South Australian state election 2014

Brenton Holmes
Politics and Public Administration Section

Executive summary

The re-election of a Labor Government at the 2014 South Australian (SA) state election came as a surprise to many. Opinion polls had consistently indicated that, after a long period in office—under Premier Mike Rann and his successor Jay Weatherill—the electorate had tired of Labor.

Not long after becoming Premier in October 2011, Weatherill was hampered by controversies not entirely of his own making. Steven Marshall, a first term parliamentarian, had become the Liberals’ leader in February 2013.

News that General Motors Holden would cease manufacturing cars in Adelaide came as a blow to an already struggling economy, and state debt loomed large in voters’ minds when a budget deficit of over $1 billion was revealed.

Weatherill called the election for 15 March. On the evening preceding the announcement a Seven Network Reach-Tel poll had given the Liberals a 55–45 lead.

Apart from the overall concern about South Australia’s economy, the election campaign was largely animated by the traditional issues of healthcare, education and transport infrastructure.

When the election was barely a week away, The Sunday Mail and The Advertiser reiterated their strong advocacy for a change of government.

Given the widespread expectation of such a change, it was surprising to many that, a day or so after the election, the result was not readily apparent. A result seemed likely to remain unsettled for many days, and a hung parliament seemed the most likely outcome. What was not in doubt was that the Liberals had received a comfortable majority (53 per cent) of the overall two-party preferred vote. There had been much interest in marginal seats, which had the potential to determine the election outcome.

The focus shifted quickly to the two independents who were expected to determine who would ultimately govern South Australia—Bob Such (Fisher) and Geoff Brock (Frome). On Sunday 24 March, with Labor holding 23 seats and the Liberals 22, Brock declared that he would support a Labor minority government in order to avoid the potential for instability, including the possibility of another election. Fellow independent, Bob Such, had recently revealed that he was taking leave from Parliament to be treated for a brain tumour.

Labor’s win—in the context of the contrast between the votes won by the Liberals and their actual number of seats—resurrected a familiar argument about ‘fairness’ in South Australia’s electoral system. Responding to these concerns, Premier Weatherill said that he would be looking at SA’s electoral arrangements.
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Introduction

The South Australian Constitution Act 1934 provides for a bicameral parliament:

- an upper house, the Legislative Council (LC), comprised of twenty-two councillors, half of whom—eleven—are elected at every general election. The whole state acts as the electorate for the Upper House and
- a lower house, the House of Assembly (HA), comprising forty-seven members, each representing a distinct geographical area or district.1

South Australia’s parliamentary elections are conducted under the provisions of the Electoral Act 1985.2 Since 2001, South Australia has had fixed, four-year parliaments which were brought into operation by the Constitution (Parliamentary Terms) Amendment Act 2001.3 The previous South Australian state election held on 20 March 2010 was the 52nd election, and was the second general election to be conducted under the fixed term provisions.

In 2013, key amendments were made to the Electoral Act 1985 and applied for the first time at the 2014 election. These included, among others:

- the number of elector signatures required for nomination of a single candidate, not endorsed by a registered political party, increased to:
  - 20 electors for nomination for the House of Assembly and
  - 250 for nomination for the Legislative Council
- the lodging of voting tickets for the Legislative Council is restricted to groups of two or more candidates, thereby removing voting ticket squares for individual candidates (either party or independent).4

The reforms also dramatically increased the cost of registering as a candidate. Candidates for the upper house are required to put up a bond of $3,000 each, up from $450.5

Enrolments

At 30 June 2013 there were 1,107,523 electors on the state roll, an increase of 7,149 during the previous 12 months.6 The Australian Parliament enacted legislation in 2012 to provide for automatic enrolment of eligible electors.7 This enabled reliable data sources of names and address to be used to place people on the federal electoral roll automatically. Inevitably, this led to some discrepancies between the state and federal rolls of eligible voters:

Differences between State and federal enrolment legislation allowing federal direct enrolment, enrolment updates from trusted data sources and online updating continues to increase the divergence in the State and federal rolls.

As at 30 June 2013 there were 15 122 State only electors and 25 048 federal only electors enrolled in South Australia ...8

In South Australia, a Continuous Roll Update (CRU) program—where information obtained from Transport SA, Australia Post and Centrelink identified those who may have moved house without updating their electoral enrolment details—saw a total of 182,868 roll review letters mailed out by the Australian Electoral Commission (AEC) in 2012–13.9

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4. Electoral Commission SA (ECSA), ‘Legislation’, State election fact sheet, 13, ECSA website, updated December 2013, accessed 5 February 2014. Voting tickets are the party-approved distribution of preferences that are formally lodged with the Electoral Commission that voters may use to assist them in supporting the party of their choice when they cast their ballot by voting ‘above the line’.
8. Ibid., p. 27.
9. Ibid., p. 28.
A new website—designed to increase electoral awareness among voters—was also launched by the Electoral Commission SA in mid-April 2013 (see image below).10

The political landscape in South Australia

During 2011 the South Australian Labor Party (ALP) had been unsettled by disputes related to Premier Mike Rann’s leadership and the timing of any handover to his heir apparent, Jay Weatherill.11 Weatherill eventually took over the leadership in October 2011—a move which was generally applauded by Labor voters.12 Early in 2013 there had been important developments for both the Liberal and Labor parties. Premier Weatherill had reshuffled his ministry and some longstanding Labor figures decided to depart the political scene.13 Steven Marshall—a first term parliamentarian holding the marginal eastern suburbs seat of Dunstan—was elected Liberal leader.14

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14. Ibid.
In the midst of these political changes, the government sought to establish a new policy agenda in the face of South Australia's declining economic situation. At the end of the review period, the Premier, in his role of State Treasurer, delivered his first state budget … After the period of sustained economic growth under the Rann Labor era for much of the 2000s, South Australia [found] itself returning to its historical place as one of the areas of slowest growth across the nation.  

The early stages of Weatherill’s premiership had been clouded by an ongoing controversy over why voters were not told for more than two years about the arrest of an out-of-school care worker for the rape of a girl. Weatherill had been Education Minister at the time but apparently he had not been alerted to the matter. A Royal Commission—led by retired Supreme Court judge Bruce Debelle—ensued. Its report was released in July 2013:  

It was revealed that two of Mr Weatherill’s closest advisers were told of the incident at the time in an urgent email from the department, but they did not tell the Premier, who was then education minister.

Mr Debelle’s report led to a new parliamentary select committee inquiry—Matters relating to the Independent Education Inquiry—which was set up to ‘to investigate and report on  

• (a) any matter arising from the 2012–2013 Independent Education Inquiry also known as the Debelle Inquiry  
• (b) any matter raised by the Debelle Inquiry related to incident and records management, including compliance with legislation and policy  
• (c) progress on the implementation of the recommendations of the Debelle Inquiry, and  
• (d) any other relevant matter.

