

## CHAPTER EIGHT: REFORM OF UPPER HOUSES IN NEW SOUTH WALES AND SOUTH AUSTRALIA

The voting systems for the Legislative Councils of New South Wales and South Australia have enough in common that they should be considered together. Consequently, I begin by noting that my pass mark is 58 per cent for New South Wales and 51 per cent for South Australia. In this chapter I explain why those marks are so low compared with the three proportional representation systems which earn my genuine approval - but also why New South Wales deserves the higher mark of the two. I also explain why the semi-permanence of these two systems should be accepted. I propose no reforms to either system today. Furthermore, I do not adumbrate any future reform. In that respect these two systems are like the two existing Hare-Clark systems. By way of contrast I strongly advocate early reform of the Senate system and that for the Western Australian Legislative Council. In my next chapter I explain how Victoria's system can so easily be made better.

There are two things about both the New South Wales and South Australian systems that earn my immediate disapproval. First, I dislike the continuation of the rotation of members – a feature sometimes called “staggered terms”. Second, I dislike the idea of a member of parliament being appointed by a party machine for a period of eight years.

At this point I ask readers to study the ballot papers in my Appendix. The first is from New South Wales and is very well designed. This particular ballot paper comes from the March 2015 election but is identical, in principle, to that for March 2003, March 2007, March 2011 and March 2019, a total of five elections. I have underlined the name of Mark Pearson to illustrate his unusual characteristic. From all of the above-cited elections Pearson was the candidate from a micro-party to receive the lowest primary vote. His first preference vote was 75,842 or 1.8 per cent of the total formal vote of 4,316,498 for New South Wales as a whole.

The first thing to notice is that the instructions discourage people from voting both above and below the ballot dividing line. There are those analysts who favour keeping above-the-line voting for Senate elections. Such advocates say the Senate ballot paper should copy New South Wales which is another way of paying tribute to the Premier State. My position, of course, is that Senate above-the-line voting should be scrapped. However, it should continue to be tolerated in New South Wales given that it is justified by its high district magnitude whereby 21 members are elected compared with six for the Senate. In that circumstance *the instructions should discourage people from voting both above and below the line*, as New South Wales does. It should be noted that the voter who disobeys that instruction does not find her/his vote declared informal.

The remaining three instructions for the above-the-line vote are sensible and honest and contrast with the Senate equivalent instructions which are so dishonest and deceitful. This illustrates the difference between the PROPERLY CONSIDERED system in New South Wales and the new Senate system which is nothing more than a greed-driven and cynical re-contriving of the contrivances of the old Senate system – to the advantage of the machines of big political parties. That Mark Pearson could be elected to the Legislative Council for a term of eight years is proof enough that the big parties were not motivated by any desire that they should cheat the minor parties out of parliamentary seats. The contrast between the two systems could not be greater.

Now to the vote below the line. Readers may wonder about the big S there. The explanation is that this is the extreme left part of the ballot paper which has SAMPLE stamped across it. The instructions really need no further explanation. They are honest and self-explanatory, and their honesty and completeness show the Senate and South Australian Legislative Council instructions up in a bad light.

The Legislative Council ballot paper for the New South Wales election on 23 March 2019 is also shown. It is Figure 2 – and is the same in principle as Figure 1. Note this point: whereas the underlined candidate in Figure 1 (Mark Pearson of the Animal Justice Party) won the last seat in an

interesting count the underlined candidate in Figure 2 (Mark Banasiak from the Shooters, Fishers and Farmers party) was elected on the first count with a quota in his own right.

Two ballot papers are shown for South Australia. The first is the one applying in October 1997. In principle this is the same as applied in December 1985, November 1989, December 1993, February 2002, March 2006, March 2010 and March 2014, a total of eight elections. However, this particular ballot paper lies at the uncomplicated end of a spectrum of complication. As micro parties enjoyed increasing success in gaming the system electoral authorities had to resort to more and more ways to keep the system manageable. The “principle”, however, remained the same throughout. Here was the classic case of a de facto party machine appointment system in which the elector was offered a direct election option but one so difficult to use that the parties guaranteed their members would always be elected in the “correct” order. Hence such a system could easily be described under the heading “semi party list” even though the counting of votes was according to the principles of Proportional Representation by means of the Single Transferable Vote.

