

The NSW 2011 election: a tale of hubris, knaves and scallywags

Elaine Thompson*

On March 28, 2011, some 4,635,810 electors were enrolled to vote at the four-year fixed term election in New South Wales. The results were no surprise; indeed they were a foregone conclusion, with the Labor government which had been in power for 16 years, resoundingly defeated in both houses.

The reasons were not hard to find: massive hubris by a government which itself admitted it had ignored voters' wishes and needs; promises made on much-needed infrastructure that were started and then dropped; ever-present scandals and accusations of corruption and indifference;¹ sweetheart deals and suspected personal patronage;² party apparatchiks from Labor headquarters in Sydney's Sussex Street³ being seen to be dominating and directing policy, premiers and pre-selection;⁴ the midnight last-minute privatisation of electricity; the cynicism of placing Treasurer Eric Roozendahl at the top of Labor's upper house ticket;⁵ abuse of the parliamentary processes;⁶ large numbers of ministerial and other resignations in the year leading up to the election (22 in total); and, in the last months, a premier who attempted to distance herself from her own party.⁷

The 2011 election was not helped for Labor by the extremely late selection of candidates for a number of seats⁸ and the selection of some extremely poor candidates. Labor also had alienated many ethnic voters, particularly the Chinese by its treatment of former prime minister, Kevin Rudd. Moreover, as with all voters, Labor had neglected what had been its strong ethnic base, while the opposition leader, Barry O'Farrell, had been courting this base for the four years leading up to the election, a courtship which paid off in 2011 according to election analyst Antony Green, as well as analyst of ethnic communities, Professor Andrew Jacubowicz.⁹

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Labor's chances were further weakened by a decision by the Greens not to direct preferences in a large number of seats.¹⁰

The Liberal/National Party Coalition came to power with Barry O'Farrell, leader of the Liberal Party becoming premier, defeating incumbent Labor premier, Kristina Keneally who had been NSW's first female premier.¹¹

The Coalition won 69 of the 93 lower house Legislative Assembly seats; Labor won 20; the Greens won one seat, and three independents were returned to power. The size of the change can be seen by looking at the figures of the 2007 and 2011 elections:¹²

| Legislative Assembly | 2007 | 2011 |
|-----------------------------------|------------|-----------|
| Liberal/National Coalition | 35 | 69 |
| Labor | 52* | 20 |
| Greens | 0 | 1 |
| Independents | 6 | 3 |
| Total | 93 | 93 |

*Labor had lost one of these seats, Ryde at the 2010 by-election,

In terms of the primary vote, Labor suffered a 13.4% swing against it, polling only 25.6%, while both the Liberals and the Nationals gained. Labor polled only 35.8% of the two party preferred vote, suffering a negative swing of 16.5% compared to the 2007 election results. Overall 34 lower house seats changed hands between 2007 and 2011: 33 went to the Liberals and one to the Greens. The Coalition lost no seats; while independents lost three, all to the Nationals. The State's upper house, the Legislative Council, consists of 42 members who represent the whole state. At each election, 21 members are elected to serve two terms of Parliament, that is, eight years.¹³ The quota for election is 4.55%.

Eleven Liberals were elected; five Labor, three Greens, and one each from the Shooters and Fishers; and the Christian Democratic Party (Fred Nile Group). The Council now comprises 19 members of the Coalition; 14 Labor; five Greens; two Shooters and Fishers and two Christian Democrats. Before the 2011 election the composition was: Coalition 15; Labor 19; Greens 4; Shooters 2 and Christian Democrats 1.

The Coalition received 47.7% of first preferences in the Upper House to Labor's 23.7%.

Analysing the vote for the Assembly

Turnout was reasonably high around 92.5% for the lower house¹⁴ and the number of informal votes reasonably low on 3.2%. The level of informal voting in this election is in dramatic contrast with the levels in the federal election some five months earlier which saw an overall informal vote in NSW of 6.83% (an increase of 1.9%), and the largest informal vote in Australia. Turnout was much closer between the two elections, with 93.3% of NSW voters turning in the federal election, and 92.5% in the state election. Turnout at around this level has been the norm for over thirty years.

Notable also is the fact that, in the NSW election, there was no dramatic difference across districts in levels of informal voting — in marked contrast with the federal result where NSW had the top such 15 seats in Australia (the top 14 of which were Labor seats), with informal voting in those seats varying from 8.1% in the outer metropolitan seat of Macarthur to 14.1% in the inner metropolitan seat of Blaxland, an increase of 5.2%.

At state level, the electorates of Auburn, Bankstown, Smithfield, Fairfield and Granville, for example, all fall within the federal seat of Blaxland. While these areas polled higher than the NSW average in informal votes in 2011, they were nowhere near the 14% of the previous year at federal level. Indeed they averaged only 5.5%.