The select committee tabled its interim report on 26 November 2013, but was still taking evidence up to the 2014 election. The committee chair is former Liberal minister and now upper house Legislative Council member, Robert Brokenshire. The controversy had little chance of abating under such circumstances.

Anticipating the election

Late in 2013—with news of Holden’s departure from the vehicle manufacturing scene having caused enormous consternation—veteran South Australian political reporter, Rex Jory, wrote that the Labor Government was ‘nervous, even pessimistic about the likely outcome of the March 15 state election. The Liberal Opposition was hopeful it can win’. An Advertiser Galaxy poll had the Liberals on 54 per cent to Labor’s 46 per cent two-party preferred. A general view was that the SA election would be focused ‘on the usual themes: the state of the economy and how to revive it, education, government taxes and charges, development issues, and … law-and-order’.  

Labor had sought to regain some of the policy and political initiative through its Building a Stronger South Australia campaign but, on Christmas Eve 2013, an opinion piece in The Australian had declared that ‘Voters in South Australia are tired of Labor’:  

The party has been in a holding pattern since the 2010 election, hoping Mike Rann’s legacy of a multi-billion-dollar infrastructure spend will deliver a fourth term next March.
With a cupboard bare of policy vision, the party is now focused on attacking the Liberals, helped by the missteps of the federal government on education reform and Holden’s exit.

The change of government federally has no doubt tempered a runaway Liberal lead … Weatherill will be hoping the many undecided voters can be convinced the Liberals under the untested Steven Marshall are too much of a risk, particularly when the economy is fragile.  

Election analyst Antony Green noted that, although the Labor Party was ‘talking up its prospects in marginal Liberal seats’, the election would actually be decided in Labor’s seats:

> The only relevant electoral maths for the 2014 election is that Labor goes to the election holding 26 seats, with 24 seats needed for majority government. The Liberal Party will also be trying to win three traditional Liberal seats currently represented by Independents... Taking into account the [electoral] redistribution [of boundaries], and assuming the sort of uniform swing that failed to eventuate in 2010, Labor should lose three seats and its parliamentary majority with a uniform swing of 0.6% to the Liberal Party.

> Making life harder for the Liberal Party is that it goes into the 2014 election with only 18 seats. Three traditionally conservative seats were won by Independents in 2010. If the Independents are re-elected then the Liberal Party would need to win six seats for majority government, a uniform swing of 2.6%. The Liberal Party could need between 52.2% and 54.2% of the state-wide two-party preferred vote to achieve majority government at the 2014 election, depending on the number of Independents elected.

> Whatever the state-wide vote, the key factor that will decide the 2014 election is whether the the [sic] Liberal Party can dislodge Labor members in key marginal seats. It was the failure of the Liberal Party to win key contests that cost the party government in 2010.

**Into 2014**

Barely had the new year begun when the first shots were being fired in the unofficial election campaign. Labor released aggressive advertisements targeting the Liberals over their ‘failure to release a public sector policy’ and intimating that the state Liberals would pursue spending cuts in the manner of their Federal counterparts.

> With the Liberals needing to win six additional seats to form government in their own right, polling showed them leading Labor 53–47 on a two-party preferred basis.

> Given the electoral climate, Marshall has a strong chance of turning Jay Weatherill into the Premier who brought down the curtain on 12 years of Labor rule. An electoral redistribution has not favoured the ALP, and Weatherill has found it hard to get his message heard above the noise of the school sex scandal and an economy robbed of the expansion of Olympic Dam and now Holden. Either way, Marshall feels confident, even if his Party does not perform as well as the polls suggest.

> Adelaide University political analyst Clem Macintyre … says the Liberal leader is tracking well although still comes across as a first-term member of Parliament who is not as sure-footed as a more experienced MP.

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28. Ibid.

But, notwithstanding the polls, independent MP, Bob Such, warned that he and two other unaligned MPs were ‘increasingly unlikely to back the Liberals if the March election produces a hung parliament’, accusing the Liberals of spending ‘huge sums of money in an attempt to “wipe us out”’. 30

**Economy a key issue**

The Adelaide Advertiser editorialised that South Australia’s local economy was facing a testing time courtesy of international economic events, and urged spending restraint:

> The announcement Holden will close in 2017 drives home the wrenching impact that changes in the global economy are creating in our own back yard. These aren’t issues that can be satisfactorily dealt with in a sound bite or press release.

> The State Budget is deep in the red and neither side can responsibly go on a spending spree. It is too easy for governments and oppositions to promise everything to everyone and doom us all to eventual disappointment.

> For promises to be credible, they need to be fully and believably costed. 31

In late January the political situation worsened for Weatherill when, barely seven weeks after an earlier budget review, he revealed new figures showing that the government’s projected budget deficit for 2014–15 had substantially increased:

> The projected deficit for 2014-15 has risen by $63 million to $574 million, while projected surpluses in 2015–16 and 2016–17 have been shaved by $110 million and $147 million … The impact of Holden’s closure on the budget is forecast to be $14.2 million in 2016–17. 32

Weatherill said his Government needed $330 million from the Federal Government to deal with the economic and social impact of Holden’s departure in 2017, claiming that its exit put 13,000 jobs at risk. 33 The Federal Government had said that it would contribute $60 million to boost investment in South Australia and Victoria—but Weatherill declared the amount to be much too low. 34 Weatherill subsequently released a state government package that included ‘infrastructure spending, support for automotive components manufacturers, re-skilling and redeployment plans for the Holden workforce, community investments, and industry assistance for advanced manufacturing’. 35

Education policy had emerged early as an issue that would be hotly contested by the parties. In November 2013, Premier Weatherill had committed to build a second Adelaide High campus with capacity for an extra 1,000 students by 2019. 36 He had also announced plans for all new teachers to ‘have master’s qualifications from 2020’. 37 NAPLAN test results showed South Australia was ‘behind the Australian average in 19 out of 20 categories’. 38

The Liberals subsequently announced that Year 7 of education would not remain with the primary school years, but would become the entry level of secondary schooling in the state, saying that the change ‘will deliver better results for students by providing earlier access to specialised teaching’. 39 A survey several weeks later showed that ‘nearly 60 per cent of the 1350 respondents … rejected plans for Year 7 to be moved to high school’. 40

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34. Ibid.
35. Ibid.
38. Ibid.
50 days out from the election

With the uncomfortable news for Labor that the state’s deficit had blown out still further to more than $1 billion—the highest in its history—Opposition Leader Marshall issued a media release highlighting ‘dangerously high debt approaching $14 billion’ and stating that ‘a Marshall Liberal Government will not build toll roads, will not impose tolls on motorists to use existing roads and will scrap Mr Weatherill’s toxic car park tax’.  

But there was a range of other issues playing into the pre-election dynamics:

Two state elections on the same day, and unfortunately for the incumbent Labor governments, they will be held in the two states with the highest level of unemployment. South Australian Premier Jay Weatherill’s task is made that much harder because Labor has been in office for an unbroken 12 years.

