

The End of the Binary? Crossbench Fragmentation in the House of Assembly, 56th Parliament of South Australia

Abstract

The 2026 South Australian state election produced an electoral result of considerable procedural consequence for the House of Assembly. A commanding Labor majority (34 seats), a contracted Liberal Party opposition (5 seats), and a substantial One Nation (4 seats) and independent (4 seats) presence have collectively redrawn the binary party dynamic upon which much of the chamber's procedural architecture has long been premised. Drawing on South Australian Standing Orders, statistical analysis, and comparative frameworks from other Australian and Westminster jurisdictions, this paper examines the procedural consequences of that fragmentation on the exercise of effective parliamentary scrutiny across several dimensions of House of Assembly practice, including the determination of the Official Opposition, Question Time, Private Members' Business, and Committees.

1. Introduction

The 2026 South Australian state election returned the Malinauskas government with the largest majority in the party's history, but the more procedurally significant outcome lay outside the government benches. The Liberal Party, reduced to five seats, recorded its worst result since the introduction of single-member electorates.¹ One Nation, contesting House of Assembly seats as a serious electoral force for the first time, won four; independents won a further four. For the first time since 1970, when the House of Assembly assumed its present size, the House convened with eight of its forty-seven Members belonging to neither of the parties around which its procedural architecture has been built.²

This is not merely a change in numbers. Standing Orders, sessional conventions and long-standing practice relating to Question Time, Private Members' Business and Committee membership have developed on the assumption of a government and a single, cohesive opposition. The 56th Parliament's composition tests that assumption, because the allocation of scrutiny time, speaking opportunities, and committee positions is not structured to divide among more than two blocs.

The paper proceeds as follows. Section 2 sets out the 2026 electoral result against its 2022 predecessor. Section 3 establishes the historical premise of a binary chamber, and the closely related question of how the Official Opposition is determined. Sections 4 to 6 examine, in turn, Question Time, Private Members' Business and Parliamentary Committee membership, before the conclusion comments on the four elements together.

¹Electoral Commission SA, *Past House of Assembly Election Results* (covering elections from 1970 to 2022), accessed 28 July 2026, <https://www.ecsa.sa.gov.au/elections/past-state-election-results>. The Liberal/LCL previous record low was 15 seats won at the 2006 election.

²Parliament of South Australia, *Statistical Record of the Legislature 1836 – 2019* (Adelaide: Compiled in the Offices of the Clerk of the Legislative Council and Clerk of the House of Assembly, 2020), Parliamentary Paper 267, 22 September 2020, pp. 126–28.

2. The 2022–2026 Electoral Shift

The scale of the 56th Parliament's departure from the binary pattern discussed below is best appreciated against the 55th Parliament's result.

Table 1: House of Assembly primary vote share, seats and swing, 2022 and 2026 South Australian state elections³

Party	2022 vote share	2022 seats	2026 vote share	2026 seats	Swing (pp)
Labor (Government)	40.0%	27	37.5%	34 (+7)	-2.5
Liberal (Opposition)	35.7%	16	18.9%	5 (-11)	-16.8
One Nation	2.6%	0	22.9%	4 (+4)	+20.3
Independents	7.3%	4	5.5%	4 (0)	-1.8
Greens	9.1%	0	10.4%	0	+1.3

Note. Adapted from 2026 and 2022 South Australian State Election Results, Electoral Commission South Australia, <https://result.ecsa.sa.gov.au>

House of Assembly Seat Composition, 2022 and 2026

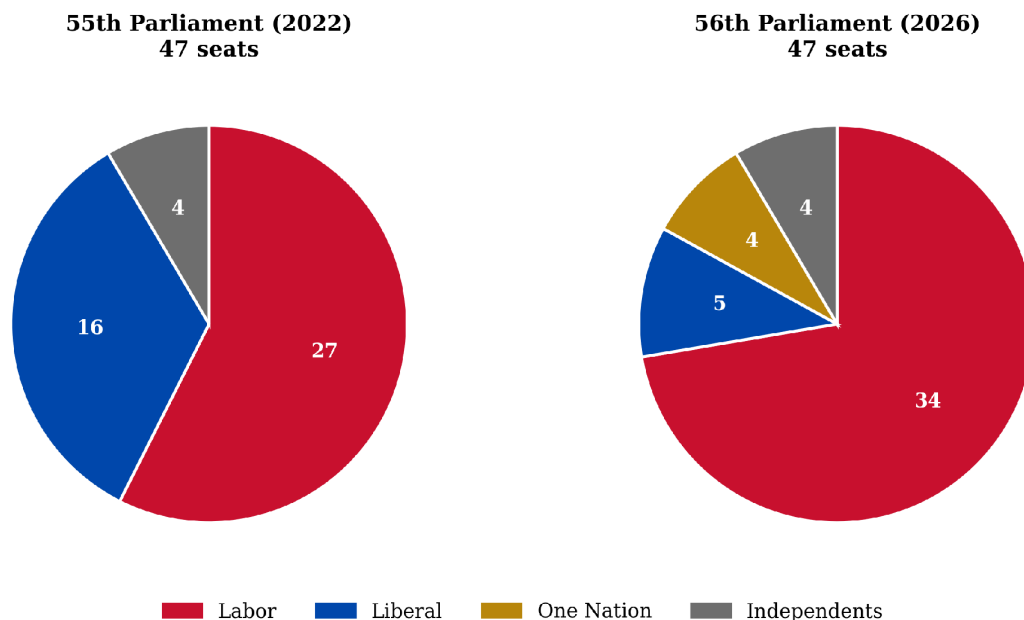


Figure 1: House of Assembly seat composition, 2022 and 2026 South Australian state elections.

