Tasmanian state election 2014: an overview

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Executive summary

- Tasmanians went to the polls in a state election held on Saturday 15 March 2014 to elect representatives to the 25-seat House of Assembly. Under Tasmania’s Hare-Clark electoral system, voters elect five members to each of Tasmania’s five electorates for a term of up to four years.

- The Liberal Party of Australia won a decisive majority, claiming 15 of the 25 seats in the House of Assembly including an unprecedented four seats in the electorate of Braddon.

- The Australian Labor Party was defeated after 16 years in power, claiming seven seats which was down from 10 in 2010.

- This election also marked the end of the Tasmanian Greens’ power-sharing role since the 2010 state election that had seen the first Greens Cabinet ministers in Australia’s history as part of a Labor-Greens alliance. The party won three seats (down from five in 2010) resulting in the loss of their parliamentary party status.

- The election saw the emergence of new parties including the Tasmanian Nationals, reformed after 15 years out of the state political arena and the Palmer United Party, although neither of the minor parties won a seat.

- The following paper provides an overview of Tasmania’s parliamentary and electoral system, the state’s political landscape in the lead up to the election, issues that dominated the election, the parties, the candidates and the results. It discusses trends in pre-election polls as well as the impact of Commonwealth issues and the 2013 Commonwealth election on the results. It draws on media articles, reports of the Tasmanian Electoral Commission and published papers including the Parliamentary Library’s publication on the 2010 Tasmanian election.
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Introduction

The Tasmanian Constitution Act 1934 provides for a bicameral Parliament with the following structure:1

- The Legislative Council which has 15 members elected for six-year terms using a preferential voting system. Elections are held every May, with three members elected one year and then two the next.2
- The House of Assembly which has 25 members, with five electorates each returning five members for a term of up to four years.

Tasmania is the only state to use the same electorates for both Commonwealth and state lower house elections. Tasmania’s parliamentary elections are conducted under the provisions of the Electoral Act 2004 (Tas) which replaced the Electoral Act 1985.3 The voting system used in the House of Assembly is a form of proportional representation known as the Hare-Clark system which, historically, has often produced minority governments.4

As at 19 February 2014 there were 366,442 Tasmanians enrolled to vote. This represented an increase of 2.55 per cent from the previous House of Assembly elections in 2010, when 357,315 electors were enrolled.5 During the enrolment period, the Tasmanian Electoral Commissioner Julian Type urged young Tasmanians to enrol for the state election, noting that the roll was still missing several thousand names mostly in the 18 to 25-year old age group.6

The political landscape in Tasmania

The Australian Labor Party has traditionally dominated Tasmanian politics, with non-Labor parties holding power for only 16 out of the 80 years since 1934. The 2010 Tasmanian election had returned a House in which no party held a majority, with Labor losing its majority after three terms in government. The result for the 25 member House was 10 members of the Australian Labor Party (the incumbent Government), 10 members of the Liberal Party of Australia, and 5 members of the Tasmanian Greens Party. Prior to the 2010 election Premier David Bartlett had stated that, if there was no party with a majority, then the party that won the most seats should form the Government. Whilst the Liberal Party won 38 per cent of the vote and the Labor Party 37 per cent, the Tasmanian Greens offered to support the Labor Party in government until a formal alliance could be negotiated with either party. The Labor Party then offered two Cabinet positions to the Greens, and the alliance enabled them to form government.

The Governor commissioned the new minority Government on the proviso that the Labor-Greens arrangement would be tested on the floor of the House to confirm that they had majority support. At the Parliament’s first meeting in May 2010, the Opposition Leader moved the first of a record number of motions of no confidence in the 47th Parliament.7 None were successful, although it is notable that one motion was moved against the Greens Leader by a Labor Government member who crossed the floor to vote with the Liberal Party. This was the first time since the 1970s that a Labor Member had voted against his or her party.8

In January 2011, after just nine months as Premier, Bartlett resigned from the leadership position to be replaced by Lara Giddings who became Tasmania’s first female Premier.9 Bartlett remained in the Cabinet but resigned from the Parliament on 13 May 2011. He was replaced by a former Minister, Graeme Sturges, who was elected in a countback for the seat of Denison on 27 May 2011.10
The ALP and the Tasmanian Greens governed in a shared cabinet for almost four years following the 2010 state election but, despite a relatively stable period of government, the polls began to show that voters were disenchanted with the arrangement as the alliance entered its fourth year and the prospect of a state election. A ReachTEL poll conducted for the *Mercury* newspaper conducted in November 2013 showed that the Labor Government would lose the election with just 23.2 per cent of first preference votes. More than half of those polled (59.2 per cent) considered Opposition Leader Will Hodgman (Franklin) would be a better premier than Lara Giddings, while the majority of respondents rated Labor’s performance as poor to very poor in relation to economic management (60.5 per cent), job creation (68.5 per cent) and health services (62.2 per cent).  

Tasmania’s social and economic problems also became the focus of increased scrutiny. In February 2013 the *Griffith Review*, in conjunction with *The Conversation* and the University of Tasmania, began publishing a series of articles by Australian and international commentators who debated whether Tasmania had ‘reached a “tipping point”, politically, economically and culturally’? Jonathan West’s article, ‘Obstacles to progress: what’s wrong with Tasmania, really?’ was particularly critical of the state’s circumstances, pointing to Tasmanians’ fundamental resistance to change. His article elicited considerable debate amongst the authors and online contributors as to how Tasmania could address these issues. In September an ABC Radio National program focused on a 2011–2 report by the Australian Bureau of Statistics (ABS) indicating that half of all Tasmanians aged 15 to 74 are functionally illiterate and more than half are functionally innumerate. According to economist Saul Eslake, ‘poor educational outcomes play a major role in Tasmania’s long running recession’. 

**Into 2014**

The power-sharing arrangement between the ALP and the Greens was widely perceived as a marriage of convenience for both parties enabling Labor to retain the power it had held since 1998 and the Greens to display their ability to handle ministerial portfolios and ‘convert their agenda into official policy and legislation’. As the Labor-Greens alliance entered its fourth year with a state election imminent and the Commonwealth Coalition’s decisive win at the September election still fresh, tensions mounted between the alliance partners over the controversial sale of the Bell Bay Pulp Mill project in the Tamar Valley, following the collapse of the Gunns timber company in 2012.

**The pulp mill controversy**

Previous government attempts to introduce legislation in support of mill projects had proved divisive, attracting public criticism and shifting voter support away from the major parties and towards the Greens. In December 2013 State Opposition leader Will Hodgman met with Prime Minister Abbott and senior Commonwealth Coalition ministers, and succeeded in securing a commitment of Commonwealth assistance to support any potential investors to develop the mill. Meanwhile, the Greens opposed the pulp mill project, stating that it was going in the ‘wrong direction’, and would prefer to see alternative approaches to the downstream processing of Tasmania’s timber resources. According to Greens leader Nick McKim, ‘[d]espite various legislative attempts, we still don’t have a pulp mill because governments haven’t brought people with them on the journey’. 

