



***AUSTRALASIAN STUDY OF  
PARLIAMENT GROUP  
(Queensland Chapter)***

**FOUR YEAR TERMS**

**TRANSCRIPT OF PROCEEDINGS**

**MONDAY, 9 NOVEMBER 2009**

**Brisbane**

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**Dr LAUCHS:** Welcome everybody to this second Australasian Study of Parliament Group event for 2009 and welcome to the Undumbi Room, which is named after one of the language groups of the Turrbul people who are, of course, the traditional owners of the land that Parliament House is sitting on.

The Australasian Study of Parliament Group is an organisation set up to discuss matters of importance in relation to democracy in parliament. There are chapters all around Australia. For those who are unaware of the functioning of the organisation, this is the Queensland chapter's second event. We will be having one more event this year, which is purely a social event for Christmas. So you will probably all receive an invitation in that regard soon.

Tonight we are going to be talking about four-year terms. I think four-year terms is a very interesting topic. I think it is a fundamental question in relation to Westminster democracy and especially 'washminster' democracy in the Australian setting, but I have promised both the speakers not to give my opinions before they give theirs. So I will just say to everyone that we are going to have 15 minutes for each speaker and then we will do questions afterwards and then we are going to adjourn around the corner to the Stranger's Bar to do the real discussion. So you are all welcome to come along. There will be food there and the bar will be open.

I should first introduce our speakers. We have two journalists—one current journalist, I suspect, might be the correct technical term.

**Dr WILLIAMS:** Does freelance still count as journalism?

**Dr LAUCHS:** Freelance counts as journalism and one former journalist who is now in I think a very august position—a uniquely Queensland position.

Dr Paul Williams is from Griffith University and writes regularly in the *Courier-Mail* on matters about politics in Queensland. Dr David Solomon is, of course, our Integrity Commissioner—a position which, as I said, is unique to Queensland and I personally think is one of the great inventions of Queensland politics. So I will pass over first to Dr Paul Williams to give his address.

**Dr WILLIAMS:** Thank you, Mark, and thank you to the ASPG for the invitation to speak on this topic. As most of us—or all of us here at least—know, this is an important topic. It might not be cutting edge for a lot of people but it certainly is an important topic, particularly for a place like Queensland which still boasts, or suffers from—it all depends on how you look at it—a unicameral parliament and where we have a chequered history of accountability.

So thank you for the opportunity to have a say, but I had better point out that I have had my say on this matter before—in fact, quite a lot of says—with a special schizophrenia that a certain political commentator might have of both being a supporter of four-year terms, a supporter of three-year terms and just about everything in between in various media commentaries. So my own preferences between three- and four-year terms have waxed and waned like the tides. As I said, I have been an ardent defender of three-year terms and then later on I have qualified those views and came to see the logic—or at least some logic—of four-year terms. But most recently, I have come to think that three-year terms might be the way to go. So my sympathy has fallen back again to shorter parliaments.

But I suspect there is a real inevitability about this. No matter what we talk about here, I suspect there is an inevitability. I think it is inevitable that Queensland will come to four-year terms and I believe that they will come to the Commonwealth House of Representatives as well, although at a much later date. Of course, four-year terms and their success at referendum all hinge on bipartisanship. When both sides of politics firmly believe that four-year terms are important and when we are devoid of the theatrics of opposition that might jump up and down on particular points or when opposition leaders start attaching certain prerequisites or demands for other parliamentary reforms—when all of those things are put aside, when we see a genuine bipartisan input, I think we will see four-year terms succeed at a referendum. So notwithstanding that inevitability, I am going to argue tonight that, despite the homogenisation that interstate migration has brought to Queensland, Queensland remains distinct. Queensland remains different in its political culture and its institutions and, because of that difference, it is entitled to a different length of parliamentary term.

Before launching into the pros and cons of four-year terms, let us remind ourselves a little bit of the history and the shades of grey within the various models that are on offer. Former Labor Prime Minister Gough Whitlam, of course, was an early advocate of fixed four-year terms for both houses of parliament at federal and state levels. But it was not until the 1980s that the state parliaments moved incrementally—piecemeal—to introduce four-year terms into parliaments. Thus New South Wales approved four-year terms in 1981 and they first came into effect from the 1984 to 1988 parliament. New South Wales passed a referendum on fixed terms in 1995. Victoria introduced fixed terms in 1984, South Australia in 1985 and Western Australia in 1987. With Tasmania already boasting four-year terms from 1972, today only Queensland and the Commonwealth House of Representatives have three-year terms. The two territories also have four-year parliaments.