Given Occam's Razor the difference is a result of the different voting systems: optional and compulsory preferential voting.

Exhausted ballots were an entirely different picture. The system of optional preferential voting (OPV) continues to have a dramatic effect on outcomes. OPV means that after you have shown your first choice, it is up to you whether you show further choices.¹⁵ Hence OPV requires, for a formal vote, a single preference choice for a candidate. Antony Green states that OPV:

...makes preference flows much weaker at NSW elections. The fact that some votes for minor parties 'exhaust' their preferences before reaching one of the final two candidates in each contest means that under OPV, it is much harder to come from behind and win compared to elections under the Federal compulsory preference system.¹⁶

According to Green's study of the 2007 election, around 50% for minor parties is a normal level for exhausting their ballot.¹⁷

In 2011 Balmain was a hard fought seat with eight candidates. Exhausted ballots played their part in giving the Greens their first Legislative Assembly seat. Most of the low-polling independent and minor party candidates had about 50% of voters exhausting their ballots and most of the rest of their votes went to each other, the only exception being the Christian Democrat where 54% exhausted their ballot and

most of the remainder went to the Liberal candidate. The election came down to the fourth independent — Marie Sheehan, former mayor of Leichhardt Council — to be excluded. The impact of her running in Balmain was not easy to predict. The *Sydney Morning Herald*¹⁸ had predicted that it would improve the chances of the Labor sitting member, Verity Firth against the Greens candidate, Jamie Parker who was favoured for the seat. Parker also stated that Sheehan's candidacy would help Labor.

In the end, the best prediction came from Antony Green who believed that the effect would be to split the vote further in Balmain. And that is what happened. A relatively low (but critical) number of people exhausted their ballot: 531 out of 1628 votes (32%) with the rest spread 216 to the Liberals; 397 to the Greens and 428 to Labor — a difference of only 103 votes in Labor's favour over the Greens. That was not enough and Labor ended up with 14379 votes; the Greens with 14584 votes and the Liberals with 15293 votes, giving the Greens a 205 vote lead of Labor. Labor was then excluded and 8451 Labor voters exhausted their ballots i.e. 59%. 77% of the remaining Labor voters gave the Greens their preferences enabling the Green candidate to be elected 19,141 to the Liberals 16,664 i.e. a percentage lead of about 54% of the remaining formal votes.

The critical number that determined whether the Green candidate would be eliminated or whether the Labor candidate would be eliminated (as occurred) was 205 votes. The total number of exhausted ballots up to that elimination decision was 1382: more than enough to have made the difference. These votes together with the impact of low support for Labor among the independent and minor-party candidates who distributed preferences, made for the win to the Greens.

In a seat the Liberals were not predicted to win, their strong showing was itself yet another signal of Labor's unpopularity with 16664 votes in two-party preferred terms. This compares with 2007 when they polled only 10351 votes and were eliminated.

Marrickville was another seat where exhausted ballots were critical.

Turnout on the low side probably also played a part, with only 90.2% of voters going to the polls (though the figure in 2007 was similar), however, unlike Balmain, Labor held Marrickville, suffering — in the end — the smallest swing against it of any electorate compared with the 2007 election. In 2007, sitting member Carmel Tebbutt gained 19,683 first preference votes to the Green's Fiona Byrne's 13,735 out of a total of 42,400 formal votes (46%:32%). The popular Tebbutt, recontested the seat in 2011 and gained 52.3% of the two-party preferred vote. She had been NSW's first woman deputy premier and served in that role under both Nathan Rees and Kristina Keneally. Nonetheless, the fight was close — indeed, on first preferences, the votes for the Greens were ahead of Labor by 918 votes. In 2011 over 50% of the voters for the various independents and micro-party candidates exhausted their ballots, the remaining votes being spread around. Critical, however,

was the fact that 6671 of the Liberal 8714 voters (76.6%), exhausted their ballots, the remainder giving Tebbutt 130 more votes than were given to the Greens.¹⁹ Together with the votes from the independents, Tebbutt was elected.

In early predictions the Greens had been expected to win the seat, however, candidate Fiona Byrne was widely condemned for supporting a move by her local council — of which she has been mayor since 2010 — to boycott Israel.²⁰ Such a position would not have endeared her to most conservative voters — moreover the Liberal's candidate for Marrickville, Rosana Tyler was Jewish.

