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The age of independence? Independents in Australian parliaments

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Executive summary

- The dominance of the major parties in Australian politics has led to the portrayal of independent Members of Parliament as marginal or even irrelevant features of parliamentary representation. First preference votes for major parties in the House of Representatives averaged about 92 per cent in each decade from the 1950s to the 1980s. However, this dropped to an average of 84 per cent in the House elections since 1990, signalling a trend away from major parties.
- Against the decline in support for major parties, there has been a slow but steady increase in support for independent candidates in federal and state elections since 1980. The average first preference vote for independent candidates in the House of Representatives increased from under 0.5 per cent in 1963 to about 2.5 per cent in 2010. In state lower house elections, support for independents increased from 3.15 per cent in the 1960s to 5.8 per cent in the 2000s.
- However, independents are not completely outside mainstream party politics — our study suggests that successful independent candidates tend to be males with a background in party politics. Some state independents have become independent members at the Commonwealth level. A small number of independents have also gained ministerial positions at the state level.
- As there are more independent members with a party background, it could be argued that the influence of the major parties continues to be very strong, even when non-aligned candidates are successful. The greater number of independents elected has, therefore, not resulted in particularly 'different' people being elected, that is, while they are not party insiders, by definition, nor are they political outsiders.

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Contents

Introduction	1
Defining independents.....	2
Trends in support for independents	3
Institutional factors.....	3
Voting trends	5
Broad explanations of the trends away from major parties	10
Independents and political power	11
Commonwealth	13
New South Wales.....	15
Victoria.....	17
Queensland.....	19
Western Australia	20
South Australia.....	22
Tasmania.....	24
Australian Capital Territory.....	25
Northern Territory	26
Conclusion.....	27

List of figures

Figure 1: Votes for independents, House of Representative elections, first preference per cent.....	6
Figure 2: Average first preference votes, per cent, for independents, state and territory lower houses.....	7
Figure 3: The election of independents at lower house state and territory general elections	9
Figure 4: First preference votes for independents, per cent, Australian lower house elections since 2001.....	10

List of tables

Table 1: Independent Members of the Australian House of Representatives elected since 1950	13
Table 2: Independent Members of the Australian Senate elected since 1950	14
Table 3: Independent Members of the New South Wales Legislative Assembly elected since 1950	16
Table 4: Independent Members of the Victorian Legislative Assembly elected since 1950	18
Table 5: Independent Members of the Victorian Legislative Council elected since 1950	18
Table 6: Independent Members of the Queensland Legislative Assembly elected since 1950	19
Table 7: Independent Members of the Western Australian Legislative Assembly elected since 1950	21
Table 8: Independent Members of the Western Australian Legislative Council elected since 1950	21
Table 9: Independent Members of the South Australian House of Assembly elected since 1950 [#]	23
Table 10: Independent Members of the South Australian Legislative Council elected since 1950*	24
Table 11: Independent Members of the Tasmanian House of Assembly elected since 1950*	25
Table 12: Independent Members of the Australian Capital Territory Legislative Assembly elected since 1988*	26
Table 13: Independent Members of the Northern Territory Legislative Assembly elected since 1974	27

Introduction

The year 2009 marked the centenary of the two-party system of parliamentary democracy in Australia. It was in May 1909 that the Protectionist and Anti-Socialist parties joined forces to create the Commonwealth Liberal Party and form a united opposition against the Australian Labor Party (ALP) Government at the federal level.¹ Since the federal election of 1919, a number of minor parties have achieved varying degrees of success in the Commonwealth Parliament. The formation of the modern Liberal Party of Australia in 1944 further entrenched the two-party system. The dominance of the major parties imparted a fundamental change to the formal pattern of politics.² Ian Marsh observed:

In the earlier order, so-called parties were a parliamentary grouping with barely any role in electoral politics. Parliament functioned as a genuine deliberative assembly with the detail of legislation, expenditure and revenue regularly changed by votes on the floor of parliament. Governments were made and unmade by the votes of individual MPs as well as by electoral votes. The two-party system reversed all these features of the liberal-individualist order ... The effect of these changes was to create a new order of politics in which political parties became the exclusive agents of representation.³

However, against the backdrop of major party success, has been the slow but steady increase in support for minor and single issue party and independent candidates, particularly in the 1980s. In each decade from the 1950s to the 1980s, first preference votes for major parties in the House of Representatives averaged around 92 per cent. This dropped to an average of 84 per cent for the seven House elections since 1990, signalling a trend away from major parties. Minor parties such as the Democrats and the Greens and independent candidates have been the main beneficiaries. This trend is also evident across all state and territory elections. The Queensland state election of 1998 appears to have been the low-point for the major parties in which there was a 20 per cent decline in their support, largely due to the electoral debut of the One Nation Party founded by federal MP Pauline Hanson. Following the Queensland election, some commentators speculated about the significance of the drift away from the major parties. For example, in 1999, Scott Bennett of the Commonwealth Parliamentary Library argued that:

... shifts in voting behaviour, bringing about significant minor party and independent electoral successes of the past decade, may well be causing significant change in Australian parliaments,

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1. The Liberal Party at that time was also referred to as the Fusion, or the Deakinite Liberal Party. Its successors are the Nationalist Party of Australia, the United Australia Party and the Liberal Party of Australia (*the* modern Liberal Party). The Anti-Socialist Party was formerly the Free Trade Party (officially Australian Free Trade and Liberal Association).
 2. P Loveday, 'Emergence: realignment and consolidation', in P Loveday, AW Martin and RS Parker, eds, *The emergence of the Australian party system*, Hale & Iremonger, Sydney 1977, p. 453.
 3. I Marsh, *Beyond the two party system: political representation, economic competitiveness and Australian politics*, Cambridge University Press, Cambridge, 1995, p. 3.

to the extent that if they continue, Australia may be faced with the prospect of having its first minority national government since the Menzies, Fadden and Curtin Governments of 1940-43.⁴

The prospects of a national minority government indeed eventuated in the election of 2010 due to a large swing against the incumbent Labor Government depriving it of its majority. At that election, a total of four independent candidates and one Green candidate were elected to the House of Representatives to hold the balance of power. The result delivered a blow to the established order of adversarial politics unprecedented in the modern federal era, yet not uncommon in the states, territories and overseas.

Over the past 30 years, independent candidates have improved their share of the vote in Australian elections across all jurisdictions. In 2004, Costar and Curtin noted that 'Australia is currently home to more non-party independent parliamentarians than any other comparable western democracy'.⁵ This paper takes stock of *votum separatum* in Australia's federal, state and territory parliaments. It examines the nature of the electoral drift towards minor party and independent candidates focusing on the attributes of successful independent candidates. The conclusion reflects on the extent to which independents could still be considered part of a threat to the dominance of the major parties and the party system.

Defining independents

Independent political candidates are typically defined as those who stand for election while not formally affiliated with any political party and not bound by a party platform.⁶ The most basic test of whether a candidate is independent is whether a party name appears beside their name on a ballot. Beyond that simple test, the extent to which independent candidates are truly independent can vary. Some distinctions can be made in determining the characteristics of independents for this study. For example, some independent candidates may be formally or informally supported by a political party. Some independents may have gained knowledge of the political system or a prominent public profile through a former association with a political party. There is also an issue concerning whether sitting independent members of parliament should be included in a study of independents if they had the benefit of being first elected as endorsed candidates of a political party but subsequently resigned from the party during their period in office.⁷

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4. S Bennett, 'The decline in support for Australian major parties and the prospect of minority government', *Research paper no.10*, 1998-99, Parliamentary Library, p. 2.
 5. B Costar and J Curtin, *Rebels with a cause: independents in Australian politics*, University of NSW Press, Sydney, 2004, p. 9.
 6. J Uhr, 'Independents', in B Galligan and W Roberts eds., *The Oxford companion to Australian politics*, Oxford university press, 2007, p. 266; D Brancati, 'Winning alone: the electoral fate on independent candidates worldwide', *The Journal of Politics*, vol. 70, no. 3, July 2008, p. 650.
 7. Costar and Curtin have excluded from their study independents who were first elected as party candidates: B Costar and J Curtin, op. cit., p. 85; see also S Miskin, 'Politician overboard: jumping the party ship', *Research Paper No. 4*, 2002-03, Parliamentary Library, 2003, viewed 9 September 2009, <http://www.aph.gov.au/library/Pubs/rp/2002-03/03RP04.pdf>

A distinguishing feature of independent members of parliament is that they are not bound to a fixed party bloc when voting.⁸ Yet some independents have been informally associated with a political party through a tendency to vote with a particular party in parliament, by supporting one side over the other where there is a hung parliament, or by accepting ministerial positions. Some independents have also been current or former party members who did not fully support their party platform. These independents have chosen to indicate their independence of mind by prefixing the word 'independent' with their party name on the ballot paper (for example, Independent Labor).⁹ Occasionally, a small number of independent candidates group themselves together to pool their votes under the proportional representation system of voting.¹⁰

In identifying independent members of parliament in Australian jurisdictions in the post-war period, this paper has focused on successful candidates who stood for election without a party name appearing next to their own on the ballot paper. This may include:

- candidates with no current or former association with a political party
- candidates who had stood for but failed preselection for a major party and
- candidates seeking re-election as independents, who were first elected as a member for a political party.

The analysis excludes independent members of parliament who were elected as endorsed party candidates.

Trends in support for independents

Institutional factors

The broad electoral system and the method of voting are important factors in the success of independent political candidates. Historically, electoral systems have tended to impose a greater administrative burden on independent candidates compared to candidates endorsed by major parties. The further administrative requirements for nomination and campaigning by independents have been documented elsewhere but may include limited access to electoral roll information,

8. C Sharman, 'Politics at the margin: independents and the Australian political system', *Papers on Parliament*, vol. 39, 2002, p. 55.