Note. Adapted from 2026 and 2022 South Australian State Election Results, Electoral Commission South Australia, <https://result.ecsa.sa.gov.au/>

Three features of this shift bear on the analysis that follows.

First, the seat-vote relationship inverted for the two largest non-government parties. One Nation's 2026 primary vote of 22.9 per cent exceeded the Liberal Party's 18.9 per cent by four points, yet the Liberal Party still returned one more seat than One Nation. This inversion supplies the factual premise for the opposition-status dispute examined at Section 3.1.

³Electoral results from Electoral Commission SA (2022, 2026). Swing represents the percentage-point change in primary vote share between the 2022 and 2026 elections. Figures in parentheses after 2026 seat totals indicate the change in seats from 2022, <https://www.ecsa.sa.gov.au/elections/past-state-election-results>.

Second, the independent cohort's aggregate primary vote share and seat count each remained essentially static, with seats unchanged at four and vote share down 1.8 points, but this aggregate stability conceals a more mixed underlying picture. Only the Member for Stuart, Geoff Brock, an independent since 2009, was returned in both 2022 and 2026. Of the other three, two, Kavel and Mount Gambier, remained independent-held but passed to new Members following the retirement of Dan Cregan and the departure of Troy Bell respectively; the third, Finnis, changed hands entirely, with independent candidate Lou Nicholson defeating sitting Liberal Member David Basham.⁴ The fourth independent seat of 2022, Narungga, held by Fraser Ellis, passed to One Nation. The independent group's stability at the aggregate level therefore combines one retained independent, two seats that changed hands within the independent group, one seat lost to One Nation, and one seat gained from the Liberal Party.

Third, One Nation's four seats, Ngadjuri, Hammond, MacKillop, and Narungga, marked the party's first lower house wins outside Queensland and the first occasion since 2006⁵ on which a party other than Labor or the Liberals had won a South Australian lower house seat. Several of these contests were fought primarily between Labor and One Nation rather than as traditional two-party races, and sitting Liberal Members were among those defeated.⁶ The Greens, meanwhile, recorded their highest ever vote share at a South Australian election but again did not win a lower house seat,⁷ a further illustration of the seat-vote disproportion noted above.

3. The Structural Premise of a Binary Chamber

South Australia's House of Assembly, like most Westminster-derived lower houses, has organised its procedural architecture around the assumption of a government formed by a single party or stable coalition, and an opposition capable of performing a clear and adequately resourced scrutiny function. This assumption is implicit rather than stated. It underlies the allocation of call in Question Time; the practice of pairing, which presumes two disciplined blocs capable of matching absences; and the proportional allocation of committee positions, which has generally been calculated on a government and opposition basis rather than as a genuinely multi-party exercise.

For most of the chamber's modern history this assumption held reasonably well. Since the House assumed its present 47-seat form in 1970, minor party and independent representation has been marginal, and where it has occurred it has not approached the scale returned at the 21 March 2026 election.⁸

The 56th Parliament departs from this pattern in scale rather than kind. Other Australian jurisdictions offer comparative points of reference for chambers operating with a substantial and fragmented crossbench, including the Tasmanian House of Assembly under Hare-Clark and the Commonwealth House of Representatives. Both have developed procedural adaptations, such as proportional speaking time formulae and structured crossbench negotiation processes, that a chamber built for two parties does not automatically possess.

⁴Antony Green, "SA2026: South Australia Election Result Summary (Rolling Updates)," Antony Green's Election Blog, 26 March 2026, updated 2 April 2026, accessed 28 July 2026, <https://antonygreen.com.au/sa2026-updating-result-summary>.

⁵Electoral Commission SA, *History of South Australian Elections 1857 - 2006*, vol. 1 (Adelaide: Electoral Commission SA), accessed 28 July 2026, <https://web.archive.org/web/20140302093736/http://www.ecsa.sa.gov.au/publications?view=document&id=480>.

⁶Electoral Commission SA, "South Australian Election Results: State General Election 2026," accessed 28 July 2026, <https://result.ecsa.sa.gov.au/>.

⁷Electoral Commission SA, "South Australian Election Results."

⁸Electoral Commission SA, *Past House of Assembly Election Results* (covering elections from 1970 to 2022), accessed 28 July 2026, <https://www.ecsa.sa.gov.au/elections/past-state-election-results>. Minor parties and independents have won an average of approximately 2.0 seats per House of Assembly election since the House assumed its present 47-seat form in 1970; author's calculation. By comparison, the 1938 election, the first conducted under single-member electorates, returned 15 of 39 Members who belonged to neither Labor nor the Liberal and Country League; see *Statistical Record of the Legislature*, pp. 81–82 and 93; party affiliations from Electoral Commission SA, *History of South Australian Elections*.

Before turning to those mechanisms, one prior question requires attention, because it conditions everything that follows: which grouping is the Opposition at all?

3.1 Determining the Official Opposition

The fragmentation of the crossbench following the 2026 election exposed a latent ambiguity in South Australian parliamentary practice that the chamber's binary architecture had never previously required it to resolve: how is the Official Opposition determined, and on what basis?