The second ballot paper (Figure 4) was the one in force at the election held on 17 March 2018. When I have the *magnum opus* version of this book published, I shall explain how the torturous parliamentary debates of 2017 produced this semi-honest ballot paper. Essentially the Liberal members tried to pretend that the Senate system introduced in the previous year was a genuine democratic reform. Senator Nick Xenophon joined with them in that propaganda. The owners of the new Senate system joined together in its praise! Labor would not have a bar of it. Eventually the ballot paper produced was the one I have shown in Figure 4 that has the characteristics described below.

First, the above-the-line instruction is honest since it more-or-less follows New South Wales. Second, the below-the-line instruction is deceitful. It copies exactly the equivalent Senate instruction. The words “Numbering at least 12 of these squares in the order of your choice” is designed to *discourage* voters from using that option. In fact, a vote 1, 2, 3, 4, 5 and 6 is formal but the ballot paper does not reveal that fact to the voter.

So, here we have two very stasiocratic systems in the states of New South Wales and South Australia – and I have indicated my clear preference between the two. In both cases the party machines ensure that their members are elected in the “correct” order. Notwithstanding the above, the new South Australian system is an improvement on the old and only 43 candidates stood at this 2018 election. That is simplicity itself compared with the way in which the old system was developing. I gave a fail mark of 40 per cent to the old system. The new system gets a bare pass mark from me of 51 per cent.

That New South Wales deserves a higher pass mark (58 per cent) must now be clear. Its ballot paper is large which makes it somewhat voter-unfriendly. However, it is very well designed. The system has high district magnitude which makes it the most proportional in the country. The district magnitude of 11 for South Australia means it too is reasonably proportional. Both compare pretty favourably with the Senate and its district magnitude of a mere six at half-Senate elections. The Senate system is designed to punish minor parties, something which cannot be said of South Australia and, especially, the New South Wales system. So, both appear to be entrenched since they satisfy a large number of parties.

Readers are encouraged to study the statistics of the Appendix to this chapter which, I submit, justify my marks. A look at the statistics for the March 2019 New South Wales election tells us of a system designed by politicians who were generous to minor parties. Such minor parties can win seats without ever being accused of gaming the system! That is not conspicuously true of South Australia as shown by the failure of Robert Brokenshire and Kelly Vincent to win a second term of eight years. Nevertheless, the new system does deserve a bare pass mark. Thus, the present situation remains

that only the Senate system and that for the Legislative Council of Western Australia are desperately in need of reform. When my reforms for those two upper houses are implemented (if they are implemented) South Australia will have the lowest mark – for the reasons explained above.

**You may vote either ABOVE OR BELOW the line:**

**If you vote ABOVE the Line:**

- Write the number **1** in the square next to the group of your choice.
- You can show more choices, if you want, by writing numbers in the other squares, starting with number 2.
- Do not write any numbers below the line.

<b>Group A</b> <input type="checkbox"/> <b>NO LAND TAX</b>	<b>Group B</b> <input type="checkbox"/> <b>OUTDOOR RECREATION PARTY</b>	<b>Group C</b> <input type="checkbox"/> <b>ANIMAL JUSTICE PARTY</b>
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**THE LINE**

**OR**

**If you vote BELOW the Line:**

- Write the numbers **1 to 15** in the squares next to the candidates of your choice. You must number at least 15 squares for your vote to be counted.
- Write number 1 in the square next to the candidate who is your first choice, number 2 in the square next to your second choice and then keep numbering 3 to 15.
- You can show more choices, if you want, by writing numbers in the other squares, starting with number 16.
- Do not write any numbers above the line.

Fold this ballot paper so your vote cannot be seen and place it in the ballot box (or in the envelope provided).