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There are two further interesting points to note. First, Queenslanders in the past have rejected four-year terms on two separate occasions: in 1998 we, with the rest of Australia—or much of Australia—rejected four-year terms for the Commonwealth parliament and in 1991 we rejected four-year terms at a referendum under Wayne Goss but it was, as Paul Reynolds and others were talking just a moment ago, only by a very narrow margin. It was 51.2 per cent for the no vote. So it was quite narrow. But it is important to note that Queenslanders have rejected this twice already in the last two decades.

The second thing to note is that Tasmania once had five-year terms and in the early 1970s the then Premier, Eric Reece, toyed with the idea of returning to five-year terms and that was pretty much rejected. There was absolutely no support for it. So over time it seemed, at least in the 1970s, there was a consciousness about having shorter terms rather than longer ones. Another interesting point is that, even though we do not hear a lot of talk about it today at a federal level for four-year terms—for simultaneous elections, for example, for the House of Representatives and the Senate—it still remains Labor policy that we have four-year terms for the federal parliament, but it is something that does not seem to get a lot of airplay.

The next point I want to raise is the fact that there is more than one way to skin the four-year parliamentary cat. For example, while New South Wales, South Australia, Victoria, the ACT and the Northern Territory have fixed four-year terms with specific Saturdays earmarked by legislation that the election will be held on a certain Saturday in a certain month every four years, Tasmania and Western Australia have unfixed four-year terms. Many think that an unfixed model is no model at all and it is no improvement over a three-year model. So some will argue for a hybrid model—a four-year term with a three-year minimum to be served before calling an election. Then there are other models, such as that used for our Senate where parliamentary terms overlap between members, where half the chamber would face an election at any single poll.

This model, despite its merits, is often ignored in the mainstream debate. I would argue that it is something that Queensland should at least consider—having a two tiered parliament where half the MPs go at one poll and half the MPs go at another—because it would reduce the effect of the winner-take-all political culture in Queensland of optional preferential voting which, in some ways, is a de facto first-past-the-post system in single member electorates. It would also, therefore, increase accountability by more regular party contests and, therefore, more media scrutiny. But it would not undermine, or it would not come at the expense of longer terms for individual MPs. You could still have MPs serving say, four or six years, and have half of those MPs go every two or three years.

Having established that framework, let us have a look at the pros and cons of fixed four-year terms. The first and perhaps most widely cited argument for having four-year terms is that it is allegedly bringing a sense of certainty to the parliament and to politics. We are usually told that both voters and business are the ones who are going to benefit the most. Voters because they can plan their holidays—and that might sound like a spurious point, but lots of elections in Australia are held in summer and we have had a lot of federal December elections, for example, and it is something that does not go unnoticed among ordinary voters, that they would like some planning as to when elections are going to be. Of course, business is the one that also gets the airplay—business wants to have certainty as to when elections are going to be so they can plan more accurately for investment, so they can plan for other capital spending and so on. But we could broaden this to say that pressure groups in general would favour or benefit from four-year terms, because they can plan their campaigns, pitching to governments in the lead-up to elections and pitch their campaigns more accurately—in other words, get a bigger bang for their PR buck.

The American political scientist Charles Lindblom tells us that business is the most effective pressure group. When business talks, governments listen. They always get the ear of government and, therefore, I would argue that when business really makes the concerted effort to start convincing the Queensland government and, indeed, both sides of politics that we really need a change to our terms—a move from three to four years—if business mounts a very concerted and articulate argument for this case, I think that the government and the opposition will move. Until then, I think it might be something that is left on the backburner.

