



Victoria's Upper House electoral system

Analysis of public comments on the example structures

April 2025

1 Introduction

For this Inquiry, in addition to the standard written submission process, the Committee gave Victorians an opportunity to express their preferences regarding a new Upper House structure through a short online form.

To help people understand the types of changes that are possible, the Committee developed six 'example structures'. The Committee also prepared a discussion paper with background information about the Inquiry and details of each structure. Descriptions of the example structures are included in Section 4 of this report.

Participants were asked to choose their preferred structure for the Upper House and explain their choice with a short comment. They could also indicate that they preferred no change from the current structure (and explain why) or they could advocate for a new option.

The online form was mainly advertised online through the Parliament of Victoria's website and social media accounts.

The online form was made available between 28 October 2024 and 3 March 2025.

The Committee received responses from 141 people from around Victoria. The Committee is very grateful to everybody who took the time to participate in this process.

This report provides an overview of the responses. The analysis in this report is provisional. A final analysis of the comments will be included in the Committee's final report for this Inquiry.

1.1 Limitations of the data

The data from this consultation need to be interpreted carefully. The main goal of this process was to understand the strengths or weaknesses identified by participants for each structure, not to understand what Victorians' preferred structure is. The people who provided their opinions chose to participate because of their interest in the topic and they are not a representative sample of the entire Victorian population. The Committee did not use a specifically designed methodology to target any

audience based on gender, location or other criteria to ensure that the participants reflect the broader community.

The results may have been affected by people campaigning for particular options. For example, the Committee is aware that the Animal Justice Party encouraged people to express their support for Example Structure 1 (electing all members from the state as a whole).¹ The data show a large number of responses supporting this structure being entered towards the end of the consultation period, often with similar arguments.

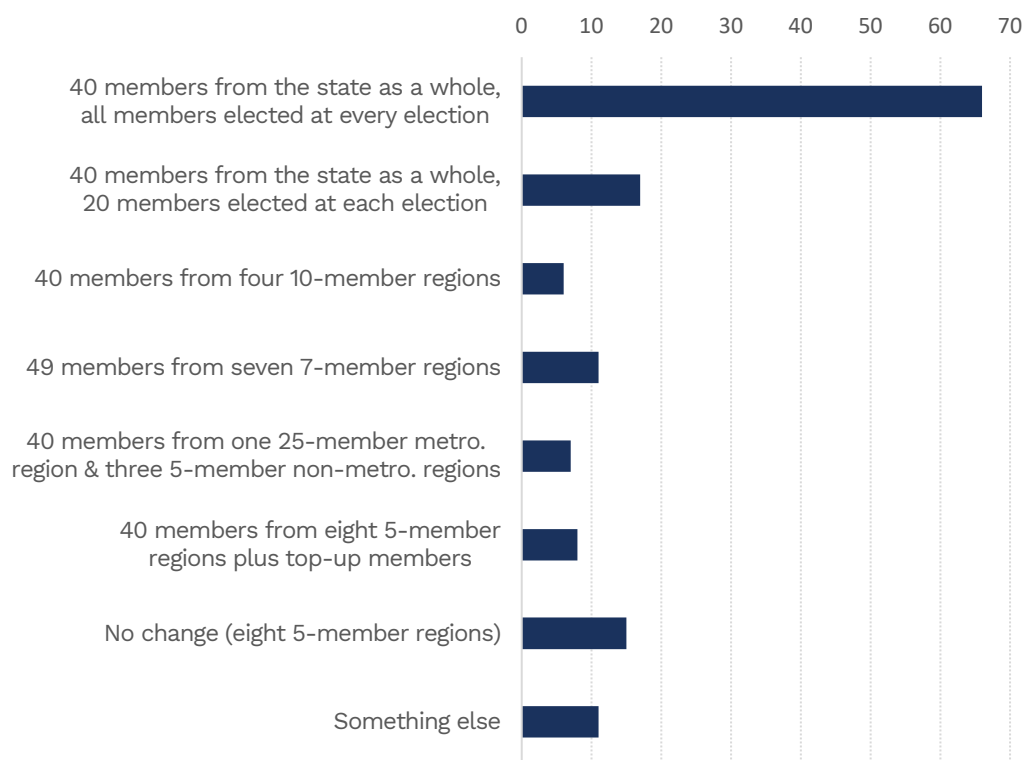
Although participants were asked to enter their names and postcodes, these details have not been verified. Some people put in more than one response. These have been removed from the totals where they have been identified but not all instances may have been detected.

Given these limitations, the Committee’s main focus has been on the strength of the arguments presented for each structure and not on the number of people supporting it.

2 Preferred structures

Overall, 141 people completed the Committee’s online form. The levels of support for each option are set out in Figure 1. However, as noted in Section 1.1 above, the data need to be interpreted carefully.