Neither the House of Assembly Standing Orders nor statute defines the term, and the *Constitution Act 1934* (SA) does not address the question.⁹ The *Parliamentary Remuneration Act 1990* recognises the offices of Leader of the Opposition, Deputy Leader and shadow Ministers for salary purposes, but likewise supplies no definition.¹⁰ The Act draws a further distinction relevant to this paper's scope: it fixes a higher additional salary for the House of Assembly's Leader of the Opposition than for the Legislative Council's equivalent, reflecting the Assembly's status as the House in which government is formed.¹¹ The office exists instead within what constitutional scholarship describes as the small-c constitution, the mix of statute and convention that supplements Australia's codified constitutional instruments.¹²

The silence is, in this sense, complete. Where the identity of the Official Opposition has been genuinely contested in other jurisdictions, resolution has fallen not to any codified constitutional or statutory test but to the House itself, whether by ballot or by a Speaker's ruling. In the absence of a codified test, the House of Assembly has followed the position set out in *Erskine May*, which defines the Official Opposition as:

... the largest minority party which is prepared, in the event of the resignation of the Government, to assume office.¹³

This is, in practice, a seat-based test, and its adequacy had never previously been tested, since South Australia's stable two-party dynamic meant the division between Government and Opposition had remained clear and constant.

Following the election night result (21 March), opposition status became a live question before the count was finalised. In an interview published by Sky News on 28 March, SA One Nation leader Cory Bernardi said that a strong statewide vote share gave the party "...a legitimate claim to be the formal opposition" if it finished level with the Liberals on seats.¹⁴ In the days that followed, Bernardi argued there was a moral case for the party to hold the position regardless of the final seat count. On 2 April, further counting confirmed a narrow One Nation win in Narungga, finalising a five-to-four split in the Liberal Party's favour; Ashton Hurn rejected Bernardi's argument the same day, responding that "The rules are the rules, and we are the formal opposition."¹⁵ By 13 April, it was reported in the media that Bernardi had approached three of the House's four independent Members to press One Nation's case;¹⁶ Labor

⁹*Constitution Act 1934* (SA).

¹⁰*Parliamentary Remuneration Act 1990* (SA) sch.

¹¹*Parliamentary Remuneration Act 1990* (SA) sch.

¹²Anne Twomey, "Who Becomes Leader of the Opposition When Party Numbers Are Equal?," *Constitutional Clarion*, YouTube video, 29 March 2026, 1:20, <https://youtu.be/mY3D-YzXefA>.

¹³*Erskine May: Parliamentary Practice*, 25th ed. (2019), para. 4.6, <https://erskinemay.parliament.uk/section/5986/the-official-opposition>.

¹⁴Conor Breslin, "We Have a Legitimate Claim to Be the Opposition": Cory Bernardi Outlines One Nation's Next Move After Historic SA Gains," *Sky News Australia*, 28 March 2026, <https://www.skynews.com.au/australia-news/politics/we-have-a-legitimate-claim-to-be-the-opposition-cory-bernardi-outlines-one-nations-next-move-after-historic-sa-gains/news-story/b0ceb35859af60539f2496128d1b0eff>.

¹⁵Thomas Kelsall, "One Nation Leaves SA Liberals Clinging to Opposition Status," *ABC News*, 4 April 2026, <https://www.abc.net.au/news/2026-04-04/one-nation-leaves-sa-liberals-clinging-to-opposition-status/106522580>.

¹⁶Kathryn Bermingham, "One Nation's Cory Bernardi Approaches Independent SA MPs in Bid to Form State Opposition," *ABC News*, 13 April 2026, <https://www.abc.net.au/news/2026-04-13/one-nation-cory-bernardi-approaches-independent-sa-mps/106557886>.

Premier Peter Malinauskas declined to intervene, saying the matter was “...not up to me and nor should it be,” while noting the Liberal Party held more seats than One Nation notwithstanding the latter's larger vote share.¹⁷ Bernardi later tempered his timeline, telling *The Advertiser* on 17 April that he did not expect a change in opposition status before Parliament first sat.¹⁸

That the matter resolved without a formal procedural dispute is informative when set against both comparative precedent and expert commentary on what a closer result would have required. Constitutional law scholar Anne Twomey suggested that, had the parties finished level, resolution could have fallen to the Speaker or to a resolution of the House itself in the absence of any settled convention. Relevant factors could have included lower house numbers, representation in the Legislative Council, electoral support, and the capacity to form a shadow ministry. Were the Speaker to decline to rule, the House might resolve the matter itself, potentially with Government Members abstaining.¹⁹

That fallback reflects the approaches taken where the question has arisen elsewhere, of which three are evident. In the Canadian House of Commons in 1996 and the Legislative Assembly of Alberta in 1983, the Speaker made a ruling. In the Northern Territory Legislative Assembly in 2020, the House held a ballot. In the ACT Legislative Assembly in 1989, the Assembly resolved the matter itself, as its Standing Orders then provided.²⁰ In both Australian cases the outcome was determined by a vote of Members, with Government Members abstaining; whether individual Members weighed primary vote share in casting their votes is not recorded. The Alberta ruling is the clearest illustration of the popular vote argument's limits: Speaker Amerongen accepted the New Democrats' vote share as relevant context but declined to treat it as determinative, cautioning that many electors vote for a candidate rather than for a party.²¹

Two points follow for the argument developed below. First, opposition status in South Australia rests on convention alone, and where the question has arisen elsewhere, vote share has not been treated as determinative. Second, the question was settled by a single seat. Should the number of Liberal seats contract further, or One Nation gain, the chamber would be required to resolve a question for which it holds no procedure, no precedent and no codified test.

4. Question Time

Question Time is the chamber's most visible scrutiny mechanism, and its allocation in South Australia is wholly uncoded.