9. Interestingly, the University of Western Australia Australian Government and Politics Database also lists 20 political parties that have contested state and federal elections, with the word 'independent' in their name, including such parties as the Independent Country Party, the Independent Opposition Party and the Independent Protestant Labor Party: viewed 9 September 2009, <http://elections.uwa.edu.au/>

10. For example, former Member for the federal seat of Calare, Peter Andren, formed the Peter Andren Independent Group to contest the Senate in 2007: see: Australian Electoral Commission, 'Party registration decision: Peter Andren Independent Group', viewed 9 September 2009, http://www.aec.gov.au/Parties_and_Representatives/Party_Registration/Registration_Decisions/peter_andren.htm (Mr Andren passed away prior to polling day).

restrictive tax rules on donations, stricter funding and disclosure regulations, and different nomination thresholds including signature and deposit requirements.¹¹ These rules vary from jurisdiction to jurisdiction but could potentially offer an incentive for independent candidates to form small political parties through which to campaign.

In election campaigning, candidates endorsed by major parties benefit from an established organisational structure and secure financial backing. Incumbent candidates (who are overwhelmingly party endorsed) also benefit from the additional support of parliamentary allowances and entitlements.¹² For example, staffing entitlements and postal and printing allowances afforded to members of parliament have been used for electioneering purposes.¹³ While these are available to all sitting members including independents, these measures have a greater impact on party-endorsed candidates due to their higher level of representation. Other examples of 'creative' use of resources by major parties include the pooling and sharing of party staff and facilities across state and federal jurisdictions or upper and lower houses to target marginal districts.¹⁴ It has been argued that the availability of these measures is a 'shift away from the democratic principle of political equality for candidates in an election'.¹⁵

The voting system can also be an important factor in the success of independent candidates. Lower houses across Australia use the preferential voting system with full or optional allocation of preferences, whereas most upper houses use the proportional representation system of voting, with some small variations. Tasmania is the exception to this general rule — its lower house uses the proportional representation system and the upper house uses the preferential voting system.¹⁶

The preferential voting system used in single member electorates is generally regarded as favouring the major parties, due to the high level of first preference votes required for a candidate to be competitive. The perceived low likelihood of a non-major party candidate being elected under this

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11. J Curtin, 'Getting elected as an independent: electoral laws and party favouritism', *Democratic Audit of Australia*, May 2005.
 12. L Manthorpe, C Madden and D McKeown, *Parliamentary allowances, salaries of office and entitlements*, Background Note, Parliamentary Library, 2009, viewed 9 September 2009, <http://www.aph.gov.au/library/pubs/BN/pol/parlrem.htm>
 13. P Andren, 'Level democratic playing field—you must be joking', *Democratic Audit of Australia*, November 2004, p. 1. This issue is now being addressed at the Commonwealth level: see Australian National Audit Office, *Administration of parliamentarians' entitlements by the Department of Finance and Deregulation*, Report no. 3, 2009/10, ANAO 2009, viewed 9 September 2009, http://www.anao.gov.au/uploads/documents/2009-10_ANAO_Audit_Report_3_.pdf; Sen. J Ludwig (Special Minister of State), *Reform of parliamentary entitlements*, media release, 8 September 2009, viewed 9 September 2009; http://www.smos.gov.au/media/2009/mr_352009.html
 14. S Young and J Tham, 'Political finance in Australia: a skewed and secret system', Report No. 7, Democratic Audit of Australia, Australian National University, 2006, p. 57; P Van Onselen and W Errington, 'Shock troops: the emerging role of Senators in House of Representatives campaigns', *Australian Journal of Political Science*, vol. 40, no. 3, 2005, p. 357.
 15. Democratic Audit of Australia, Submission to the Joint Standing Committee on Electoral Matters, Submission no. 97, 2005, p. 15.
 16. Electoral Council of Australia, 'Electoral systems', viewed 9 September 2009, <http://www.eca.gov.au/systems/index.htm> The electoral rules of the Tasmanian Legislative Council produces anomalous results compared with other states. This is discussed further below.

system could be a further disincentive for people to vote for them. A recognised advantage of preferential voting is that it supports stable democracy by affirming the dominance of the two-party system. Yet single member electorates can also be beneficial for independents as they can use local issues and a local profile to sell their message, and gain preferences from the major parties, which will generally preference an independent over the opposing major party. Independents tend to have greater success under this system than minor parties.

By contrast, the proportional representation system of voting allocates seats according to a candidate's share of the total vote in a district. As a result, proportional representation tends to return more minor party candidates than the preferential voting system. However, up to 95 per cent of ballots cast under this system are for parties, as candidates are grouped 'above the line', whereas more effort is required to vote for independent candidates mostly listed below the line. The introduction of 'above the line' voting in 1984 was seen as disadvantaging independent candidates unless they grouped themselves to appear above the line. For example, independent Senator Harradine formed the Brian Harradine Group to appear 'above the line' as a kind of party for independents. However, grouping of independents on the ballot paper may lead to the impression that they are not truly independent candidates.¹⁷

Australia's system of compulsory voting introduced federally in 1924, is another institutional factor that could increase the vote for independent and minor party candidates, as voter who would otherwise have chosen not to vote, may be inclined to vote in protest against the major parties. Further, the tightening of the rules for party registration over time would have likely meant that some candidates belonging to a party would appear as independent candidates if their party did not fulfil the technical requirements of registration. This would lead to an overstatement of the actual number of independent candidates and their support in voting data.

Voting trends

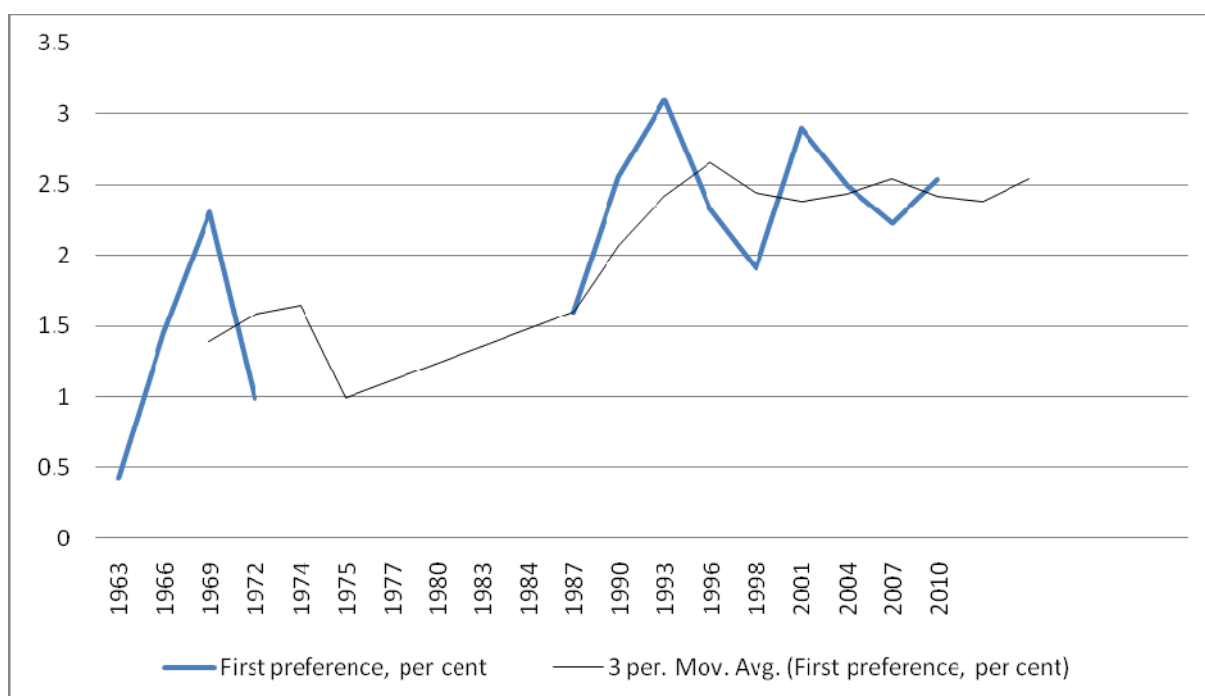
The institutional and administrative aspects of the voting system and prevailing cultural values have shaped the dominance of the party system on representative democracy in Australia. Nonetheless, despite the advantages afforded to major parties through the electoral system, there are some signs that the electoral dominance of the major parties has diminished over recent decades. As previously noted, first preference votes for major parties in the House of Representatives averaged around 92 per cent until the end of the 1980s. Since the 1990 election, the average first preference vote for the major parties dropped to 84 per cent for House of Representative elections. While individual election results can produce anomalies, it is interesting to contrast the apparent dramatic shift from the major parties between the 1987 and 1990 House of Representatives elections. In 1987, the major parties attracted a total of 91.8 per cent of the first preference vote. This figure dropped to 82.6 per cent in 1990. This reflected growing support for independent members that had been

17. B Costar and J Curtin, *Rebels with a cause: independents in Australian politics*, University of NSW Press, Sydney, 2004, p. 48. The grouping of independents on Senate ballots has led to an understanding of the number that have contested Senate elections.

evident in the states and territories in the late 1990s, a decline in support for the National Party (which suffered a net loss of five seats) and a drop in support for Labor (which retained government with only 49.9 per cent of the two-party preferred vote).¹⁸

Since 1990, the combined major party first preference vote has not exceeded the 88.9 per cent gained in 1993. In the most recent federal election, the major parties attracted a total of 82 per cent of the first preference vote. Against this decline in the first preference vote for major parties, there has also been a small but noticeable trend towards minor parties and independents. Figure 1 graphs the share of the first preference vote to independents.

Figure 1: Votes for independents, House of Representative elections, first preference per cent



Source: Australian Government and Politics Database, University of Western Australia. Note that data on votes for independents 1954–1961 and 1974–1984 is not available.