Group A NO LAND TAX	Group B OUTDOOR RECREATION PARTY	Group C ANIMAL JUSTICE PARTY
<input type="checkbox"/> JONES Peter NO LAND TAX	<input type="checkbox"/> WHELAN Peter OUTDOOR RECREATION PARTY	<input type="checkbox"/> PEARSON Mark ANIMAL JUSTICE PARTY
<input type="checkbox"/> CARBONE Pat NO LAND TAX	<input type="checkbox"/> ELLIS Mark OUTDOOR RECREATION PARTY	<input type="checkbox"/> STONER Lynda ANIMAL JUSTICE PARTY
<input type="checkbox"/> MACRI Gus NO LAND TAX	<input type="checkbox"/> WHELAN James OUTDOOR RECREATION PARTY	<input type="checkbox"/> KEENAN Tracey ANIMAL JUSTICE PARTY
<input type="checkbox"/> RUBEN James NO LAND TAX	<input type="checkbox"/> BELL S OUTDOOR RECREATION PARTY	<input type="checkbox"/> GARLICK Rosemary ANIMAL JUSTICE PARTY
<input type="checkbox"/> ADAMSON Gary NO LAND TAX	<input type="checkbox"/> DE LIMA Joaquim OUTDOOR RECREATION PARTY	<input type="checkbox"/> WOOLFE Marcel ANIMAL JUSTICE PARTY
<input type="checkbox"/> O'TOOLE Cathy NO LAND TAX	<input type="checkbox"/> BERNER Richard OUTDOOR RECREATION PARTY	<input type="checkbox"/> RISELEY Julia ANIMAL JUSTICE PARTY
<input type="checkbox"/> FITZPATRICK Sharon NO LAND TAX	<input type="checkbox"/> FROST Adam OUTDOOR RECREATION PARTY	<input type="checkbox"/> DINGLE WALL Sally ANIMAL JUSTICE PARTY
<input type="checkbox"/> WILSON Ron NO LAND TAX	<input type="checkbox"/> NICKOLS Graham OUTDOOR RECREATION PARTY	<input type="checkbox"/> DAVISON Douglas ANIMAL JUSTICE PARTY
<input type="checkbox"/> LOPREIATO Joe NO LAND TAX	<input type="checkbox"/> MUSGRAVE Jim OUTDOOR RECREATION PARTY	<input type="checkbox"/> ROBERTSON Elise ANIMAL JUSTICE PARTY
<input type="checkbox"/> ARMER Jezza NO LAND TAX	<input type="checkbox"/> PETERSEN Terje OUTDOOR RECREATION PARTY	<input type="checkbox"/> ERICKSEN Wayne ANIMAL JUSTICE PARTY
<input type="checkbox"/> CACCIOTTI Emma NO LAND TAX	<input type="checkbox"/> KOLHATKAR Vinay OUTDOOR RECREATION PARTY	<input type="checkbox"/> ERICKSEN Joanna ANIMAL JUSTICE PARTY
<input type="checkbox"/> AUSTIN James NO LAND TAX	<input type="checkbox"/> DENTON Stephen OUTDOOR RECREATION PARTY	<input type="checkbox"/> BELLENGER Carol ANIMAL JUSTICE PARTY
<input type="checkbox"/> FRANZONE Frank NO LAND TAX	<input type="checkbox"/> GAREMYN Keith OUTDOOR RECREATION PARTY	<input type="checkbox"/> TOMASUMS Debbie ANIMAL JUSTICE PARTY
<input type="checkbox"/> MACLAREN Ulysses NO LAND TAX	<input type="checkbox"/> BEREGSZASZI Janos OUTDOOR RECREATION PARTY	<input type="checkbox"/> PATERSON Kate ANIMAL JUSTICE PARTY
<input type="checkbox"/> LYNCH Kate NO LAND TAX	<input type="checkbox"/> DAWSON R W OUTDOOR RECREATION PARTY	<input type="checkbox"/> AKKANEN Laurie ANIMAL JUSTICE PARTY
<input type="checkbox"/> COOK Patria NO LAND TAX		<input type="checkbox"/> TAYLOR Theresa ANIMAL JUSTICE PARTY



This page gives the following information regarding the election of Mark Pearson at the election for 21 members of the Legislative Council held on 28 March 2015.