4.1 The Absence of a Codified Allocation Rule

Unlike the sessional order regimes examined at Section 5, South Australia has no Standing Order dedicated to the allocation of call during Question Time. The applicable rule is the general provision governing debate: where two or more Members rise together, the Speaker calls upon whichever Member, in the Speaker's opinion, rose first.²² This leaves the distribution of call among Government, Opposition, and crossbench Members entirely to the Speaker's discretion, exercised informally and without a prescribed proportionality benchmark. No sessional order addressing crossbench call allocation has been adopted since the 56th Parliament first sat, and no Speaker's ruling on the point

¹⁷Bermingham, “One Nation's Cory Bernardi.”

¹⁸Paul Starick, “Inside One Nation State Leader Cory Bernardi's Audacious Push to Depose Liberal Opposition,” *The Advertiser*, 17 April 2026, <https://www.adelaidenow.com.au/news/opinion/inside-one-nation-state-leader-cory-bernardis-audacious-push-to-depose-liberal-opposition-paul-starick/news-story/1491762ee45784409a6e8c58b99bb836>.

¹⁹Twomey, “Who Becomes Leader of the Opposition,” 14:04.

²⁰ACT Legislative Assembly, *Companion to the Standing Orders (2022)*, paras 5.75–5.76, pp. 164–65; Northern Territory Legislative Assembly, *Minutes of Proceedings, Meeting No. 112, 24 March 2020*, pp. 759–60; *House of Commons (Canada), Hansard, 27 February 1996*, pp. 16–20.

²¹*Legislative Assembly of Alberta, Hansard, 11 March 1983*, p. 9.

²²Parliament of South Australia, House of Assembly, *Standing Orders*, SO 106, [Parliament of South Australia: Orders and Members Code of Conduct](#).

has been identified. Whatever pattern of allocation has emerged therefore reflects discretionary practice rather than codified entitlement, as does the Leader of the Opposition's customary receipt of the first call at the commencement of Question Time.

4.2 Testing Proportionality: Question Time Call Against Seat Share

Section 4.1 having established that no proportionality benchmark is prescribed, the distributive question can be put directly: within a single period, is each bloc's share of Question Time call proportionate to its share of seats?²³

A methodological point governs how that question should be framed. Measured against the whole House, the answer is of limited use. Question Time exists to facilitate non-government scrutiny, so a Government holding 72.3 per cent of seats and attracting 20.6 per cent of the call, against an Opposition holding 10.6 per cent of seats and attracting 61.2 per cent, confirms only that call is not allocated proportionately as between Government and Opposition. The benchmark becomes meaningful within the non-government collective, because that is the cohort among which the Speaker's discretion under SO 106 actually distributes. Table 2 below therefore reports both measures: each bloc's share of the whole House and of all questions, and its share of the thirteen non-government seats and of the 79.4 per cent of call those seats attract.²⁴

Table 2: Question Time call share against seat share, 56th Parliament, first twelve sitting days (5 May to 25 June 2026)

Bloc/Party	House seat share	QT call share	Ratio	Non-govt seat share	Non-govt call share	Ratio
ALP (Government)	72.3%	20.6%	0.28	—	—	—
Liberal (Opposition)	10.6%	61.2%	5.75	38.5%	77.0%	2.00
One Nation	8.5%	4.7%	0.55	30.8%	5.9%	0.19
Independents	8.5%	13.6%	1.59	30.8%	17.1%	0.55
Crossbench combined ²⁵	17.0%	18.2%	1.07	61.5%	23.0%	0.37

Note. Ratio is call share divided by seat share on the corresponding denominator. Non-government columns are calculated over the thirteen non-government seats and the 79.4 per cent of questions attracted by non-government Members. Source: Author's calculations; see note 24.

²³A cross-period comparison with the 55th Parliament was tested but not pursued. The opening and closing sitting weeks of the 55th Parliament are not directly comparable with the opening weeks of the 56th Parliament because of factors unrelated to crossbench composition, including their different positions within the electoral cycle. Further, the samples are sufficiently small that a single atypical sitting day can shift the headline figures by several percentage points.

²⁴Question Time call data, 56th Parliament, first twelve sitting days (5 May–25 June 2026), compiled by the author from [Hansard](#), [Votes and Proceedings](#), and [Sitting Week Summaries](#), House of Assembly Procedure Office, Parliament of South Australia.

²⁵“Crossbench combined” call shares are calculated from the underlying raw question counts; consequently, they may differ slightly from the sum of the rounded percentages shown above.