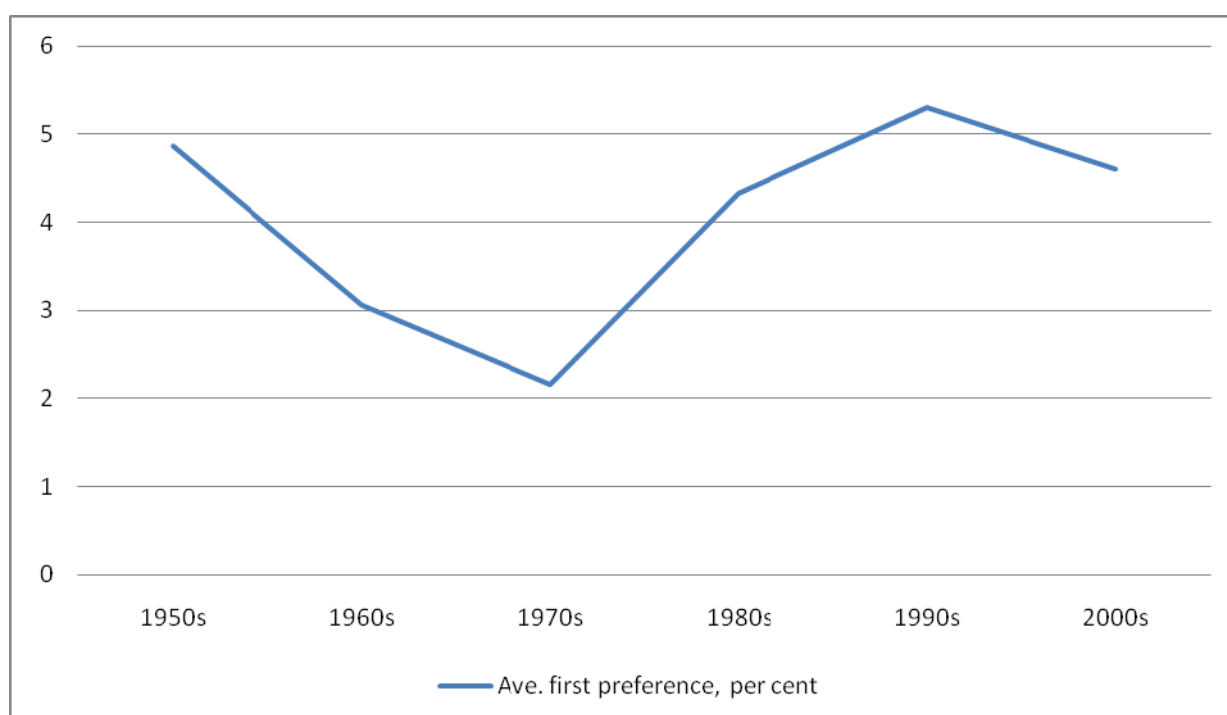
Drawing on data from the Australian Government and Politics Database (AGPD), Figure 1 indicates a general trend of increasing support for independents in elections for the House of Representatives from the 1963 election. Another noticeable feature is the level of volatility in support for independents across a number of elections, in part due to their very low level of support generally.

18. S Barber, C Lawley, S Bennett and G Newman, 'Federal election results 1901–2007', *Research Paper* no. 17, 2008–09, Parliamentary Library, 5 December 2008, viewed 28 June 2010, <http://www.aph.gov.au/library/pubs/rp/2008-09/09rp17.pdf>

However, there are some limitations with AGPD data on independents that could inflate the actual level of support for independents.¹⁹

A trend of increasing support for independent candidates in the latter half of the post-war period is supported by election data in states and territories. Figure 2 illustrates the average first preference votes (per cent) for independents in state and territory lower house elections, per decade (where the data is available).

Figure 2: Average first preference votes, per cent, for independents, state and territory lower houses



Source: Australian Government and Politics Database, first preference per cent of the vote for independents, where available, excludes the first two elections of the Northern Territory Legislative Assembly in the 1974 and 1977, includes ACT grouped independents.

19. AGPD data on independents excludes those that add the name of a party to their description on the ballot paper (eg. Independent Liberal), and includes those that may have campaigned as a member of a party but failed to register their party name. AGPD, 'Glossary', viewed 9 September 2009, <http://elections.uwa.edu.au/>

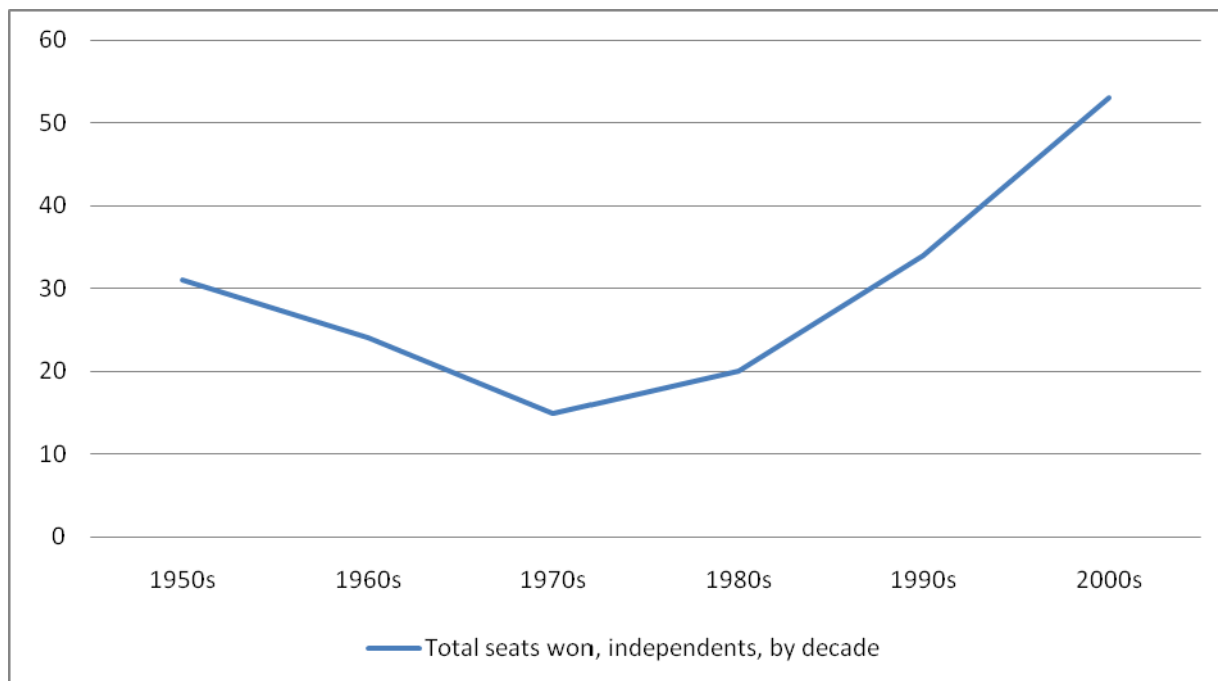
The data (excluding the first two elections in the Northern Territory) indicates that in the post-war period, the average share of votes for independent candidates across state and territory lower house elections dropped from just under five per cent in the 1950s to over two per cent in the 1960s, before peaking to above five per cent in the 1990s (5.3 per cent).²⁰ In terms of average share of the vote, which moved between around two to five per cent, the recent popularity of independent candidates does not seem remarkable.

A stronger signal of the resurgence of independent candidates is their success in being elected. The success of independent candidates at House of Representatives elections dramatically improved in the 1990s. Since the 1990s, there have been eight individual independents elected at general elections compared with only one other in the post-war period (in the late 1960s, see below).

Independents have enjoyed greater success at state and territory lower house elections in the post-war period — with a noticeable increase in their success in the 1980s (as illustrated in Figure 3.) In the decade of the 1950s, a total of 31 independent candidates were elected to lower houses of state and territory parliaments. This dropped to a low of 15 in the 1970s, before a strong trend upwards in each proceeding decade reaching the current high of 53 in the 2000s. This excludes independent members elected as party-endorsed candidates.

20. The first two elections of the Legislative Assembly of the Northern Territory recorded relatively high first preference votes for independent candidates at 20.54 per cent in 1974 and 11.69 per cent in 1977. These results were excluded from the figure (above) as they would have unduly inflated the average across all states and territories in the 1970s, from 2.2 per cent to 5.7 per cent. Unlike other states, the two party system was only established in the Northern Territory in 1966, less than a decade prior to its first Assembly election in 1974. At that time, the major parties, particularly Labor, were not well organised and party identification was very weak, owing to the unique demographics and political dynamics of the Territory. In the 1980 Northern Territory election, the major party share of the vote increased at the expense of independent and minor party candidates, returning to a similar level with other jurisdictions: see: D Jaensch and P Loveday (eds.) *Elections in the Northern Territory 1974–1977*, North Australia Research Bulletin, no. 4 1979, Australian National University, pp. 46–55.

Figure 3: The election of independents at lower house state and territory general elections

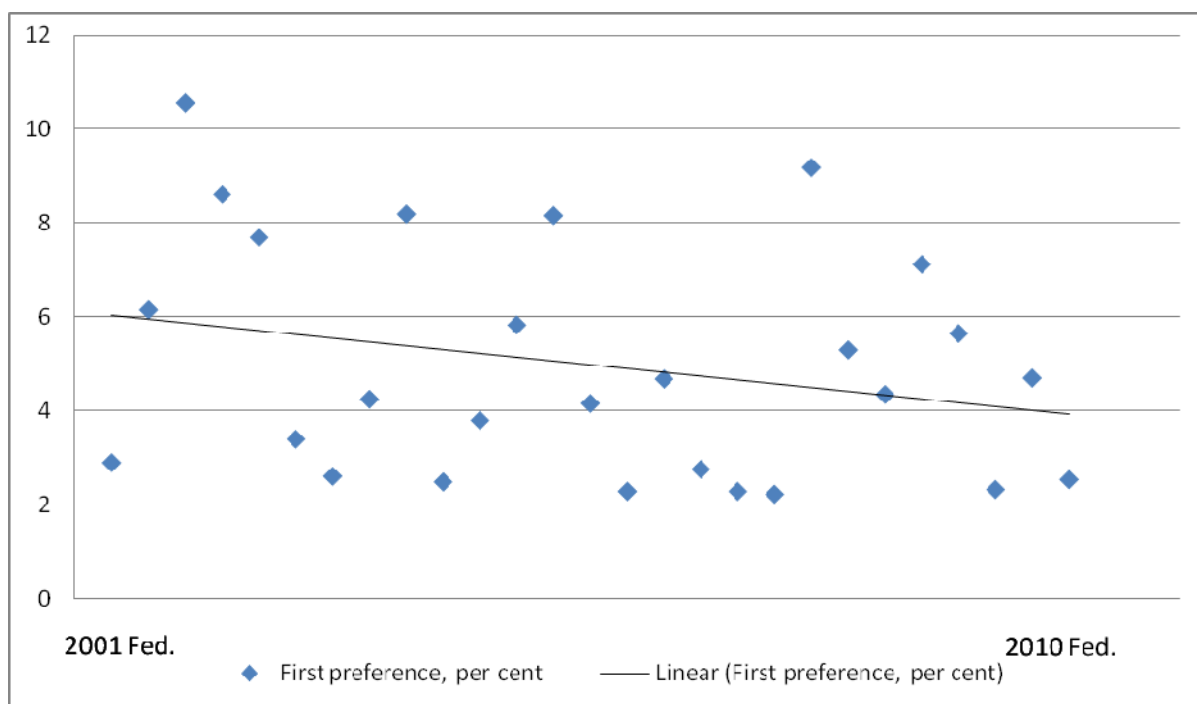


Source: Australian Government and Politics Database.