In 2010 Labor MP for Kogarah Cherie Burton had pleaded guilty to refusing a breath test, losing her driver's licence for a year. In an exception for a member surrounded by scandal, Burton stood again in 2011 and won the seat 52:48 (ALP:Liberal). This was despite having received only 32% of Greens' preferences as 56% of those who voted Green had exhausted their ballots. While Burton's 2011 results were a far cry from her easy victory in 2007 when she won with 57% of first preferences (and a notional 67.7% in two party preferred), she held the seat for Labor despite her difficulties and those of her party. Nonetheless, she did suffer a 15.2% swing against her and, like so many Labor seats, the seat of Kogarah is now marginal.

Newcastle, with a solid turnout and very low informal voting, told the story for Labor where its sitting member was defeated.

Newcastle is a district with a high percentage of English-only speakers, a higher than average level of unemployment and, a lower than average level of individual and family income. Except for a brief interlude when an independent won the seat,²¹ it always had been Labor.

Yet against all predictions, the Liberals took Newcastle. It had been expected that the independent long-time Lord Mayor of Newcastle, John Tate, would win. In 2007 he had challenged Labor and had come within 700 votes of winning.

The Liberal win in Newcastle was described by Anthony Green as a 'political earthquake'.²² Their strength in first preferences indicated the depth of the dissatisfaction — Labor polled 30.6% while the Liberals won 36.7%. In 2007 it had been 9.7% for the Liberals, with two independents and Labor polling much more strongly. Indeed, the Liberals were eliminated from the contest before either of the independents.

Exhausted ballots certainly played their part in 2011, reinforcing the picture of extreme voter dissatisfaction with Labor. When the independent Tate was eliminated, 44% of his voters exhausted and of the remainder 62% went to the Liberals! When the last candidate to be eliminated, the Greens, 45% of the ballots were exhausted and Labor had received only 40% of the total votes for the Greens. Thus, the Liberals started ahead on first preferences and stayed that way.

A similar disaster for Labor occurred in Campbelltown. In June 2010 its sitting member, the respected Minister for Juvenile Justice, Graham West, announced his resignation as minister and advised he would not recontest the next election, citing disillusionment with the Labor government.²³ In 2011 Campbelltown's status as a safe Labor seat was demolished. The seat had been won in 2007 on first preferences by West with 55.6% and a notional two party preferred vote of 68.6%. In 2011 with a new candidate, it swung massively against Labor and to the Liberals. Labor polled only 40.1% of first preferences and 46.6% in the two party preferred vote. The seat had a very good turnout on 93% and an informal vote of 4.4%. Exhausted ballots of around 50% on the part of the minor parties and candidates played their part, as did the 30% of formal votes which flowed through to the Liberals from the Greens. However, the major reason was an overwhelming voter rejection of Labor.

The defeat of Labor minister David Borger in the seat of Granville was another devastating loss. Granville has been safely in Labor hands for 74 of the 80 years since 1927, only leaving the Labor fold for two terms after the dismissal of the Lang government in 1932.²⁴ In 2011, Labor was outpolled on first preferences 39% to 41.3%; and in two party preferred 47.3 to 52.7%. The alienation of the ethnic vote would have played a part. Granville is a low income district where census figures show that only 37.8% of the electorate speak English only at home; while 24.5% speak Arabic only. Again Granville saw about 50% of those who voted Green or independent exhaust their ballots.

The results in Coogee were also dramatic, even if widely predicted. The sitting Labor member, Paul Pearce, recontested the seat and was resoundingly defeated. In a low turnout of only around 89.4%, and a three-way contest with the Greens and the Liberals, Labor received only 25% of the primary votes while the Liberals received 47%. If all 22% of the Greens preferences had gone to Labor, they may have made it through, however, with distribution Labor's two party preferred vote was 41.8%, nowhere near victory. Labor had received 78% of the Green voters preferences where preferences had been indicated, however, about 53% of Green voters had exhausted their preferences, dooming Labor's dim hopes for the seat.

In Coogee, in 2011 there was a 14% swing to the Liberals with their candidate gaining 58.2% of the 2PP to Pearce's 41.8%. In 2007 Pearce had gained 57.2% to the Liberals 42.8%. Thus the 2011 results were a virtual reverse mirror image of 2007.

As a result of the swings away from Labor, in addition to the seats they lost, the following seats are now very marginal: Blacktown which saw a negative swing for Labor of around 18%, as did Fairfield; Kiera which swung by over 17%; Kogarah by 16%; Macquarie Fields by 9%; Maroubra by 14%; Toongabbie by 13%; Wollongong by 13%; Cabramatta by a further 4%, having lose some 18% in the 2008 by-election, and as mentioned earlier, Marrickville by 5%.