**Total votes for NSW for the Legislative Council**

Formal vote:	4,316,498
Informal vote:	258,368
Total vote:	4,574,866
Enrolment:	5,040,662
Percentage informal:	5.65%
Percentage turnout:	90.76%

**1st preference vote for Mark Pearson from the Animal Justice Party**

Animal Justice Party above the line first preference votes:	74,562
Mark Pearson below the line 1st preference votes:	1,280
Total first preference vote for Mark Pearson:	75,842

**Final vote for Mark Pearson at the time of his election**

At the final count, ie: count 391, four candidates were elected to the Legislative Council without achieving the quota. These four candidates were:

Courtney Houssos (Labor):	184,054
Robert Borsak (Shooters and Fishers):	177,563
Fred Nile (Christian Democratic Party (Fred Nile Group)):	133,989
Mark Pearson (Animal Justice Party):	91,420

The quota was 196,205.

**You may vote either ABOVE OR BELOW the line:**

**If you vote ABOVE the line:**

- Write the number **1** in the square for the group of your choice.
- You can show more choices, if you want to, by writing numbers in the other squares, starting with the number 2.
- Do not write any numbers below the line.

<b>Group A</b> <input type="checkbox"/> <b>SHOOTERS, FISHERS AND FARMERS</b>	<b>Group B</b> <input type="checkbox"/> <b>SOCIALIST ALLIANCE</b>	<b>Group C</b> <input type="checkbox"/> <b>SUSTAINABLE AUSTRALIA</b>
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**OR**

**If you vote BELOW the line:**

- Write the numbers **1** to **15** in the squares for candidates in the order of your choice. You must number at least 15 squares for your vote to be counted.
- You can show more choices, if you want to, by writing numbers in the other squares, starting with the number 16.
- Do not write any numbers above the line.

Group A SHOOTERS, FISHERS AND FARMERS	Group B SOCIALIST ALLIANCE	Group C SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>BANASIAK</b> Mark SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>EVANS</b> Rachel SOCIALIST ALLIANCE	<input type="checkbox"/> <b>BOURKE</b> William SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>COOKE</b> Brett SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>BOYLE</b> Peter SOCIALIST ALLIANCE	<input type="checkbox"/> <b>KREET</b> Alexander SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>THOMAS</b> Hollie SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>ASHBY</b> Sam SOCIALIST ALLIANCE	<input type="checkbox"/> <b>YUE</b> Xiaowei SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>COTRONEO</b> Diane SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>CHUTER</b> Andrew SOCIALIST ALLIANCE	<input type="checkbox"/> <b>BURKE</b> Ann SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>NOUJAIM</b> Alain SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>SANCHEZ</b> Paula SOCIALIST ALLIANCE	<input type="checkbox"/> <b>LANDWEHR</b> Torsten SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>MULLIGAN</b> Raymond SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>CRAIG</b> Phil SOCIALIST ALLIANCE	<input type="checkbox"/> <b>GOLDIE</b> Jenny SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>RICHARDS</b> Peter SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>HINMAN</b> Pip SOCIALIST ALLIANCE	<input type="checkbox"/> <b>LUI</b> Wing In (Catherine) SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>SPEARS</b> Daniel SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>BASSI</b> Raul SOCIALIST ALLIANCE	<input type="checkbox"/> <b>MORELLI</b> Bradd SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>SMITH</b> Benjamin SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>GLEESON</b> Margaret SOCIALIST ALLIANCE	<input type="checkbox"/> <b>NOONAN</b> Alison SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>SINGLE</b> Kirsty SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>McILROY</b> Jim SOCIALIST ALLIANCE	<input type="checkbox"/> <b>GRZIC</b> Warren SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>LESAGE</b> Jason SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>WYNTER</b> Coral SOCIALIST ALLIANCE	<input type="checkbox"/> <b>O'ROURKE</b> Chris SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>WOOD</b> Jacqui SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>DOWDELL-PARKES</b> Zebedee SOCIALIST ALLIANCE	<input type="checkbox"/> <b>ALDEN</b> John SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>FARRELL</b> Howard SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>COBAN</b> Semra SOCIALIST ALLIANCE	<input type="checkbox"/> <b>BRUNNER</b> Ashley SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>ROMANO</b> Karen SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>RODEN</b> Duncan SOCIALIST ALLIANCE	<input type="checkbox"/> <b>COTTEE</b> Mike SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>HAWKINS</b> Ray SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>RYAN-JONES</b> Topia SOCIALIST ALLIANCE	<input type="checkbox"/> <b>WAIGHT</b> Kerry SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>HOWDEN</b> John SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>McALEAR</b> Joel SOCIALIST ALLIANCE	<input type="checkbox"/> <b>REID</b> Peter SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>SHAW</b> Bob SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>McGREGOR</b> Nicole SOCIALIST ALLIANCE	<input type="checkbox"/> <b>GREEN</b> Jill SUSTAINABLE AUSTRALIA
<input type="checkbox"/> <b>COOK</b> David SHOOTERS, FISHERS AND FARMERS	<input type="checkbox"/> <b>COLEMAN</b> John SOCIALIST ALLIANCE	<input type="checkbox"/> <b>WILDER</b> Michael SUSTAINABLE AUSTRALIA
		<input type="checkbox"/> <b>KERRISON</b> Anthea SUSTAINABLE AUSTRALIA
		<input type="checkbox"/> <b>MAGNUSSON</b> Alan SUSTAINABLE AUSTRALIA
		<input type="checkbox"/> <b>WINTER</b>