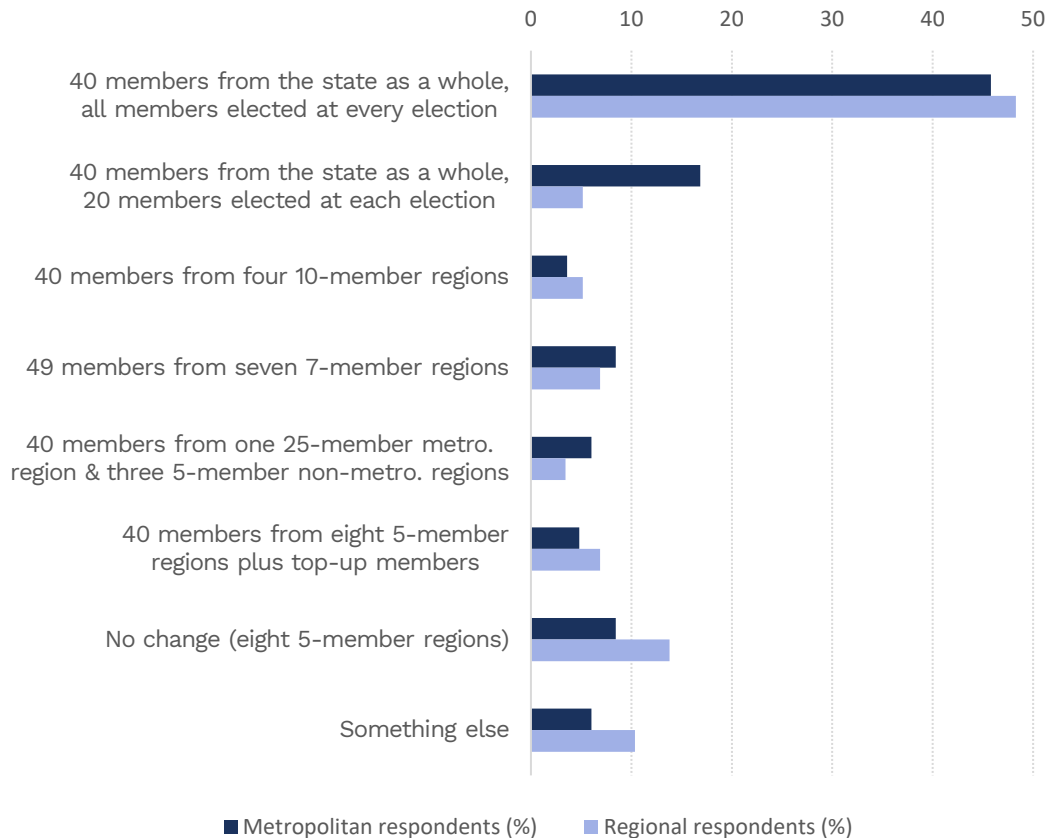
Figure 1 Preferred option, all respondents



¹ Animal Justice Party, *AJP submission to Victoria’s Upper House electoral system inquiry*, <<https://vic.animaljusticeparty.org/ajp-submission-upper-house-electoral-system-victoria>> accessed 21 March 2025.

Of the 141 respondents, 83 lived in one of the five metropolitan regions of Victoria and 58 lived in the three regional regions. The responses from the metropolitan and regional respondents are compared in Figure 2. The data indicate that the preferences of the two groups are relatively similar.

Figure 2 Preferred option, comparing metropolitan and regional respondents



3 Overview of the comments

The Committee has identified two main positions when analysing the comments collected about the structures: those in favour of electing members from the state as a whole and those in favour of dividing Victoria into electoral regions.

Those in favour of the whole-state structure commonly argued that this structure would:

- be similar to structures already present in other states and the Commonwealth Upper House
- provide lower quotas for election, which would make it easier for minor parties to be elected
- lead to electoral results that more closely resemble voters' first preferences.

Several people argued that geographic representation was unnecessary in the Upper House as it is provided in the Lower House. Some participants considered that the existing Upper House regions are too large to reflect meaningful communities of interest anyway. In addition, it was argued that regional areas would still be able to achieve representation without the state being divided into regions.

Those in favour of a system with regions generally argued that:

- people living in metropolitan Melbourne have different needs compared to people living in regional areas
- dividing Victoria into regions would guarantee that regional Victoria had a voice.

Different arguments were provided in relation to each example structure.