On 15 January 2014, amid heightened expectations of an election announcement, Premier Giddings stated that she was considering recalling Parliament on 28 February in order to debate the matter of a permit for the mill, stating that ‘[w]e cannot afford to wait until a new parliament is elected and sit. That would be well after the sale of Gunns is finalised’. Greens MP Kim Booth stated that he would move to bring down the Labor Government as soon as Parliament was recalled, regardless of what his party room decided. A no-confidence motion by Booth, if backed by the Liberal Party, would trigger an immediate election and exacerbate the
tensions between Labor and the Greens. Will Hodgman indicated that he would support pulp mill legislation but criticised the Premier for the timing of her decision, stating that she had not initially responded to the request from the receivers KordaMentha in November because the Greens were ‘holding a gun to her government’s head’.

End of the alliance

On 17 January 2014, after months of speculation and mounting pressure to announce the election date, Premier Giddings finally announced that the next state election would be held on Saturday 15 March 2014. She also confirmed that she had sacked the two Greens ministers from her Cabinet, citing the unpopularity of the Tasmanian Greens amongst Labor supporters and alluding to the difference of opinion between the parties over the Bell Bay Pulp Mill project as proof that it was a ‘logical time’ to end the alliance. According to Giddings, the values of the two parties were simply ‘incompatible’:

The Greens put the environment first; Labor will and always has put people first, jobs first, opportunities first. And we want to be able to go into this election campaign fighting hard on Labor’s values.

Two Labor members would be sworn in to replace the two Greens ministers, effectively distancing the Labor Party from the Greens. In the days that followed Premier Giddings sought to put a positive spin on her efforts to manage minority government and make the best of a ‘less-than-ideal situation’, even praising her two former Greens ministers for their achievements:

We have had to make it work. You can’t just in a democracy turn around and say, ‘Well, that’s it, I am just not going to participate’. You have to step up to the plate and take on that challenge.

With the first Greens Cabinet ministers in Australia now removed from office, commentators began drawing comparisons with the experience of minority government at the Commonwealth level and the breakdown of the Labor-Greens alliance in the Commonwealth Parliament in February 2013, as well as the Coalition’s decisive win in the September 2013 Commonwealth election. Lara Giddings acknowledged that there had been a ‘mood for change across the nation’ at the Commonwealth election but noted that the Coalition Government had polled poorly once elected. The 2013 Commonwealth election had yielded a 6.7 per cent swing to the Coalition in Tasmania, while both Labor and the Greens suffered a significant fall in the primary vote (-9.1 per cent for Labor and -8.5 per cent for the Greens; see table at Appendix 1). The prospect of another hung parliament weighed heavily on both major parties and both began the campaign arguing strongly for majority government.

The decision by Labor not to strike any more power-sharing deals with the Greens drew sharp criticism from former Greens Senator and national Greens leader, Bob Brown, who described it as a ‘death wish’ that would ensure that Labor stayed in Opposition. According to Brown’s reading of the Tasmanian electorate’s mood, Labor’s rejection of the Greens and support for the pulp mill project would serve to boost support for the Greens who were opposed to it while those who, for the foreseeable future, supported the mill were already Liberal supporters. Brown argued that Labor could not afford to dismiss the Greens. Its electoral support was falling as voters moved to either the Liberals or the Greens and, he noted, ‘the Liberals are better at pulp mills than Labor and the Greens are better at clean, green economy than Labor’.

The Tasmanian Greens themselves were still unsure how to respond to the Government’s proposed legislation, but Kim Booth was adamant that he would move a no-confidence in his own right on the basis that the

27. Smith, ‘Tough at the top for party leaders’, op. cit.
legislation represented ‘corruption and malfeasance’. The controversial pulp mill legislation to ensure the validity of permits came before the House on 28 January 2014 and received the support of both Liberal and Labor MPs despite three unsuccessful motions of no-confidence in the Government by Greens MPs and public protests over the threat it posed to environmental protections.

Meanwhile, the Opposition Leader declared that his party would not be entering into an alliance with any party should they fall just short of a majority at the election. The Tasmanian Liberals under his leadership had won the largest statewide vote in the 2010 election, tying with Labor at 10 seats each in the 25-seat House of Assembly. However, Mr Hodgman had refused to enter into a power-sharing arrangement with the Greens and his party assumed Opposition status for the next four years. Mr Hodgman reiterated this stance during the first leaders’ debate held on 13 February 2014, even if the Liberals were only one seat short of a majority coming out of this election. Premier Giddings commented that the Liberal Party would most likely replace Mr Hodgman as leader in order to form minority government.

The campaign

The 47th Tasmanian Parliament was prorogued on 12 February 2014, marking the end of the Tasmanian ALP’s 16th consecutive year in government. Polling in the first week of the campaign put the Liberal Party in front at 41 per cent and likely to win 13 or 14 seats, with Labor at 16 to 18 per cent of the vote and likely to win seven or eight seats, and the Tasmanian Greens possibly winning four. According to one analysis, the election would be won or lost in the northern seats of Bass and Braddon, where anti-Labor feeling was running high.

Even as the polls showed that the Tasmanian Liberals would comfortably win majority government, the final outcome was still the subject of speculation. Crikey’s Cathy Alexander described Labor as ‘limping towards likely defeat’ as a result of four years of governing with the Greens, the loss of ‘talent’ within the party, the state’s economic woes, and the reaction in some communities to Labor’s forestry policies. The ABC’s Barrie Cassidy noted that, if Labor continued its decline in the polls, the election could ‘make history’ if the Greens succeeded in winning one more seat than Labor and claiming official Opposition status:

There is a real prospect that after March 15, and for the first time in history, one of the major parties will be denied both government AND official opposition.

As party strategists predicted, Labor’s decision to end its alliance with the Greens gave Labor a small boost: a ReachTEL opinion poll released on 20 January put Labor ahead of the Greens by 2 per cent. However, it was clear that Tasmanian Labor would enter the campaign with little chance of being returned as a majority government. This reflected a similar trend at the Commonwealth level where the Labor minority government had suffered a swing against it of nearly 10 per cent in the 2013 election and lost three of its five Tasmanian seats, although how far this swing could be attributed to the Labor-Greens minority government was a matter for conjecture.

Also in the mix was the emergence of the Palmer United Party (PUP) after its success in winning a Tasmanian Senate seat at the 2013 Commonwealth election. Certainly, the arrival of another ‘third party’ in Tasmania appeared to complicate the scenario. According to Crikey, if the Liberals failed to win a majority, then Tasmanian politics would ‘get very interesting indeed’ with a variety of options for forming government available to both major parties. According to a pre-election analysis by the Australian Financial Review:

29. Ibid.
32. NSW Labor held office for 16 years until March 2011 and Queensland Labor for 14 years until March 2012.
35. Ibid.
Palmer’s wildcard activities, liberally fuelled with money, mean Tasmania could produce a hung parliament under its Hare-Clark proportional voting system in which five electorates return five members each. This is a system made for a Palmer-type insurgency.  