Fold this ballot paper so your vote cannot be seen and place it in the ballot box (or in the envelope provided).

You must not take a ballot paper out of the voting centre





**YOU MAY VOTE BY**

**Either**

placing the single figure 1 in one and one only of these squares to indicate the registered voting ticket(s) you wish to adopt for your vote.

**OR**

placing consecutive numbers commencing 1, 2, 3, 4, etc and ending with 51 in the squares immediately to the left of the respective candidates so as to indicate the order of your preference for them.



<input type="checkbox"/> AUSTRALIAN GREENS	<input type="checkbox"/> INDEPENDENT NO POKIES CAMPAIGN	<input type="checkbox"/> NATURAL LAW PARTY	<input type="checkbox"/> GREY POWER	<input type="checkbox"/> INDEPENDENT FOR AUSTRALIA FIRST
<input type="checkbox"/> PETIT PAUL Australian Greens	<input type="checkbox"/> XENOPHON NICK Independent No Pokies Campaign	<input type="checkbox"/> VINCENT LYNDAL Natural Law Party	<input type="checkbox"/> GILBEY-RILEY EMILY Grey Power	<input type="checkbox"/> PREECE BRUCE Independence Australia Party
<input type="checkbox"/> HELLING RITA Australian Greens	<input type="checkbox"/> MORAN BOB Independent No Pokies Campaign	<input type="checkbox"/> LORENZON HEATHER Natural Law Party	<input type="checkbox"/> DARBISHIRE G Grey Power	<input type="checkbox"/> MOORE EVONNE Independence Australia Party
	<input type="checkbox"/> DEAN PATRICIA Independent No Pokies Campaign	<input type="checkbox"/> CHIPPERFIELD PAMELA Natural Law Party		
	<input type="checkbox"/> CRAIG GRAHAM Independent No Pokies Campaign	<input type="checkbox"/> LUCKMAN DOUG Natural Law Party		
		<input type="checkbox"/> DUNNING SANDRA JANETTE Natural Law Party		

The above ballot paper comes from the election of 11 members of the Legislative Council held in October 1997. This was the election which first returned Nick Xenophon. The result was four each Labor and Liberal, two Democrats and Xenophon. However, the result of the previous election in December 1993 was six Liberal, four Labor and one Democrat. Consequently, during the 1997-2002 term the state of parties in the Legislative Council was ten for the Liberal Party, eight Labor, three Democrats and Xenophon.