4 Detailed feedback on the example structures

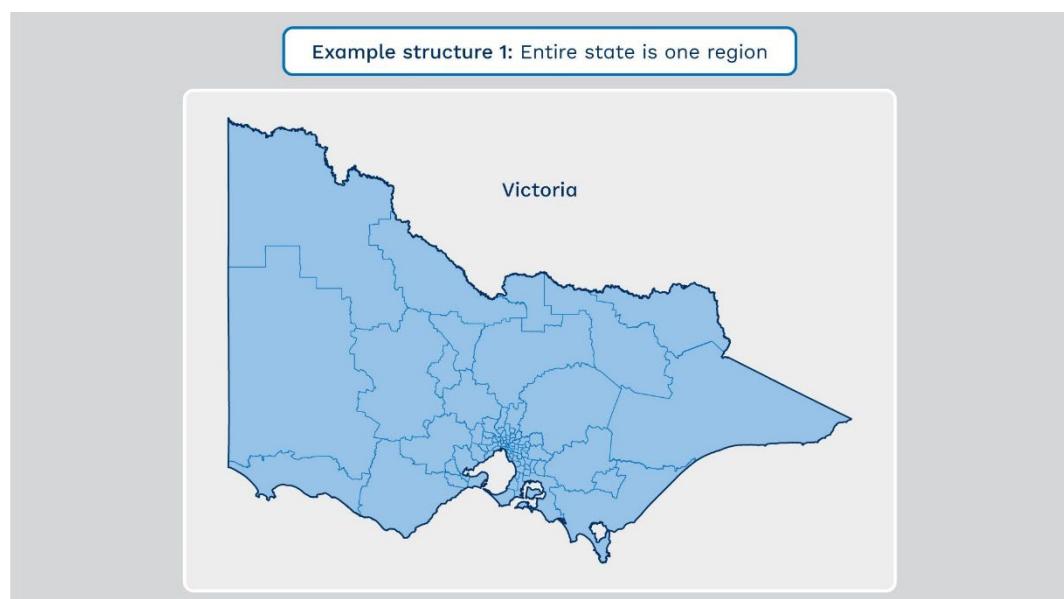
This section provides a description of each example structure and a summary of the reasons given by participants in support of each structure. Selected comments have been included as examples of the sort of feedback received. Each section also notes any arguments made by participants against each model.

The arguments in this section are what was provided by the community and are not necessarily endorsed by the Committee.

4.1 Example Structure 1: 40 members elected from the state as a whole, with all members elected at every election

Description of the structure:

- No regions, all Victorians vote for all members.
- Quota for election (the proportion of votes needed): 2.4% of the state.



Comments

This structure was, by far, the most popular choice for a potential change to the Upper House.

Participants expressed a number of reasons for preferring this structure, including:

- consistency with the model used in other states and at the Commonwealth level
- a smaller quota was considered more representative and democratic because it would give more opportunities to minor parties and independents
- a smaller quota would facilitate more diversity of voices in the Parliament
- regional representation is already present in the Lower House and there is no need to replicate this in the Upper House
- every vote in Victoria would carry equal weight
- voters would be able to vote for the best candidates in Victoria and not just the best ones in their region
- it would maximise the number of people who are represented in the Parliament by their most preferred party or candidate
- it would simplify the electoral process and be easier for voters to understand
- there would be no need to change electoral boundaries in the future due to population changes
- it would reduce the impact of political funding
- it would allow Upper House members to represent the state as a whole and not just individual areas.

Example Structures 1 and 2 are the same except that Structure 1 has all members elected at every election and Structure 2 only has half of the members standing at each election, giving every member eight-year terms. Some people preferred Structure 1 over Structure 2 because they considered that eight-year terms would be too long. It was argued that having all members stand for election every four years would ensure that the Upper House consistently represented the current views and values of Victorians. In contrast, eight-year terms could lead to a delay in changing political circumstances being reflected in the Parliament.

This model was criticised by those who were concerned that it would not guarantee a voice in the Parliament for people living in non-metropolitan areas.

Some people also considered that the quota would be too low with this structure, allowing parties with low levels of support or with few policies to be elected. Concerns were also expressed about ballot papers being too large to encourage meaningful deliberation about candidates.

Sample comments

‘I do not see the need for regions. We are represented geographically by the Legislative Assembly. Any of the proposed regions are too big to have a common identity that voters can identify with (even with the smallest (current) proposed region size — there’s little common interest that Mildura, Bendigo, Mernda, and the Yarra Valley share more than any other part of Victoria.) The Upper House structure should instead be used foremost to reflect the proportionality of the statewide vote.’