Wollongong went from a safe Labor seat to one on the extreme margin in a fight dirtied by claims of election fraud over Liberal how-to-vote cards.²⁵ Despite these problems, 64% of the Liberal voters followed their party's wishes and exhausted their ballots, however, the 1000 who gave their votes to Labor over the independent were enough for Labor to scrape in. In 2007 Labor won Wollongong on first preferences with 58.4% and a notional 64% of the two-party preferred vote. .

Perhaps it is more meaningful to know the number of remaining safe (60% or more of the two-party preferred vote) Labor seats following the 2011 election: two, Bankstown and Liverpool; the Coalition now holds 50 seats with margins of 60% of more.

Interestingly some of the really big wins in 2011 were in increased support for sitting Nationals who continue on their come-back: 21 of the seats they hold have over 70% of the 2CP vote. Bathurst swung by an amazing 36.3% to give the Nationals a 73% hold; Barwon, Clarence and Coffs Harbour each swung by more than 20%.

The Liberals now hold 17 seats with margins over 70%, with some massive swings: Goulburn by over 25%; Hawkesbury by 29% and Pittwater by 25%. Barry O'Farrell, in his already extremely safe seat of Ku-ring-gai, gained another 8% to sit on a margin of over 87% in two-party preferred terms.

Together the Coalition has 38 seats with margins over 70%; in 2007 there were less than ten such seats.

The lead-up to the election

The voters in NSW had been signalling in the most powerful way their deep dissatisfaction with the Labor government. On 18 October 2008, there were by-elections in the seats of [Lakemba](#), [Ryde](#), [Cabramatta](#), [Port Macquarie](#)²⁶ as a result the resignation of a former Premier, two ministers and an independent who left after winning a [federal by-election](#). The results in Ryde, Cabramatta, and Lakemba showed the largest by-election swing against Labor in its history.

While Lakemba remained in ALP hands in the 2011 election, it swung 24.4% against Labor. Moreover its history over four years displays Labor's problems. In 2007 the then Premier, Morris Iemma, won the seat with 84% of the two-party preferred vote, and 73% of the primary vote. In the 2008 by-election the primary vote dropped to 58%. In a solid Labor area there were clearly large numbers of extremely dissatisfied members. Had Labor been capable of listening to the electorate, it could have begun to repair itself from 2008. Instead it appeared neither capable of listening nor interested in changing. It held Lakemba in 2011 but this once solid Labor area only polled 48.6% of the primary vote and had to go to preferences. In addition, turnout was towards the low end for the state on 90.8% and informal voting at the high end at 5.2%.

In 2007 Ryde was a seat the then deputy premier John Watkins had won with a primary vote of 44.8% to 28.6% for the Liberals and a two-party preferred vote of around 60%, with only 12% of voters exhausting their ballot. It is an electorate where the turnout is solid, the number of informal votes is small and income levels are at or slightly below the state average. Yet in the by-election following Watkins's resignation, it rejected Labor with a swing of 23.1 points and delivered the seat to the Liberal candidate, with 63.0% of the primary vote and Labor polling 37%. By-elections are notorious for larger than usual swings, however, these changes should not have been ignored. By 2011 Labor's primary vote in Ryde was down to 17%. The Liberal candidate won the seat with 62.8% of the primary vote and a two candidate preferred vote of 75.7%. Thus, in four years the seat had turned massively against Labor.

Penrith is a seat with close to the state average in income terms, average levels of unemployment and a very high percentage of people with English as their only language spoken at home — a very 'regular' Labor seat. Only once during the electorate's 37 year history did a Liberal win — for a brief three years after Nick Greiner's 1988 landslide victory. In 2007 Penrith, a seat with high turnout, a low informal vote and a low level of exhausted ballots (just over 9%) had voted for Labor with 59.2% of the two candidate preferred vote to the Liberals 40.8%. Labor had received a primary vote of 48.9%. This had been a solid endorsement of Labor, improving on its 2003 result. By 2010 things had changed. In many ways Penrith not only told the story of what was happening in 2010 but reflected everything that was wrong with Labor and led to the 2011 results.

In May 2010 the sitting member resigned over allegations of misuse of public monies and lying to the NSW ICAC (the Independent Commission Against Corruption). Moreover the Premier, Kristina Keneally, distanced herself from the member, and the impact of the scandal, saying 'I expect a swing upwards of 20 per cent, possibly as high as 30 per cent.'²⁷ On 19 June 2010 her prediction proved accurate: the by-election in [Penrith](#) was a win for the Liberals with a swing in the two-party preferred vote of more than 25%. By 2011, with high turnout and low informal voting, the Liberal candidate was returned on the primary vote with 54% and Labor polling only 25%. Even in two candidate preferred terms, Labor did very badly receiving only 33.8% of that vote. The resignation, accompanied by problems of corruption that occurred in Penrith was, unfortunately for Labor, not atypical.