While Australian lower house election results from this decade show that a small number of independents are elected (or re-elected) in greater numbers than in previous decades, it appears that support for independents has effectively plateaued in terms of their share of the vote. Since 2001, each jurisdiction has had three or four elections. While comparisons between jurisdictions can be problematic, data on first preference votes at Australian lower house elections from 2001 indicate that independent candidates are generally not continuing to increase their share of the vote — rather there may be a small trend away from them. Figure 4 below illustrates the proportion of the first preference votes for independent candidates in lower house elections from the 2001 House of Representatives result to the 2010 House of Representatives result, with the various state, territory and federal election results in chronological order in between. During this period, the average first preference votes for independents across lower house elections was about 4.97 per cent. While the trend line over this period indicates a decline, if we eliminate the first five results from the series, the trend line shows a very slight incline with a lower average of 4.47 per cent.²¹

21. The first five results in the services were for the 2001 lower house elections of the House of Representatives, the ACT Legislative Assembly, the NT Legislative Assembly, the Queensland Parliament and the WA Legislative Assembly.

Figure 4: First preference votes for independents, per cent, Australian lower house elections since 2001



Source: Australian Government and Politics Database and the Australian Electoral Commission.

Overall, election outcomes across Australian jurisdictions suggest that while there has been an increase in voter support for independent candidates from the 1990s, this increase has been small and off a very low base. This increase is now well established, but not continuing to grow. Despite a small decrease in support for independents in states and territories this decade compared with the previous decade, the total number of independents elected has continued to increase (from 34 to 53). This may be due to the support for independents being more tightly concentrated in particular seats, and the continued support for incumbent independents (of which there are now more). The broader explanations of trends away from major parties since the 1980s and the results for independents in particular jurisdictions are discussed further below.

Broad explanations of the trends away from major parties

The Australian Electoral Survey has shown that the proportion of people who have voted for the same major party over their lifetime has decreased from 68 per cent to 44 per cent over the past 40 years.²² While there is no clear consensus on the reason for the decline of the major parties, theories include the general decline in voter identification with political parties, the context of changing demographics, the rise of new social movements and ‘post-material politics’, the decline in

22. I McAllister and J Clark, *Trends in Australian political opinion: Results from the Australian Electoral Study, 1987–2007*, Australian National University, Canberra, 2008, p. 8.

union membership and class-based politics, and the ideological convergence between the major parties.²³ Some have identified a general disengagement with politics, disillusionment with the major parties, declining trust and social capital.²⁴ On the other hand, others have pointed to issues concerning the performance of major parties and political leaders as a cause of political disillusionment or disengagement.²⁵

In contrast to some of the arguments presented above, the Australian Electoral Survey also showed a steady increase in the proportion of people who had 'a good deal' of interest in politics rising from 18 per cent to 39 per cent over the past forty years.²⁶ This suggests that voters are interested in politics but are turning away from 'party' politics. The increased voter turnout and decreased informal vote at the 2007 federal election could be read as indicators of a partial re-engagement of the electorate with the political system.²⁷ The main causes and consequences of the drift away from major parties will continue to be the subject of debate. The Australian Democrats, One Nation and the Greens have been minor party beneficiaries of the change in voting patterns over the past 30 years, although only the Greens remain viable as an established minor party.²⁸

Independents and political power

The major parties campaign to win government, and often argue that independents and minor parties can never achieve the *real* political power of government. Yet minor parties and independents have sometimes held the 'balance of power', in situations where neither Labor nor the Coalition held a majority of seats. For example, in 1941, two independents withdrew their support of Country Party Prime Minister Arthur Fadden, which enabled Labor to govern. Since then, independents have not come close to holding the balance of power in the House of Representatives until the 2010 election. However, at a state and territory level, independents have not only supported minority governments, but also wielded power to extract concessions from government and attained powerful positions, including speakerships and ministries.²⁹

23. A Norton, 'Prospects for the two-party system in a pluralising political world', *Australian Journal of Public Administration*, vol. 61 no. 2, 2002, pp. 33–50; I Marsh, 'Policy convergence between the major parties and the representation gap in Australian politics', in I Marsh, ed, *Political parties in transition?*, The Federation Press, Annandale, 2006, p. 116; P Kelly, *The march of the patriots: the struggle for modern Australia*, Melbourne University Press, Melbourne, 2009, p. 2.

24. H Mackay, *Reinventing Australia: the mind and mood of Australia in the 90s*, Sydney, Angus and Robertson, 1993, p. 169; H Mackay, 'Keynote speech: Advance Australia: the turning tide of popular political engagement', *Australasian Parliamentary Review*, vol. 24 no.1, 2009, pp. 199–206.

25. T Battin, 'Contemporary indicators of political (dis)engagement in Australia', *Social Alternatives*, vol. 27 no.1 2008, pp. 22–28.

26. I McAllister and J Clark, op. cit., p.28.

27. T Battin, op. cit., p. 25.

28. S Bennett, 'The rise of the Australian Greens', *Research Paper* no. 8, 2008–09, Parliamentary Library, 2008, viewed 9 September 2009, <http://www.aph.gov.au/Library/Pubs/rp/2008-09/09rp08.pdf>; C Madden, 'Australian Democrats: the passing of an era', *Research Paper* no. 25, 2008–09, Parliamentary Library, 2009, viewed 9 September 2009, <http://www.aph.gov.au/library/pubs/rp/2008-09/09rp25.pdf>

29. B Costar and J Curtin, op. cit.

Hung parliaments with independent crossbenchers were also common in New South Wales, Tasmania and Western Australia in the 1950s and 1960s. After the 1950 New South Wales election, Labor Premier James McGirr governed with the support of two former Labor parliamentarians who ran as independents. After the 1965 election, the Liberal-Country Coalition led by Robert Askin came to power with the support of two conservative independents. By 1967, they had a majority with the readmission of one of the independents to the Liberal Party and a by-election win over Labor. In Tasmania, there were Labor minority governments after the 1950 and the 1959 elections. Premier Robert Cosgrove continued governing with the support of independent Bill Wedd from 1950 to 1955. Cosgrove's successor as Premier, Eric Reece, was also one seat short of a majority after the 1959 election, with two elected independents (Wedd and Turnbull) on the crossbench and a number of disaffected Liberal parliamentarians becoming independents during that term. In Western Australia, the Coalition of the Liberal and Country League and the Country and Democratic League fell short of a majority after the 1950 election (under Premier Ross McLarty) and again after the 1959 election (under Premier David Brand). Independent Liberals were also successful at these elections, enabling the Coalition to govern. Victoria and Queensland have only relatively recently experienced minority governments reliant on independent support. In recent decades, independents have not only held the balance of power in all states, but wielded this power to force concessions.³⁰

It has been argued that over the past 20 years, the negotiation of accords, agreements or charters between minority governments and independents or minor parties has become a normal feature of politics in states and territories.³¹ Currently, the governments of Western Australia, Tasmania and the Australian Capital Territory depend on the support of minor parties based on written agreements. In the Northern Territory, the Henderson Labor Government currently depends on the support of one independent member, based on the terms of an agreement signed on 14 August 2009.³²

Following the 2010 federal election, the four elected independent members and the newly elected Greens member of the House of Representatives negotiated with the major parties to determine which would form the next federal government. Both major parties considered a list of priorities issued by the independents and the Greens member. Three of the four independents and the Greens signed agreements with Labor to secure their support for the minority Labor Government. Among the various commitments offered to secure the support of the independents and the Greens, was a major package of electoral and parliamentary reforms, which may be the most significant reforms to parliamentary procedure since the establishment of the comprehensive committee systems in each House. It appears that the package of measures negotiated will likely strengthen the ability of the

30. Ibid.

31. G Griffith, *Minority Governments in Australia 1989–2009: Accords, Charters and Agreements*, New South Wales Parliamentary Library Research Service, Sydney, 2010, p. 1.

32. Parliamentary Agreement between Hon Paul Henderson MLA, Chief Minister of the Northern Territory and Mr Gerry Wood MLA, Independent Member for Nelson, viewed 28 June 2010, <http://www.nt.gov.au/lant/parliament/committees/CTC/Parliamentary%20Agreement%20August%202009.pdf>

Parliament to hold the executive to account by an increase in committee activity, scrutiny of government and private members business.³³

What follows below is an outline and discussion of the post-war history of independent members of parliament in each Australian jurisdiction. Consistent with previous studies, by-election wins are not included unless consolidated at a successive general election. Appointments to upper houses are also not included. Finally, the Tasmanian upper house is excluded as it has never been dominated by parties for historical reasons and therefore conflates the importance of independents compared to other jurisdiction, while also distorting the voting trends seen elsewhere.