The issues

By week three of the campaign, the key election issues were clear: the termination of the Labor-Greens alliance, the pulp mill project, Tasmania’s Forests Agreement, the economy and job creation. The major parties were also striving to differentiate themselves on a range of other issues including the provision of health and education services, gun control laws, support for small business and public service employment levels. The Liberals also highlighted the need for introducing tough anti-crime measures to complement their mandatory sentencing policies. Meanwhile, the Greens launched their policies with a promise to assist low-income households to save on their power bills through a ‘Take A Load Off—Save Energy, Save Money’ plan.

World Heritage and Tasmania’s forests

Tasmania’s forests have long been part of the state’s political landscape and this election was no exception. Early media coverage of the campaign was dominated by the Abbott Government’s move to rescind 74,000 hectares of a 170,000 hectare extension to Tasmania’s World Heritage Area in order to ‘breathe life back into the state’s forest industries’ and boost jobs. The World Heritage Committee had approved the extension in 2013 after decades of environmental campaigns. The Tasmanian Liberals promised to release an additional 330,000 hectares if they won the election amid claims that it could threaten the future of Tasmania’s forest and tourism industries. The Forest Industries Association of Tasmania opposed any rollback of World Heritage protection, stating that customers who supported the Tasmanian Forests Agreement would be ‘turned off’. Others argued that the Commonwealth Government’s proposal to wind back World Heritage protection threatened to ‘reignite forest wars that split the island for a generation’. With polls showing a 27 per cent swing to Liberal candidate Eric Hutchinson in the struggling timber town of Triabunna, the Tasmanian Liberals released a policy to ‘crack down on forest protest’ with $10,000 fines for impeding access to a workplace and three months’ jail for a second offence.

Economic performance

The beginning of the campaign also coincided with the release of a report highlighting the state’s economic problems. CommSec’s State of the States report published on 17 January 2014 indicated that Tasmania remained ‘locked at the bottom of the Australian economic performance table’ and that the state would not be able to meet its debt target in the face of a record $109 million budget deficit. Tasmania’s deficit had increased from $266.9 million to $375.9 million, and the net government debt was predicted to rise rather than fall, from $116.5 million to $194.7 million. With an eye to both the Commonwealth and Tasmanian state elections, the Coalition had produced a discussion paper in May 2013 highlighting Tasmania’s ‘lacklustre’ economic performance under the Commonwealth and Tasmanian Labor-Green governments, despite its abundant resources.

Premier Giddings blamed the carbon tax repeal for reducing revenue from the sale of renewable energy to the mainland, while defending her party’s decision to increase spending by $50 million to support job growth. As if

46. Ibid.
to underscore the state’s economic woes, Qantas announced on 14 January 2014 that it had decided to withdraw its mainline flights from Tasmania, leaving the island state with only a regional airline service provided by its subsidiary QantasLink. This would make Hobart the only capital city not serviced by mainline Qantas flights. With Tasmania in recession and unemployment at decade-highs, the *Mercury* newspaper declared that this would be ‘possibly the most significant State Election in decades’. 

With the proroguing of the State Parliament on 12 February 2014, the Labor Government assumed caretaker mode just as a mid-year financial outlook was released showing that Tasmania’s record budget deficit had risen by a further $109 million confirming that the state could not meet its debt target. The polls indicated that the most important issue in the minds of more than half of the voters was the need to stimulate growth in the Tasmanian economy and create jobs. Tasmania has the highest unemployment rate in the country, at 7.9 per cent compared to the national average of 5.8 per cent. Between the 2010 state election and January 2014 the number of people employed in Tasmania declined from 237,400 to 231,000. Premier Giddings promised to create 6,000 new jobs in four years if her party was returned to government, while Opposition Leader Will Hodgman pledged to create 10,000 jobs in his first term of government to bring Tasmania’s unemployment rate into line with the national average.

By mid-February, polling indicated that the Liberals would win 47.2 per cent of the vote, Labor 24.6 per cent and the Greens 17.2 per cent, with the Palmer United Palmer polling at 7.5 per cent. *Crikey* predicted that a Liberal win in both the Tasmanian and South Australian state elections (to be held on the same date) would complete a ‘Liberal whitewash’ across Australia, with Liberal and Coalition governments in every state and at the Commonwealth level for the first time since 1970.

**First leaders’ debate**

On 13 February 2014 the major party leaders participated in the first of three leaders’ debates of the campaign, held in Hobart by the Tasmanian Chamber of Commerce and Industry. Premier Giddings drew attention to the large undecided vote (23 per cent) while the Liberal leader declared that he would stand by his pledge to ‘govern in majority or not at all’. The *Mercury* concluded that while Tasmania faced many challenges particularly in education, health services and the economy, the campaign ‘lacked ideas and inspiration’, and the next four weeks were likely to be ‘a very, very long time in Tasmanian politics’. The first debate was widely considered to be a draw between the two leaders.

**Commonwealth issues**

Commonwealth issues continued to feature in the state election campaign. The media, for example, reported on the Tasmanian Government’s approval to clear native forest and vegetation to make way for new dairy farms in the north of the state had become the subject of an assessment by the Commonwealth Government under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth). The area to be cleared is the only remaining habitat of Tasmanian devils not infected with the facial tumour disease that has devastated 85 per cent of the iconic marsupial.

The future of the National Broadband Network (NBN) in Tasmania also had an impact on the major parties’ campaigning. On 17 February Will Hodgman was overheard by journalists to complain about the Coalition’s shift to use existing copper wire for part of the National Broadband Network rollout, stating that ‘[i]t could cost us the election anyway—that’s democracy’. Mr Hodgman had been lobbying the Commonwealth Communications Minister to complete the NBN rollout which was already well-advanced in Tasmania. Premier Giddings dismissed the Commonwealth Government’s trial of overhead cabling in Tasmania as a ‘political fix’ and unnecessary,

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57. Ibid.; Denholm, ‘Hodgman won’t play without clear majority’, op. cit.
58. ‘Editorial: The big day approaches’, op. cit.
having already initiated a trial to use the state’s power-poles for delivering Fibre-to-the-premises (FTTP).\(^{61}\) Meanwhile, contractors affected by the Commonwealth Government’s proposed changes to the NBN rollout in Tasmania planned a protest rally over the anticipated loss of earnings.\(^{62}\)

Two days later, local recreational fishermen and environmental groups launched a major advertising campaign over the Commonwealth Government’s willingness to lift the two-year ban on the operation of the super-trawler the Abel Tasman. According to one media report, the state Liberals were concerned that these Commonwealth issues could undermine their majority in the state election, noting that recreational fishermen have considerable political influence in Tasmania which has the highest rate of boat ownership in Australia.\(^{63}\) As the week drew to a close, the Prime Minister visited Hobart to endorse Will Hodgman’s campaign.\(^{64}\)