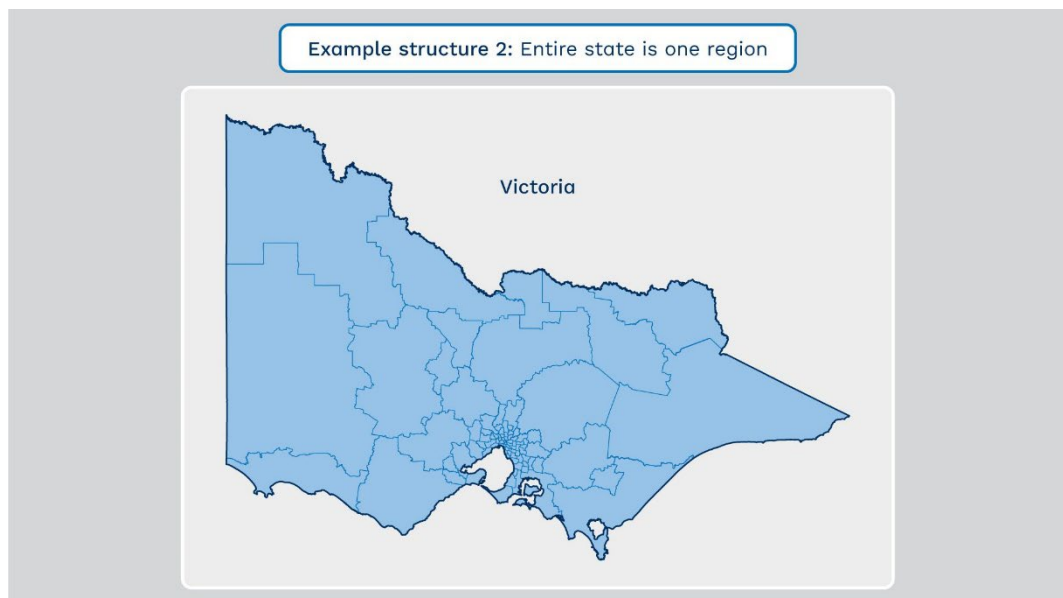
‘Better proportional representation from the smaller parties and independents as quota would be 2.4%. Voting would be simplified.’

‘No regions with all 40 members elected at once allows for inclusive voices in the Upper House and proportional representation is best achieved.’

4.2 Example Structure 2: 40 members elected from the state as a whole, with 20 members elected at each election

Description of the structure:

- No regions. All Victorians vote for all members. Members would be elected for eight years. Only half the members of the Upper House would stand for election at each election.
- Quota for election (the proportion of votes needed): 4.8% of the state.



Comments

People who preferred this structure argued that it aligns with other states like New South Wales and South Australia. Moreover, participants believed that an eight-year term would allow members to have adequate time to legislate and would provide more stability and consistency in the Parliament.

This structure was seen as providing a more practical ballot paper size. Example Structure 1 would require a much larger ballot paper, since all 40 members must be elected at each election. In Example Structure 2, only 20 would be elected each time.

Some participants liked the quota of 4.8%, which they argued would allow minor parties to be represented in the Upper House, would make it unlikely that the Upper House is dominated by one party and would make it relatively easy for newer parties to get a foothold. At the same time, it was argued that the quota was not so low that it would allow ‘single interest low calibre candidates’ to be elected. One person called for the total number of members to be reduced to 38 so that the quota at each election would be exactly 5%.

This model was criticised by those who wanted to ensure regional representation. Some people also expressed concern over the eight-year terms. It was argued that these longer terms would result in a delay between changes in voters’ preferences and changes in the Parliament and that it would be harder to hold members accountable with longer terms.

Sample comments

‘By making the [Upper House] elections asynchronous, it will be less volatile and subject to major swings in opinion based on short-term controversies, particularly around double-dissolutions.’

‘The most fair method of ensuring that the Upper House’s purpose of giving minor parties an appropriate voice is guaranteed by having the entire state as a single electorate, as in NSW, SA and WA. Meanwhile, having half of the Upper House members elected at each election, as in NSW and SA, with members serving 8-year-long terms would ensure that they have the adequate time to legislate effectively while maintaining more reasonable 4-year-long electoral terms.’

‘Alternating eight year terms would provide more stable government, less susceptible to volatile short term issues or manipulation.’

‘A reasonably low quota would make it easier for newer parties to get a foothold in the Parliamentary system, where they could gain experience and have an opportunity to prove their capabilities.’