Commonwealth³⁴

There have been 11 independent Members elected to the House of Representatives in the post-war period—10 since 1990.³⁵

Table 1: Independent Members of the Australian House of Representatives elected since 1950

Period	Member	Seat	Notes on party background & fate
1966–69	Samuel Benson	Batman	former ALP MP; retired & seat returned to ALP
1990–96	Ted Mack	North Sydney	retired & seat returned to Lib.
1993–96 [#]	Phil Cleary	Wills	defeated by ALP
1995–98	Paul Filing	Moore	former Lib. MP; defeated by Lib.
1995–98	Alan Rocher	Curtin	former Lib. MP; defeated by Lib.
1995–98	Graeme Campbell	Kalgoorlie	former ALP MP; defeated by Lib.
1996–07	Peter Andren	Calare	retired & seat went to Nat. (former ALP seat)
2001–	Bob Katter	Kennedy	former Nat. MP
2001–	Tony Windsor	New England	former Nat. Party member; won seat from Nat.
2008–	Rob Oakeshott	Lyne	former Nat Party member and state MP; first elected at a by-election, won seat from Nat.
2010*	Andrew Wilkie	Denison	former young Liberal and Greens Party member and candidate, won seat from ALP

[#] Cleary's 1992 by-election win was declared void. * Expected final result.

All have been male and six were sitting MPs with party affiliations, two each from Labor, Liberals and the Nationals. Benson was expelled from Labor just before the 1966 election while Filing, Rocher and Campbell failed to retain Liberal Party preselection for the 1996 election, and sat as independents

33. The agreements between the Australian Labor Party, the Australian Greens and independent MPs are available at: <http://alp.org.au/federal-government/government-agreements/>

34. The discussion below draws on the following sources: Parliamentary Library, *Parliamentary Handbook of the Commonwealth of Australia 2008—31st edition*, Department of Parliamentary Services, Canberra, 2008; A Carr, 'Adam Carr's Election Archive', viewed 4 September 2009, <http://psephos.adam-carr.net/countries/a/australia/>; A Green, 'Independents in Australian Politics – Lessons for the last Thirty Years', paper presented to the National Independents Conference, Canberra, 10–11 August 2001; University of Western Australia, 'Australian Government and Politics Database', viewed 4 September 2009, <http://elections.uwa.edu.au/>.

35. While Pauline Hanson was disendorsed by the Liberal Party before her election, she still appeared on the ballot paper as a Liberal candidate and is therefore not categorised in this paper as an independent.

before successfully recontesting their seats. Katter (former Queensland state MP) and Oakeshott (initially as a NSW state MP) resigned from the Nationals in protest over party matters. While Windsor was not a sitting MP, he was a member of the National party and also resigned in protest. Only three of the 11 have been independents throughout their entire political careers, and unsurprisingly all were well-known local identities. Mack was a mayor and an independent state MP; Cleary was a prominent football coach; and Andren was a journalist. Two were elected at by-elections after the resignations of high-profile MP's: Cleary won the seat of former Labor Prime Minister Bob Hawke and Rob Oakeshott on the seat of former Nationals Deputy Prime Minister Mark Vaile at a 2008 by-election. Wilkie first came to prominence in 2003 when he resigned from the Office of National Assessments raising concerns about Australian intelligence in the lead up to the war in Iraq. He later contested House of Representatives and Senate elections for the Greens and the Tasmanian state election as an independent. Wilkie then successfully contested the federal seat of Denison after the retirement of long-serving Labor MP, Duncan Kerr. In sum, during the past decade independents have been most successful in the Nationals' rural and regional heartland. However, most independents have won Labor and Liberal seats, including metropolitan seats in Melbourne (Batman and Wills), Perth (Moore and Curtin), Sydney (North Sydney) and Hobart (Denison).

There are currently four independent MPs. Of the seven former independent MPs, four were defeated by major party candidates after only one full term, while three retired. Andren originally planned to contest a Senate seat but withdrew due to ill-health. All these seats returned to parties, usually the original party.

There have only been five elected independent Senators in the post-war period.

Table 2: Independent Members of the Australian Senate elected since 1950

Period	Member	Seat	Notes on party background & fate
1962–74	Reg Turnbull	Tasmania	former ALP member [#] ; retired
1975–05	Brian Harradine	Tasmania	former ALP member; retired
1971–74	Sydney Negus	Western Australia	defeated
1971–75	Michael Townley	Tasmania	former Lib. Member; rejoined Lib.
2008–	Nick Xenophon	South Australia	

* Multi-member electorates using proportional representation.

[#] Briefly leader of the Australia Party.

As in the House of Representatives, all independent Senators have been male. All have represented the least-populous states, particularly Tasmania where the three independents were also former members of one of the major parties. Both Harradine and Turnbull were expelled from the Labor Party, while Townley left the Liberal party in 1969 after failing to gain party endorsement for a lower house seat. Townley rejoined the Liberals in 1975 and continued as a Senator, while Harradine and Turnbull eventually retired. Harradine is also notable as he often had enough electoral support to win a quota in his own right. Negus was defeated in the 1974 double-dissolution election. Both Turnbull and Xenophon successfully moved from a state upper house to the Senate. There is currently only one independent Senator: South Australian Nick Xenophon, who is only the second

independent Senator to win a quota in his own right, and currently shares the 'balance-of-power' in the Senate.

Interestingly, the election of Greens candidate, Adam Bandt to the seat of Melbourne at the 2010 federal election was the first time a minor party candidate was successful at a House of Representatives general election since the Second World War.³⁶

New South Wales³⁷

After the 1991 New South Wales election, Premier Nick Greiner's incumbent Liberal-National Coalition was forced to negotiate with independents to retain power. The New South Wales' *Memorandum of Understanding* (1991) between John Hatton, Clover Moore, Peter Macdonald and the Liberal-National Coalition Premier Nick Greiner, was also detailed but only policy-prescriptive in relation to legal and constitutional reform.³⁸ It aimed to enhance accountability, freedom of information, the powers of the Ombudsman and the Auditor-General, defamation laws and whistleblower protection. Greiner eventually resigned after an adverse Independent Commission Against Corruption finding and the independents' threat of a no confidence vote. The New South Wales lower house has not only been home to more independents than any other Australian lower house (apart from the anomalous Tasmanian Parliament), but also to the most independents without any previous party affiliations and the most women (although only four of the 26 have been women).

36. Minor parties have tended to attract greater support at by-elections, although this has not necessarily translated into seats. However, Australian Greens member Michael Organ won a by-election for the NSW seat of Cunningham in 2002, becoming the first minor party MP in the post-war period.

37. The discussion below draws on the following sources: H Radi, P Spearritt and E Hinton, *Biographical Register of the New South Wales Parliament, 1901–1970*, Australian National University Press, Canberra, 1979; Smith R, *Against the Machines: Minor Parties and Independents in New South Wales, 1910–2006*, Federation Press, Sydney, 2006; Turner K, *The New South Wales State Election, 1984*, New South Wales Parliamentary Library and Department of Government & Public Administration, University of Sydney, Sydney, 1998; Parliament of New South Wales, 'Former Members – NSW Parliament', viewed 4 September 2009, http://www.parliament.nsw.gov.au/prod/web/common.nsf/key/Archives_MemberPage; Parliament of New South Wales, *Parliamentary Record: Legislative Council and Legislative Assembly, 1824–1999, Volume VI, First Edition*, Parliament of New South Wales, Sydney, 1999.

38. G Griffith, op. cit., pp. 13–6.

Table 3: Independent Members of the New South Wales Legislative Assembly elected since 1950

Period	Member	Seat	Notes on party background & fate
1950–53	James Geraghty	North Sydney	former ALP MLA; defeated by ALP
1950–53	John Seiffert	Monaro	former ALP MLA; rejoined ALP
1953–57	Thomas Armstrong	Kahibah	died & seat returned to ALP
1953–56	James Chalmers	Hartley	former ALP MLA; defeated by ALP
1956–62; 1964–65	Frank Purdue	Waratah	seat returned to ALP twice
1962–66	Douglas Darby	Manly	former Lib. MLA; rejoined Lib.
1965–76	Harold Coates	Hartley/ Blue Mountains	former Lib. Member; defeated by ALP
1968–73	Joe Lawson	Murray	former Country MLA; died & seat won by Lib.
1973–95	John Hatton	South Coast	retired & seat returned to Lib.
1981–88	Ted Mack	North Shore	retired & succeeded by Ind.
1984–88	Bruce Duncan	Lismore	former Nat. MP; retired & seat returned to Nat.
1984–91	Frank Arkell	Wollongong	defeated & seat returned to ALP
1988–91	Dawn Fraser	Balmain	defeated & seat returned to ALP [@]
1988–	Clover Moore	Bligh/Sydney	former Lib. seat
1988–91	George Keegan	Newcastle	defeated & seat returned to ALP
1988–91	Ivan Welsh	Swansea	defeated & seat returned to ALP
1988–91	Robyn Read	North Shore	defeated by Lib. (former Ind. seat)
1991–01	Tony Windsor	Tamworth	former Nat. member; retired & seat returned to Nat.
1991–99	Peter Macdonald	Manly	retired & succeeded by Ind. (former Lib. seat)
1999–04	Tony McGrane	Dubbo	died & succeeded by Ind. (former Nat. seat)
1999–	Richard Torbay	Northern Tablelands	former ALP member
1999–07	David Barr	Manly	defeated by Lib. (former Ind. seat)
2002–08	Rob Oakeshott	Port Macquarie	former Nat. MLA; retired & succeeded by Ind.
2003–	Peter Draper	Tamworth	
2004–	Dawn Fardell	Dubbo	former Ind. seat
2007–	Greg Piper	Lake Macquarie	former ALP seat

[%] Contested different seat of Nepean.

[^] Existed as a multi-member electorate until 1927.

[@] Contested Port Jackson after Balmain was abolished.

Of the 26 independents elected at general elections since 1950:

- 167 had strong local profiles and no party affiliation — Armstrong, Purdue, Coates, Hatton, Mack, Arkell, McGrane, and Piper were local mayors, and Moore, Welsh, Read, Macdonald, Barr and Fardell were also involved in local government, Keegan was president of the local business chamber and Fraser was well-known as a former Olympic swimmer.
- 10 were sitting members of a party and three were previously members of a party
- 10 were women (as noted while this is a small proportion of the whole, it is still the most across all jurisdictions).

Of those who had previous party affiliations:

- Coates and Windsor had previously been members of a party but had left their parties before contesting parliament for the first time as independents.

- Geraghty, Seiffert, Darby and Lawson lost their party's endorsement, and Chalmers, Duncan and Oakeshott left their parties while sitting in parliament.