Labor holds 26 seats to the Liberals 18, but 11 of those 26 seats are held by less than 5 per cent, and that’s a lot of low-hanging fruit. The Government has two factors in its favour nevertheless. The decision by the Abbott Government to abandon Holden will hurt the Liberals. And Marshall has been in Parliament for just three years. However, there will need to be a significant and late change of heart for the Government to survive.

On 31 January, a row erupted within the state Labor Party when it emerged that outgoing Labor senator, Don Farrell, was possibly in pursuit of a safe state seat. Premier Weatherill believed that such a move would destabilise the state party:

Weatherill said the SA Labor party has been a unified party, while "for better or worse" Senator Farrell was associated with the disunity that led to the destruction of the federal party at the election. "We don’t want that in state parliament," he said. Senator Farrell told the ABC he was not interested in the leadership of the SA ALP... But Weatherill said he did see the senator as a threat to him, which was the "very last impression" the Labor party wanted to give electorate [sic]... If the senator was preselected, Weatherill said he would consider resigning before the 15 March election.

Within hours Farrell withdrew his nomination, saying ‘the premier has made it clear he doesn’t support the move and the best thing I can do for the Labor party now is withdraw my nomination and get behind the premier’. Crikey’s David Washington, however, saw the fracas as killing Labor’s electoral prospects:

In a few mad hours this morning, South Australian Labor’s electoral hopes have been damaged irreversibly. Party faithful went to bed last night harbouring outside hopes of an election victory in the SA election on March 15. Today, they are in despair. ... Beyond all the machinations and ifs and buts, one overarching question remains: how could Labor do this to itself after the years of pain inflicted by the federal disaster? It is impossible to comprehend.

With the fallout from the Farrell pre-selection dispute still to settle, talks began between the state and federal governments on how best to deal with the crisis in manufacturing that had emerged following the General Motors Holden decision to cease its Adelaide operations in 2017.

The Farrell-Weatherill stoush continued to prompt press comment about the inevitability of a Labor defeat, along with advice about the need for party reform:

The focus must now turn to what the Labor Party can do to ensure that, sometime in a future election, it will again be seen an as alternative government. In summary, it has to jettison its current structures, its mode of internal behaviour and rebuild on representative, even democratic, principles.

44. Ibid.
Friday’s events were a matter of faction politics, faction warfare, and factional and personal ambitions. These factors are not new.

Meanwhile, a series of planned events or debates involving key ministers and their shadow counterparts suggested that the campaign was entering a new phase. One of the first encounters revealed a stark difference between the parties’ approaches to infrastructure policy. Labor sought public-private partnerships for infrastructure development, while the Liberals believed government should ‘get out of the way and trust the industry’.

The Property Council of Australia added its voice to the debate by issuing a document Igniting Our Economy: Building a Dynamic Future for South Australia. Subsequently, Business SA released its major pre-election policy document, 2014 Charter for a More Prosperous South Australia with recommendations that included a review of the GST, biennial red-tape reduction reviews, establishing an independent statutory authority to advise state government on infrastructure priorities and leading the debate on a nuclear energy industry in South Australia to take advantage of the state’s significant uranium resources.

In a rare piece of good economic news for South Australia The Australian Financial Review reported that computer giant Hewlett-Packard planned to set up a new research facility in Adelaide ‘creating hundreds of jobs, including the relocation of some roles from Victoria’:

The deal is also though [sic] to include the $55 billion company backing new IT degrees at local universities in SA as part of bolstering its presence in SA.

HP already holds a $120 million contract, which runs until 2018, where it provides mainframe computing services to many SA government agencies.

The opinion polls, however, continued to point to a Liberal victory. An Advertiser Galaxy poll of 849 people, taken on 12 February, showed the Liberals leading 55–45 on a two-party preferred basis, and Opposition Leader Marshall holding a three-point lead over Jay Weatherill as preferred premier:

The Opposition also holds a commanding 52-48 lead in metropolitan Adelaide—the home of a swag of key marginal seats that will decide the winner of the March 15 election.

Liberal attack ads—citing Don Farrell’s failed bid for a safe Labor seat in the state parliament—proclaimed Labor’s ‘crippling division and disunity’ and said that recent statements from Right-aligned Labor MPs described Weatherill as a ‘dead man walking’. Adding further to election intrigue was a visit to Adelaide by ‘preference whisperer’, Glenn Drurey, allegedly to assist minor parties and independents to secure seats in the Legislative Council.

Meanwhile, a stark difference between the major parties came to light in the area of campaign donations. The Australian Electoral Commission’s annual donor returns showed that the Liberal Party received almost twice as much in donations and other payments than Labor in South Australia in the previous financial year—$3.96 million for the Liberals compared with $2.15 million for the ALP.

48. D Jaensch, ‘Labor must build a faction-less future’, Adelaide Advertiser, 5 February 2014, p. 20, accessed 5 February 2014. (Note: The unemployment rate in SA is 6.7 per cent, in contrast to the national unemployment rate of 5.8 per cent.)
53. Ibid.
**Week 1 of the campaign**

On 15 February the Premier dissolved the Parliament. The 15 March election would see not only the Labor and Liberal parties pursuing voters’ support, but also the Greens, Dignity4Disability, Family First, as well as other small parties and independents—including two endorsed by Clive Palmer but not registered as PUP candidates. The March election would also be the first time Weatherill had contested an election as Labor leader. The same was true for Marshall as Liberal leader.

Labor launched its campaign immediately—at the Adelaide Oval, the site of the city’s most recent and elaborate redevelopment project—and two days later the party leaders held their first campaign debate. The preceding evening, a Seven Network Reach-Tel poll had given the Liberals a 55–45 lead.

The leaders’ debate was an airing of the parties’ familiar refrains:

- Weatherill warned that a vote for the Liberals would result in cuts to frontline services
- Marshall attacked the Premier for neglecting small business
- Weatherill urged government to ‘step up’ and take the lead in making changes ‘to modernise and transform the economy’
- Marshall said the domestic economy was ‘stalling’ and that the export sector was ‘going backwards’.

Marshall had earlier said that public sector job cuts under a Liberal government would not exceed the 5,170 target set by Labor in the 2013–14 Budget.

Mr Marshall says the cuts would be part of wider efforts to achieve budget savings. ‘The Productivity Commission, we’ve been talking about for almost a year now, they will guide any savings that we will have across the budget, not just in terms of employee numbers but in terms of a range of other savings opportunities,’ he said.

Marshall also pledged up to 800 CCTV cameras as part of a package whereby councils and local groups would receive $1 for every $2 they spent on public safety measures.

Both Labor and Liberal confirmed that they would commit $8 million to construct a second freeway in the Adelaide Hills. Another multi-million dollar promise to the voters by Labor was a $117.5 million upgrade to Flinders Medical Centre; the money would be spent on a new neonatal unit and single-bed wards. The Liberal Party indicated it would match the pledge ‘as it was budgeted for in the forward estimates’.