But I sound a word of caution about this argument about certainty. I think we can overcook this argument about certainty. Why do I say this? I would argue that we already live in very certain political times, not necessarily economic times but certain political times. First of all, our major parties, as we have come to know them, have converged. The major parties now agree pretty much unanimously on how to deal with business. They both support neo-liberal frameworks. They both believe in smaller government, lower taxes and a business-friendly environment. Therefore, there is no longer the risk, as there might have been 50 years ago, of a Labor government or other government coming in and undermining business confidence. Today business can look at both sides of politics and know pretty much what they are getting because governments and oppositions, Labor and non-Labor parties, generally speak with one voice in terms of the general government-business relationship. Electing a government from the other side of politics does not necessarily incur a great risk any more.

The second point that we could be overcooking this idea of certainty is that early elections are very rare in Australia. Few, if any, businesses are seriously going to be caught with their pants down, as it were, with an election they did not expect. Even if it is an early election, such as the 2009 Queensland state Brisbane

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election, there is so much media hype beforehand that everyone knows that it cannot be too far away. So the idea of business really being caught out and not being prepared for an election is really a bit of a furphy, and we can certainly overcook this argument.

However, taking pressure groups out of the equation, I think there is a case to be made for giving certainty to other players. Two big players are the Public Service and electoral umpires. My heart goes out to groups like the Electoral Commission of Queensland, who are really kept in the dark as much as the rest of us. They do not know one minute before the rest of us when a Premier or a Prime Minister is going to call an election. They are often expected to accomplish—not often; they are always expected to accomplish—Herculean tasks, such as the printing of millions of ballot papers and the hiring of poll booth workers all within the space of four weeks, maybe five weeks. So it is a mammoth task. If I were advocating on behalf of the ECQ, I would be certainly arguing for fixed terms so that I knew exactly on what date I have to get the ballot papers ready. Even little things like booking a convention centre for a tally room, for example, can be very, very onerous.

But a much more compelling argument for four-year terms is that fewer arguments would save precious tax dollars, and this is a very commonly mounted argument. Elections are incredibly expensive events and, as political scientists Richard Katz and Peter Mair argue in their cartel party thesis, it is we taxpayers who are picking up the bill. It is we taxpayers who are contributing to the cartel perhaps in paying political parties when they get past a certain threshold. Political parties have become part of the state infrastructure, according to the cartel thesis, and the way they become part of the infrastructure is because governments—that is, using taxpayers' money—are paying the big political parties to exist.

Take this year's state election. This year's state election cost almost \$18 million—\$3.6 million of that went to the parties' reimbursement. Any candidate, and not just political parties, scoring more than four per cent of the primary vote was refunded roughly a couple of dollars per vote. But the larger share of that expenditure went in operational costs—\$14.25 million in operational costs, printing, staffing and so on. So, on those figures, let us take an 18-year period. Over that 18 years we would see four four-year terms—or indeed 4½ but let us say four four-year terms—as opposed to six three-year terms, thereby saving two elections. That is \$36 million in today's terms or \$2 million a year. Some people would say that is a saving worth having. Others would say that \$2 million is not very much and is not a very high price to pay to keep a higher degree of public accountability and more regular elections.

A third and equally compelling argument is that four-year terms would bring Queensland into line with the rest of Australia—apart of course from the House of Representatives, but with every other subnational government, including Queensland's own local government authorities. The argument would be that this would facilitate voter education. We would not have to say, 'We have four-year terms except for Queensland.' They say that it might reduce voter confusion in a system that already confuses voters because of our federal system.

But a fourth argument is that a longer term actually provides more governing time. There is an old adage that many of you have heard I am sure that under three-year terms governments, especially new ones, only spend one actual year governing. They come into office and in the first year they bed themselves down, then in the third year they tidy up and prepare themselves for re-election, and it is only the second middle year in which any real governing takes place and only one year in which they can create and implement public policy without the immediate fear of electoral backlash. But I think that is something of a nonsense today. It might have been true decades ago, but I think it is a nonsense today. Today we live in the era of the permanent campaign. Successful leaders after winning an election on a Saturday night will start their re-election campaign on the Sunday morning. Peter Beattie was a master at this. Indeed, he started on the Saturday night by talking about how humble he was at winning the election and he will be back at his desk at six o'clock Sunday morning to do some hard work and therefore further ingratiating himself with voters.