**South Australia**  
**Ballot Paper for the Election of 11 Legislative Councillors**  
 You are not legally obliged to mark the ballot paper

**YOU MAY VOTE BY**

**EITHER**  
 Placing the number 1 in the square next to the group of your choice. You can show more choices if you want to by placing numbers in the other squares starting with the number 2

**OR**  
 Numbering at least 12 of these squares in the order of your choice

	A	B	C	D
	<input type="checkbox"/> STOP POPULATION GROWTH NOW	<input type="checkbox"/> THE GREENS	<input type="checkbox"/> DIGNITY PARTY INC	<input type="checkbox"/> NICK XENOPHON'S SA-BEST
	<input type="checkbox"/> COUCH Bob Stop Population Growth Now	<input type="checkbox"/> FRANKS Tammy The Greens	<input type="checkbox"/> VINCENT Kelly Dignity Party Inc	<input type="checkbox"/> BONAROS Connie Nick Xenophon's SA-BEST
	<input type="checkbox"/> ROBERTS Michael Stop Population Growth Now	<input type="checkbox"/> FARRELL Matt The Greens	<input type="checkbox"/> BLEBY Diana Dignity Party Inc	<input type="checkbox"/> PANGALLO Frank Nick Xenophon's SA-BEST
		<input type="checkbox"/> SUTHERLAND Ashley The Greens	<input type="checkbox"/> MANN Ryan Dignity Party Inc	<input type="checkbox"/> JOHNSON Sam Nick Xenophon's SA-BEST
		<input type="checkbox"/> HILLAM Rosa The Greens	<input type="checkbox"/> SIMBI Esther Dignity Party Inc	<input type="checkbox"/> MADELEY Andrea Nick Xenophon's SA-BEST
		<input type="checkbox"/> WYLIE Kate The Greens		<input type="checkbox"/> VINCENT Peter Nick Xenophon's SA-BEST

  
 Issuing Officer Initials

After voting, fold the ballot paper and place it in the ballot box or declaration envelope

As can be seen from the tables of the Appendix minor party candidates Tammy Franks, Connie Bonaros and Frank Pangallo were elected. Kelly Vincent was a member from 2010 until defeated in 2018.





Appendix to Chapter 8 Table 1: NSW Legislative Council: Total Formal  
First Preference Votes by Party: 26 March 2011

Party	Votes	%	% Change on 2007	Seats Won
Liberal/National	1,943,246	47.7	+13.5	11
Australian Labor Party	967,242	23.7	-15.4	5
The Greens	453,125	11.1	+2.0	3
Shooters and Fishers	150,741	3.7	+0.9	1
Christian Democratic Party	127,233	3.1	-1.3	1
Pauline Hanson Group	98,043	2.4	+2.4	-
Others	336,394	8.3	-2.1	21
Total Formal Votes	4,076,024	100.0		

In addition, there were 230,261 informal votes. They were 5.4 per cent of the total vote of 4,306,285.

Appendix to Chapter 8 Table 2: NSW Legislative Council: Total Formal  
First Preference Votes by Party: 28 March 2015

Party	Votes	%	% Change on 2011	Seats Won
Liberal/National	1,839,452	42.6	-5.1	9 (+1)
Australian Labor Party	1,341,943	31.1	+7.4	7 (-2)
The Greens	428,036	9.9	-1.2	2
Shooters and Fishers	167,871	3.9	+0.2	1
Christian Democratic Party	126,305	2.9	-0.2	1
Animal Justice Party	76,819	1.8	+1.8	1 (+1)
Others	336,072	7.8	-2.9	-
Total Formal Votes	4,316,498	100.0		

In addition, there were 258,368 informal votes. They were 5.7 per cent of the total vote of 4,574,866.

Appendix to Chapter 8 Table 3: NSW Legislative Council: Total Formal  
First Preference Votes by Party: 23 March 2019

Party	Votes	%	% Change on 2015	Seats Won
Liberal/National	1,549,751	34.8	-7.8	8 (-3)
Australian Labor Party	1,321,449	29.7	-1.4	7 (+2)
The Greens	432,999	9.7	-0.2	2 (-1)
Pauline Hanson's One Nation	306,933	6.9	+6.9	2 (+2)
Shooters, Fishers and Farmers	246,477	5.5	+1.6	1
Animal Justice Party	86,713	2.0	+0.2	1 (+1)
Christian Democratic Party	101,328	2.3	-0.6	- (-1)
Others	405,496	9.1	+1.3	-
Total Formal Votes	4,451,146	100.0		

In addition, there were 301,681 informal votes. They were 6.3 per cent of the total vote of 4,752,827.

