and is the actual exercise of powers of the State Government*". (His booklet: Reasons to Vote No.) So we have a third tier of government (the USA has four), but this does not mean we are over governed, as it further breaks up the powers of a central authority. These are part of the checks and balances which we have in the Westminster system.

I submit, however, that we are indeed over-governed, not by representation, but the increasing of government power into our personal lives. We are constantly monitored, watched, indeed can be persecuted because of behavior, thoughts, perceived intentions and utterances which are deemed unacceptable by government. There are too many unelected

Boards, Government Departments and Commissions recommending regulation and legislation which cuts into our inherited freedoms and liberties. Governments love power and it is its intention to increase that power at the expense of the freedom of the people. Be ensured that when a government says *"it is to our good"* – think the opposite. US President Ronald Reagan said, *"Government's duty is to protect the people, not run their lives."* The greatest danger to our freedom is from our own governments, thus that is where we are over-governed. Thomas Jefferson said he was convinced that *"bad government results from too much government"*. I concur. It is not the expansion of parliamentary numbers which makes us over-governed, but the increasing power of government into our own lives that restrict our movement and decision making. We need our parliamentarians to be aware of this and with our insistence, go in there battling for the continuation and indeed the regaining of our rights and privileges of being Tasmanian, an inheritance which we have from the Mother country.

A good example of the rights of the people being taken away by government is Section 17 of the Anti-Discrimination Act 1998 passed by the Tasmanian Parliament. This Act was amended by Brian Wightman's (Liberal) bill in 2012. This should never have been introduced let alone passed. There has never been any attempt to remove it. It is a very poorly worded Act, which is often the case coming from the Lower House. However, the Upper House has been remiss in not exercising its reviewing responsibilities.

The issue of forced Council amalgamation is another matter, but I will only add this; the further the people live away from their point of decision making of their government, be it local, State or Federal, the harder it is for them to have a say in the running of their lives, let alone controlling the monster that exists. Forced amalgamation has never seen an permanent decrease in rates.

Recommended reading: "Report of The Board of Inquiry into the Size and Constitution of the Tasmanian Parliament". (December 1994 – Tasmanian Government production)`

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