It is a furphy to think that political parties only start campaigning when the Premier or Prime Minister visits the Governor or Governor-General. Parties are always campaigning and whether we have three-year terms, four-year terms, fixed or unfixed terms is not going to change that. Today we are in continuous campaign mode. Political parties' and governments design, sell and implement public policy with a degree of political risk already factored in. In other words, they do not think of anything that they are going to do for the electorate without first thinking about electoral cost and benefit, and that includes even the most controversial stuff like sale of the government owned corporations.

Lastly fixed terms, irrespective of length—and I think this is an important point—remove the power of a leader to cash in on political opportunism and call an election at a time that is expedient for the government but awkward for the opposition. Such times might include a prosperous economy, a sweet budget or an opposition in disarray. This last factor—an opposition in disarray—was a tactic used to great success by the most successful politician in this country's history, arguably, Liberal PM Sir Robert Menzies, who caught the Labor opposition with their factional pants down many a time, especially in 1955, when the Labor Party split just a year after the 1954 poll, and in 1963, when the Liberal Party gave state aid to Catholic schools, two years after the 1961 election. It was also used to great effect by the National's Premier, Joh Bjelke-Petersen, in 1974. He went to the polls a year early in order to capitalise on the anti-Whitlam, anti-Canberra sentiment in Queensland and of course reduced the Queensland Labor Party to the proverbial cricket team. But I think we can overcook this argument too.

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As I outlined earlier, early elections are very rare in this country and very rare in Queensland, too. Other than Peter Beattie's early call in September 2006, which was only a few months short of when it was due in 2007, the previous early election was Joh's in 1974, and the case is little different federally where our last early election was John Howard's in 1998, two years after 1996. Bob Hawke's early election was in 1984—very early coming after the election in 1983. They are very rare early elections in Australia and I think it is an argument that we should take with a grain of salt. That sums up the arguments for the case for four-year terms and I think they are strong arguments. But let us have a look at the cons of four-year terms.

I would suggest that the most forceful argument against extending our parliamentary term is of course the automatic reduction in voters' ability to keep governments, especially poorly performing ones, accountable. As soon as we approve at referendum four-year terms, we automatically reduce our ability to keep governments accountable by 33 per cent. Where do I get that figure from? One year is a third of the current three-year term that we have. Popular opinion has it that parliaments want more, not fewer, opportunities to throw out bad governments, and this message is driven home no more loudly than in New South Wales currently. Hardly a day goes by when there is not an article in the *Australian* or other paper about how troubled the New South Wales government is and how the New South Wales opposition is demanding an early election to bring the government to account. The reality is that, despite all of New South Wales's woes, it is not until 2011 that the people of New South Wales will get a say.

A second reason why we should resist fixed terms—and I think this is an important point as well—is that it would be tampering with the Westminster system. It is a cornerstone of cabinet government that leaders commanding majorities in lower houses have the right to govern as long as they enjoy the confidence of that chamber or until they themselves choose to advise the head of state to dissolve that chamber. If we remove this power, we move further away from the Westminster system and more to a presidential system. Fixed terms, with codified and prescribed powers for leaders, are far more suitable for directly elected presidents than they are to first ministers of the Crown or to other heads of state.

Now, a third reason is closely related to the first. Because elections in Australia tend to confirm governments in office rather than change them, the reality is that a term of governance, as opposed to a parliamentary term, is not just for four or eight years, as it often is in the United States, but often, indeed usually, extends beyond 10 years. This is particularly the case in Queensland where in the first Labor hegemony, between 1915 and 1957, the ALP governed for all but three of 42 years; and in the following conservative hegemony, under first the coalition and then the Nationals alone, they governed for 32 unbroken years.

So we are not talking about single terms of three and four years. The reality is that governments come in and they stay in for very long periods of time. No-one knows how long this second Labor hegemony is going to last. Almost everyone, and I have put my hand up in the public arena and said this as well, believes that it is almost certain that the Bligh government will be defeated at the next poll. But there is a myriad of factors that could change that. The LNP might implode. A whole range of things could happen. It is not impossible for the Bligh government to be re-elected in 2012. Irrespective of what people think about the Bligh or Rees governments, the fact is that extending from three to four years is going to exacerbate what many consider a troublesome quirk in our electoral culture.

