

10 March 2011

Committee Secretary
Senate Legal and Constitutional Committees
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Committee Secretary,

**AUSTRALIAN CAPITAL TERRITORY (SELF-GOVERNMENT)
AMENDMENT (DISALLOWANCE AND AMENDMENT POWER OF THE
COMMONWEALTH) BILL 2010**

I write concerning the current inquiry which is considering whether to repeal the provision of the Australian Capital Territory (Self-Government) Act 1988 which enables the Governor-General to disallow and recommend amendments to any Act made by the Australian Capital Territory Legislative Assembly.

I understand that if this repeal is enacted, it will also apply to the Northern Territory and the Territory of Norfolk Island.

I am a long term resident of the Australian Capital Territory, having moved to Canberra as a child in 1962. I also lived on Norfolk Island for a while, giving a rather unique perspective of the current inquiry.

As the Committee would be aware, there were numerous moves in the 1970s and 1980s for the Australian Capital Territory to be made a self governing Territory. Many of the longer term residents of the Territory were opposed at the time of discussion, my father included. My understanding of my father's objections is that he saw it as a duplication of effort: he was evidently clear that the term *self government* did not actually mean self government and that the Commonwealth Government would continue to effectively run the Territory. My father died just before self government, so I am unable to clarify his objections; but I am confident he was concerned about duplication of effort and therefore resources.

I suppose he was right up to a point. The citizens of the Australian Capital Territory are still unable to elect the people who will decide what will happen in their own

jurisdiction. This is because the Governor General can disallow and recommend amendments at any stage to any Act.

There has been much hype that the current Bill is about allowing the loony left to permit gay marriage and euthanasia. This Bill is not about that. It is about enabling the people of this jurisdiction to have the same rights of self determination as any other jurisdiction in Australia.

I would like to see this Bill go further. It concerns me greatly that the ACT's elected representatives are:

- Federally: two senators and two members
- Jurisdictionally: 17 members.

Yet, for the Northern Territory, a jurisdiction with half the ACT's population, their elected representatives are:

- Federally: two senators and two members
- Jurisdictionally: 25 members.

The other relevant jurisdiction is Tasmania, which has a voting population of just 100,000 more people than the ACT. Its elected representatives, excluding local Councils which do not exist in the ACT and Northern Territory, are:

- Federally: 12 senators and 5 members
- Jurisdictionally: 25 members of the Assembly and 15 members of the Council.

The key issue is that the residents of the ACT in particular are denied their democratic right to self determination in the same way that Australians in other jurisdictions are accorded that right. I accept that from time to time, the Commonwealth Government will wish to have some role over its seat of Government, but surely this should not be to the detriment of the people of the ACT for day to day governance.

Residents of the Australian Capital Territory are no different from residents of other jurisdictions: they are mothers and fathers, sisters and brothers, old and young, basketball followers, taxpayers, workers, to name just a few features of our population. Why then should they not have the same ability to determine issues in their jurisdiction? As mentioned above, I believe this review should go further and allow the ACT to determine the size of its Legislative Assembly. It is unreasonable at best but unfair at worst to expect the size of the Assembly to remain static at just 17. The workload on current members, in my observations, is overwhelming with so few members to conduct the government of this jurisdiction.

For your information, I have attached a short analysis of the value of the vote across Australia. The raw data is from the Australian Electoral Commission website. It shows the value of each jurisdiction's vote per 100,000 population. As you can see, the Australian Capital Territory is unfairly treated. The two largest electorates, by population, in Australia are in the ACT. I have not yet done similar work on the value of the Senate vote.

In summary, I would urge the Committee to:

1. Support the repeal of the provision of the *Australian Capital Territory (Self-Government) Act 1988* which enables the Governor-General to disallow and recommend amendments to any Act made by the Australian Capital Territory Legislative Assembly;
2. Go further and recommend the amendment of the Act to enable the Australian Capital Territory Legislative Assembly to determine its own size;
3. Review the value of the vote across Australia which results in residents of the Australian Capital Territory having a reduced say in the running of the country compared with other Australians in every other jurisdiction.

I would be pleased to present in person should you so wish.

Yours sincerely,

Anne Cahill Lambert, AM

**VALUE OF VOTE IN AUSTRALIAN JURISDICTIONS 2010
PER 100,000 POPULATION**