**Second leaders’ debate**

The second leaders’ debate of the campaign was held as a live-to-airbroadcast in Launceston on 27 February. The Tasmanian Greens’ leader Nick McKim had been invited to participate in this debate but the Launceston Chamber of Commerce withdrew the invitation saying that the debate format had been changed. The Greens subsequently expressed disappointment at being excluded, but both Labor and Liberal leaders stated that the debate should only be between the two major parties that would potentially form government.\(^{65}\) The Premier was considered the winner of the second debate.\(^{66}\)

**Official campaign launches**

At the Labor Party’s campaign launch on 2 March, Premier Giddings highlighted education, a recovering economy and Labor values, while promising to replace the Commonwealth Schoolkids Bonus due to be axed by the Abbott Government. The proposal, as one commentator put it, was part of a Labor strategy to ‘focus voters’ minds on negative Commonwealth issues and the alleged danger of having a Liberal premier act as a “lapdog” to Canberra’. The Premier also attacked the Palmer United Party, drawing unfavourable comparisons between Clive Palmer and Pauline Hanson.\(^{67}\)

On 1 March the Tasmanian Liberal Party unveiled a four-point Jobs Creation Plan at their official campaign launch in Launceston, pledging $12 million in infrastructure funding for regional Tasmania and, in its quest for majority government, sharpened its criticism of the Palmer United Party.\(^{68}\) Clive Palmer dismissed the major parties’ attacks while promising to slash state payroll and stamp duty taxes, fund a new fast ferry across Bass Strait and potentially allowing logging and mining inside Tasmania’s nature reserves. He also announced that his party would also support a pulp mill in Tasmania, although he had described the move to recall the Parliament for a second term as ‘just a meaningless gesture’ unless there was genuine interest in a permit.\(^{69}\) Meanwhile the Greens focused their efforts on a range of issues including gay marriage and support for ‘corporate welfare’ designed to appeal to Liberal voters who were dissatisfied by the party’s policies.\(^{70}\)

**Third leaders’ debate**

On 6 March, in the final week of the campaign, the two leaders participated in a televised people’s forum leaders’ debate, while the major parties and PUP officially launched their election campaigns. Prime Minister Abbott’s claim that ‘too much Australian forest has been “locked up”’ dominated the debate, with the Premier defending the historic peace agreement between conservationists and the timber industry, saying that ‘[f]orestry is a critical industry in Tasmania but it cannot be part of the war and conflict we had in the past’. The

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66. ‘PM’s comments rile leaders of Tasmania in election debate’, op. cit.
Opposition Leader promised to tear up the agreement if he won government, pointing to the need to revitalise the state’s forestry industry and create jobs.\(^71\)

During the debate the Premier argued that a Liberal Government translated to ‘more of Tony Abbott’, and that Will Hodgman was unable to stand up to his Commonwealth colleagues on matters of importance to Tasmania. Mr Hodgman reiterated his statement that only the Liberal Party could deliver a stable majority government. He also used the occasion to distance himself from the Commonwealth Coalition on offshore asylum processing policies, arguing instead for a ‘big Tasmania’ and a greater role for the state in resettling refugees and accommodating migrants as a means of boosting population and economic growth. Whilst the third and final debate was considered ‘lacklustre’, an exit poll awarded the debate to the Premier. Nevertheless, a ReachTEL poll conducted on the day of the debate, indicated that Labor’s support was trending downward, having fallen by one per cent since 13 February.\(^72\)

**Breaches of the Tasmanian Electoral Act**

Just days before the election, the Tasmanian Electoral Commission launched an investigation into three possible breaches of the Tasmanian [Electoral Act 2004].\(^73\) Two involved a PUP advertisement apparently authorised by Senator-elect Jacqui Lambie, and a letter from Mr Palmer, distributed to Tasmanian letterboxes, using candidate names and images without their consent. Such breaches carry a maximum penalty of a $39,000 fine and/or one year imprisonment.\(^74\) The allegations were raised by Tasmania’s Labor President John Dowling.

Mr Palmer defended his actions, saying ‘I don’t feel I am restrained in naming any person in Australia, referring to them in relation to a public debate that’s going on in the country and I don’t think there is any law that seeks to stop that freedom of speech’. However, constitutional law expert Professor George Williams suggested that, if found in breach of the Act, Mr Palmer could lose his seat in the Commonwealth Parliament.\(^75\) In response, Clive Palmer and Jacqui Lambie stated that they were prepared to go to jail as ‘political prisoners’, and Mr Palmer added that he would be ‘happy to be like Ghandi’.\(^76\)

The third possible breach involved a Liberal Party advertisement attacking the Palmer United Party. According to the [Electoral Backgrounder](https://tas.elections.com.au/__data/assets/pdf_file/0016/33810/2014_ElectoralBackgrounder.pdf) on electoral advertising published by the Tasmanian Electoral Commission, ‘aggrieved candidates will now need to seek redress under the applicable statutory or common-law if they believe they have been defamed.’\(^77\) PUP again came under fire on 13 March when Tasmanian firefighters accused the party of making an automated call (or ‘robocall’) to the emergency number 000.\(^78\)

Following the election, the Tasmanian Electoral Commissioner sent letters to the Liberal Party state director, Palmer and Lambie, cautioning them for possible breaches of Tasmania’s election rules. However, the Commissioner said the circumstances of each breach ‘meant it would not take legal action’, but that all those involved in campaigns should ‘acquaint themselves and … comply with duly enacted Tasmanian electoral laws’.\(^79\)

**The parties**

There were seven political parties [registered](https://tas.elections.com.au/parliamentary/parties/) with the Tasmanian Electoral Commission for the 2014 Tasmanian election:\(^80\)

- Australian Christians
- Australian Labor Party

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74. Ibid, section 196.
• The Liberal Party of Australia, Tasmania Division
• National Party of Australia – Tasmania
• Palmer United Party
• Socialist Alliance, and
• Tasmanian Greens.

Political observers speculated that the election campaign could become a ‘showdown between the major parties and high-profile newbies’. The new parties referred to were the Nationals, the Katter Party and the Palmer United Party. The Katter Party had fielded Tasmanian candidates in the 2013 Commonwealth election but failed to win a seat. Bob Katter indicated that his party would field candidates for all seats in the Tasmanian election but, by December 2013, was having difficulties in securing the 100 signatures needed to seek registration for the election and ultimately the party did not field any candidates.

Australian Labor Party

Historically, Labor has been a dominant force in Tasmanian politics. Between 1934 and 1982 the Labor Party was in government for 45 of the 48 years, largely as a result of its commitment to the development of the state’s hydroelectric schemes. As the ABC’s election analyst, Antony Green, has noted, the party’s dominance declined during the 1980s in response to increasing public opposition to the damming of the state’s rivers for such schemes. However, despite its shrinking vote (36.9 per cent in 1982 to 34.7 per cent in 1989), Labor was able to form a minority government with the Greens’ support under Premier Michael Field. Labor’s popularity fell further in 1992 and the Government lost the election that year. In 1998, it was returned to power and remained in government for 16 years, becoming Australia’s longest-serving Labor administration.