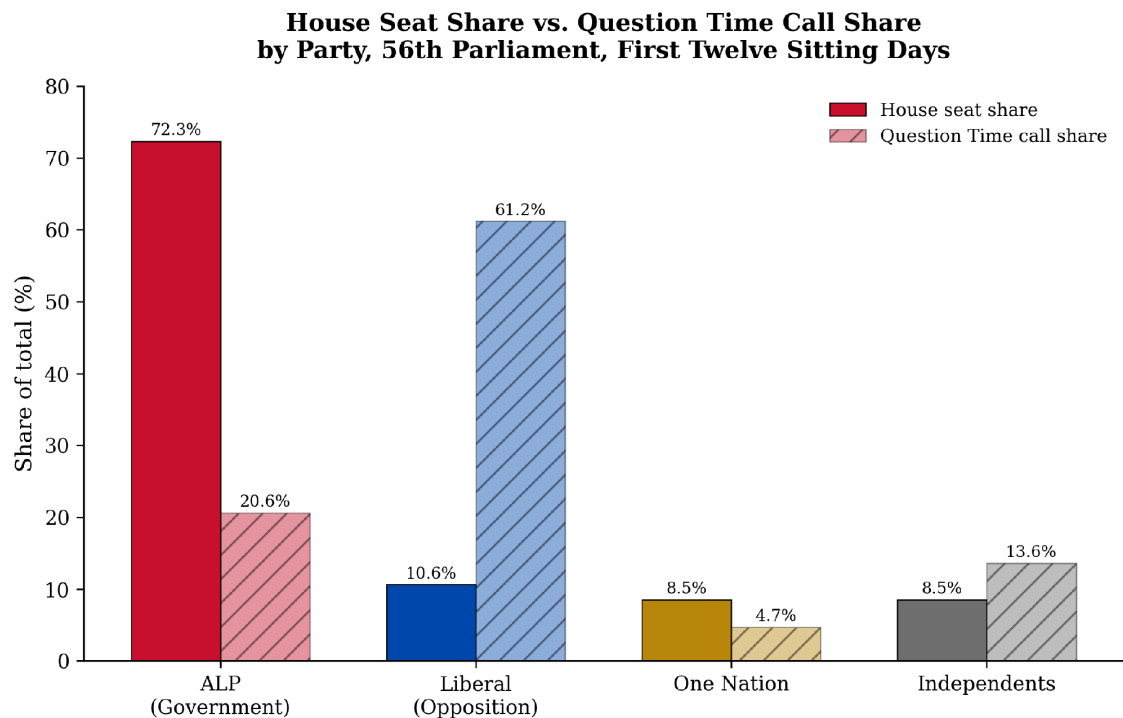


Figure 2: House seat share and Question Time call share by party, 56th Parliament, first twelve sitting days.

Two findings follow. The first concerns the Opposition. The Liberal Party averaged 10.9 questions per sitting day across the sample, notwithstanding a party room of five. Opposition status in South Australia accordingly functions as something closer to a fixed institutional entitlement than a seat-proportional one, conferred on the Official Opposition as a bloc rather than scaled to its size. Sustaining that entitlement in practice, however, still depends on the Opposition continuing to assert it.

The second finding concerns the crossbench and is obscured on the whole-House measure. Taken together, One Nation and the independents received 18.2 per cent of the call against a combined 17.0 per cent of seats, a ratio of 1.07 that superficially suggests undifferentiated discretion has produced a broadly proportionate outcome. Measured against the cohort that matters, the picture inverts. The crossbench holds 61.5 per cent of non-government seats and receives 23.0 per cent of non-government call, a ratio of 0.37; the Official Opposition, on 38.5 per cent of non-government seats, receives 77.0 per cent, a ratio of 2.00.

The aggregate crossbench figure conceals a further internal disparity. Independent Members received 17.1 per cent of non-government call against a 30.8 per cent share of non-government seats. One Nation, holding an identical seat share, received 5.9 per cent, around a third of the independents' rate.

Three explanations are consistent with that disparity, and the available data cannot discriminate between them. The first is behavioural: SO 106 rewards the Member the Speaker judges to have risen first, and a bloc that does not seek the call assertively will not receive it in the same measure. The second concerns recognition rather than seeking: *Hansard* records questions asked, not Members who rose and were not called, so a differential in how the discretion is exercised would leave no trace in the record. The third concerns strategy: One Nation's South Australian leader sits in the Legislative Council rather than the House of Assembly, a structural feature no other bloc shares, and the party may be concentrating its parliamentary effort on committee stages, upper house debates, and public advocacy in preference to Question Time strategies.

5. Private Members' Business

A fragmented crossbench of this scale places pressure on Private Members' Business in a straightforwardly arithmetic way: more Members competing for a fixed allocation of sitting time increases Notice Paper congestion and may test lapse instruments designed for a much smaller pool of non-government business. This is, however, a dimension on which comparable jurisdictions have already adapted, which permits South Australia's position to be located against a continuum rather than assessed in isolation.

5.1 The Current Practice in South Australia

There are no Standing Orders or rules governing which Members are entitled to contribute during the Grievance Debate (SO 81A) or Private Members' Statements (SO 81B). The practice of the House has instead been for the Government and Opposition Whips to negotiate the allocation of the call, typically split evenly between Government and Opposition speakers, with independent Members seeking the call negotiating directly with either Whip. A further, leadership-level channel operates alongside this practice: Standing Order 115 provides that, before the House meets each week, the Premier and the Leader of the Opposition, or their nominees, may meet to reach agreement on how that week's business is to be conducted.²⁶ It is a bilateral mechanism in which the crossbench, irrespective of its numbers, has no formal standing.

5.2 Comparative Models

Other jurisdictions with established crossbench or minor party representation have developed at least three distinct models for allocating the call in equivalent business, ranging from informal negotiation similar to South Australia's own practice through to fully codified, proportionally calculated formulae.

5.2.1 Informal negotiation between Whips: Western Australia

The Western Australian Legislative Assembly currently comprises 46 Labor Government Members, 7 Liberal Opposition Members and 6 National Members. Each sitting week, Members may contribute to a Grievance debate (four speakers) and Members' Statements (eight speakers),²⁷ with the call split evenly between Government and non-government Members, and the non-government Whips negotiating the allocation between Opposition and Nationals speakers. This is the closest analogue to South Australia's current model and is instructive precisely because it remains workable at Western Australia's comparatively modest crossbench scale, without codification.