Meanwhile, Clive Palmer—whose Palmer United Party had not registered for the election—endorsed two independents for the Legislative Council. Palmer considered the recent changes to the SA electoral laws—especially the rise in nomination fees from $450 to $3,000—were tantamount to the election being ‘rigged’.

A Minor Party Alliance headed by ‘vote whisperer’, Glenn Druery, was reported to have been meeting over several months in South Australia to iron out preference flows, ‘the idea being that if all the minors pass preferences to each other before the major parties at least one micro candidate should get up’. When the SA Electoral Commission released the details of all upper house preference tickets, it became clear that the Xenophon team had been put last on seven voting tickets and no higher than third last on a further four

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60. S Martin, ‘Economic revival the key theme as leaders square off’, The Australian, 18 February 2014, p. 6, accessed 19 February 2014.
61. Ibid.
62. Ibid. (For an ABC Factcheck on the leaders’ claims about the SA economy see ‘Did the SA economy go backwards last year?’, ‘Factcheck’, ABC website, 27 February 2014, accessed 3 March 2014.)
70. Ibid.
71. L Mannix, ‘The day democracy died; how SA killed micro-party dissent’, op. cit.
tickets. However, Senator Xenophon’s No 1 candidate, John Darley, ‘was almost certain to be re-elected on the strength of the “Mr X” brand’.

The close of week one of the election campaign saw the Liberals pledge $1 million a year to create a Financial Services Centre of Excellence, intended to encourage interstate or international firms to relocate or expand into SA to create a ‘critical mass’ of services and expertise. But the Liberals’ campaign was knocked somewhat awry when The Advertiser ran a weekend, front-page, story about the Liberal candidate for the northern suburbs seat of Ramsay, Anthony Antoniadis, who had made derogatory comments about his would-be constituents in a series of Facebook posts.75

**Week 2 of the campaign**

In what was described as a ‘bold private practice bid’, the Liberals revealed a plan to invite private operators to take over the old Royal Adelaide Hospital site and keep it running as a major medical facility. The proposal contrasted strongly with the Premier’s commitment to building a new 1,000–student high school on the hospital site. Senator Nick Xenophon later said his state election team would support Liberal plans to maintain health facilities at the old site.

The following day, The Australian Financial Review reported an expensive Liberal Party fundraising event to be held at the private home of developer Michael Hickenbotham. The event included:

- a late afternoon ‘private briefing’ with Mr Marshall and Liberal Party figure Michael Kroger and
- two tickets to a $500 a head garden party hosted by Mr Hickenbotham.

The garden party has already sparked public controversy because of differing policies from the government and the opposition over the rezoning of a massive tract of north of Adelaide, known as Roseworthy. Mr Hickenbotham’s company holds the largest slice of the 1400 hectare site which was earmarked for development in Labor’s 30-year plan released in 2010.

Planning Minister John Rau recently put the brakes on Roseworthy, which can accommodate 40,000 homes, citing stronger than expected infill development, surplus city fringe land and the availability of less remote sites.

Mr Marshall was quoted in the Bunyip Press saying that due process would need to be followed but the government would make the project a top priority. “I’m committing ... that if we’re elected in March that we’ll do everything we can to remove red tape to make sure this project goes ahead,” he said.

In a tit-for-tat argument about parties’ connections to developers, Weatherill faced questions after it emerged that ‘CIC Australia Limited, which has won preferred tender status for an 11-hectare housing development on Tonsley’s former Mitsubishi site’, had hosted a Labor fundraiser in January. Meanwhile, pressure appeared to be mounting on the Liberal Party to dis-endorse the candidate for Ramsay who had called his would-be constituents ‘smelly’ and ‘work-shy’.

What appeared to be yet another leak occurred in the middle of week two claiming that Weatherill had failed to disclose a $212m increase to net debt in 2017–18 since the 2013 mid-year budget review. Weatherill rejected the claims, promising that ‘the release of Labor’s costings will show debt reducing after 2016’.

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73. Ibid.
80. Ibid.
A plan by Opposition Leader Marshall to limit council rate rises drew fire from the Local Government Association (LGA) who argued that the plan would ‘put community services at risk’. The Essential Services Commission of South Australia would regulate rises, but the LGA argued that the previous Federal Government’s Henry Tax Review recommended councils keep control of rates.

In an unusual move, the Liberal Party paid for an independent candidate, Ms Mel Calone, to campaign against Labor in the seat of Lee. Calone’s children attended the school where the rape of a student sparked the Debele Royal Commission. Ms Calone recorded a radio advertisement criticising the government on its child protection record and urging listeners to ‘put Labor last’.

The ad was authorised by Liberal Party SA state director, Geoff Greene:

> Mr Greene rejected suggestions the Liberal Party was using Ms Calone to erode Labor’s vote in Lee. “We’ve recorded an advertisement for her and are putting it to air for her (but) it’s her voice, it’s her words,” he said. “We think it (child protection) is an important issue”.

Subsequently, Electoral Commissioner, Kay Mousley, ordered the Liberal Party to ‘withdraw the ad and air a retraction’ because it made statements about Premier Jay Weatherill that her office found were ‘misleading and inaccurate’.

Motor sport has been a feature of Adelaide’s high-profile events for several years, and the main parties were keen to appeal to race enthusiasts. Labor promised $7.5 million towards a private racing venture at Tailem Bend; the previous week the Liberals had promised ‘to investigate how to create motorsport events through the year—including a second V8 Supercar race’. Labor also promised $6 million to an Agribusiness Accelerator program, a strategy intended to ‘future proof’ the agricultural sector.

With a little over two weeks to go before the 15 March election, the polls were showing Opposition Leader Marshall as preferred premier and the Liberals still leading the Labor government at an unchanged 55 to 45 per cent two-party preferred. At the close of nominations, a total of 267 candidates had nominated for the South Australian election, compared with 327 for the 2010 state election:

When nominations closed ... 204 candidates had nominated for the House of Assembly and 63 for the Legislative Council. SA’s Electoral Commission said a record number of 1,142,419 South Australians are enrolled to vote in the March 15 election. This is an increase of just over 49,000 on the 2010 figure. SA Electoral Commissioner, Kay Mousley, said the average number of electors per district was 24,307. The largest district is Lee with 25,971 voters and the smallest is Giles with 22,712.

As week two drew to a close, the Australian Industry Group (AiGroup) issued a pre-election plea to all parties to pursue policies that would ‘absorb thousands of workers being displaced from the automotive and other sectors’ which ‘would fund small and medium companies to expand ...’. At the same time, an Advertiser editorial extolled the virtues of the city’s prominent Festival of Arts, but noted that neither political party had released ‘a comprehensive strategy that contains a compelling and big-picture vision for the arts ...’. But a Newspoll published in the weekend press prompted the Weekend Australian to conclude that it was ‘over’ for Jay Weatherill and the Labor Party.