Lara Giddings became Tasmania’s first female Premier and party leader when she succeeded David Bartlett in January 2011, assuming the leadership of a minority government and an alliance with the Greens. She lost her seat of Lyons in 1998 and was then re-elected in 2002 to the seat of Franklin. She served as a minister in the Lennon Government, and was promoted to Deputy Premier in 2008 when David Bartlett was elected party leader and Premier following Lennon’s resignation. She succeeded Bartlett in 2011 after he resigned for family reasons just two months after the 2010 state election.

In announcing the end of the Labor-Greens power-sharing agreement, Premier Giddings appealed to Labor’s traditional supporters, calling the Opposition ‘the enemy’ and rallying traditional Labor voters to ‘fight against the wall of Liberal governments we are facing across the nation’. Strategists believed that the move to distance the party from the Greens was necessary to restore support amongst disaffected Labor voters sufficiently to reduce Labor’s losses at the election. However, some observers consider that Labor in general had become ‘wedged in the middle’—between the Liberals on the one hand and the Greens on the other—on a number of issues including climate change, asylum-seekers and the mining tax. Compounding this was Labor’s decision to focus on Commonwealth issues during the campaign, which some commentators suggested had not helped their campaign.

A Newspoll published the day before the election showed the Liberals with 53 per cent of the vote and likely to win at least 13 seats, with Labor likely to take six seats and the Greens four while PUP would struggle to win one seat. As one journalist noted:

Labor governments are the norm in Tasmania but the former island stronghold is poised to turn on its “natural party of government” with unprecedented savagery at tomorrow’s state election.

82. Tasmanian Electoral Commission, Seven parties registered for state election, op. cit.
83. Green, ‘2014 Tasmanian election preview’, op. cit. NSW Labor was in office for 16 years until March 2011, and Queensland Labor was in office for 14 years until March 2012.
86. M Denholm, ‘Messy Apple Isle divorce may not mean never again’, op. cit.
Acknowledging the likely outcome for Labor, Premier Giddings stated that she would abide by her party’s wishes regarding her leadership. She also opened the way for a change in party leadership selection along similar lines to the Commonwealth Labor Party’s reforms in 2013, saying that if Tasmanian Labor lost the election, party members could be given the power to directly elect a new leader. 88

**The Liberal Party of Australia**

The Liberal Party polled strongly during the election campaign, and seemed likely to win a third seat in each of three electorates which would enable it to form a majority government. The Liberal Party has not been in government in Tasmania since 1998. Opposition Leader Will Hodgman led the Tasmanian Liberal Party for the second consecutive election. Son of the late Commonwealth Liberal Minister and Tasmanian state parliamentarian, Michael Hodgman, and nephew of former state Liberal Minister Peter Hodgman, he received strong support for his leadership in opinion polls during the campaign. For example the *Sunday Tasmanian* reported 54 per cent support for Mr Hodgman, 26 per cent for Premier Giddings, and 18 per cent for the Greens’ Nick McKim, reflecting their respective party’s rankings. However, a high proportion of voters remained undecided which, according to one commentator, reflected uncertainty over the quality of party leadership.

Sometimes described as ‘mild-mannered’, his political opponents questioned his ability to ‘stand up for Tasmania’ in the face of his Commonwealth Coalition colleagues. 89 In response, Mr Hodgman vowed to take a ‘hard line’ with the Abbott Coalition Government over the super-trawler issue, the NBN rollout, and the impact on Tasmania of reducing the Renewable Energy Target. 90 In October 2013, the newly-formed Tasmanian National Party urged him not to ‘close the door’ on a Liberals-Nationals alliance. However, Mr Hodgman reiterated that ‘a vote for another party … is also a vote for another minority government’. 91

**National Party of Australia, Tasmania**

The National Party of Australia, Tasmania was first registered with the Australian Electoral Commission on 19 October 1995. The party fielded 18 candidates in the 1996 state election, but failed to secure a seat and was deregistered on 2 April 1998 after it ceased to exist. 92 With signs that Tasmanian voters had become disillusioned with the major parties, and following the success of PUP in the 2013 Commonwealth election, the Nationals decided to reform in Tasmania after 15 years out of the state political arena. The party announced that it would contest all five seats in the Tasmanian state election, recruiting former Labor minister, Allison Ritchie, as the party’s state director and campaign coordinator. 93

On 30 January the National Party federal director, Scott Mitchell, distanced his party from the new state organisation, stating that the Tasmanian Nationals had nothing in common with the federal party: ‘We don’t want them using our brand and promoting policies that people could see as Nationals’ policies’. The intention had always been that the Nationals would gradually re-establish in Tasmania, contesting Upper House seats as vacancies arose. By contesting the state election, Mitchell considered that the newly-established Tasmanian Nationals were courting disaster. 94 Despite this uncertainty, the Tasmanian Nationals eventually fielded ten candidates in the election (three each in Denison and Franklin and four in Lyons).

**Palmer United Party**

A month after its Commonwealth election success, PUP announced that it would be contesting the 2014 Tasmanian state election with the support of Jacqui Lambie. 95 As support for the Greens appeared to be on the decline, PUP predicted that it could win up to three seats if it had the right candidates. However, in early December, a confidential email exchange surfaced between PUP Queensland State MP Alex Douglas and Tasmanian PUP candidate Marti Zucco in relation to Lambie, making derogatory comments about Australian

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battlers.96 Zucco subsequently resigned from PUP over his differences with the party and his relationship with Lambie, and registered as an independent candidate. In January he lodged an official objection regarding PUP’s registration, leading to uncertainty about whether the party name could appear on the ballot paper.97 Clive Palmer told the media that the party would not seek registration until early 2014, leaving little time for the six-week registration period.98 The Tasmanian Electoral Commission subsequently accepted the party’s registration application on 1 February 2014, although Zucco declared that he would contest the decision in the Supreme Court on the basis that the Commission had accepted that non-financial members could be members.99

**Tasmanian Greens**

The Tasmanian Greens have long enjoyed considerable voter support in Tasmania, with an average vote of 14.3 per cent in the six elections between 1989 and 2006.100 During the 2006 campaign Greens leader, Peg Putt, raised concerns when she declared she was prepared to serve as Deputy Premier in a minority government and appeared to be threatening the future passage of supply legislation. Her comments generated considerable public debate on the question of just how safe a minority government’s supply legislation would be.101 Putt resigned from Parliament in mid-2008 and was replaced by Nick McKim, Member for Franklin since 2001. McKim and his deputy Cassy O’Connor were seen as more centrist than previous Green leaders as they sought to portray the party as ‘safe’. McKim stated that ‘I genuinely believe that Tasmanians want a less adversarial, more constructive approach from political leaders, and the Greens remain committed to this ideal’.102

As Scott Bennett noted in the Parliamentary Library’s publication on the 2010 Tasmanian election:

As well as trying to reassure voters that a minority government would not be harmful for Tasmania, McKim worked hard to broaden his party’s agenda beyond its traditional focus on trees and water. As he promised, he put a great deal of emphasis on ‘cost of living’ concerns of ordinary Tasmanians. He spoke of unhappiness about power, bus fares, car registration costs, rental levels, and the increases in water and sewerage charges. A North-West Coast Advocate journalist believed that McKim’s efforts to move his party towards the centre were having an impact, believing that they would ‘resonate with a lot of disaffected Labor voters not scared of the Greens’.103

One of the more significant policy achievements for the Greens as part of their power-sharing arrangement was the historic Tasmanian forest agreement which resulted in an extension to the World Heritage Area (WHA) to protect a high-conservation forest from logging (although, as noted above, the Commonwealth Liberal Government and Tasmanian Liberals were intending to rescind some areas from the WHA listing).