5.2.2 Codification by Sessional Order: Tasmania and the Commonwealth

The Tasmanian House of Assembly currently comprises 14 Liberal Government Members, 10 Labor Opposition Members and 11 crossbench Members (five Greens, one Shooters, Fishers and Farmers, and five independents). The allocation of the call for Question Time, Constituency Questions, Matters of Public Importance and Private Members' Business is prescribed by Sessional Orders to ensure crossbench Members receive the call in proportion to their numbers in the House.²⁸

The Commonwealth House of Representatives has adopted a comparable approach. Following the expansion of the crossbench, Sessional Order 65A formalised arrangements under which crossbench Members receive priority for the call at specified points during Question Time, Members' statements, constituency statements, the grievance debate and adjournment debates, with allocations determined by reference to the crossbench proportion of the non-government membership of the House. The

²⁶House of Assembly, *Standing Orders*, SO 115; see also Twomey, "Who Becomes Leader of the Opposition," 5:04, for a summary of its effect.

²⁷Western Australia, Parliament, Legislative Assembly, *Standing Orders of the Legislative Assembly* (July 2026), SO 146, 147, <https://www.parliament.wa.gov.au/WebCMS/webcms.nsf/content/standing-orders>.

²⁸Parliament of Tasmania, House of Assembly, *Sessional Orders*, Nos. 42, 48A, 48C and 76, [Standing Orders | Parliament of Tasmania](#).

prescribed opportunities have subsequently been adjusted as the composition of the crossbench has changed.²⁹ In both jurisdictions, therefore, codification followed the emergence of a substantial crossbench rather than anticipating it.

5.2.3 The Business Committee model: New Zealand

The New Zealand House of Representatives allocates the call for its general debate through a Business Committee chaired by the Speaker and comprising one representative from every party as nominated by its leader. The Committee agrees a roster of speaking slots designed to give each party an appropriate proportion of calls over time, and to alternate calls between Opposition and Government parties.³⁰ This model is structurally distinct from the Tasmanian and Commonwealth approach: rather than a fixed formula applied by the Chair, allocation is negotiated collectively and periodically by party representatives themselves. Its direct applicability to South Australia is limited by New Zealand's proportional electoral system and correspondingly formalised party structures, but it demonstrates that codification is not the only alternative to bilateral Whip negotiation.

5.3 Implications for South Australia

Set against these comparators, South Australia's continued reliance on informal Whip negotiation sits closest to the Western Australian model, but at a substantially larger crossbench scale: eight Members split between a minor party and independents, against Western Australia's six, and in South Australia's case without the cohesion of a single established party. Codification in Tasmania and the Commonwealth need not signal that informal arrangements had broken down; it may equally reflect a decision by the Government of the day to formalise existing practice and provide the crossbench with certainty.

Any sessional order codifying the allocation of call would require the agreement of the House, in which the Government holds 34 of 47 seats. Whether South Australia follows the Tasmanian trajectory, moves towards a negotiated roster, or continues with informal Whip negotiation is, on the evidence available, an open institutional question.

6. Committees

Committee membership provides a second test of the distributive question, applying the same proportionality methodology to a mechanism that operates through an entirely different procedural route: appointment by nomination and motion rather than real-time recognition by the Chair.

6.1 Estimates Committees A and B

The annual Appropriation Bill is referred to two Estimates Committees of seven Members each. Historically, four Government and three Opposition Members have been appointed to each. In 2026, with only five Opposition Members for six committee positions, the House appointed four Government Members, one as Chair, and two Opposition Members to each committee.³¹ No crossbench Member was appointed to the seventh position provided for by Standing Order 269, and the Committees proceeded with six Members each.³²

²⁹House of Representatives Standing Committee on Procedure, *Inquiry into the Maintenance of the Standing and Sessional Orders, ch. 2*, 2.35–2.36, 9; House of Representatives, *Votes and Proceedings No. 40*, 2 March 2026, SO 65A.

³⁰New Zealand House of Representatives, *Standing Orders of the House of Representatives*, SO 77 and app. A; *Parliamentary Practice in New Zealand*, 5th ed., ch. 22, 22.1.2.

³¹South Australia, *Parliamentary Debates*, House of Assembly, 17 June 2026, p. 731, <https://hansardsearch.parliament.sa.gov.au/daily/lh/2026-06-17/42>.

³²House of Assembly, *Standing Orders*, SO 269.

However, Standing Order 269(13) permits Members of the House who are not Members of the Committee to participate in the proceedings at the discretion of the Chair.³³ The provision has been in place since 1981 and applies irrespective of the size of the crossbench.³⁴ During the 2026 Estimates hearings, One Nation and independent Members participated in both committees pursuant to this provision.

6.2 Parliamentary Committees of the House

Estimates Committees A and B are treated separately above and excluded from the tally. The Speaker's two committee memberships, held ex officio, are also excluded, whereas House seat shares count the Speaker within the Government's 34 seats.

A scoping point deserves explicit mention. The committees examined are not institutionally uniform: some comprise House of Assembly Members only, while others include Members appointed from both Houses.³⁵ For the latter, restricting the analysis to House of Assembly appointments provides a consistent measure of the distribution of committee positions among parties represented in the House. It does, however, understate the broader parliamentary representation of parties with a Legislative Council presence but no House of Assembly representation.