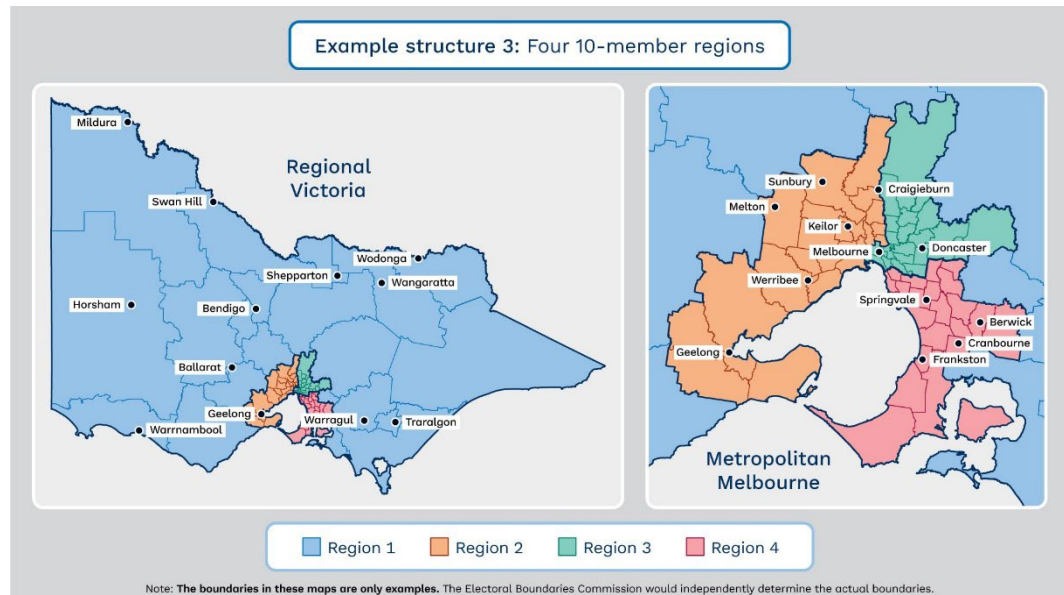
‘Provides a workable compromise in size of ballot paper.’

‘Geographic interests can still be represented by small parties formed for that purpose.’

4.3 Example Structure 3: 40 members elected from four 10-member regions

Description of the structure:

- Victoria would be divided but into larger regions than the current structure. The quota needed for election would be lower.
- Quota for election (the proportion of votes needed): 9.1% of a region.



Comments

People who chose this structure believed that this option provides the right balance between guaranteeing regional representation (by dividing the state into electorates) and providing parliamentary representation (facilitating the election of different parties representing the community).

People considered that this structure would provide closer contact between local communities and elected members than some other options.

Others were concerned that the quota may be too high to allow candidates from smaller parties to be elected.

Sample comments

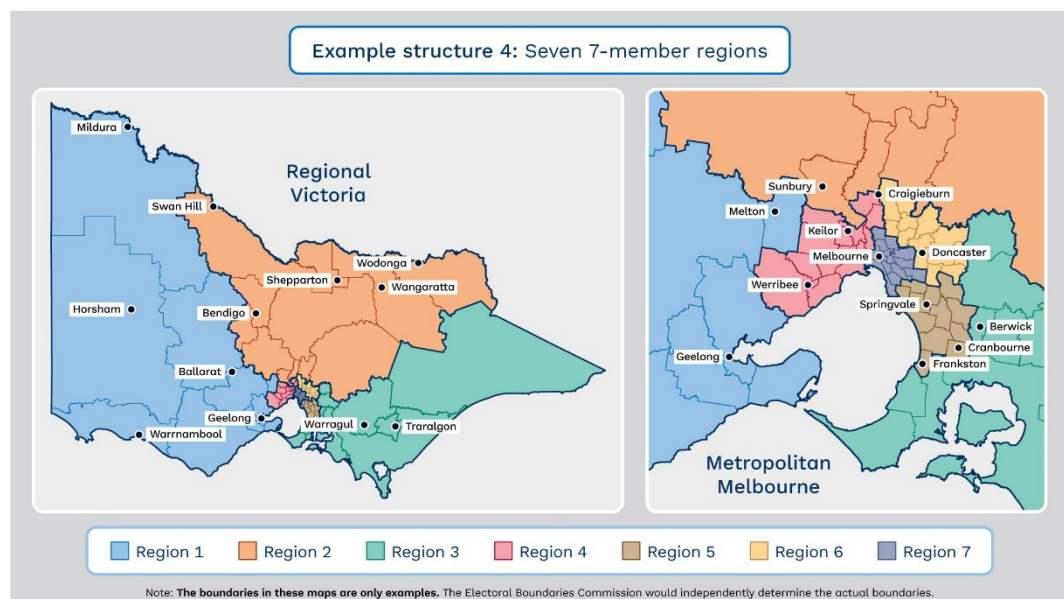
‘Balances regional representation with a broad electorate, and parliamentary representation for different parties with representing the whole community.’

‘I believe the quota for election is too high with the existing eight five-member regions. Ten-member regions would reduce the quota to 9.1% from the current 16.7%. Without group voting tickets, about half the quota on primary votes is enough for a reasonable chance of election. So parties that won about 4.5% would have a good chance to win seats in a ten-member region.’