In May 2010, the Transport Minister David Campbell had been forced to resign after being filmed leaving a gay sex club; the State Development Minister, Ian MacDonald who was already controversial in terms of his ministerial decisions, resigned in June over revelations that he misused taxpayer funds. In July the powerful Labor one-time minister, John Della Bosca, resigned. He had been forced off the front bench in 2009 after admitting to an extra-marital affair. In August the government was obliged to deal with the embarrassment of Cessnock MP Kerry Hickey's admission that he had fathered a child to a parliamentary staffer and then lied about it to protect her career. While the premier talked Mr Hickey out of

resigning, in September 2010 Hickey announced that he would not stand again in the 2011 election. In September 2010 Paul McLeay, Labor's Minister for Ports and Waterways and member for the sea of Illawarra, admitted using a parliamentary computer to visit gambling and pornographic websites, forcing Premier Kristina Keneally to require the MP to stand down from the front bench. In December 2010 the findings of corrupt use of public monies by the member for Drummoyne, Angela D'Amore were so serious that the Premier dismissed the member as parliamentary secretary; she was then sacked by the party and denied re-endorsement for the seat.

In 2011 the election results for Drummoyne reflected the voter anger. The Liberals romped home with 56% of the primary vote; and 67% of the two party preferred. In 2007 Labor had won 47% of the primary vote and 57% of the two party preferred vote.

However, even without scandal, Labor could not hold some of its seats. In East Hills, the well-liked sitting Labor member, Alan Ashton, lost the seat by a whisker: 494 votes; a very different result to 2007 when he had won with 64% of the two-party preferred vote, having won the seat with 53% of the primary vote. Ashton was one of the Labor members with no scandal attached to him.

The upper house and Pauline Hanson

Turnout for the Legislative Council was 92.89% (mirroring the 2007 result) with an informal vote of approximately 5%, slightly less than in 2007 at 6.1%.

In 2007 the Labor Party with 39.1% of the vote gained one seat, to win nine, whilst the Liberal and National Parties with 34.2% gained one seat each to make a combined gain of two, thereby winning eight seats. The effect was that Labor, with a total of 19 out of 42 council seats, was just three short of a majority, whilst the Coalition held 15 seats. In 2011 the positions are reversed with the Coalition government just three short of a majority. The Coalition won 47.7% of the vote, an increase of 13.5% while Labor polled only 23.7, a decrease of 15.4%.

Analysis by Ben Raue²⁸ demonstrates that the district voting patterns in the Legislative Council vote mostly mirror those seen in the Legislative Assembly vote.

The Coalition topped the poll in the upper house in 80 of 93 districts. In comparison, the Coalition won the most primary votes in 70 lower house races, winning 69 of those seats, and only being overtaken on preferences in Balmain.

Among other successes

the Coalition also won the upper house vote in the independent-held seats of Sydney, Lake Macquarie and Northern Tablelands, and in the Greens-held seat of Balmain.

In the seat of Marrickville, the Coalition came third, with the Greens coming first. While the ALP's Carmel Tebbutt outpolled Fiona Byrne by 2.23% in the lower

house, the Greens beat Labor by 8.28% in the upper house, with the Coalition trailing behind.

These results indicate the popularity of Tebbutt and the unpopularity of Byrne.

In Balmain, the Greens outpolled Labor by only 0.56% in the lower house, allowing them to overtake the Liberal Party on preferences. In the upper house, the gap was more than 10%.

... This result certainly indicates that, in the most interesting and complicated race in the state, the personal vote for local Labor MP Verity Firth played a large role in blunting the swing and bringing her close to winning.

I broadened this analysis to see if this trend appeared in other seats. ... It does indicate that ... while the anti-Labor tide was just as strong in these seats, (it was) ... held back by local Labor MPs who campaigned virtually as independents.

.... I was interested in investigating where the increased vote for the Shooters and Fishers came from, geographically. In 2007, the Shooters Party (without the Fishers) polled 2.8% statewide, while the Christian Democratic Party polled 4.4%. This time around the Shooters and Fishers increased their vote to 3.7% while the CDP vote fell to 3.1%. The CDP decline is easily explained by the 1.5% vote for Family First, headed up by former CDP MP Gordon Moyes. Why did the Shooters and Fishers vote increase?

My original hypothesis was that the vote was due to the party taking on the issue of fishing. The fishing issue had become a major political issue on the north and south coasts at the 2010 federal election and the recent state election. (However) ... when you break down the vote for the Shooters and Fishers ... you find that most of their vote is concentrated in the inland country areas.