Table 3: House of Assembly seat share against Committee seat share, 56th Parliament (Estimates Committees excluded)³⁶

Party	House seat share	Committee share	Ratio	Non-govt seat share	Non-govt cttee share	Ratio
ALP (Government)	72.3%	62.2%	0.86	—	—	—
Liberal (Opposition)	10.6%	31.1%	2.92	38.5%	82.4%	2.14
One Nation	8.5%	4.4%	0.52	30.8%	11.8%	0.38
Independents	8.5%	2.2%	0.26	30.8%	5.9%	0.19
Crossbench combined	17.0%	6.7%	0.39	61.5%	17.6%	0.29

Note. Committee shares are calculated across the 45 House of Assembly committee positions attributable to a party; the Speaker's two committee memberships are excluded. Estimates Committees are excluded. Committee-to-House ratios are calculated by dividing each party's committee share by its corresponding House seat share. Non-government shares and ratios are calculated separately across the 17 non-government committee positions and 13 non-government Members. "Crossbench combined" comprises One Nation and independent Members. Figures may not sum exactly due to rounding. Source: Author's calculations from House of Assembly membership and committee membership records, Parliament of South Australia, [House of Assembly Notice Paper](#), Parliamentary Committees, pp. 21–22.

³³Under *House of Assembly Standing Orders*, SO 269(13), although Members who are not members of an Estimates Committee may ask questions referring to the Budget, they may not vote, move a motion or be counted for the purposes of a quorum.

³⁴Parliament of South Australia, House of Assembly Standing Orders Committee, [Report of the Standing Orders Committee](#), 1980–81, Parliamentary Paper No. 144, 20 August 1981, p. 3.

³⁵South Australia, [House of Assembly, Notice Paper](#), no. 12, 18 August 2026, Parliamentary Committees, pp. 23–24.

³⁶South Australia, House of Assembly, Committee membership as notified on 25 June 2026. The Speaker's memberships of the Joint Parliamentary Service Committee and Standing Orders Committee are excluded, as noted in the text above. If those positions were attributed to the Australian Labor Party, the Government's committee share would increase from 62.2% to 63.8% (30 of 47 positions), and its committee-to-House ratio from 0.86 to 0.88.

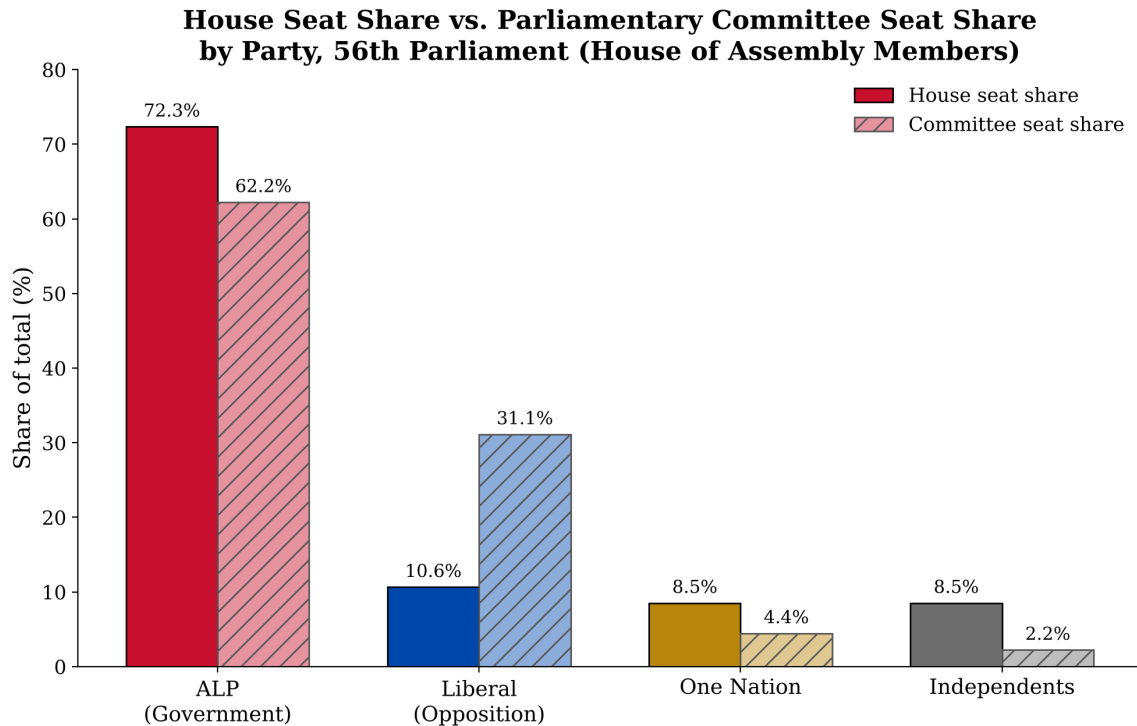


Figure 3: House seat share and Parliamentary Committee seat share by party, 56th Parliament (House of Assembly Members).

The pattern for the Official Opposition mirrors the Question Time finding at Section 4.2. With 10.6 per cent of House seats, the Liberal Party holds 31.1 per cent of Parliamentary Committee positions. Guaranteed non-government representation on parliamentary committees is itself a long-standing convention rather than a seat-proportional entitlement, so a high ratio for a contracted Opposition is, in one sense, that convention operating as designed. The scale nonetheless illustrates the load the convention now places on a five-Member party room: fourteen positions across five Members, an average of 2.8 each, a workload previously spread across the 16-Member party room returned in 2022.