The Labor Party has lost more seats to independents than any other party during this period, with eleven seats falling. However the junior coalition partner, the National/Country party, has lost seven seats compared to only four Liberal losses. Notably, several seats in New South Wales have passed from independent to independent such as North Shore (Mack to Read), Manly (Macdonald to Barr), Dubbo (McGrane to Fardell), and most recently by-election, Oakeshott's seat of Port Macquarie was won by Peter Besseling in a by-election. Other seats like Harley/Blue Mountains, Tamworth and areas along the coast, have a history of independent representation. Most of the seats are located in rural and regional areas, with only North Sydney, North Shore, Balmain, Bligh/Sydney, and Manly located in the Sydney metropolitan area.

Ten of the independents were ultimately defeated by either the Labor or Liberal parties, while three died in office and one rejoined his original party. Notably, the Nationals have not been able to win a seat back from a sitting independent. Six independents retired from state parliament, with Mack, Windsor and Oakeshott successfully transferring to the federal parliament. There are currently six independents in the Legislative Assembly—Bligh, Torbay, Draper, Fardell, Piper and Besseling (who is not listed in the table as he is yet to win at a general election).

Since 1978, the Legislative Council has been directly elected on a state-wide basis using proportional representation. No independent has ever been directly elected to this upper house.

Victoria³⁹

In Victoria, independents held the balance of power from the 1999 election until the 2002 election, enabling Steven Bracks' Labor Party to assume government from Jeff Kennett's Liberal-National Coalition. The *Independents' Charter Victoria 1999* between Russell Savage, Susan Davies, Craig Ingram and Labor Premier Steve Bracks was based more on general principles of government accountability (such as restoring the auditor-general's powers), parliamentary reform (particularly the upper house) and social and economic rejuvenation for rural Victoria.⁴⁰ Labor convincingly won the 2002 election, although Davies was defeated. Only six elected independents have sat in the Victorian Legislative Assembly since 1950.

39. The discussion below draws on the following sources: Parliament of Victoria, 'Re-member: a database of all Victorian MPs since 1851', viewed 4 September 2009, <http://www.parliament.vic.gov.au/re-member/>; B Costar and J Curtin, *op. cit.*

40. *Ibid.*

Table 4: Independent Members of the Victorian Legislative Assembly elected since 1950

Period	Member	Seat	Notes on party background & fate
1940–56	Charles Mutton [#]	Coburg	former ALP member; rejoined ALP
1961–64	Robert Suggett	Moorabbin	former Lib. & Country MLA; rejoined Lib. & Co.
1967–79	John Mutton	Coburg	former ALP member; defeated by ALP
1996–06	Russell Savage	Mildura	defeated by Nat. (former Lib. seat)
1997–02	Susan Davies	Gippsland West	former ALP member; defeated after seat abolished
1999–	Craig Ingram	Gippsland East	former Nat. seat

[#] Note Charles Mutton’s term as an independent began in 1940.

Most independent members of the Victorian Legislative Assembly have been members of a major party and male. Charles Mutton was a local shire councillor and president before running as an Independent Labor candidate for the metropolitan Melbourne seat of Coburg. Upon election Mutton was expelled from Labor for running against an endorsed candidate, but rejoined the party and continued as an Member of the Legislative Assembly (MLA) until 1967. His son, John Mutton, failed to win Labor preselection for the seat, so he too successfully ran as an Independent, but was eventually defeated by a Labor candidate. Suggett was a Liberal and Country Party MLA who, after failing to retain state executive endorsement, was re-elected as an Independent Liberal for the metropolitan Melbourne seat of Moorabbin. Suggett rejoined the party and continued as an MLA. More recently, independents have been successful in rural and regional Victoria. Former local shire councillor and president, Russell Savage, defeated a sitting Liberal MLA, but lost the seat to the Nationals 10 years later. The only female independent, Susan Davies, was originally the endorsed Labor candidate for Gippsland West at the 1996 election. However she resigned from the party in early 1997 and successfully won a by-election in the same seat as an independent when the sitting Liberal MLA retired and Labor declined to field a candidate. She won again at the 1999 election, but her seat was abolished at a redistribution and she lost to the Liberal candidate in the new seat of Bass. There is currently only one independent in the Victorian Legislative Assembly: relatively low-profile abalone diver, Craig Ingram, campaigned on restoring Snowy River water flows and defeated a sitting National MLA at the 1999 election.

There has been only one elected independent Member of the Legislative Council since 1950 (see Table 5).

Table 5: Independent Members of the Victorian Legislative Council elected since 1950

Period	Member	Seat	Notes on party background & fate
1952–58	Clifden Eager	East Yarra	former Lib. & Country MLC; defeated by Lib. & Co.

Clifden Eager was first elected as an MLC in 1930 and represented various conservative parties before losing endorsement in 1952 for refusing to vote against the Greater Melbourne Council Bill. He was elected as an Independent Liberal at the following election, but lost to a Liberal and Country Party candidate after one term.

Queensland⁴¹

From the 1995 Queensland election until just after the following 1998 election, power shifted several times. The Wayne Goss Labor government narrowly retained government in 1995 before losing their one seat majority in a court-ordered by-election and ceding the balance of power to sole independent Liz Cunningham, who supported the new Rob Borbidge National-Liberal Coalition government. After the 1996 Queensland election and a subsequent court-ordered by-election, Liz Cunningham entered a loosely-termed Agreement to support the National-Liberal Coalition government led by Premier Rob Borbidge on all matters related to confidence and supply, and received extra staffing entitlements.⁴² The Coalition lost power at the 1998 election when an Agreement (1998) was reached between Peter Wellington and Labor Premier Peter Beattie to reform parliament, maintain surplus budgets, enforce detailed guidelines on ministerial entitlements, and hold regular ‘community cabinet meetings’.⁴³ As a result of resignations and by-elections, Labor won a majority during that term and emphatically won the 2001 election while Wellington also comfortably retained his seat.

Since 1950, 12 independents have been elected to Queensland’s unicameral parliament, the Legislative Assembly.⁴⁴

Table 6: Independent Members of the Queensland Legislative Assembly elected since 1950

Period	Member	Seat	Notes on party background & fate
1950–69	Arthur Coburn	Burdekin	retired & seat won by Country
1963–68	Bunny Adair	Cook	former ALP MP ⁺ ; retired & seat returned to ALP
1963–69	Edward Walsh	Bundaberg	former ALP MP ⁺ ; retired & seat returned to ALP
1972–77	Ed Casey	Mackay	former ALP MP; rejoined ALP
1981–86	Lindsay Hartwig	Callide	former Nat. MP; retired & seat returned to Nat.
1995–	Liz Cunningham	Gladstone	former ALP seat
1998–	Peter Wellington	Nicklin	former Nat. seat
1999–03	John Kingston	Maryborough	former ONP MP; retired & succeeded by Ind. (former ALP seat)
1999–	Dolly Pratt	Nanango	former ONP MP (former Nat. seat)
2001	Ray Hopper	Darling Downs	joined Nat. (former Nat. seat)
2002–06	Elisa Roberts	Gympie	former ONP MP; defeated & seat returned to Nat.
2003–	Chris Foley	Maryborough	former Ind. seat

⁺ Also Queensland Labor Party.

41. The discussion below draws on the following sources: Parliament of Queensland, ‘Queensland Parliament: Historical Information: Records of Members and Office Holders since 1860’, viewed 4 September 2009, <http://parliament.qld.gov.au/view/historical/records1860.asp>; DB Waterson, *Biographical Register of the Queensland Parliament, 1981–1992*, Casket Publications, Sydney, 1993; DB Waterson and J Arnold, *Biographical Register of the Queensland Parliament, 1930–1980*, Australian National University Press, Canberra, 1982; Parliament of Queensland, ‘Queensland Parliament: Historical Information: Elections and Referendums’, viewed 4 September 2009, <http://parliament.qld.gov.au/view/historical/electionsReferendums.asp>
42. G Griffith, op cit., pp. 16–9.
43. B Costar and J Curtin, op. cit.
44. Queensland’s upper house was abolished in 1922.

Local principal, Arthur Coburn, won the newly created North Queensland seat of Burdekin in 1950 and became the longest-serving independent member of the Queensland Parliament. Upon Coburn's retirement, the seat became a National/Country Party stronghold. 'Bunny' Adair and Edward Walsh were among several Labor MPs who formed the Queensland Labor Party with expelled Labor Premier Vince Gair. They were the only two who successfully retained their regional seats as independents, and upon their retirements, their seats reverted back to Labor. Labor MP, Ed Casey, was disendorsed by the party before the 1972 election but successfully retained his regional seat of Mackay as an independent over two successive elections. Casey then rejoined the Labor Party in 1977 and shortly after became the leader. National Party MP, Lindsay Hartwig, was expelled from the party but retained his rural seat as an independent. After a major redistribution, Hartwig retired and his seat reverted back to the Nationals.

Local mayor, Liz Cunningham, and local councillor, Peter Wellington, won their regional seats at a general election and are still in parliament. Cunningham won Gladstone from Labor and Wellington won Nicklin from the Nationals. Ray Hopper won the Nationals' rural seat of the Darling Downs as an independent but shortly after joined the Nationals. Three independents successfully emerged from the disintegration of the One Nation Party—Kingston, Pratt and Roberts. Pratt is still in parliament despite strong challenges from the Nationals in her rural seat of Nanago, while Roberts ultimately lost to the Nationals in the regional seat of Gympie. Notably, when Kingston retired from parliament due to ill-health, his seat was won at by-election by another independent, Chris Foley. Foley was a local media personality and has since retained the regional seat of Maryborough at two successive elections. All the seats won by independents in Queensland at general election have been in rural and regional areas, and therefore have been at the expense of the Labor and National parties (as the Liberals, until recently, have focused on Brisbane seats). Of the 12 independents listed here, only three have been women. There are currently four independents in the Queensland parliament—Cunningham, Wellington, Pratt, and Foley.