The 2010 state election produced five seats for the Greens, and, for the first time in Australian political history, the Greens took on ministerial roles when McKim and Cassy O’Connor accepted a position in a Labor Cabinet in return for their party’s support. McKim held the portfolios of education, sustainable transport and corrections, while O’Connor held the portfolios of human services, community development, climate change and Aboriginal affairs.104 However, the relationship between the Greens and Labor began to sour as differences emerged over the parties’ approaches to forestry and the pulp mill industry in Tasmania. When Premier Giddings removed the two Greens’ MPs from her Cabinet in January 2014, the ‘divorce’ seemed final as she ruled out the possibility of Labor entering into another power-sharing arrangement with the Greens after the election:

We will not have Greens in cabinet. We will not have the model that we have worked on after the last four years. We clearly know that Labor supporters do not want to see that.105

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104. The only Greens minister currently serving in any Australian jurisdiction is Shane Rattenbury MP in the ACT.
McKim responded by saying that the experience of power-sharing had been a success. While Labor had ‘chosen to walk away from co-operative politics’, he made it clear that his party would remain open to discussing future power-sharing arrangements in return for the Greens’ support.  

**The candidates**

As at 27 February 2014, 126 candidate nominations had been received by the Tasmanian Electoral Commission, comprising 90 men and 36 women. This represented a significant increase from the previous three elections, notably in the number of male candidates, as follows:

<table>
<thead>
<tr>
<th>Election year</th>
<th>Males</th>
<th>Females</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>2002</td>
<td>69</td>
<td>43</td>
<td>112</td>
</tr>
<tr>
<td>2006</td>
<td>65</td>
<td>30</td>
<td>95</td>
</tr>
<tr>
<td>2010</td>
<td>55</td>
<td>34</td>
<td>89</td>
</tr>
<tr>
<td>2014</td>
<td>90</td>
<td>36</td>
<td>126</td>
</tr>
</tbody>
</table>

Source: Tasmanian Electoral Commission

Several new names featured in the list of candidates for the 2014 state election. Derwent Valley mayor Martyn Evans and Dorset Mayor Barry Jarvis stood for the Liberal Party. Glamorgan Spring Bay mayor Bertrand Cadart was also a Liberal candidate. Other Liberal candidates included Huon MLC Paul Harris, an opponent of the Tasmanian Forest Agreement, and Cancer Council of Tasmania ambassador and breast cancer survivor Deborah De Williams. Labor’s new candidates included former Forestry Tasmania boss Bob Gordon as a candidate for Lyons, shoring up Labor’s push for the new pulp mill. The Tasmanian Greens’ candidate list included several Aldermen including Philip Cocker and Bill Harvey (City of Hobart), Kay McFarlane (Clarence City) and Rosalie Woodruff (Huon Valley Council). PUP’s candidate for the seat of Braddon, Kevin Morgan, was a business adviser and analyst who served as a former staffer to controversial Labor MP Brenton Best. Clive Palmer nominated Morgan as party leader, predicting that he would be the next Tasmanian premier. Morgan had stood as a PUP candidate for the seat of Braddon in the 2013 Commonwealth election.

**The outcome**

As pre-election polling had predicted, the Tasmanian Liberals won a decisive majority in the 2014 state election claiming 15 of the 25 seats in the House of Assembly, including an unprecedented four out of five seats in the electorate of Braddon—see tables below.

Labor MPs David O’Byrne (Franklin) and Brian Wightman (Bass) lost their seats to the Liberal Party, as did the Greens’ Tim Morris (Lyons) and Paul O’Halloran (Braddon), whilst former Labor MP David Llewellyn won back a seat in Lyons. The reformed Nationals and the Palmer United Party did not succeed in winning a seat. The Labor Party won seven seats (down from 10 in 2010), while the Tasmanian Greens won three seats. Premier Giddings conceded Labor had lost government just after 9 pm on election night, saying ‘[w]e do have to accept that after 16 years Tasmanians today have voted for a change’.

Since 2006 the Liberals vote has risen from 31.8 per cent (2006) to 51.2 per cent (2014), while Labor’s vote has fallen from 49.3 per cent (2006) to 27.3 per cent (2014), the lowest Labor result since before the First World War. The Tasmanian Greens’ vote has also fallen from a record high of 21.6 per cent (2010) to 13.8 per cent (2014).

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114. Ibid.
The aftermath

Following the Liberal Party’s decisive win, Premier-elect Will Hodgman began his Government’s reform agenda, starting in the week following the election with the launch of his First 100 Days Implementation Plan. The Plan contains six key promises including job creation, appointing a Planning Reform Taskforce, rebuilding the forest

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117. Women comprised 28.9 per cent (37) of all 126 candidates.
120. The recount result, announced by the AEC in early November, overturned the initial count. Meanwhile the AEC responded to criticism of the error by requesting that the Federal Police Commissioner undertake an independent inquiry into the lost ballot papers, and lodging a petition with the High Court sitting as the Court of Disputed Returns seeking to have the WA Senate election declared void. The inquiry found ‘lax supervision’ and a ‘complacent attitude’ within the AEC, and led to the resignation of the AEC’s electoral commissioner and state manager, as well as two audit inquiries of the AEC’s processes. The Court subsequently declared the election void and a second half-Senate election was held on 5 April 2014. See: J Swan, ‘Two more enquiries to be held into Australian Electoral Commission following lost vote debacle’, Sydney Morning Herald, 4 March 2014; B Holmes, Federal election 2013: issues, dynamics, outcomes, Research paper series, 2013–14, Parliamentary Library, Canberra, 22 January 2014, pp. 27–30; AEC, 2014 WA Senate election, AEC website, 7 April 2014, all accessed 29 April 2014.
industry, recruiting new police officers and establishing a Serious and Organised Crime Squad, planning for reform of elective and emergency surgery arrangements, and cracking down on forest protesters. The Government also named the new Speaker as Liberal MP Elise Archer, Tasmania’s first female Speaker, replacing Labor’s Michael Polley, who had presided over Tasmania’s lower house for the past 16 years.

After 16 years in power, post-mortems of Labor’s decline began even before the election was over:

- Tasmanians have stuck with Labor through it all. But with the nation’s highest unemployment and record budget deficits, their patience is at an end ... by dumping the alliance [with the Greens] Labor has undermined its ability to sell its central achievement of the past four years: providing a relatively stable government in difficult economic and political conditions.