Highest Polling Individuals First Preferences

| Candidate | No of Votes | % of Vote | % of a Quota |
|----------------|-------------|-----------|--------------|
| HANSON Pauline | 20,004 | 0.49 | 0.1080 |
| GALLACHER Mike | 12,582 | 0.31 | 0.0679 |
| HATTON John | 7,665 | 0.19 | 0.0414 |

For Pauline Hanson supporters, the good news was that she outpolled, by far, any other single individual, whether independent or party member, in first preference votes. She received over 20,000 votes and, out of a total of 311 candidates, was the last candidate to be excluded on the last count, the 308th! So close were the last five candidates that the last four were elected on the 308th count; while the first 17 were elected by the 17th count. Moreover, none of the last four to be elected received a quota: Sarah Johnston (Liberal), Robert Brown (Shooters and Fishers), Paul Green (Christian Democrats) and Jeremy Buckingham (Greens). The individuals who polled closest to Hanson's votes were the number one candidate on the Liberal ticket, Mike Gallagher, who received in his own right around 12,600 votes; and then the independent, John Hatton who received around 7,700 votes, or 0.2%.

The bad news for Hanson supporters was that in total only 0.5% voted for her and, whether one looks at voting percentage of first preferences or quota entitlement on first preferences, she was outvoted by supporters of 10 other parties and only outpolled four parties.

QUOTAS FOR UPPER HOUSE BY FIRST PREFERENCES

| | |
|---|---------------|
| 1. LIBERAL/NATIONALS | 10.4885 |
| 2. LABOR/COUNTRY LABOR | 5.2206 |
| 3. THE GREENS | 2.4457 |
| 4. SHOOTERS AND FISHERS | 0.8136 |
| 5. CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP) | 0.6867 |
| 6. FAMILY FIRST | 0.3219 |
| 7. The FISHING PARTY | 0.2928 |
| 8. NO PARKING METERS PARTY | 0.2668 |
| 9. AUSTRALIAN DEMOCRATS | 0.1838 |
| 10. OUTDOOR RECREATION PARTY | 0.1688 |
| 11. HANSON Pauline | 0.1080 |
| 12. RESTORE THE WORKERS' RIGHTS PARTY | 0.0953 |
| 13. SAVE OUR STATE | 0.0733 |
| 14. SOCIALIST ALLIANCE | 0.0573 |
| 15. BUILDING AUSTRALIA | 0.0489 |
| 16. HATTON John | 0.0414 |

PERCENT OF FIRST PREFERENCES

| | |
|--|------------|
| • LIBERAL/NATIONALS | 47.7 |
| • LABOR/COUNTRY LABOR | 23.7 |
| • THE GREENS | 11.1 |
| • SHOOTERS AND FISHERS | 3.7 |
| • CHRISTIAN DEMOCRATIC PARTY (FRED NILE GROUP) | 3.1 |
| • FAMILY FIRST | 1.5 |
| • The FISHING PARTY | 1.3 |
| • NO PARKING METERS PARTY | 1.2 |
| • AUSTRALIAN DEMOCRATS | 0.8 |
| • OUTDOOR RECREATION PARTY | 0.8 |
| • HANSON Pauline | 0.5 |
| • RESTORE THE WORKERS' RIGHTS PARTY | 0.4 |
| • SAVE OUR STATE | 0.3 |
| • (LIB) GALLACHER Mike | 0.3 |
| • SOCIALIST ALLIANCE | 0.3 |
| • BUILDING AUSTRALIA | 0.2 |
| • HATTON John | 0. |

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| • Christian Democratic Party (Fred Nile Group) | 3.1 |
| • Family First | 1.5 |
| • The Fishing Party | 1.3 |
| • No Parking Meters Party | 1.2 |
| • Australian Democrats | 0.8 |
| • Outdoor Recreation Party | 0.8 |
| • Hanson Pauline | 0.5 |
| • Restore The Workers' Rights Party | 0.4 |
| • Save Our State | 0.3 |
| • (Lib) Gallacher Mike | 0.3 |
| • Socialist Alliance | 0.3 |
| • Building Australia | 0.2 |
| • Hatton John | 0.2 |

Moreover, even at district level, Hanson's maximum support was in Tamworth with 8% of first preferences. Generally, of course, her supporters are found in the country where areas such as Maitland, Dubbo Cessnock, Clarence and Tweed poll

around 3–4%. To put these figures in perspective, the Shooters and Fishers party polled 11.3% in Murray — Darling (where Hanson's support was negligible) while in the Northern Tablelands Hanson polled not badly on 3.3%, however, the Shooters and Fishers polled 12%.

What the overall results say is that there is something wrong with a system where it takes 308 counts to fill the last four out of 21 places, while the first 17 only take 17 counts, and the last four candidates did not receive a quota. It is difficult to make a case that these results reflected the 'will of the electorate' in any way. Indeed they make nonsense of the idea of meaningful preferences.