In conclusion, I find myself siding again with the status quo. We live in an age of political spin, we live in an age of troubled public policy, and voters need as many opportunities as possible to put their executives under the spotlight. After all, in any evaluation we have got to ask ourselves one thing: who benefits most from four-year terms? It is, clearly, politicians and, within that, incumbent governments at the bottom of the public opinion cycle. Voters then are the definitive gatekeepers; the ultimate checks on governments in liberal democracies.

This is never more the case than in Queensland where, despite a range of post Fitzgerald innovations, we still remain a unicameral parliament where governments dominate every aspect of parliamentary life from question time to committees. If any state's voters deserve an edge over others in the accountability stakes it is Queensland's. Why should Queensland remain apart from the pack and keep three-year terms when everyone else has four-years terms? Because Queensland itself is different. Our parliament, our population, our industries and our political culture all indicate that we should stay on our own path. While political institutions and other checks and balances might have occasionally let us down, three-year terms have not. Thank you.

**Dr LAUCHS:** Thank you very much, Paul, for that exposition of certainty versus parochialism. As an ex-public servant, I express my sympathy for many a public servant who has sat there and worked on legislation for two years and saw an election called and their bill be kicked off the table after a prorogation. It hurts; it hurts very hard. I will pass over now to Dr David Solomon, our Integrity Commissioner, for yet another look at this issue.

**Dr SOLOMON:** Thank you very much. There is not much more to say, is there? However, I will have a go. Could I first of all say that I am not speaking in my capacity as Integrity Commissioner, rather as a retired journalist mostly repeating what I have previously written, either under my own name or in editorials. However, I do intend to say something different. I will be raising two important constitutional issues wearing my lawyer's hat. Could I begin by saying that I don't think Queensland is as different as Paul suggests. Apart from anything else, we are one of three unicameral parliaments in Australia. The two territories also have unicameral parliaments and they have fixed four-year terms. They survive quite well

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with them. In fact, the ACT has a system which invariably returns a minority government. So it has to cope with the problem that has only faced Queensland very occasionally, namely, what decision are independents or minor parties going to make about the composition of the parliament—about the government—and will that government last for the whole of its term.

I must say, I am not interested in a change to four-year terms unless they are fixed four-year terms. So far as I am concerned, fixed terms have a greater priority even than extending the term. In fact, fixed three-year terms can probably be achieved more easily than four-year terms and would be a useful step if that was the ultimate aim. Nevertheless, there is a possible constitutional problem even with fixed three-year terms.

Why fixed terms? Well, the main reason is the one that Paul mentioned: fixed terms prevent the manipulation of election dates to suit the political agenda of the government of the day. They prevent governments from calling early elections to take advantage of the weakness of their political opponents or to make the most of their own good fortune or a calculation that however bad their electoral prospects might be at the moment, they can only get worse.

Paul referred to a hybrid system of fixed terms where you have a four-year term that can be shortened to three years under various circumstances. In fact, when the constitutional review commission reviewed the Queensland Constitution in 2000 it recommended that the state should adopt a four-year term to bring it into line with all the other states. It proposed that there should be a minimum term of three years unless the government was defeated in parliament on a no-confidence vote or if an appropriation bill was defeated or failed to pass. This is the scheme adopted in both Victoria and South Australia, though they also have provisions for an early election to deal with problems that might be caused by their upper houses.

While most of the states have some flexibility, in fact, the practice in nearly all is to set a date on which elections should be held at four-year intervals. There is no need to have flexibility in the way that the Constitutional Review Commission suggested. First of all we have no Upper House to refuse supply. Secondly, if the government is defeated in the Assembly the answer is simply that the government changes so that the party which can put together a majority becomes the government.

Certainty about election dates removes speculation that the media otherwise engages in and the damage that that might do about when the election is going to be held; speculation that usually starts six months to a year before the election might be held. This can do damage to the economy and other state interests, it can damage the leadership of a party or it can be used by leaders of parties to push their followers into line and can cause instability within government. Fairness of elections, particularly allowing voters plenty of time to get on the roll or update details before the election is called, is another reason why a fixed date should be adopted.

