



OTHER ISSUES

As well as the issues the Commission was required to review, other aspects of the MMP voting system could be considered and submitters were invited to raise other aspects of the MMP voting system they felt needed changing.

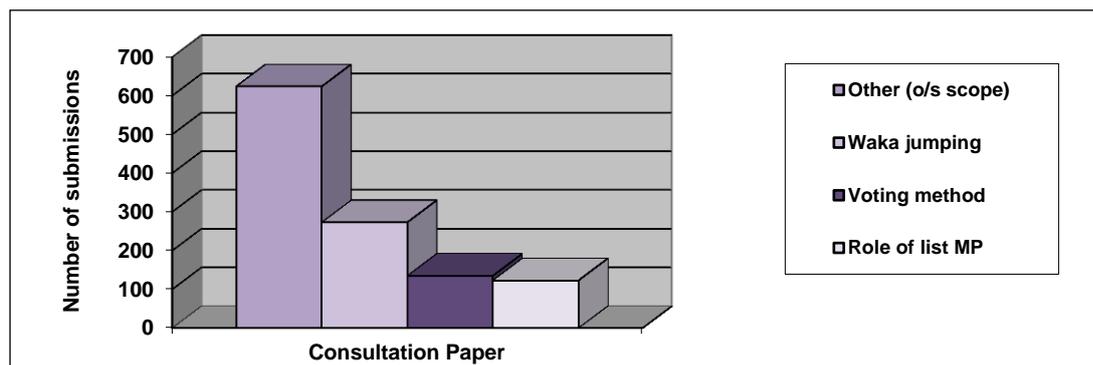
However, there were two things the Commission could not consider—Māori representation and the number of members of Parliament.

Submissions on 'other issues' were many and varied. The majority of which were outside the scope of the review (53%) and of these, the number of MPs received the most comment (26%).

Of those within the scope, the status of list members who leave or are expelled from their parties attracted the most comment (48%) with the overwhelming majority in support of the re-introduction of the Electoral (Integrity) Amendment Act 2001.

The voting method used in the electorate and party vote contests was the second largest issue (24%) with a number favouring a change to a preference voting system, followed by 22% suggesting the role of the list MP be more clearly defined. smaller groups favoured an increase in the electoral tolerance, and a desire for regular statutory reviews of the electoral system.

Figure 1: Simple analysis of submissions on other issues





What submitters said—

Status of list MPs who leave or are expelled from their parties—

- List MPs should not be able to turn independent. An elected MP can have some right to a personal stake in a seat without a party but a list MP cannot justify staying if they run afoul of the party. This is the biggest issue with MMP.
- If a list MP leaves their party, the next available person on the party list that was used at the last election should be appointed to Parliament. This is to stop MPs who don't have either party or electorate support from remaining in Parliament or jumping to another party.
- If a candidate selected on the list chooses to change, then they forfeit the right to remain as an MP. They have no mandate to remain in Parliament and cannot become an Independent or for that matter any other Party of their choice. It is not their right to leave the list on which they were elected and then go to another, without the voters deciding. This practice is totally against democracy and must be withdrawn.
- When a list MP chooses to vote on a single issue against party policy this must be tolerated on democratic grounds. But where a list MP is removed from the party list either from resignation or expulsion they must resign their seat because they no longer have any mandate to sit in the House. To regard a list MP as still being an MP for the rest of the term is simply extending an unearned and irrational privilege.

Use of a preference voting system for electorate contests—

- The current system still uses First-Past-The-Post (FPP) for the election of electorate MPs. This often means an MP wins an electorate seat with substantially less than a majority vote, which goes against the spirit of MMP. For example, if the votes are tallied up as 30%, 25%, 25% and 20% for four electorate candidates, this means that the electorate candidate with just 30% of the vote wins, a situation that hardly seems fair when more than half his/her constituents did not want this MP.





- Analysis of the 2011 general election results shows that 32% of electorate MPs received less than 50% of the vote in their electorate. This also sets up a two party race for the electorate seats because voters must vote tactically knowing a third party candidate is highly unlikely to be elected for an electorate seat, even though that third party candidate may be the voters' first preference. STV should be adopted for electing electorate MPs as takes into account voters' preferences.
- There should be a mechanism where a voter can select a second, reserve party, which will receive their vote should their preferred party not make the threshold. Hence a voter can vote for a small party without fear of their vote not counting, because they can choose a more mainstream party as their reserve vote.
- The FPP element of voting should be abolished completely. Electorate MPs should be voted using a preferential voting system, where candidates are elected in voter preference. This reduces the two-party system model and allows other candidates in minor parties to have a fair chance. It also allows voters to elect people who are most fitting to represent their geographic area, irrelevant of party preference.

Role of list members—

- The duties of list seat members should be defined and the parties they represent obligated to ensure they are undertaken.
- The potential for making more effective use of the list MP system needs to be explored. For example we should be using list MPs as resources with special knowledge or abilities. We could even look beyond the concept of a fixed term of three years for a list MP - so that one list MP could be withdrawn by the party and replaced by another with the right background to deal with particular issues before Parliament. This would require a change in thinking about the role that such MPs play. They may need to retain their principal vocation outside Parliament - while contributing their special skills to the work of Parliament.





Issues outside the scope of the review

The majority of 'other' issues raised by submitters were outside the scope of the review. A 'top five' of these issues is shown below. The issue that attracted the most comment was the number of members of Parliament, followed by the introduction of list only PR, a prohibition on list MPs in Cabinet, proposals to introduce a new or original electoral system, the abolition of the Māori seats, and the term of Parliament. These last two issues are part of the terms of reference for the review of New Zealand's constitutional arrangements.

Figure 2: Simple analysis of the issues outside the scope of the review