Conclusion

In 2011, the state of New South Wales demonstrated its capacity for electoral volatility with its overwhelming rejection of the Labor government. It also demonstrated the value of the system of optional preferential voting which has reduced the degree of informal voting and enhanced the chances, by and large, of the candidates who receive the largest number of primary votes being elected. By exhausting their ballots, voters are indeed indicating their support for their first preference candidate. The results indicate that no party should take the voters for granted and there is no justification for complacency about so-called 'safe' seats. Many voters have now given up what were generational commitments to the Labor party. Were the Coalition to treat the voters in the same way, they too could see their base desert them. ▲

Notes

¹ For example the last minute changes to the laws regarding Barangaroo.

² For example, *The Sydney Morning Herald*, Sean Nicholls, 'Keneally details husband's \$1m deal: The husband of the Premier, Kristina Keneally, accepted a \$1 million share package in an electric car company lobbying the state government, having taken a job with the firm within days of leaving the Department of Premier and Cabinet'.

³ For analysis of the internal party machinations see David Humphries, Labor's killing machine spoils the party April 2, 2011, <http://www.smh.com.au/nsw/labors-killing-machine-spoils-the-party-20110401-1crlm.html>

⁴ Rather than leaving pre-selection to the local party, 'Head Office' in Sussex St intervened in many electorates to place their preferred candidates. See Rodney Cavalier, Power Crisis.

⁵ 13 February 2011, *The Sun-Herald*, Heath Aston, 'Roozendahl as treasurer was seen as 'responsible for the enormous political damage caused by the botched electricity sale, a deal has been struck by Sussex Street and Premier Kristina Keneally, who had staked her leadership on protecting the Treasurer. "If there is one thing less popular than the Labor brand, it's Eric Roozendaal", a union source said. ...Retiring upper house MP Ian West described his presence on the ticket as a "disgrace".'

⁶ Including the shutting down of parliament two months early by the premier in an attempt to avoid an inquiry into the electricity sale. <http://www.news.com.au/national/democracy->

trashed-in-nsw-banana-republic/story-e6frfkvr-1225975290029National 'Democracy trashed in NSW banana republic' Gemma Jones, The Daily Telegraph, 23 December 2010, 'NSW Premier Kristina Keneally has discontinued parliament in an attempt to block Opposition moves for an inquiry into the state's electricity sell-off. Ms Keneally's move has sparked a legal crisis, with the Parliament openly defying the besieged Premier — and Upper House Clerk Lynn Lovelock allowing the inquiry to go ahead. Ms Lovelock's move contradicts Crown Solicitor advice obtained by Ms Keneally which said the inquiry would be illegal.'

⁷ Indeed she called a press conference to explain that ill-discipline was 'destroying people's confidence and trust' in state Labor'.

[http://www.theherald.com.au/news/opinion/editorial/general/nsw-labor-soap-](http://www.theherald.com.au/news/opinion/editorial/general/nsw-labor-soap-opera/1930829.aspx)

[opera/1930829.aspx](http://www.theherald.com.au/news/opinion/editorial/general/nsw-labor-soap-opera/1930829.aspx) NSW Labor soap opera 02 September, 2010. NSW Labor's soap opera would be funny if it wasn't so serious.

⁸ 9 February 2011, *The Sydney Morning Herald*, Brian Robins. ALP without candidate for at least six seats

⁹ 'Professor Andrew Jakubowicz, an expert on ethnic voting trends from the University of Technology, Sydney, says the massive margins once enjoyed by Labor in seats such as Lakemba, Auburn, Bankstown, Canterbury, Liverpool and Kogarah may never return, at least at a state level, because of Barry O'Farrell's appeal to ethnic voters. 'He could lock in that vote for the Coalition for a long time if he continues to build on his reputation as a moderate,' Professor Jakubowicz said.

The decision by the Lebanese Muslim Association to endorse the Liberals likely cost Labor Granville, while the loss in Parramatta and the big swing against Nathan Rees in Toongabbie came, in part, because many Indians and South Asians voted against Labor.

¹⁰ See, 2 February 2011, *The Sydney Morning Herald*, Sean Nicholls. 'Greens back away from major party preferences'.

¹¹ Keneally, like several other previous female State Labor premiers, had not led the party to an election victory but had been given the poisoned chalice of the leadership of a doomed government. She became premier on 3 December 2009 when the government's popularity was at an all time low of 26% of primary votes (Newspoll), and a two party preferred vote of 41% which would deliver between 16 and 20 seats to Labor at an election.