I will briefly mention some of the reasons that Paul has probably canvassed already. If you are going to have a four-year term I think the main reason for adopting the longer term is to allow better planning by governments. As the Constitutional Review Commission argued, it has been said that under a three-year term the first budget is devoted to paying off the promises made at the previous election and the third budget to anticipating the promises to be made at the forthcoming election. Consequently, only one budget out of three, the second, is likely to address the important long-term policies without the contamination of short-term political considerations.

It pointed out that, once 12 to 18 months have passed since the previous general election, political and governmental affairs start to move into election mode. Speculation about an early election intensifies. Hard decisions are avoided by the government and long-term decisions by the business community.

There are other advantages of four-year terms including reduced costs, though I agree that is not a major consideration. A four-year cycle rather than three years encourages longer term planning, though perhaps means governments can hit electors in the hip pocket for two years rather than one. But it certainly helps the private sector to think in longer terms as well, so far as the stability of government policies are concerned.

I think the main problem with four-year terms rather than three-year terms is less accountability, although I suppose taken to its logical end we should be getting back to the Chartist notion of annual parliaments and then we would have full accountability.

Another problem with four-year terms is that which Paul mentioned, exemplified by the situation in New South Wales at the moment—the problem of getting rid of bad or incompetent or internally feuding governments.

I mentioned that there were a couple of constitutional issues which I thought I should mention. The first one is that we cannot have four-year terms unless we have a referendum. One issue that has been considered by government is when would that referendum be held? The government has been advised by crown law that a constitutional referendum cannot be held at the same time as an ordinary election. This means the exercise would be very costly, as costly almost as having an election. It discourages governments from pushing ahead with having a referendum because that expenditure is not regarded as worth the effort.

The advice that the government had from crown law was supported by advice from a former solicitor-general who currently sits on the Court of Appeal. It would be very risky for the government to go

against the advice that it has received. I have to say I think the advice is wrong. My reason for saying that is that the advice was based on what happens in Britain. The argument being that once the parliament is dissolved no legislation can carry through. All legislation is wiped off the books that has not been signed by the monarch. The situation in Australia has always been different because in all of the colonies it was required on many occasions for the Governor to reserve certain bills for the signature of the monarch, and these had to be sent off on the boat and there could well be an election before they were signed but there was never an instance of that legislation being voided because it had not been signed before the election. But there were indeed occasions when the signature was placed on the legislation afterwards. This question, in fact, was canvassed in a High Court decision fairly recently. Although only one judge, Justice Kirby, dealt with it in any detail, it seems fairly clear that the High Court as a whole would have some sympathy for the argument that there were good reasons for departing from English practice in the legislatures of the former British colonies and in the dominions. I will not go into that in any detail.

The problem I mentioned about whether you could introduce fixed terms without a referendum has not been explored, so far as I am aware, but the section of the Constitution which in fact requires any change from three years to four years includes a phrase in brackets. Let me read it to you quickly. This is the provision that requires a referendum—

The provisions of section two ... shall not be amended in the direction of extending the period of three years, which, as provided by the said section two, is the period for which any Legislative Assembly, now or hereafter summoned and chosen, shall continue from the day appointed for the return of the writs for choosing the same and no longer (subject, nevertheless, to be sooner dissolved by the Governor) ...

There is an argument that that exception allowing the Governor to dissolve the parliament before three years probably—possibly—could not be overridden without a referendum. So those people who want reform either for fixed terms or for a four-year term may have a real problem unless, as Paul said, you can get unanimity among all of the political parties and you can find a really good time to have the referendum, which almost certainly would have to be held at the same time as the local government elections, which might be an extra distraction and would not help at all either.

**Dr LAUCHS:** Now we are going to turn it over to you to ask questions.

**Dr REYNOLDS:** I wonder if Paul or David would be able to answer this particular issue. If you are talking about accountability, I would have thought that the parliament should be developing far greater and stronger mechanisms for accountability. Elections are blunt instruments for this sort of thing, irrespective of whether they are three years or four years. If we had something like the New Zealand parliament's committee system in Queensland, you would find the government held much more to account than it ever would be today either in three or four years.