> Today’s Newspoll shows that Opposition Leader Steven Marshall has erased Mr Weatherill’s lead as preferred premier, gaining 10 points on this measure since December. He is now preferred as premier by 39 per cent of

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86. Ibid.
88. Ibid.
94. Ibid.
voters, while Mr Weatherill is steady on 40 per cent. Mr Weatherill’s personal rating has also slipped into negative territory for the first time, with 44 per cent of voters dissatisfied with his performance, up seven points. His satisfaction levels remain steady at 43 per cent, but have now fallen behind Mr Marshall’s.97

Maybe, like milk, governments just have a natural expiry date.98

Week 3 of the campaign

Opposition Leader Marshall began week three with the announcement of a $14 million, four-year plan to enhance suicide prevention measures.99 Labor had previously promised to establish a Mental Health Commission and also to fund anti-suicide services, such as Lifeline.100 Marshall also promised to establish a Productivity Commission, saying he could save businesses $400 million in ‘red tape’ costs over the four-year term of a Liberal Government, but he declined to give specific examples of what ‘changes could be made to reduce red tape’s effect’.101

Federal member for Fairfax, Clive Palmer, made a brief appearance to support two Palmer United Party candidates for the Legislative Council, urging once more for the combined facilities of Toyota, Ford and Holden to be brought together as one ‘super factory’ to manufacture cars.102

With both major parties keen to be seen as very supportive of new business opportunities, community views about fracking processes to extract gas were causing some political angst among MPs on both sides. A parliamentary inquiry was the likely means to achieve consensus.103

Weatherill announced a funding boost of $2 million over four years to enhance the state’s capacity to support defence industries, and $600,000 to transition The Heights School into a specialist training school for defence industry skills.104

Opposition Leader Marshall promised an overhaul of the school curriculum ‘to equip students with the skills to become entrepreneurs’.105 Labor, too, had committed $800,000 to support entrepreneur programs.106 Marshall also told business leaders that he would not ‘crusade’ on social issues such as gay marriage and euthanasia.107 Another major Liberal promise would see land tax slashed from 2016–17 at a cost about $53 million dollars. Marshall predicted it would ‘eliminate the charge completely for 16,000 people’.108

On Tuesday 4 March, an Advertiser Sky News People’s Forum comprising 100 undecided voters proved a heated affair, with Weatherill being declared the winner of the debate by a small margin.109 The leaders dealt with questions on the economy, renewable energy, public transport, education, the Holden shutdown, utility bills and defence.110 In an opinion piece in The Australian the following day, Sarah Martin opined that economic management had ‘never been a priority for Jay Weatherill’:

> The Premier has made plain that his focus is on continuing public spending and maintaining services, rather than pursuing fiscal prudence. It seems most voters have a different view and Weatherill may pay dearly.111

Law-and-order issues had not been prominent in the election campaign, but Labor said it would introduce mandatory imprisonment laws ‘to ensure serious violent offenders served some time in prison’.112 Under the

100. Ibid.
106. Ibid.
110. Ibid.
law, a court would not be able to fully suspend a sentence of two years or more for a serious violent offence.\textsuperscript{113} Labor also said it would trial ‘boot camps’ for young offenders as a last chance for them to avoid jail.\textsuperscript{114}

By week’s end:

- the Liberals had announced $15 million for the Murray Bridge Racing Club Gifford Hill development and said the current racetrack could be used for new housing
- Labor had promised an extra $4 million for monitoring and surveying activities in the new marine park network and $8.9 million for metropolitan parks and reserves
- the Liberals had promised $4 million a year to lure more major events to Adelaide, $6.8 million for a science centre at Henley High School and $600,000 for Greek classes in primary schools and committed $3 million towards a new basketball stadium planned for the southern suburbs
- Labor had outlined a cost of living package, including $1 million for Foodbank SA and $3.82 million to establish a ‘Good Money Store’; a science-themed package of $2 million for a new cooperative research centre; $400,000 to the Polaris Centre in Mawson Lakes and a pilot scheme to install solar panels on public housing properties.\textsuperscript{115}

The Liberals also promised \textit{not} to privatise SA Water.\textsuperscript{116}

Prominent election analyst, Malcolm Mackerras, predicted a change of government in both SA and Tasmania, describing SA as ‘landslide prone’:

> My prediction for this election is 29 seats for the Liberal Party, 16 for Labor and two of the current three independents winning again. I predict Liberals will take Hartley, Ashford, Elder, Mitchell, Newland, Florey, Colton, Light and Wright from Labor as well as retaining their existing 19 seats which, of course, include Bright, notionally. In Mount Gambier I predict the Liberal candidate, Troy Bell, will take the seat from Don Pegler, the incumbent independent.\textsuperscript{117}

\textbf{Week 4 of the campaign}

Promises from both parties began to ebb as the final week of the campaign got underway. Weatherill flagged a new social history museum that would ‘permanently celebrate South Australia’s trailblazing political history.’\textsuperscript{118} Marshall flagged a new port facility on Eyre Peninsular under the auspices of a new planning body to be called Infrastructure SA, and he promised to scrap a ‘Save the River Murray’ levy that householders pay on their water bills.\textsuperscript{119}

With the election barely a week away, The \textit{Sunday Mail} editorial was unequivocally an advocate for a change of government—‘Fresh face, fresh ideas, fresh start.’\textsuperscript{120} But it acknowledged that in his two years as Premier, Jay Weatherill had ‘done much that [was] commendable’:

> He can point with pride at a Labor legacy that has changed the face of the city and given us a sports stadium, a hospital on the way, and the thrilling [South Australian Health and Medical Research Institute] SAHMRI hub. He has also invigorated the inner city with licensing laws favouring small food and drink outlets.\textsuperscript{121}

A minor controversy erupted following a typographical error in a ruling by the SA Electoral Commissioner about an allegedly misleading ALP poster. Independent Senator Xenophon had lodged a complaint about the poster, which had attacked Xenophon’s X-Team over its views on workers’ penalty rates.\textsuperscript{122} The error involved the omission of the crucial word ‘not’ in the Commissioner’s letter responding to Xenophon’s complaint. The

\begin{footnotes}
\textsuperscript{113} Ibid.
\textsuperscript{114} S Holderhead, ‘\textit{Labor’s boot camp for young crims}’, \textit{Adelaide Advertiser}, 8 March 2014, p. 8, accessed 14 March 2014.
\textsuperscript{115} ‘The week that was: 5 minute guide’, \textit{Adelaide Advertiser}, 8 March 2014, p. 40, accessed 13 March 2014.
\textsuperscript{117} M Mackerras, ‘\textit{Two states swing to the Right}’, \textit{Weekend Australian}, 8 March 2014, p. 18, accessed 14 March 2014.
\textsuperscript{120} Editorial, ‘\textit{Fresh face, fresh ideas, fresh start}’, \textit{Sunday Mail Adelaide}, 9 March 2014, p. 61, accessed 14 March 2014.
\textsuperscript{121} Ibid.
\end{footnotes}
Commissioner had intended to declare that the poster was not misleading, and she said that the context of her letter would have conveyed that opinion. It was later reported that divisions were appearing in ALP ranks about Labor’s attacks on Xenophon, who had called for a national review of the penalty rates system.