Appendix to Chapter 8 Table 4: Members Elected to NSW  
Legislative Council 23 March 2019

Order of Election	Name	Party
1	Catherine Cusack	Liberal Party
2	Tara Moriarty	Labor Party
3	David Shoebridge	The Greens
4	Mark Latham	Pauline Hanson's One Nation Party
5	Mark Banasiak	Shooters, Fishers and Farmers Party
6	Niall Blair	The Nationals
7	Penny Sharpe	Labor
8	Abigail Boyd	The Greens
9	Damien Tudehope	Liberal Party
10	Greg Donnelly	Labor Party
11	Taylor Martin	Liberal Party
12	Anthony D'Adam	Labor Party
13	Sarah Mitchell	The Nationals
14	Daniel Mookhey	Labor Party
15	Natalie Ward	Liberal Party
16	Peter Primrose	Labor Party
17	Natasha Maclaren-Jones	Liberal Party
18	Wes Fang	The Nationals
19	Mark Buttigieg	Labor Party
20	Emma Hurst	Animal Justice Party
21	Rod Roberts	Pauline Hanson's One Nation Party

Note: the quota for election was 202,325 votes. Cusack, Moriarty, Shoebridge, Latham and Banasiak received that quota and so were elected on the first count, in that order.

Appendix to Chapter 8 Table 5: Continuing Members  
of the NSW Legislative Council

Name	Party
John Ajaka	Liberal Party
Louis Amato	Liberal Party
Rober Borsak	Shooters, Fishers and Farmers Party
Cate Faehrmann	The Greens
Scott Farlow	Liberal Party
Justin Field	The Greens
Ben Franklin	The Nationals
John Graham	Labor Party
Don Harwin	Liberal Party
Courtney Houssos	Labor Party
Rose Jackson	Labor Party
Trevor Khan	The Nationals
Shayne Mallard	Liberal Party
Matthew Mason-Cox	Liberal Party
Shaoquett Moselmane	Labor Party
Fred Nile	Christian Democratic Party
Mark Pearson	Animal Justice Party
Adam Searle	Labor Party
Walt Secord	Labor Party
Bronnie Taylor	The Nationals
Michael Veitch	Labor Party

Note that the names of Ajaka, Amato, Borsak, Farlow, Franklin, Harwin, Houssos, Khan, Mallard, Mason-Cox, Moselmane, Nile, Pearson, Searle, Secord, Taylor and Veitch appear on the ballot paper in respect of the election held on 28 March 2015. Justin Field fills the casual vacancy caused by the death of John Kaye and John Graham fills the casual vacancy caused by the resignation of Sophie Cotsis who is now the member for Canterbury in the Legislative Assembly. Cate Faehrmann fills the vacancy to replace Mehreen Faruqi who became a senator. The most junior member is Rose Jackson who replaced Lynda Voltz on 8 May 2019. Voltz resigned to become member for Auburn. Note also that some members have become independents but the party under which he/she was originally elected/chosen is shown,

Appendix to Chapter 8 Table 6: SA Legislative Council Election, 17 March 2018:  
Total Formal First Preference Votes by Party

Party	Votes	%	% Change on 2014
Liberal Party	338,700	32.23	-3.76
Labor Party	304,229	28.95	-2.01
Nick Xenophon's SA Best	203,364	19.35	+6.46
Greens	61,610	5.86	-0.59
Conservatives	36,525	3.48	-0.87
Others	106,446	10.13	+0.77
Total Formal	1,050,874		

Note that in the above table support for the Australian Conservatives has been compared with support for Family First in 2014.