Western Australia⁴⁵

Excluding the two independents first elected before 1950 and Janet Woollard, the 'liberals for forests' candidate, the eight other independents have been members of one of the major parties. Most recently, the Liberal-National Coalition in Western Australia formed a minority government under Premier Colin Barnett, with Independent Liberal, Liz Constable, included in his Cabinet as Minister for Education and Tourism.

45. The discussion below draws on D Black, *The Western Australian Parliamentary Handbook, Twenty-First Edition*, Parliament of Western Australia, Perth, 2005; Parliament of Western Australia, 'Former Members', viewed 4 September 2009, <http://www.parliament.wa.gov.au/web/newwebparl.nsf/iframewebpages/Members+-+Former>; D Black and G Bolton, *Biographical Register of Members of the Parliament of Western Australia, Volume Two 1930–2004 (Revised Edition)*, Parliament of Western Australia, Perth, 2004.

Table 7: Independent Members of the Western Australian Legislative Assembly elected since 1950

Period	Member	Seat	Notes on party background & fate
1936–51	Harry Shearn	Maylands	deceased; seat won by Lib. (former ALP seat)
1945–53	William Read	Victoria Park	retired; seat returned to ALP
1950–53	David Grayden	Nedlands	former Lib member; defeated & seat returned to Lib
1956–62	William Grayden	South Perth	former Lib. member; rejoined Lib. (former Lib. seat)
1956–62	Edward Oldfield	Mt Lawley	former Lib. MLA; joined ALP
1991–	Liz Constable	Floreat/ Churchlands	former Lib. member (former Lib. seat)
1995–05	Phillip Pental	South Perth	former Lib. MLA; retired & seat returned to Lib.
1996–01	Ernie Bridge	Kimberley	former ALP MLA; retired & seat returned to ALP
2000–05	Larry Graham	Pilbara	former ALP MLA; retired & seat returned to ALP
2001–	Janet Woollard	Alfred Cove	former Lib. seat
2007–	John Bowler	Kalgoorlie [@]	former ALP MLA

[@] First represented Murchison-Eyre as independent after resigning from Labor before contesting Kalgoorlie as an independent.

Five independents—Oldfield, Pental, Bridge, Graham, and Bowler—were sitting party Members of the Legislative Assembly (MLAs), William Grayden was previously a Liberal MLA and federal MP before returning to state parliament as an Independent Liberal. Grayden rejoined the Liberals, while former Liberal MLA-turned independent, Oldfield, joined Labor. David Grayden was an endorsed Liberal candidate at a previous election, but lasted only one term as an independent, defeated by future Liberal Premier, Charles Court. Constable had also been a Liberal Party member who withdrew from the preselection process, before winning the seat as an independent in a by-election. Unlike some of the other states, most of these independently-held electorates have been in the Perth metropolitan area.

Notably, there have been two female independent MLAs, and Western Australia had the first Aboriginal MLA and Cabinet Minister in Australia, Ernie Bridge (although he was first elected as a Labor candidate).

There are currently three independents in Western Australia’s lower house. Constable is a Cabinet Minister. There has only been one independent elected to the Western Australian Legislative Council since 1950. Davis was first elected as a Liberal MLC for the Perth-based upper house seat, before becoming an independent in 1991 and successfully retaining his seat at the 1993 election. He was unable to repeat this feat at the 1996 election and his term ended in 1997.

Table 8: Independent Members of the Western Australian Legislative Council elected since 1950

Period	Member	Seat	Notes on party background & fate
1991–97	Reginald Davis	North Metro Region*	former Lib. MLC; defeated

* Multi-member electorates using proportional representation.

South Australia⁴⁶

South Australia has a long history of both independent and third party representation. In the 1938 South Australian election, 14 independents (plus the Single Tax League's sole representative) won as many seats as the Liberal Country League government and more than the Labor Party's nine seats. While independents have never since come close to that high-water mark of 35 percent of lower house seats, independents supported minority Liberal and Country League governments at various times from the late 1930s to the 1960s.⁴⁷ After the 1975 election, Independent Labor Member Ted Connelly accepted the Speakership, enabling the Don Dunstan Labor government to remain in power. After the 1989 election, Labor-leaning independents Norm Peterson and Martyn Evans accepted the Speakership and Deputy Speakership, respectively, to once again enable Labor to continue governing, under the premiership of John Bannon. More recently, the John Olsen Liberal government continued with the support of two former Liberal party members, Mitch Williams and Rory McEwen, after they were elected as independents at the 1997 election. At the following 2002 election, Labor's Mike Rann came to power when Rory McEwen switched allegiance and accepted a ministry, while another former Liberal, Peter Lewis, accepted the Speakership. Despite being a former Liberal Party member of 25 years, Rory McEwen became trade minister in a minority Labor government. He remained independent in terms of retaining the right to criticise the government.⁴⁸ The *Compact for Good Government* (2002) between former Liberal MLA, Peter Lewis, and Labor Premier, Mike Rann included improvements to ministerial accountability, parliamentary reforms, assistance to rural South Australia, and significantly a Constitutional Convention.⁴⁹ Lewis also became the Speaker, but resigned in 2005 after making unfounded allegations against another Member of Parliament. As Labor had also invited a National into Cabinet, and with its parliamentary majority assured it distanced itself from Lewis, and supported another independent as Speaker. Labor won a majority in its own right at the 2006 election and Lewis failed in his bid for an upper house seat, but Rann retained the independent and National in his Cabinet. Labor retained its majority at the 2010 election, while McEwen retired and the National was defeated.

Most of the independents who have sat in the South Australian lower house have been members of a major party. Macgillvray and Fletcher — first elected in 1938 along with thirteen other independents when South Australia changed from multi-member to single-member electorates — were not members of parties, along with Brock elected more recently. Tom Stott is the longest serving independent member of an Australian parliament.

46. The discussion below draws on the following sources: Parliament of South Australia, *All Former Members*, viewed 4 September 2009, <http://www.parliament.sa.gov.au/From1836/AllFormerMembers.htm>; R Jennings, *Barnacles and Parasites: Independent Members of the South Australian Parliament, 1927-1970*, Flinders Press, Adelaide, 1992.

47. B Costar and J Curtin, op cit, p. 14.

48. Ibid., p. 24.

49. Ibid., pp. 28–43 and 92; G Griffith, op cit., pp. 24–7.

Table 9: Independent Members of the South Australian House of Assembly elected since 1950[#]

Period	Member	Seat	Notes on party background & fate
1933–70	Tom Stott	Albert/Ridley	former Lib. & Country; retired & seat abolished
1938–56	William Macgillivray	Chaffey	defeated by Lib. & Country
1938–58	John Fletcher	Mount Gambier	died & seat won by ALP
1948–62	Percival Quirke	Stanley/Burra	former ALP MHA; joined Lib. & Country
1975–77	Ted Connelly	Pirie	former ALP member; rejoined ALP (former ALP seat)
1977	Keith Russack*	Goyder	former Lib. MHA; rejoined Lib.
1979–93	Norm Peterson	Semaphore	former ALP member; retired & seat returned to ALP
1984–93	Martyn Evans	Elizabeth	former ALP member; rejoined ALP (former ALP seat)
1985–86	Stan Evans*	Davenport	former Lib. MHA; rejoined Lib.
1997–2010	Rory McEwen	Mt Gambier	former Lib. member; retired & succeeded by Ind. (former Lib. seat)
1997–99	Mitch Williams	MacKillop	former Lib. member; rejoined Lib. (former Lib. seat)
2000–	Bob Such	Fisher	former Lib. MHA (former Lib. seat)
2000–06	Peter Lewis	Hammond	former Lib. MHA; retired & seat returned to Lib.
2006–10	Kris Hanna	Mitchell	former ALP MHA [%] ; defeated by ALP
2009–	Geoff Brock	Frome	former Lib. seat
2010–	Don Pegler	Mt Gambier	former Lib. member (former Ind. seat)

[#] Includes four members whose terms as independents began before 1950.

* It is unclear whether Russack & Evans were still members of the Liberal Party during their brief periods of ‘independence’.

^ Ridley was a new seat while Albert was a multi-member electorate.

[%] Defected to the Greens before becoming an independent.

About half the electorates are located in rural and regional areas and half in Adelaide. All 15 independents have been male, and six were sitting Members of the House of Assembly (MHAs). The most common reason for leaving a party was preselection disputes, particularly due to Labor’s centralised preselection process and the splits within the Liberal and Country League (spawning the progressive Liberal Movement, one of the forerunners to the Australian Democrats). Connelly was a local mayor, and upon election and with Labor failing to achieve a majority by one seat, he accepted the speakership and later rejoined the Labor Party. Similarly, Evans was another local mayor whose election also coincided with Labor’s inability to win a majority. Evans also accepted the Deputy Speakership and eventually, a Cabinet position, before rejoining the Labor Party. The other independent balance of power holder, Peterson, accepted the Speakership. Peterson won his seat as an Independent Labor candidate after failing to win Labor preselection. When his seat was abolished in a redistribution, Peterson unsuccessfully contested an upper house seat. Labor MHA, Quirke, was initially suspended from the Labor Party, before resigning to sit as an independent. Quirke eventually joined the Liberal and Country Party and became a Minister. Hanna was also a Labor MHA before defecting to the Greens. After failing to win Greens’ preselection for the top position on their Legislative Council ticket, Hanna became an independent.

On the Liberal side, sitting conservative MHAs, Russack and Evans, ran as independents against party endorsed moderates, and rejoined the party after election. Liberal party member, Williams won his seat as an Independent Liberal, drawing upon local discontent with the sitting Liberal MHA, and joined the parliamentary Liberal Party a few years later. Other sitting Liberal MHAs remained

independents. Such became an independent after being demoted from the Ministry, while maverick Lewis was expelled from the party, and eventually accepting the Speakership in support of a Labor government. Lewis eventually resigned his lower house seat to unsuccessfully contest an upper house seat. McEwen also supported a Labor government in exchange for a Cabinet position. McEwan ran as an independent after failing to win Liberal Party preselection. McEwen, along with Such and Hanna are the three independents who currently sit in the South Australian House of Assembly.

