

**Submission
No 15**

INQUIRY INTO VICTORIA'S UPPER HOUSE ELECTORAL SYSTEM

Organisation: Animal Justice Party

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Submission to the Inquiry into Victoria's Upper House Electoral System

Submitted by the Animal Justice Party Victoria

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The Animal Justice Party (AJP) welcomes the opportunity to provide this submission to the Electoral Matters Committee's Inquiry into Victoria's Upper House electoral system. As a political party dedicated to fairness, transparency, and meaningful representation, we are committed to advocating for electoral reforms that ensure all voices in the Victorian community are heard. This submission outlines our position on key questions posed by the Committee and offers insights on the principles and practicalities underpinning our recommendations.

Introduction

Victoria's Upper House serves as a vital house of review, responsible for ensuring legislation is carefully scrutinised and representative of the community's diverse perspectives. However, the current electoral system—with its use of rigid regional divisions—falls short of delivering truly proportional representation. These shortcomings hinder democracy and limit the breadth of perspectives in the Legislative Council.

In this submission, the AJP advocates for reforms to:

- Transition to a statewide electorate model to better reflect the diversity of Victorian voters.
- Adopt a structure that ensures all voters have an equal voice, irrespective of geographic location.
- Enhance transparency and fairness in the electoral process.

We believe these changes will strengthen democracy and ensure the Legislative Council fulfils its role as an inclusive and effective house of review.

1. Should Victoria be divided into regions to elect members of the Upper House or should all members be elected by the state as a whole?

The AJP strongly supports the removal of regional divisions for electing members of the Upper House. Instead, we propose a statewide electorate model. This approach aligns with systems used in other Australian jurisdictions and provides significant advantages in terms of proportionality, equity, and representation.

Why Remove Regional Divisions?

1. **Enhanced Proportional Representation**

- Under the current regional model, the quota for election is fixed at 16.67%, which is prohibitively high for smaller parties and independents. Transitioning to a statewide electorate with all 40 members elected at every election would lower the quota to approximately 2.44%, significantly enhancing the likelihood of diverse voices being represented.
- This ensures that the Legislative Council accurately reflects the voting preferences of Victorians, making it a true house of review.

2. **Equal Representation Across the State**

- Regional divisions inherently create inequities, as voters in different regions may have different levels of representation due to being grouped with other constituents who have very different interests, minimising the value of their vote. A single statewide electorate ensures every vote carries equal weight, regardless of geographic location.
- For example, Eastern Victoria is a region combining suburban Pakenham, rural Gippsland East and peri-urban Mornington and Monbulk as a result of needing to group 11 contiguous seats based on population. This leads to a region that does not include a coherent community of interest, and disempowers 5 rural Gippsland districts that have been grouped with 6 metropolitan Melbourne districts.

3. **Reflecting the Diversity of Victorian Voters**

- Victoria is a highly interconnected state, with shared economic, environmental, and social challenges. Regional divisions often fail to reflect the complexity of these shared concerns. A statewide electorate would enable voters to elect representatives based on their values and priorities, rather than arbitrary geographic boundaries.
- By removing artificial divisions, the Legislative Council can better represent a broader spectrum of community interests, fostering greater public trust and engagement.

4. **Administrative Simplicity**

- A statewide model simplifies the electoral process, reducing administrative burdens and financial costs associated with redrawing regional boundaries and managing regional-specific issues.

Addressing Geographic Representation

While a statewide model does not explicitly guarantee geographic representation, this can be addressed through complementary measures, such as:

- **Regional Advisory Panels:** Establishing panels to advise parliament on regional-specific issues.
- **Outreach Programs:** Encouraging members to engage directly with regional communities through town halls and consultations.
- **Legislative Assembly Members:** Increased emphasis on the role of Legislative Assembly members to represent their geographic areas

2. If there should be regions, how many regions should there be and how many members should each region elect?

The Animal Justice Party categorically recommends no regions. However, if regions are to be retained, the AJP recommends adopting **Example Structure 6** from the Committee's discussion paper: 40 members, elected from one 25-member metropolitan region and three 5-member non-metropolitan regions. This model balances proportional representation with guaranteed regional representation, addressing key shortcomings of the current system.

Proposed Regional Model

1. 25-Member Metropolitan Region

- Quota: Approximately 3.8% of the metropolitan vote.
- This structure ensures proportional representation in the highly populated metropolitan area, which encompasses a diverse range of communities and perspectives.
- A single large region avoids arbitrary divisions within the metropolitan area and better reflects its interconnected nature.

2. Three 5-Member Non-Metropolitan Regions

- Quota: Approximately 16.7% per region.
- These regions ensure guaranteed representation for rural and regional Victoria, addressing the unique challenges and priorities of non-metropolitan areas.
- Maintaining smaller regions for non-metropolitan areas reflects the importance of geographic representation in addressing rural and regional issues.

Advantages of Example Structure 6

While the Animal Justice Party continues to maintain **that the optimal structure contains no regions**, we recognise the following advantages it may hold over the current structure.