A contrast with the Question Time findings is also worth noting. There, independent Members outperformed their seat share while One Nation underperformed it. On committee membership the relationship inverts: independents are the more underrepresented bloc, at 0.19 of their non-government seat share, against One Nation's 0.38. The two mechanisms differ in kind. Question Time call depends on a Member's own, real-time initiative in seeking recognition from the Chair; committee membership depends on nomination, ordinarily negotiated through party Whips and moved by motion in the House. One Nation, as a registered party with its own Whip notwithstanding its small size, is institutionally positioned to negotiate collectively for committee positions in a way that four individually elected independents, absent any equivalent collective structure, may not be.

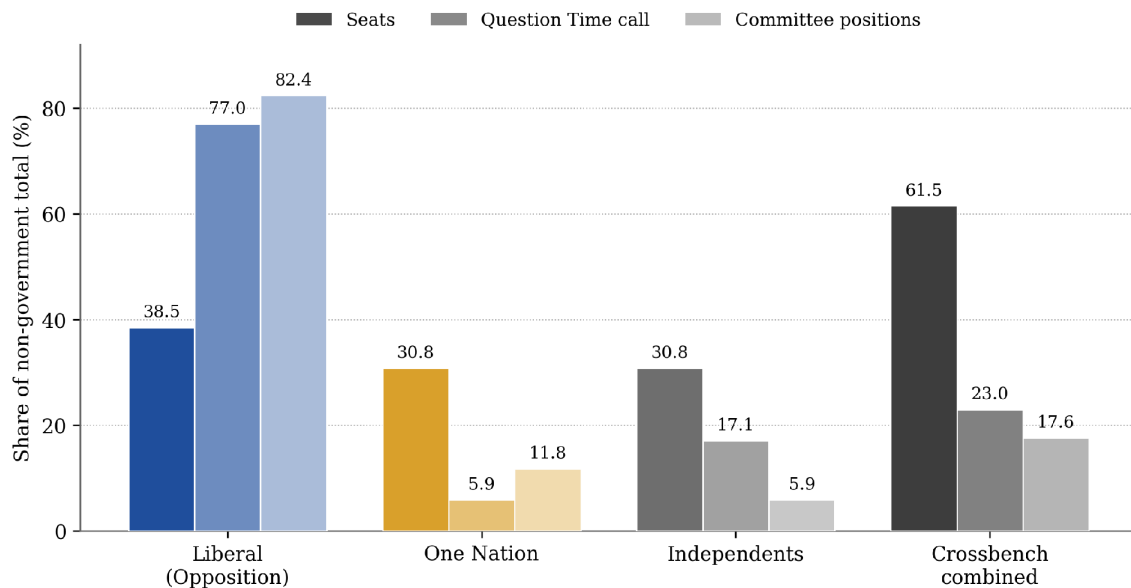


Figure 4: Non-government share of Question Time call and Parliamentary Committee positions against non-government seat share, 56th Parliament.

Read together, the two mechanisms converge. The crossbench holds 61.5 per cent of non-government seats and receives 23.0 per cent of non-government Question Time call and 17.6 per cent of non-government committee positions; the Official Opposition, on 38.5 per cent of non-government seats, receives 77.0 and 82.4 per cent respectively. Two mechanisms operating through entirely different procedural routes have therefore produced outcomes of similar magnitude, each dividing the non-government allocation between one Opposition and a comparatively small crossbench share.

The Public Works Committee illustrates the practical consequence of a contracted Opposition most directly. Of its five House of Assembly positions, only one is held by an Opposition Member. The Committee's quorum, fixed by statute at three of its five members and requiring that at least one be drawn from the group led by the Leader of the Opposition, was previously satisfied by two Opposition Members rather than one.³⁷ A single Member's unavailability now carries a materially greater risk of the Committee being unable to sit.

7. Conclusion

Question Time and committee membership operate through different procedural routes, one discretionary and immediate, the other negotiated and formal, yet produce similar distributions within the non-government cohort: in each, the Official Opposition receives around four-fifths of the non-government allocation from under two-fifths of the non-government seats. In both, Opposition status operates as an entitlement attached to a bloc rather than a share scaled to its size, and it has continued to do so with an Opposition of five Members.

The crossbench has proved less uniform than a single category can capture. Independent Members have received a larger share of Question Time call than One Nation, and a smaller share of committee positions. This paper has connected that divergence, without purporting to resolve it, to how each mechanism operates: real-time recognition by the Chair, for which Section 4.2 sets out several possible explanations of the disparity, against the collective negotiating capacity a registered party's Whip affords in a nomination process. A newly elected minor party and a group of individually elected independents

³⁷*Parliamentary Committees Act 1991* (SA) s 24(2)(a): where a Committee consists of five members, its three-member quorum must include at least one member appointed from the group led by the Leader of the Opposition in the Committee's appointing House.

are positioned differently under the same uncoded practices, and the Standing Orders address neither directly.

None of this suggests the 56th Parliament's procedural architecture requires immediate change. Formal business has proceeded, an Opposition has been recognised without formal procedural dispute, committees have been constituted, and Question Time has been held on schedule. Practices premised on a binary chamber have continued to operate after the chamber's composition ceased to be binary, supported by the discretion of the Chair, negotiation between the parties, and the absence so far of a result that forces the question.

This paper has not sought to determine which of the comparative models examined, if any, South Australia should adopt. Its finding is narrower: the Standing Orders and practices that developed to suit a binary chamber have, so far, accommodated a fragmented crossbench, and the House has continued to perform its function of scrutinising the Executive. Opposition status was nonetheless settled in 2026 by a single seat, on convention alone. Should the numbers change, whether through a further contraction of the Liberal party room, a One Nation gain or a larger crossbench, it remains to be seen whether those arrangements will continue to accommodate the chamber's composition.