Another controversy ensued over an allegedly racist flyer attacking Liberal candidate Carolyn Habib:

[The flyer] has the words “Can you trust Habib?” set against what appears to be a bullet-riddled brick-and-cement wall. ... Ms Habib ... told the ABC she thought the flyer was very offensive and un-Australian. “I think it is a very thinly veiled racist attack against my surname,” she said.

Commenting on the matter ABC political journalist, Barrie Cassidy, opined that ‘nothing is too low for a government on the way out. The advertisements urging a vote against Liberal candidate Carolyn Habib (make that HABIB with capital letters, in case you missed it) were indefensible’.

On election eve the Liberals unveiled their South Australian election costings, saying there would be $605 million in new spending over the next three years, offset by an estimated $685 million in savings. The Liberals promised to post a $252 million surplus in the 2015–16 financial year; Labor pledged to achieve a surplus in the same period.

A record number of South Australians voted early for the state election. The Electoral Commission had expected about 160,000 voters, or about 14 per cent, to cast their ballot early or by post. There were 1,142,419 South Australians enrolled to vote in the March 15 poll.

**Election eve: 14 March 2014**

The *Adelaide Advertiser*’s analysis on election eve noted:

- the Liberals had to win six seats to govern in their own right
- a February *Advertiser* Galaxy poll late in February had found a 5.3 per cent swing to the Liberals in metropolitan Adelaide
- the regions could also play a significant role, with two seats to watch—Mt Gambier and Giles (centred on the town of Whyalla)
- that in some key seats the local Labor candidate ‘has the goods to defy a statewide swing’
- the numbers weighed heavily against Labor.

The analysis by *The Australian* newspaper said:

- the South Australian election was expected to go down to the wire
- Weatherill may still have a chance of forming a minority government if swings are contained in key marginal seats
- Labor will lose its majority in the 47-seat House of Assembly if just three seats fall to the Liberals

**The outcome**

Given the widespread expectation that a change of government was forthcoming it was surprising to many that, a day or so after the election, the result was not readily apparent. A result seemed likely to remain unsettled for

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123. Ibid.
126. Ibid.
129. Ibid.
130. Ibid.
many days, and a hung parliament seemed the most likely outcome. What was not in doubt was that the Liberals had received a comfortable majority—53 per cent—of the two-party preferred vote.133

**Lumbering towards an outcome**

With a closer than expected result looming, the focus in the election outcome turned quickly to the two independents who seemed likely to determine who would ultimately govern South Australia—Bob Such (Fisher) and Geoff Brock (Frome). They were reported to have said that any decisions they made would be arrived at principally on the basis of ‘the impact of policies on their electorate, who came second in their seat—and the overall statewide vote’.134 Brock declared he was ‘not going to give it a time frame or a deadline’.135

Both men had long enjoyed strong popular support in their electorates. The situation was similar to the 2002 election, where it took three weeks before then Premier, Mike Rann, could form a government with the support of Liberal-turned-independent Peter Lewis.136

Meanwhile, a handful of seats remained undecided, largely due to an unprecedented number of postal and pre-poll votes, and it appeared likely that there would be an even number of Liberal and Labor MPs in the Upper House.137 The Parliament looked set ‘to welcome its first Vietnamese-born person and first boat person’, when Labor’s Tung Ngo seemed likely to gain an upper house seat following early Legislative Council counting.138 But independent federal Senator Nick Xenophon feared ‘union-funded negative advertising targeting him and his Legislative Council team had cost thousands of votes’, after advertisements suggested his team supported cutting penalty rates.139

There had been considerable interest in lower house marginal seats, which had the potential to sway the election outcome. As the early count progressed, Labor retained the marginal seat of Mawson notwithstanding a strong 18-month campaign by the Liberals’ Stephen Annells.140 The Liberals were hoping to wrest the seat of Mitchell from Labor incumbent, Alan Sibbons, but the outcome seemed likely to depend on the preference flows of independent, Kris Hanna.141 The seat of Light had remained too close to call on election night.142 In the seat of Newland, Labor incumbent and Minister, Tom Kenyon, remained hopeful.143 It would be days before the results of all seats could be determined. Ultimately, the Liberals succeeded in Mitchell; Kenyon retained Newland; and Light remained with Labor.144

On 20 March—five days after the election and with many votes still to be counted—Geoff Brock gave a ‘strong indication’ that he would support Jay Weatherill, thereby raising the chances of a Labor government being returned.145 Meanwhile, news emerged that independent Bob Such was to take leave from Parliament to undergo treatment for a brain tumour—raising the prospect of an eventual by-election in his seat of Fisher.146

On Sunday 24 March, with Labor holding 23 seats and the Liberals 22, Independent MP, Geoff Brock, declared that he would support a Labor minority government in order to avoid the potential for instability, including the possibility of another election.147

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134. Ibid.
135. Ibid.
139. Ibid.
141. Ibid.
142. Ibid.
143. Ibid.
144. Ibid.
Mr Brock, the MP for Frome, will take up the roles of Minister for Regional Development and the Minister for State and Government Local Relations in the new Labor government. He says his decision, which will see Labor hold a two-seat majority, was brought on after news that fellow kingmaker Bob Such would need surgery and up to two months’ leave from parliament. "The circumstances arising from [Saturday] morning gave me the opportunity to look at it. I want stability out there," Mr Brock said.

"I will accept an offer made to me by the Premier to be the Minister for Regional Development and the Minister for State and Government Local Relations." He says the portfolios will allow him to "provide a voice for regional South Australia".148

Responding to the concerns that had been expressed concerning the determination of South Australia’s electoral boundaries, Premier Weatherill said that he would be looking at SA’s electoral arrangements.149

**The issue of electoral boundaries and ‘fairness’**

The seeming incompatibility between the votes won by the Liberals and their number of seats raised the familiar theme of a potentially ‘gerrymandered’ electoral system in South Australia. It had been the second successive election in which the Liberals failed to win government despite winning a majority of the two-party vote.

Analyst William Bowe described the situation as follows:

Barring late-count miracles, the South Australian Liberals look certain to fall short in the lower house... [The Liberals’ situation is] made particularly poignant by the provision in the state’s constitution — inserted after the 1989 election, at which Labor was similarly successful in retaining government from 48.1% — which enshrines the principle of “electoral fairness” when electoral boundaries are redrawn after each election. However, the directive that boundaries should deliver majorities to the more strongly supported party unavoidably includes the qualification that this should only apply ‘as far as practicable’.

Little effort was made to give effect to this at the most recent redistribution, as it was determined that the wildly uneven pattern of swings in 2010 was unlikely to represent a long-term shift in underlying patterns of support.

Even if the redistribution had tortured the electoral map to strong-arm more seats to the Liberal side of the pendulum, there is no guarantee it would have achieved the desired result. Conceiving of electoral fairness in two-party terms requires that independent-held seats be classified as belonging to one major party or the other—and given the normal orientation of Geoff Brock’s seat of Frome and Bob Such’s seat of Fisher, the election has indeed returned a “conservative” majority, if only barely.