4.4 Example Structure 4: 49 members elected from seven 7-member regions

Description of the structure:

- The total number of members of the Upper House would be increased to 49 (from the current 40). It would not be possible to divide the 88 Lower House districts evenly into seven regions. It would be necessary to either:
 - have some regions with 12 districts and some with 13 districts or
 - make the boundaries of Upper House regions and Lower House districts different.
- In the example map, non-metropolitan regions have been given 12 districts each, while metropolitan regions have 13 regions each. It is possible to have some regions with 12 districts and some with 13 districts without breaking the current rule that the number of voters in all regions should be within 10% of the average. However, there would be substantial differences in the number of voters in different regions.
- Quota for election (the proportion of votes needed): 12.5% of a region.



Comments

Participants believed that this structure puts more emphasis on the regions, and they supported the increased number of members. This structure was believed to give guaranteed representation for those who live in regional Victoria and to make the Upper House less Melbourne-focused. Some liked that it provided an odd number of members in the Upper House.

The quota in this structure (12.5% of a region) was considered a positive feature since it would ensure that elected members have reasonable levels of support. Some participants worried that the quota may be too high to

allow candidates from smaller parties to be elected. Others argued that the structure would allow smaller political parties to focus on specific regions, rather than the entire state, giving them better chances to be elected.

Sample comments

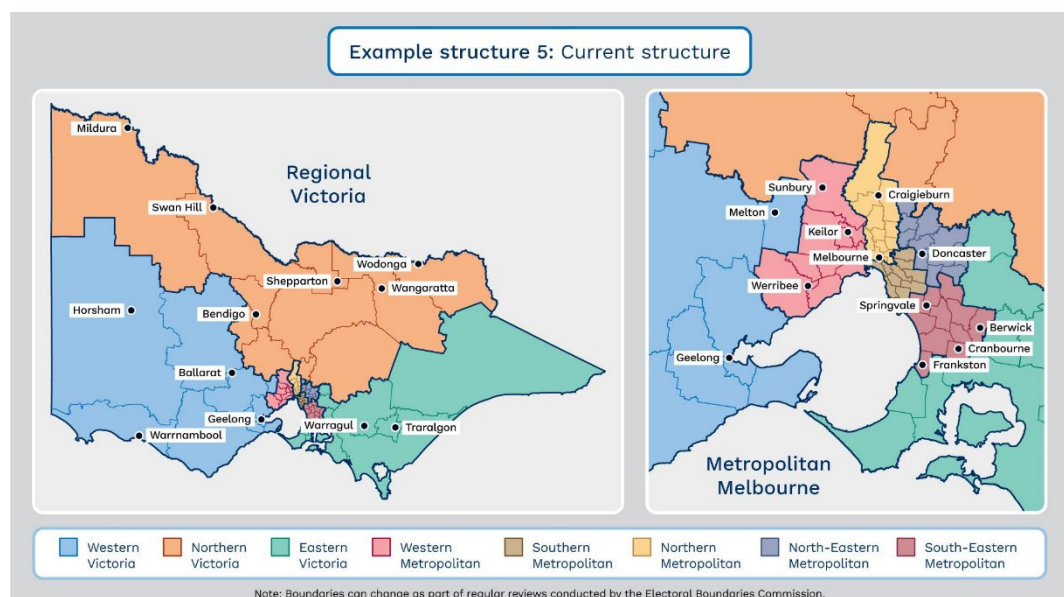
‘Option 4 ensures that regional and remote areas continue to have guaranteed and designated representatives in the Upper House. This also maximises their representation.’

‘This structure increases the number of representatives and will allow improved functioning of committee processes. Additionally, the relatively higher quota for election should ensure that elected representatives are indeed popularly elected.’

4.5 Example Structure 5: 40 members elected from eight 5-member regions plus top-up members

Description of the structure:

- With this option, the current electoral structure is maintained. However, if more than 4% of the voters across the state give their first preferences to a party, the party would be guaranteed one seat in Parliament for every 2.5% of the vote received.
- If fewer members are elected than the guarantee, the party would be entitled to nominate ‘top-up’ members. The total number of members of the Upper House could vary from one election to another.
- For example, if a party received 9% of the first-preference votes across the state but only one member was elected, the party would be entitled to nominate two additional people to become members of parliament. The Upper House would then have 42 members until the next election.
- Quota for election (the proportion of votes needed): 16.7% of a region (excluding top-up members).



Comments

People supporting this structure argued that it strikes a good balance between ensuring members are relevant to their local community and allowing for state-wide trends to be better reflected in the Parliament. They believed that this structure would facilitate minor parties and independents being elected. At the same time, this structure would ensure geographic representation.

Other participants disliked this model because parties would select ‘top-up’ members rather than voters. Some people did not like the fact that the number of members could vary from one Parliament to the next. Some considered that it would be difficult to understand and may favour metropolitan areas over regional areas.

In addition, some participants suggested alternative ways of determining top-up members.