Like the NSW Legislative Council, South Australia's upper house is elected on a state-wide basis using proportional representation. This changed occurred in 1973, along with universal suffrage for upper house election. Nevertheless, only two independents have been elected to the South Australian Legislative Council since 1950 (see Table 10 below). Xenophon was elected on a 'No Pokies' platform, receiving just 2.86 percent of the primary vote but winning the second last seat on preferences. At the 2006 election (as the term for SA MLCs is eight years), Xenophon won an unprecedented 20.5 percent of the primary vote, which was enough to elect his running mate, Bressington, who is currently the only elected independent Member of the Legislative Council (Xenophon's replacement was appointed). As previously noted, Xenophon resigned to successfully contest the Senate.

Table 10: Independent Members of the South Australian Legislative Council elected since 1950*

Period	Member	Seat	Notes on party background & fate
1997–07	Nick Xenophon	The State	retired
2006–	Ann Bressington [%]	The State	

* Multi-member electorates using proportional representation.

[%] Elected on Nick Xenophon's No Pokies ticket.

Tasmania⁵⁰

After the 1989 Tasmanian election, Labor came to power under Premier Michael Field after reaching an agreement with the Green Independents. The *Tasmanian Parliamentary Accord* (1989) between the Green Independents and Field was based primarily on detailed and prescriptive environment policy demands and ultimately collapsed along with the government in 1991.⁵¹

While Tasmania's Legislative Council has largely been the domain of independents due to its tradition and culture as an independent House of Review, its lower house has seated only nine independent members since 1950. Most have been male and each of Tasmania's five electorates has elected an independent candidate at some time. Turnbull and Lowe were Labor Members of the

50. The discussion below draws on the following sources: S Bennett and B Bennett, *Biographical Register of the Tasmanian Parliament, 1851–1960*, Australian National University Press, Canberra, 1980; Parliament of Tasmania, 'House of Assembly Elections', viewed 4 September 2009, <http://www.parliament.tas.gov.au/tpl/Elections/ahares.htm>; Parliament of Tasmania, 'The Parliament of Tasmania from 1856', viewed 4 September 2009, <http://www.parliament.tas.gov.au/history/tasparl/tasparl.htm>

51. B Costar and J Curtin, op cit.

House of Assembly before continuing in the Assembly as independents; Turnbull was a Treasurer and Lowe was a Premier. While Turnbull was expelled from the party, Lowe resigned after losing the leadership in a vote of no confidence in relation to his handling of a referendum on the location of a hydroelectric dam. Turnbull eventually used his profile to successfully transition to the Senate, while Lowe switched to the Legislative Council. Wedd had switched from the Council, and initially retired before successfully recontesting the same seat a few years later, although that term ended in electoral defeat. Goodluck was a Liberal Member of the House of Representatives, and after retiring from federal politics, was elected to the same electorate (Tasmania's electorates are the same for both federal and state elections) as an independent in 1996. The other five independents were environmental activists, and were widely known as 'green' independents when elected as they ran on a common environmentally-focused platform but the Greens party was yet to be officially formed. Brown was the first such independent elected on a countback of votes from the previous election to fill the casual vacancy of a retiring Democrat Member. In 1992, Brown, Bates, Armstrong, Hollister and Milne formed the Tasmanian Greens parliamentary party. Brown and Milne have since become Greens Senators. There are currently no independents in the Assembly, with Tasmania becoming the Greens heartland.

Table 11: Independent Members of the Tasmanian House of Assembly elected since 1950*

Period	Member	Seat	Notes on party background & fate
1948–53; 1959–64	Bill Wedd	Denison	retired first time; defeated second time
1959–61	Reg Turnbull	Bass	former ALP member; retired
1982–86	Doug Lowe	Franklin	former ALP member; retired
1983–92	Bob Brown	Denison	became Greens MP
1986–92	Gerry Bates	Franklin	became Greens MP
1989–92	Lance Armstrong	Bass	became Greens MP
1989–92	Dianne Hollister	Braddon	became Greens MP
1989–92	Christine Milne	Lyons	became Greens MP
1996–98	Bruce Goodluck	Franklin	former Lib. member; retired

* Multi-member electorates using proportional representation.

Australian Capital Territory

The Australian Capital Territory was granted self-government in 1988. It has a unicameral Legislative Assembly elected using proportional representation. Minority governments and relatively large crossbenches have been a common feature of the Australian Capital Territory Legislative Assembly. Independents shared the balance of power with minor parties from 1992 to 2001. In 1998, Michael Moore became the health, housing and community services minister in a Liberal Cabinet. Moore was only bound by the conventions of collective cabinet solidarity in relation to his portfolio areas and annual budget bills, and even succeeded in legalising supervised drug-injecting rooms despite two of

his Cabinet colleagues (in a Cabinet of only five) voting against it.⁵² There have been four independent Members of the Legislative Assembly (MLAs), including one woman.⁵³

Table 12: Independent Members of the Australian Capital Territory Legislative Assembly elected since 1988*

Period	Member	Seat	Notes on party background & fate
1992–02	Michael Moore	Molonglo	former Residents Rally MLA; retired
1992–95	Helen Szuty [%]	Ginninderra	defeated
1995–01	Paul Osborne	Brindabella	defeated
1998–01	Dave Rugendyke [^]	Ginninderra	defeated

* Multi-member electorates using proportional representation.

[%] Elected on the Michael Moore Independent Group ticket.

[^] Elected on the Osborne Independent Group ticket.

Moore was originally elected on the Residents Rally ticket during the early unstable years of self-government, before forming his own independent ticket group. Moore's popularity also resulted in the election of Szuty on his ticket, who later went on to become the ACT's first independent Minister in a minority Liberal government. Osborne was a well-known local sportsman, and support for his ticket resulted in the election of Rugendyke. There are currently no independent MLAs.

Northern Territory⁵⁴

Since the Northern Territory was granted full representative government in 1974, the Country Liberal Party outperformed Labor after early instability — similar to the ACT after self-government — and has dominated the political scene (until the recent election of a Labor government in 2005). The two independents elected to the first Legislative Assembly were eventually defeated by Country Liberal candidates.

Independents currently hold the balance of power in the Northern Territory for the first time, after the resignation of Alison Anderson from the Labor Party. Anderson now sits on the crossbench with Independent Gerry Wood. Labor has retained power with Wood's support. Padgham-Purich, Collins and Braham were all sitting Country Liberal MLAs before losing the party's endorsement and successfully recontesting their seats as independents. Wood is the only independent to have won his seat from a major party, using his profile as a local mayor to defeat the sitting Country Liberal MLA. He is the currently the only elected independent in the Legislative Assembly, sharing the 'balance-of-power' with a former Labor MLA.

52. Ibid., p. 23.

53. Legislative Assembly for the Australian Capital Territory, 'Members', viewed 28 September 2009, <http://www.legassembly.act.gov.au/members/index.asp?assembly=6>

54. The discussion below draws on the following sources: D Jaensch and D Wade-Marshall, *Point of Order: The Legislative Assembly of the Northern Territory 1974–1994*, Legislative Assembly of the Northern Territory and North Australia Research Unit, Australian National University, Darwin, 1994; Legislative Assembly of the Northern Territory, 'Members', viewed 4 September 2009, <http://www.nt.gov.au/lant/members/Members.shtml>

Table 13: Independent Members of the Northern Territory Legislative Assembly elected since 1974

Period	Member	Seat	Notes on party background & fate
1974–83	Dawn Lawrie	Nightcliff	defeated by Country Lib.
1974–77	Ron Withnall	Port Darwin	defeated by Country Lib.
1987–97	Cecilia Noel Padgham-Purich	Koolpinyah; Nelson	former Country Lib. MLA; retired & seat returned to Country Lib.
1987–94	Denis Collins	Sadadeen; Greatorex	former Country Lib. MLA; defeated & seat returned to Country Lib.
2001–08	Loraine Braham	Braitling	former Country Lib. MLA; retired & seat returned to Country Lib.
2001–	Gerry Wood	Nelson	former Country Lib. seat

The Northern Territory is the only jurisdiction in Australian where half of the elected independents have been women. All of the seats have been either in the Darwin or Alice Springs regions rather than the more remote parts of the Territory.

Conclusion

This study suggests that independent candidates still hold an allure for voters who may be disenchanted with the major parties. However, following the last 20 or so Australian elections across all jurisdictions, it now appears that the attraction has effectively stabilised and that support for independents (as a percentage of the first preference vote) is no longer increasing; rather, support for independents has been maintained at around the same level since the 1990s. Yet independent candidates are now more successful at being elected. This apparent contrast in the fortunes of independent candidates suggests that voter support is now more concentrated in winnable seats. The major parties still dominate parliamentary representation, but not to the same extent as in earlier decades of the post war period. Voting patterns indicate that the shift away from the major parties that occurred in the late 1980s and early 1990s largely remains, but has not particularly grown.

The success of independents in achieving the balance of power in the House of Representatives at the 2010 federal election has more to do with the swing against the incumbent Labor Government than an increase in support for independents themselves. The share of first preference votes for independent candidates in the lower house increased moderately from about 2.2 per cent in 2007 to around 2.5 per cent in 2010. Again, the greater geographic concentration of votes for independents enabled a further seat to be won, bringing the total number of independent members of the lower House to four. The increased share of the vote for the Greens and their success in gaining a lower house seat, points to a broader shift in support towards minor parties, which will no doubt be subject to further analysis. It may be too early to tell if majority government is no longer the norm.

But who are the independents being elected? Depending on the state, independents are generally more successful in non-metropolitan areas, and tend to be males with a background in party politics. Since the 1990s, there has been a small but growing trend of former state independents becoming independents at the Commonwealth level. More recently, there have been a small number of

independents gaining ministerial positions at state level. Experience in a political party seems to be very important in getting elected as an independent. The decline in the influence of the major parties since the 1990s should not be exaggerated as they continue to be very important in the political socialisation of independent candidates. The change in the fortunes of independents can be seen as modest re-alignment rather than a fundamental shift. The greater number of independents elected has therefore not resulted in particularly 'different' people being elected, that is, while sitting independents are not party insiders, by definition, nor are they political outsiders. This is an important consideration if the strength of democracy is to be assessed with reference to the number of non-party members elected. It appears that political parties continue to function as the agents of representation, regardless of the current allure of independents.

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