Furthermore, Labor in fact picked up swings in about the same number of seats as the Liberals, important marginal seats among them. There can thus be no guarantee that Labor would have improved its position on a hypothetical alternative set of boundaries. The fundamental reason the single-member electorate system is in the habit of favouring Labor in South Australia is that conservative votes are wasted in extremely safe rural seats, leaving larger numbers of city marginals leaning modestly to Labor. This has activated an interest among Liberals in electoral reform, in terms which are predictably selective and tailored to its present difficulty.

The [Liberal] party in SA has good cause to plead the virtues of optional preferential voting, which would reduce the flow of Greens preferences to Labor and convert its primary vote leads into victories with greater frequency. The traditional downside to the conservatives of this arrangement—that it endangers them in three-cornered contests with the Nationals—is of little consequence in a state where the Nationals only run candidates in a handful of very safe rural seats. Another idea being floated—an indeterminate number of “top-up” seats being added to the parliamentary total to ensure a majority for the party with the greatest share of the vote—is considerably cruder and harder to justify.

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149.  Ibid.
Labor supporters with long memories may be contemplating with some amusement Liberal complaints about an electoral ‘gerrymander’, given how long it suffered under the real thing prior to the electoral reforms of the 1970s.  

It had been Labor Premier, John Bannon, who had agreed—at the Liberals’ request—to a state-wide referendum after the 1989 election to amend the state Constitution to introduce a ‘fairness clause’ in the setting of electoral boundaries. It involves an independent tribunal consisting of a senior judge, the Electoral Commissioner and the Surveyor-General redrawing many electorate boundaries after each election.  

The ‘fairness clause’ had emerged from a 1989 select committee inquiry:  

The select committee recommended the insertion of a new criterion into the Constitution Act, which would require that:  

[j]in making an electoral redistribution the Commission must ensure, as far as practicable that the electoral redistribution is fair to candidates and groups of candidates so that if candidates of a particular group attract more than 50 per cent of the popular vote (determined by aggregating votes cast throughout the State and allocating preferences to the necessary extent), they will be elected in sufficient numbers to enable a government to be formed.  

Finally the committee recommended that the ‘existing boundaries’ criterion be removed, all other criteria be retained and the community of interest criterion be subordinated to the fairness criterion.  

In its pursuit of fairness the Electoral Districts Boundaries Commission’s (EDBC) overriding requirement is to draw districts that will have equal elector numbers. Many academics and commentators have wrestled with the challenge of achieving fairness in South Australia’s electoral arrangements and it seems that the Commissioners are diligent and consultative in their efforts:  

Its work on redistributions rests on a team of professionals, who always produce a rigorous and well-argued report. The commission holds public sittings that offer the opportunity for a range of views to be put and, having read all of the reports, I can attest that the submissions are carefully assessed and considered.  

...  

The process followed in a redistribution analyses the voting pattern in the previous election, then adjusts the boundaries so that an election held on the new electoral geography will result in the party that wins more than 50 per cent of the two-party votes winning a majority of the seats. The fatal fault is in that process. It assumes the voters in the previous election will cast their votes in the same direction in the next election. If they do, the fairness clause will actually work as it is designed to.  

But many voters do not act that way. They react to different political and personal circumstances, and change their votes ... Hence, if the ‘fairness clause’ does work, it is a result of luck, not design.  

Jenni Newton-Farrelly—an election specialist in the South Australian Parliament’s research service—draws a useful distinction between ‘skewed’ and ‘biased’ outcomes in describing electoral effects:  

The fairness criterion is understood as requiring the Commission to do whatever is practicable to produce a set of districts which will generate a fair election outcome, where either party could win a majority of seats – and government – if it won the support of a majority of voters. The Commission has recognised that party campaigns

153. For a comprehensive discussion of these issues see J Newton-Farrelly, Why did South Australia adopt the fairness clause?, op. cit.; J Newton-Farrelly, ‘Considering the Commission’s current challenge: submission to the Electoral Districts Boundaries Commission in relation to the 2011-12 redistribution’, accessed 5 June 2014.  
155. Ibid.
affect election outcomes, and has therefore determined that its task is not to anticipate and compensate for the effects of parties’ campaigns but rather to provide the basis for fair competition. That implies a set of districts which, taken together, will provide a level playing field which will not advantage either party at a subsequent election and which will be responsive when voters change their views.

...

It may be helpful here to differentiate between a skewed result and a biased one. This submission uses the term ‘skewed’ when the parties compete on a level playing field and non-uniform swings translate votes into seats in an exaggerated way. The term ‘biased’ is reserved for situations where votes translate into seats differently for the parties because one party is disadvantaged by the geographic concentration of its support.

The possibility of skewed results is a function of parties’ campaigns, which target marginal districts because those districts might be won with the most effective use of resources. So although a uniform swing assumption is a helpful tool, in reality non-uniform swings mean that at most South Australian elections, fewer seats have changed hands than would have been expected.156

**House of Assembly outcome**

In the House of Assembly the final distribution of seats was as follows:

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<th>Australian Labor Party</th>
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<tbody>
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<td>STUART</td>
<td>VAN HOLST PELLEKAAN, Dan</td>
<td>LIB</td>
<td>70.5</td>
<td>VINES, Josh</td>
<td>ALP</td>
<td>29.5</td>
</tr>
<tr>
<td>TAYLOR</td>
<td>VLAHOS, Leesa</td>
<td>ALP</td>
<td>61.6</td>
<td>HYDE, Alex</td>
<td>LIB</td>
<td>38.4</td>
</tr>
<tr>
<td>TORRENS</td>
<td>WORLEY, Dana</td>
<td>ALP</td>
<td>53.5</td>
<td>MANETTA, Michael</td>
<td>LIB</td>
<td>46.5</td>
</tr>
<tr>
<td>UNLEY</td>
<td>PISONI, David</td>
<td>LIB</td>
<td>59.8</td>
<td>GOLDING, Lara</td>
<td>ALP</td>
<td>40.2</td>
</tr>
<tr>
<td>WAITE</td>
<td>HAMILTON-SMITH, Martin</td>
<td>LIB</td>
<td>61.4</td>
<td>HUPPATZ, Rebekah</td>
<td>ALP</td>
<td>38.6</td>
</tr>
<tr>
<td>WEST TORRENS</td>
<td>KOUTSANANTIS, Tom</td>
<td>ALP</td>
<td>60.8</td>
<td>AMBROSE, Serge</td>
<td>LIB</td>
<td>39.2</td>
</tr>
<tr>
<td>WRIGHT</td>
<td>RANKINE, Jennifer</td>
<td>ALP</td>
<td>53.0</td>
<td>PETRIE, Lyn</td>
<td>LIB</td>
<td>47.0</td>
</tr>
</tbody>
</table>


**Legislative Council outcome**

South Australia’s Legislative Council consists of twenty-two members (MLCs) who serve eight-year terms, with half (11) up for election at each four-yearly election, along with the entire House of Assembly. The ticket voting arrangement in the Legislative Council meant that voters could either put a ‘1’ in the box for the party of their choice above the line, or number every box below the line. Voters voting above the line allow the order of their preference to be determined by that party or group.