Sample comments

‘Best combination of meaningful geographic representation not diluted over the whole state, while allowing small parties and independents to gain a seat based on their overall statewide vote.’

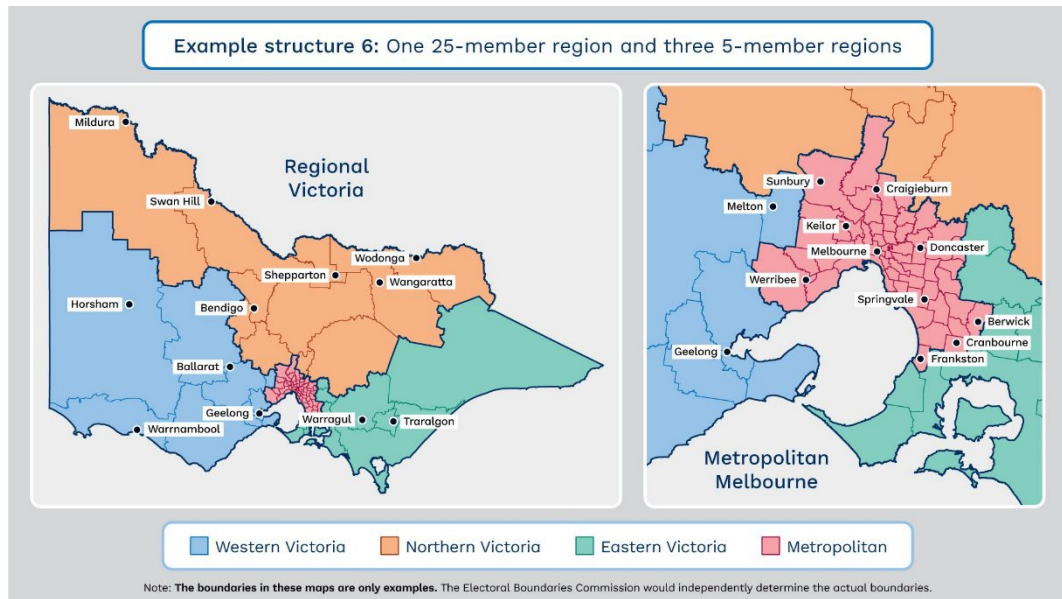
‘Allows for regional differences with appropriate magnitude, while allowing some additional scope for well supported minor party/independent candidates to be elected.’

‘Maintains a regional voice but gives an opportunity for more effective Upper House with a popular vote outcome.’

4.6 Example Structure 6: 40 members elected from one 25-member metropolitan region and three 5-member non-metropolitan regions

Description of the structure:

- This structure would combine the area of metropolitan Melbourne into one region but maintain the current three non-metropolitan regions to ensure that different parts of Victoria are represented.
- Quota for election (the proportion of votes needed): 3.8% of the metropolitan region / 16.7% of a non-metropolitan region.



Comments

This model was perceived as a valid compromise between a whole-state model and a regional model.

People argued that voters in metropolitan Melbourne and regional voters have different concerns. As a result, this structure would represent voters and their needs in a better way.

The 25-member metropolitan region was considered a valid option since the metropolitan area has a greater population and needs to have more representatives compared to the non-metropolitan regions. The three non-metropolitan regions would allow the representation of regional issues.

One person supported this structure but believed it would be better if the regional and metropolitan areas elected equal numbers of representatives so that metropolitan Melbourne could not dominate everything.

People opposing this model raised concerns that having different numbers of members in different regions would be confusing and having different quotas would be unfair. It would make it easier for smaller parties to be elected in the metropolitan region than in other regions. People also suggested that it gave too much power to metropolitan Melbourne and that the members from metropolitan Melbourne would not be local.

Sample comments

‘One 25-member metro region and 3 5-member non-metro regions would allow for the upper house to be more proportional to the results of parties, while also allowing the non-metro regions to still be represented as opposed to being elected from the whole state.’

‘This structure gives a voice to Melbourne, and a voice to the regions. The biggest change our state needs is to move to election of the full upper house each election to avoid lame duck members sitting for long terms.’

4.7 No changes

Comments

Participants who indicated that changes to the Upper House system are not needed argued that:

- the current system is working
- the current structure would work fairly if group voting tickets were abolished
- regional Victoria needs to continue having its own representatives
- compared to the other structures presented, the current structure is fairer and better represents the state
- lowering the quota from the current system’s 16.7% would ‘incentivise politicians from minor parties to carve out demographics and only seek to represent very small parts of the population rather than the state as a whole, incentivise politicians to make promises they know they will never be able to keep in pursuit of minority interests, incentivise divisiveness in politics as politicians will no longer need to appeal to the whole of society, incentivise “preference whispering” and “literally who” candidates getting elected, and worst of all, will enable political extremists to get a foothold in parliament and hold the state to ransom’.