¹² All figures used in this article, unless otherwise indicated come from the NSW Electoral Commission's official results for 2011 and 2007: <http://www.elections.nsw.gov.au/>; or [vtr.elections.nsw.gov.au](http://www.elections.nsw.gov.au)

¹³ http://www.elections.nsw.gov.au/voting/casting_a_vote/legislative_council;

<http://www.abc.net.au/elections/nsw/2011/guide/lc.htm>.

The method of voting for the Legislative Council is known as proportional representation. The Legislative Council ballot looks the same as the Senate ballot paper. As with the Senate, you can vote below the line for candidates of your choice, but you are only required to give preferences to 15 candidates.

If you vote above the line for parties, you can also give preferences for parties, '1' for Party A, 2 for Party B and so on. In the Senate only the '1' vote counts and your vote defaults to the party's lodged preference ticket. In NSW an above the line '1' vote only counts to the candidates of your chosen party and cannot flow to another party as preferences unless you fill out preferences for other parties above the line. Parties cannot control preferences in the Legislative Council, the only preferences that count are ones filled in by voters themselves.

- ¹⁴ Two seats which were exceptions to the high polling levels were the wealthy Liberal seats of Vacluse and North Sydney, where turnout was 87.8% and 89.5% respectively. The federal seat of Wentworth, of which Vacluse is a part, saw an extremely low turnout of 89.46% in 2010. However these seats are traditionally low turnout seats. As one of the election researchers at the NSW Electoral Commission commented to me, ‘they have the money to pay the fines’.
- ¹⁵ http://www.elections.nsw.gov.au/voting/casting_a_vote
- ¹⁶ Posted by Antony Green on 12 February 2011 at <http://blogs.abc.net.au/antonygreen/2011/02/nsw-preference-flows-under-optional-preferential-voting.html>
- ¹⁷ Posted by Antony Green on 12 February 2011 <http://blogs.abc.net.au/antonygreen/2011/02/nsw-preference-flows-under-optional-preferential-voting.html>
- ¹⁸ Firth’s re-election chances receive a boost Sean Nicholls, 11 March 2011 Read more: <http://www.smh.com.au/nsw/state-election-2011/firths-reelection-chances-receive-a-boost-20110310-1bpsn.html#ixzz1M0jEezEc>
- ¹⁹ 72% of the Liberal voters exhausted their ballots in 2007 but even if all those votes had gone to the Green candidate they were not sufficient for her to be elected.
- ²⁰ ‘Wary Carmel Tebbutt Clings To Marrickville’ Caroline Marcus, The Sunday Telegraph, 27 March 2011
- ²¹ ‘The one term out of Labor hands was 1988-91, when the head of the local business council, George Keegan, won the seat in the electoral backlash that defeated the Unsworth government. Newcastle was one of four traditional Labor strongholds won by Independents in 1988.’ Antony Green, <http://www.abc.net.au/elections/nsw/2011/guide/newc.htm>
- ²² *Sydney Morning Herald* ‘Tide turns in city taken for granted Justin Norrie’, 27 March 2011. Read more: <http://www.smh.com.au/nsw/state-election-2011/tide-turns-in-city-taken-for-granted-20110326-1cbav.html#ixzz1Msl9Qfv3>
- ²³ *Macarthur Chronicle*: ‘Graham West Quits Politics’. 4 Jun 2010, David Campbell
- ²⁴ Antony Green <http://www.abc.net.au/elections/nsw/2011/guide/gran.htm>
- ²⁵ *Illawarra Mercury* ‘Electoral fraud scandal erupts in Wollongong seat’. Nicole Hasham, 26 March 2011.
- ²⁶ In 2010 in a close by-election, Port Macquarie, a high turnout, very low informal voting seat returned an independent candidate, in a seat left vacant after the resignation of Nationals-turned-independent member Robert Oakeshott, over the Nationals by a two-party-preferred margin of 54.5% to 45.5%, despite a swing of 23.7 percentage points to the Nationals. In 2011 again with high turnout and low rates of informal voting, the swing to the Nationals continued with their candidate winning on primary votes with 56.5%. As a side note Labor only polled 5.7% in this seat. The main interest in the seat of Port Macquarie is to wonder whether or not the solid National vote is due to a rejection of the behaviour of Robert Oakeshott, the former independent; or whether it is simply as return to a more regular way of voting in this seat.
- ²⁷ <http://www.theaustralian.com.au/national-affairs/state-politics/nsw-labor-wont-retain-penrith-after-resignation-of-karyn-paluzzano-says-kristina-keneally/story-e6frgczx-1225871211164>
- ²⁸ For many more details see <http://www.tallyroom.com.au/9419> Breaking down the Legislative Council vote by seat Ben Raue, 20 April 2011