After the election Ms Giddings pointed to disunity within the party and a tough budget as contributing to the party’s defeat. The ALP state branch had earlier indicated that it would give its members, union delegates and MPs each a one-third vote on appointing the next leader after the election. However, on 1 April 2014, the Labor caucus made a surprise decision to appoint Bryan Green to replace Lara Giddings. Giddings had indicated that she would be a candidate, but she emerged from the caucus meeting to announce that she was stepping down from the leadership but would remain in the seat of Franklin for her full term. She was subsequently appointed as Shadow Attorney-General.

With an eight per cent drop in their primary vote and the loss of parliamentary party status, the Tasmanian Greens found themselves at their lowest ebb since 1998. The Australian Greens leader, Senator Christine Milne, stated that the result was a ‘predictable outcome’ of the Labor-Greens alliance, whereby the Tasmanian Greens had ‘shared the electorate’s wrath’ for Labor’s shortcomings. She noted, however, that the party had improved on its primary vote from the 2013 Commonwealth election result in Tasmania, achieving 13.8 per cent (compared with 8.32 per cent in the Senate election), commenting that the result may have reflected a turnaround in the party’s fortunes nationally. ‘We have been here before and we do come back bigger and better and stronger than ever’, she said.

**Conclusion**

The 2014 election resulted in a resounding victory for the Tasmanian Liberals and a significant loss for the Labor Party which had held power since 1998. The result is especially notable given that Labor has traditionally dominated Tasmanian politics, holding power for all but 16 years since 1934. Much of the blame for Labor’s sharp decline in support has been attributed to its alliance with the Tasmanian Greens formed after the 2010 state election, coupled with Tasmania’s record budget deficits and the highest unemployment rates in Australia.

The election also saw a decline in the Tasmanian Greens’ vote resulting in three seats and the loss of parliamentary status. This decline reflected a similar trend in the Greens’ vote at the 2013 Commonwealth election, where the party’s support for the Labor minority government also proved electorally unpopular.

The emergence of two new minor parties (Tasmanian Nationals and Palmer United Palmer) had the potential to attract votes away from the major players but in the end, neither party succeeded in gaining a seat.

The 2014 election outcome means that the Liberal Party is now in power in six of Australia’s eight jurisdictions—the Commonwealth (Coalition), Queensland (Liberal National Party), New South Wales (Coalition), Victoria (Coalition), Western Australia (Coalition) and the Northern Territory (Country Liberal Party). As a result of the South Australian state election also held on 15 March 2014, Labor has formed a minority government with the support of an independent, while Labor retained Government in the ACT in 2012 after negotiating the support of the ACT Greens.

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124. Denholm, ‘All over bar the shouting’, op.cit.
## Appendix 1: 2013 Commonwealth election results for Tasmania

<table>
<thead>
<tr>
<th>Party</th>
<th>Primary Votes</th>
<th>Swing</th>
<th>Seats Won</th>
<th>Predicted</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor (ALP)</td>
<td>34.8%</td>
<td>-9.1%</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Coalition (LNP)</td>
<td>40.3%</td>
<td>+0.7%</td>
<td>3</td>
<td>3</td>
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<tr>
<td>Greens (GRN)</td>
<td>8.3%</td>
<td>-8.5%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Others (OTH)</td>
<td>16.6%</td>
<td>+11.0%</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

Source: ABC website

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Appendix 2: 2014 Tasmanian election: overview of results

<table>
<thead>
<tr>
<th>Party</th>
<th>Votes</th>
<th>Pct</th>
<th>Change</th>
<th>Seats</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liberal Party</td>
<td>167,051</td>
<td>51.22</td>
<td>+12.23</td>
<td>15</td>
<td>+5</td>
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<tr>
<td>Labor Party</td>
<td>89,130</td>
<td>27.33</td>
<td>-9.55</td>
<td>7</td>
<td>-3</td>
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<tr>
<td>Greens</td>
<td>45,098</td>
<td>13.03</td>
<td>-7.70</td>
<td>3</td>
<td>-2</td>
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<td>Palmer United Party</td>
<td>16,195</td>
<td>4.97</td>
<td>+4.97</td>
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</tr>
<tr>
<td>National Party</td>
<td>2,655</td>
<td>0.81</td>
<td>+0.81</td>
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<td>..</td>
</tr>
<tr>
<td>Australian Christians</td>
<td>1,215</td>
<td>0.37</td>
<td>+0.37</td>
<td>..</td>
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</tr>
<tr>
<td>Socialist Alliance</td>
<td>664</td>
<td>0.20</td>
<td>..</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Others</td>
<td>4,152</td>
<td>1.27</td>
<td>-1.05</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Formal</td>
<td>326,163</td>
<td></td>
<td></td>
<td>25</td>
<td></td>
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<tr>
<td>Informal</td>
<td>16,432</td>
<td>4.80</td>
<td>+0.35</td>
<td>..</td>
<td>..</td>
</tr>
<tr>
<td>Total Votes / Turnout</td>
<td>342,595</td>
<td>93.49</td>
<td>-0.36</td>
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<td></td>
</tr>
<tr>
<td>Roll</td>
<td>366,442</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>

Source: Antony Green’s Election Blog, ABC website

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Appendix 3: Reform of Tasmanian Electoral Act 2004

Tasmanian Electoral Commission

A new era in Tasmania’s electoral administration

The Tasmanian Electoral Commission is to be established early in 2004 under the Electoral Act 2000. The Commission will be an independent statutory body with the responsibility for the conduct of Tasmanian Parliamentary and other elections. It will also have a role in providing information and advice on electoral issues, and promoting public awareness of electoral topics in Tasmania.

Members of the Commission

The Tasmanian Electoral Commission will consist of an Electoral Commissioner and two other members including a Chairperson.

The position of Electoral Commissioner will initially be held by the current Chief Electoral Officer.

The Chairperson will be expected to have appropriate and relevant experience at a senior level in a field such as public administration or law.

The Member of the Commission will be expected to have an interest in, and understanding of, the Tasmanian community and its democratic traditions.

A detailed knowledge of electoral systems is not necessary.

The Commission is expected to meet quarterly with additional meetings as required, for example in the initial process to set up the Commission or when parliamentary elections are held.

Political neutrality

All positions on the Commission require strict political neutrality. Under section 8 of the Electoral Act 2000, a person is not eligible to be appointed if that person is, or has been, in the period of 5 years immediately preceding the date of his or her appointment:

• a Member of a House of Parliament of the Commonwealth or a State or Territory, or
• a member of a party that is registered under this Act or under an Act of the Commonwealth or another State or a Territory as a political party or a member of a similar organisation.

Appointment

Members of the Commission will be appointed by the Governor, after a consultation process by the Minister for Justice and Industrial Relations with the Parliamentary leader of each party represented in the House of Assembly and the President of the Council.

Members will be remunerated, and may be appointed for a period of up to 7 years.

Expressions of Interest

Expressions of Interest are sought from individuals who are interested in making a valuable contribution to the democratic process in Tasmania by serving on the Commission in the position of Chairperson or Member.