Some participants indicated that changing the current structure would have an impact on taxpayers and that changing the electoral system in the Upper House should not be a priority.

Sample comments

‘The current structure is [the] only proposal which ensures place-based representation across the state in a way which ensures diverse (varied parties) perspectives in the upper house without increasing the size of the chamber.’

‘There is no need for change. Change will just waste taxpayer’s money. This sounds like a plan to reduce accountability. The older I get, the more I despise politicians.’

‘I think it represents the whole state more fairly than the other structures. Imagine the length of the ballot paper if the whole state had to vote for all 40 members! It would be a nightmare. The senate ballot paper is crazy now and we’re only voting for 10. Voting for all 40 would also open up for shonky parties and vote whisperers to do some creative math and we end up the crackpot parties that have more say than their vote deserves.’

4.8 A different structure

Participants had the opportunity to suggest different structures. Eleven participants indicated that they preferred a different structure.

Five alternative structures were proposed:

1. 48 members elected from eight 6-member regions

Two people advocated for this arrangement. One preferred all members being elected at every election, while the other did not have a preference between members being voted for at each election or every second election.

It was argued that this structure would give better representation to regions and appropriate representation to the metropolitan area. Increasing the number of members in each region would provide more representation in the Parliament and more variety of electoral representation, without leading to impractically large ballot papers.

2. 45 members elected from five 9-member regions

Two participants called for five 9-member regions. It was suggested that this structure would strike the right balance of quota size and regional representation while avoiding an even number of members and potential deadlock.

One person argued that the 10% quota with this structure would be low enough for independents and minor parties to be elected but high enough to prevent ‘extremists, celebrities and stooges’ from being elected.

3. 50 people randomly selected from the electoral roll

This system was described as more representative. The Upper House would not consist of people who have an interest in seeking election to office, which the person advocating for this saw as ‘the very worst

people'. The random selection of 50 ordinary citizens was seen as a way to have an Upper House that would be 'a jury sitting in deliberation over the government'.

4. 39 Upper House members elected from the state as a whole, Lower House increased from 88 to 89

Electing Upper House members from the state as a whole was seen as providing the most truly proportional outcomes. The low quota would mean that genuinely significant minor parties could achieve representation, while the larger parties would achieve representation in line with their share of the vote.

It was argued that parties with a strong presence in a particular region (but not a state-wide following) should still be able to achieve representation in the Parliament.

Changing the numbers of members to 39 in the Upper House and 89 in the Lower House was suggested to eliminate the possibility of deadlocks. It would also make the mathematics of the Upper House quota very simple, as the quota would be 2.5%.

5. 10-member metropolitan regions and 5-member non-metropolitan regions

This structure was recommended because it would balance geographic representation and the population disparity between metropolitan and regional areas. It was argued that rural and regional communities have unique interests and challenges, which could be represented by this structure. Regional voters would also have fewer candidates and therefore simplified ballot papers. At the same time, the metropolitan area would be proportionately represented in the Parliament and the structure would enable diverse political voices to be represented.

The person advocating for this structure preferred eight-year terms, with five vacancies at each election for the metropolitan regions and two or three vacancies at each election for the non-metropolitan regions. They considered that this would provide 'institutional stability and ongoing representation for each region'. They also preferred regions with odd numbers of members to avoid deadlocks and ensure smooth decision-making.

6. No upper house

Several people called for the Upper House to be permanently eliminated. One argued that eliminating the Upper House has worked well in Queensland. Another argued that, 'It is completely unnecessary and provides no real vetting of legislation.'

Other comments

In addition, some people completing the online form made recommendations without identifying the details of an electoral structure. They suggested:

- breaking the state into its current administrative regions to create electorates ‘based on demographic and regional thoughts, behaviours and values’ that align with communities
- ‘a structure that does not make it harder for independent or new parties to become viable voting options’
- a structure that is ‘representative and least subject to all forms of corruption both existing and emerging’.

Several other issues were raised in comments. Multiple people expressed a desire to get rid of group voting tickets. In addition, there were calls for:

- real-time disclosure of donations
- introducing qualifications to run as a member
- requiring a party or group to achieve a threshold of first preference votes to have someone elected
- squares above the line on ballot papers for independents
- different methods for counting votes or filling out ballot papers
- Robson Rotation on ballot papers (having parties/groups appear in a different order on different ballot papers).

5 Next steps

The Committee’s next steps will include public hearings with selected individuals and organisations. The Committee will also undertake further research to explore various issues.

The Committee will consider the arguments set out in this document together with the other evidence to develop recommendations about Victoria’s Upper House electoral structure. These recommendations will be made to the Parliament, which will then decide whether to implement them.

The final recommendations are due by December 2025 and will be published on the Committee’s website.