1. Balancing Proportionality and Regional Representation

- This structure achieves a lower quota in the metropolitan region, enhancing proportionality and allowing smaller parties and independents to secure representation.
- While we maintain that regional communities are politically diverse and do not need special geographical representation beyond that provided by the Legislative Assembly. Example Structure 6 retains special regional representation, ensuring that rural and regional voices are not overshadowed by metropolitan interests.

2. Simplified Boundaries

- The use of a single metropolitan region reduces the complexity of electoral boundaries within urban areas, simplifying the voting process for metropolitan residents.

- Maintaining three distinct non-metropolitan regions respects what the committee may perceive as existing geographic and community distinctions. We, again reiterate that we do not believe such distinctions are necessary.

3. Ensuring Equity

- By combining a large metropolitan region with smaller non-metropolitan regions, this model strikes a compromise between population-based and geographic-based representation, if the committee believes such a balance is required.

Challenges and Mitigations

1. Quota Disparity

- The quota disparity between metropolitan and non-metropolitan regions may be seen as inequitable. However, this may be seen by the committee to be offset by the need to guarantee rural and regional representation.

2. Accountability in Large Regions

- The larger metropolitan region may make it harder for voters to hold individual members accountable - however, this is largely already the case with Legislative Council regions representing over 540,000 electors. If the committee deem it necessary, this can be mitigated by requiring regular public reporting and encouraging community engagement through constituency offices.

While the Animal Justice Party maintains a single state-wide electorate is the optimal model for achieving true proportional representation, this compromise addresses both the need for proportional representation whilst maintaining geographic representation, if this is something the committee deems important and relevant for the Legislative Council.

The Animal Justice Party maintains that due to the interconnected nature of our state, Victoria's electors in both metropolitan and regional areas hold diverse political views that do not follow geographical boundaries and therefore these geographically-based regions are unnecessary and disenfranchise regional electors.

3. How many members of the Upper House should there be in total?

The current number of 40 members is broadly appropriate for Victoria's population and legislative needs. However, the AJP supports exploring a modest increase in member numbers to further enhance proportionality and representation.

Retaining or Expanding Membership

1. Maintaining 40 Members

- The current number is sufficient if combined with reforms such as a statewide electorate or larger regions.

- This ensures continuity and avoids significant structural changes to parliamentary operations.
- 2. Increasing to 45-50 Members**
 - A modest increase accommodates population growth and ensures diverse representation.
 - Additional members allow for more robust debate and scrutiny, particularly in an increasingly complex legislative environment.
- 3. Balancing Costs and Benefits**
 - Any increase in member numbers must be justified by tangible improvements in representation and legislative capacity.
 - The AJP recommends conducting a cost-benefit analysis to assess the impact of potential increases.

Representation Ratio

- Currently, each member represents approximately 130,000 Victorians. Increasing the total number of members would reduce this ratio, fostering closer engagement between members and their constituents.
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4. Are there other changes to the way that members are elected to the Upper House that should be considered?

Ensuring Electoral Fairness

- 1. Statewide Electorate Benefits**
 - As outlined above, a statewide electorate eliminates inequities and fosters proportional representation.
 - It ensures that all votes are weighted equally, regardless of geographic location.
- 2. Promoting Candidate Diversity**
 - Reforms should encourage candidates from diverse backgrounds, including underrepresented communities. This could involve targeted funding, training programs, and support for candidates from rural and regional areas.
- 3. Improving Voter Education**
 - Comprehensive voter education campaigns are essential to ensure Victorians understand the impact of proposed electoral reforms.
 - Resources should focus on explaining how proportional representation works and why it benefits democratic outcomes.
- 4. Encouraging Engagement**
 - Enhanced transparency in member activities, including regular reporting and constituency outreach, fosters greater public trust.
 - Mechanisms such as participatory budgeting or citizen assemblies could complement electoral reforms, ensuring community voices are integrated into legislative processes.

Commentary on Example Structures

The Committee's discussion paper outlines six example structures. Of these, the AJP strongly endorses **Structure 1** (statewide electorate, all members elected at each election) as the most democratic and proportional option.

Benefits of Structure 1

- **Low Quota:** A quota of 2.4% ensures proportional representation, enabling smaller parties and independents to secure seats.
- **Simplified Voting:** A single statewide electorate reduces confusion and promotes clarity for voters.
- **Diverse Representation:** Maximises the range of voices and perspectives represented in the Legislative Council.

Challenges and Mitigations

- **Accountability:** Concerns about holding individual members accountable in a statewide system could be addressed through transparency measures, such as public reporting on member activities and constituency engagement.
- **Geographic Representation:** Supplementing the system with regional advisory councils or outreach programs could ensure regional issues are adequately addressed.

Conclusion

The Animal Justice Party firmly believes that reforming Victoria's Upper House electoral system is essential to ensuring a fairer and more democratic future. By adopting a statewide electorate, with all 40 members elected at every election, and enhancing proportional representation, the Legislative Council can better reflect the values and priorities of all Victorians.

The AJP is committed to working collaboratively with the Committee and other stakeholders to achieve meaningful reform. We thank the Electoral Matters Committee for considering this submission and welcome the opportunity to provide further input or clarification as needed.