For further information please contact Bruce Taylor, Chief Electoral Officer, on 6237 3746.

Written expressions of interest of no more than 3 pages, including a CV, should be forwarded to Linda Hutton, Deputy Secretary, Department of Justice at GPO Box 323, Hobart 7001.

Expressions of Interest must be received by 12 noon on Friday 10 December 2004.

Source: Tasmanian Electoral Commission
Appendix 4: Governance issues

The Hare-Clark electoral system

Unlike other states and territories, Tasmania uses a form of preferential proportional representation known as Hare-Clark for its lower house (House of Assembly) elections.129 Tasmania adopted Hare-Clark on a trial basis in 1896 for Hobart and Launceston but it was abolished in 1901. It was revived in 1907 for use statewide and has been a feature of every House of Assembly election since April 1909.130 Each electorate elects five MPs, and the quota is 16.7% of the vote in each electorate (with each electorate having similar numbers of enrolments. Tasmania also uses the Robson Rotation system where the ballot papers have candidates listed within their party column in different orders so as to avoid parties being able to direct votes to particular candidates. This means that individual candidates from one party compete with each other.131

On polling day only first preference counting occurs then the preferences are allocated after postal votes are received. The Tasmanian Parliamentary Library describes the counting process as follows:

Candidates who achieve or exceed a quota of first preferences are declared elected ... All candidates receiving more votes than a quota are declared elected and their surplus votes are then distributed. These surplus votes are then transferred to the next preference at the transfer value calculated for the vote. The distribution of surpluses occurs as each candidate achieves a quota. If fewer than five candidates get a quota in the initial count the lowest scoring candidates are progressively excluded until five Members gain a quota or are the last remaining candidate. At each exclusion of the lowest candidate the next preference is passed on to the voter’s next choice. If the excluded candidate is passing on No. 2 preferences these are at full value because they have not been used to elect the excluded candidate. But if the candidate being excluded had previously gained the ballot papers as part of someone else’s surplus, that is, at a fraction, they go to the next available preference at that value.132

The system often produces minority governments. Indeed, since the introduction of proportional representation for the 1909 Tasmanian election, the major parties have found it difficult to secure a parliamentary majority. This was particularly marked when there were six members per division (1909–56) and the major parties occasionally tied for the number of seats. Even after the Parliament changed to uneven numbers of MPs in 1959, Tasmania continued to experience a very different pattern from other States. Between 1909 and 2010, only 18 of 32 state elections (56 per cent) returned majority governments.

The Hare-Clark system has attracted its share of criticism. For example, Tasmanian economics and business commentator Bruce Felmingham has argued that small businesses are effectively frozen during the long period required to count the vote in the current system, due to the prolonged uncertainty as to who will form government. ‘For such firms, the electoral system “has become a nightmare”, and he has advocated replacing Hare-Clark with some other system’. 133

Size of parliament

On 23 July 1998, prior to the 1998 state election, the Tasmanian Parliament passed legislation reducing the size of the House of Assembly from 35 to 25 members. The size of the Parliament had been a longstanding issue in Tasmania. Researcher Scott Bennett identified three main arguments to justify the change: Tasmania—with its relatively small state population—was ‘over-governed’, the current arrangement led to the problem of hung parliaments, and the situation was exacerbated by the state’s economic problems.134

Both major parties were in favour of reducing the size of Parliament to reduce the electoral chances of Greens and independent candidates by limiting their ability to achieve the required quota. The change resulted in only one Greens candidate winning a seat in the 1998 election, and analysis of the result indicated that retaining the 35-seat Assembly would have produced at least three Greens members and possibly a Tasmania First seat.

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129. As Antony Green notes, this is the reverse of most of Australia’s parliaments. See A Green, "Tasmania’s Hare-Clark electoral system", Tasmanian Election 2014, ABC website., M Smith, ‘Opinion: Me, me, me as Hare-Clark pits ally against ally’, Sunday Tasmanian, 27 October 2013, p. 69; Tasmanian Electoral Commission, "Tasmania’s Hare-Clark electoral system", all accessed 17 March 2014.
133. Bennett, Tasmanian election 2010, op. cit.
However, altering the size of the Parliament did not guarantee majority government. As Bennett points out, this would be more likely achieved if the current Hare-Clark system was replaced with preferential voting with single-member divisions where minor parties and independents would find it harder to win over 50 per cent of first preferences.135

In the longer term, the reduction in the size of the House of Assembly has also meant that even if a party wins a majority of seats in each division, the best it can do is hold 15 of the 25 House of Assembly seats. Given that the Cabinet normally comprises nine positions, most government members will hold portfolios leaving the Government with few members on the backbench and little flexibility for portfolio changes. The major parties have subsequently agreed that the House of Assembly should be returned to 35 seats, with seven members elected for each of the state’s electoral divisions. However, the legislation enabling this reform to occur was not introduced in the 47th Tasmanian Parliament and the matter remains unresolved.136

**Election timing**

Section 23 of the Constitution Act 1934 (Tas) stipulates that the Tasmanian House of Assembly has a maximum four-year term from the day of the return of the writs. The election date is not fixed and can be called at any time with the Governor’s agreement. The Electoral Act 2004 (Tas) governs the process of elections.137 Whilst there have been proposals to fix the term of the Tasmanian House of Assembly, these have not been pursued. The 2014 election was called for 15 March 2014, the third election in a row to be held on the same day as the South Australian State election. All other states and territories, except Queensland, have adopted fixed four-year terms.138

**Political financing**

Unlike most states and territories, there are no public funding arrangements to support parties or candidates for state election campaigns in Tasmania, nor are there expenditure regulations or restrictions on candidates for House of Assembly elections. In addition, there are no state-legislated provisions for disclosure of gifts to political parties, although all parties registered under the Commonwealth Electoral Act 1918 (Cth) must lodge an annual return with the Australian Electoral Commission in order to disclose all relevant receipts and expenditure.139

The issue of political donations was first raised in 2008 by Premier Paul Lennon in the context of reforms proposed by the Commonwealth and NSW Labor Governments. Despite the House of Assembly supporting a motion by the Tasmanian Greens for a parliamentary committee to examine state-based political donations laws, the matter languished until 2013 when the Attorney-General Brian Wightman confirmed the Government’s commitment to reform by tabling the Electoral Amendment (Electoral Expenditure and Political Donations) Bill 2013 which sought to:

- set a limit of $75,000 per candidate on individual expenditure for House of Assembly elections
- set a cap on party expenditure of $750,000 for House of Assembly elections
- prohibit anonymous donations to individuals and parties more than $1500 from any one donor, and
- provide for ‘real time’ disclosure of donations of more than $1500 from a single source.140

According to the Bill fact sheet:

> Concerns have emerged over recent elections that high spending candidates are able to use their personal wealth to saturate electorates and gain election by means of their spending power. Caps on donations and a new requirement for real-time disclosure of donations should alleviate these concerns.141

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135.  Ibid.
138.  Queensland retains a three-year election cycle.
The Bill reached second reading stage before the Parliament was prorogued on 12 February 2014.