Appendix to Chapter 8 Table 7: South Australian Election, 17 March 2018:  
Legislative Council Members Elected in Order of Election

Order Elected	Candidates Elected	Group Name
1	David Ridgway	Liberal Party
2	Emily Bourke	Australian Labor Party
3	Connie Bonaros	Nick Xenophon's SA Best
4	Stephen Wade	Liberal Party
5	Justin Hanson	Australian Labor Party
6	Frank Pangallo	Nick Xenophon's SA Best
7	Terry Stephens	Liberal Party
8	Irene Pnevmatikos	Australian Labor Party
9	Jing Lee	Liberal Party
10	Tammy Franks	The Greens
11	Clare Scriven	Australian Labor Party

Appendix to Chapter 8 Table 8, SA Legislative Council Election, 17 March 2018:  
Candidates  
Not Elected but with Most Respectable Votes at Exclusion

Order of Late Exclusion	Name	Group Name
1	Robert Brokenshire*	Australian Conservatives
2	Sam Johnson	Nick Xenophon's SA Best
3	Angela Martin	Animal Justice Party
4	Michael Noack	Liberal Democrats
5	Kelly Vincent*	Dignity Party
6	Tony Tonkin	Child Protection Party

\* Brokenshire and Vincent had been Legislative Council members 2010-18 under the label Family First/Australian Conservatives (Brokenshire) and Dignity for Disability (Vincent).

Appendix to Chapter 8 Table 9, South Australia: Continuing  
Members of the Legislative Council

Name	Party
John Darley	Independent*
John Dawkins	Independent (see note below)
Dennis Hood	Liberal Party*
Ian Hunter	Labor Party
Michelle Lensink	Liberal Party
Rob Lucas	Liberal Party
Kyam Maher	Labor Party
Andrew McLachlan	Liberal Party
Tung Ngo	Labor Party
Mark Parnell	The Greens
Russell Wortley	Labor Party

\* Darley was elected as a Xenophon supporter and Hood as Family First. That eight members were elected as Liberals (four at each of the 2014 and 2018 elections) but Hood defected to the Liberal Party means there are nine Liberals following the 2018 elections. Family First ceased to exist on 26 April 2017 and merged with the Australian Conservatives. So, when Hood defected to the Liberals after the March 2018 election it was from the Australian Conservatives.



Note, also, that the above Table 9 was constructed in December 2019. However, on 5 February 2020, the first day of the Second Session, Legislative Council President Andrew McLachlan resigned first the presidency and then his membership of the Council, to fill the Senate vacancy caused by the resignation of then Senator Cory Bernardi, who had been elected in 2016 as a candidate for the Liberal Party. Being a Liberal Party vacancy McLachlan was replaced by Nicola Centofanti on 7 April 2020. She is a veterinarian from the Riverland.

As President of the Legislative Council McLachlan was replaced by another Liberal, Terry Stephens, who held the post from 5 February 2020 to 8 September 2020, the shortest presidency ever. The reason for his displacement was that Stephens fell foul of the expenses problem that politicians so often face. On that day (8 September) Stephens was replaced by John Dawkins who won the post in a contest with the endorsed Liberal candidate, Ms Jing Lee. He was expelled from the parliamentary Liberal Party for defying his party.

In Table 9 (above) Dawkins is shown as “Independent”. That designation dates from 8 September 2020. Prior to that I showed him as “Liberal Party” since he was elected in March 2014 as a candidate of the Liberal Party.

Appendix to Chapter 8 Table 10, South Australia: Legislative Council Votes  
Above and Below the Line

Election	ATL		BTL		Total Formal
	Votes	%	Votes	%	
1985	873,591	96.2	31,347	3.8	814,938
1989	818,671	95.7	36,613	4.3	855,284
1993	873,755	96.2	34,771	3.8	908,526
1997	858,099	95.7	38,404	4.3	896,503
2002	903,034	97.1	27,428	2.9	930,462
2006	880,395	94.6	50,474	5.4	930,869
2010	926,287	96.8	30,385	3.2	956,672
2014	969,697	95.9	41,234	4.1	1,010,931
2018	985,280	93.8	65,594	6.2	1,050,874

Appendix to Chapter 8 Table 11, South Australia: Legislative  
Council Vote 2018 Further Analysed

Single first preference above the line

634,837 60.4%

Multiple preferences above the line

350,443 33.4%

Formal votes below the line

65,594 6.2%

Total Formal vote

1,050,874