**Dr SOLOMON:** In my submission to the green paper exercise I did suggest that that was an important accountability issue that should be taken up—that there should be a far better committee system. I mentioned that the Members' Ethics and Parliamentary Privileges Committee had recently been to New Zealand and seemed to have been impressed by the parliamentary committee system there. I mentioned also that one of the reports by EARC some 16 years ago that was not adopted by the government was for a far more effective parliamentary committee system and I suggested that that issue should be revisited.

**Dr WILLIAMS:** Really briefly, I think that is probably the nub of the Nationals'—and perhaps they did not put it quite so eloquently—argument in trying to attach a whole range of parliamentary reforms when the former opposition leader, Lawrence Springborg, first said 'Yes, we are going to support four-year terms.' Anna Bligh became quite excited—'We've got unanimity'—and I think there was a unanimous vote in the parliament last year. Then, as far as I am aware, the opposition leader qualified his support for those four-year terms by attaching a whole range of what most people thought were smokescreens and sort of backing off. Perhaps he got resistance in his own parliamentary party, we do not know—sort of backing off and then attaching a whole range of what many people thought were very difficult to attain concessions out of the government for accountability reform. So while the Nationals' approach to it might have been clumsy, I think the intention was right in that if we are talking about increasing parliamentary terms on the one hand we have to start talking about other mechanisms of increased reform on the other.

**Mr SMITH:** I am Dan Smith. As with Dr Reynolds, I am also here in a personal capacity, not work related. My question is: with fixed terms of parliaments, how do you feel about, for example, what happened in the 1970s where a government can still pass a motion of no confidence in order to get around the fixed component?

**Dr WILLIAMS:** That is a good question. Again, as far as I understand the other interstate constitutions, they have something written into it that, if there is a vote of no confidence in a government—say a minority government falls; that is something that we have not really talked about tonight—and if a minority government falls, then the fixed term is suspended and there is that ability for the government to dissolve the House because of a lack of confidence.

It is a bit complicated, but there is also a provision, I believe, in some constitutions relating to when a government cannot be formed or it falls very quickly before the parliament meets. But I think that is probably not the bigger problem. I think that other states have successfully done this. They have written it into their constitutions for four-year terms to have provisions that, should governments fall in between the

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regular election dates, that it is quite okay to hit the polls and to clean the sheet, as it were, or to ratchet everything back to zero and start again.

**Dr SOLOMON:** I disagree. I think you should have a fixed polling date and that if the government votes itself out of office, then the Governor calls on the other side. This may create a certain amount of instability, but it is certainly not going to do the government, which is playing funny buggers, any good at the polls when eventually there is an election. I think they should be forced to live with the consequences of what they do.

**Dr LAUCHS:** Any other questions? I have a quick question. What effect would a four-year term, especially if you are doing the hybrid system, have on the minor parties, if we had any in Queensland? What effect would four-year terms have on minor parties? What effect would a rollout like that have, if anything? I think the hybrid system especially would seriously affect it, because we reduce the number of seats available at each election.

**Dr WILLIAMS:** I do not think it would have that greater impact. I think what is really going to affect the minor parties is actually how we cast and count the votes—the actual electoral system itself. If we did have a hybrid system, where we had a two-tiered system of MPs—whether we moved to something like mixed-member proportional or a pure proportional system—that is obviously going to enhance parties like the Greens or Family First, but not because of the fact that we have moved to four-year terms but because we have changed the way we cast and count the votes.

It would be, I think, very problematic to say that out of the 89 electorates—or say we moved to 90 electorate—only 45 are going to go to the polls this time and 45 have to wait another two or three years. I think if we did move to a hybrid system, we would have to have it something like multimember electorates, where the whole of the state elects half the MPs on one system and then the next half did it some other way.

But having said that, I am not saying that the minor parties would not be unaffected but I think the sharper point of the electoral impact would come from the way that we actually cast and count the votes and not just the fact that we have moved to four-year terms.

**Dr LAUCHS:** I have been a lecturer long enough to know when blood sugar levels drop by looking at the audience. Thank you very much to both of our speakers, Dr Paul Williams and Dr David Solomon, for their presentations tonight. I invite everyone to come and join us and keep discussing this and many other issues around the corner in the Stranger's Bar. Thank you all for coming.