There were 63 candidates in total, and 27 voting tickets.157 Three groups lodged two voting tickets:

- I - Stop Population Growth Now
- T - Nick Xenophon Group
- X - Your Voice Matters.

All other groups lodged only one ticket.158

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With 11 seats to be settled in the upper house at the 2014 election, Adelaide University’s Professor Clem Macintyre had predicted that the Liberals would win four seats, Labor three seats, the Greens, Family First and Nick Xenophon Group one seat each, and the final seat to be either a Liberal, Xenophon Group or to ‘whichever micro party wins the lottery’.159

In the event, the Xenophon Group Independent, John Darley, won the remaining seat. The actual Legislative Council result (by seats) was:

<table>
<thead>
<tr>
<th>Elected Candidates</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rob Lucas</td>
</tr>
<tr>
<td>2</td>
<td>Russell Wortley</td>
</tr>
<tr>
<td>3</td>
<td>John Darley</td>
</tr>
<tr>
<td>4</td>
<td>John Dawkins</td>
</tr>
<tr>
<td>5</td>
<td>Ian Hunter</td>
</tr>
<tr>
<td>6</td>
<td>Michelle Lensink</td>
</tr>
<tr>
<td>7</td>
<td>Tung Ngo</td>
</tr>
<tr>
<td>8</td>
<td>Andrew McLachlan</td>
</tr>
<tr>
<td>9</td>
<td>Mark Parnell</td>
</tr>
<tr>
<td>10</td>
<td>Dennis Hood</td>
</tr>
<tr>
<td>11</td>
<td>Kyam Maner</td>
</tr>
</tbody>
</table>

(Note: John Darley is a Nick Xenophon Group Independent)

Women in the Parliament

House of Assembly

Before the election there were 14 women in the House of Assembly (29 per cent). After the election there were 12 in the Assembly (25.5 per cent).160

- Three ALP sitting members retired—Lyn Breuer (Giles), Robyn Geraghty (Torrens) and Gay Thompson (Reynell). In each of Reynell and Torrens the endorsed ALP candidate was a women and both won their seats—Katrine Hildyard and Dana Wortley respectively. The ALP held Giles.
- Two sitting Labor members were defeated—Chloe Fox in Bright and Grace Portolesi in Hartley. Labor’s six other sitting members—Bedford, Bettison, Close, Key, Rankine and Vlahos—were returned.
- One other new female member was elected for the ALP—Annabel Digance. She won the seat of Elder which had been vacated by Labor’s Patrick Conlon.
- The Liberal Party’s three women MLAs were re-elected—Vickie Chapman, Isobel Redmond and Rachel Sanderson.161

Legislative Council

Of the 11 members up for re-election:

- two sitting members of the Legislative Council did not re-contest—Ann Bressington and Carmel Zollo.
- the new male ALP member elected was Tung Ngo, the first Vietnamese refugee to be elected to the South Australian parliament.
- there are now five women in the upper house—four continuing and one, Michelle Lensink (Lib), who was re-elected at the 2014 election.

158. Ibid.
159. S Holderhead, ‘Chance for all to step up to House’, Adelaide Advertiser, 14 March 2014, p. 51, accessed 14 March 2014. (Note: The Xenophon Group’s John Darley was successful.)
160. Figures assembled by Janet Wilson and Dr Joy McCann, Politics and Public Administration Section, Parliamentary Library, Canberra.
161. Ibid.
The percentage of women in the Legislative Council is now 22.7 per cent, compared with 31.8 per cent before the election.162

Conclusion

The retention of government by Labor was unexpected. Opinion polls had pointed to a Liberal victory. Controversy lingered as pundits and experts alike continued to debate the merits and demerits of South Australia’s electoral laws and, in particular, the ‘fairness clause’.

The overall swing to the Liberal Party was clear and relatively uniform, but the biggest swings were all in seats that the Liberal Party already held. Moreover, there were swings to Labor in some seats. The Liberals were unable to snatch enough marginal seats from Labor to deliver a Liberal government. Despite carefully designed preference deals—reportedly managed by ‘preference whisperer’ Glenn Druery—no micro-party was successful.

Election analyst, Antony Green, produced an insightful account of the outcome, and his comments serve as a suitable note upon which to conclude:

The final tally saw the Liberal Party record 53.0% of the statewide two-party preferred, a swing to the Liberal Party of 1.4% ... The seats of Fisher and Frome held by Independents Bob Such and Geoff Brock both recorded Liberal 2-party preferred majorities. The Liberal 2-party vote in Fisher was 57.2% and 60.8% in Frome, and both seats recorded 2-party swings to the Liberal Party, 6.5 percentage points in Fisher and 9.5 in Frome.

The Liberal Party defeated one Independent in Mount Gambier’s Don Pegler on 15 March. Had it also gained Fisher and Frome, then the Liberal Party would have 24 seats and be in government. Leaving aside Fisher and Frome, the Liberal Party would need to win another two seats from Labor for majority government. That corresponds to needing another 1.5% swing on top of the 1.4% the Liberal Party achieved on 15 March.

... The swing in 2014 has been relatively uniform, though the biggest swings were all in seats the Liberal Party already held. However, the uniform swings of 2014 have left untouched the distortions from traditional voting patterns created by the 2010 result. There will be another redistribution before the 2018 election. For the second election in a row Labor has been able to form government with a minority of the statewide 2-party preferred vote. This fact and the more uniform swing in 2014 will give the Liberal Party a stronger case for there having been a fundamental change in geographic voting patterns in the state.

In 2012 the Electoral Districts Boundaries Commission was of the view that the 2010 result was a one-off result, a non-uniform swing produced by election specific factors. The 2014 result undermines the argument that 2010 was an election that diverted from traditional trends. The results show an enormous concentration of Liberal vote. The Liberal Party hold 16 of their 22 seats with margins above 10%, five above 20%, but only five seats under 5%. Labor has no seats above 20%, only five of its 23 seats above 10%, and nine seats under 5%.

How the Boundaries Commission deals with the problem will interesting to observe. Does it try and unlock some of the Liberal vote in ultra-safe rural seats by drawing electoral boundaries that extend from the metropolitan area to the state’s borders like cartographic wheel spokes? Or will Labor members who retained marginal seats find their good local campaigning undone by boundary changes designed to turn their seats into marginal Liberal seats? How happy will Liberal members in seats like Finniss, Morphett, Unley and Waite if their margins are slashed to create more marginal Liberal seats? The election may be over but the politics of the next South Australian election are only just beginning.163

162. Ibid.
## Appendix 1: South Australia’s electoral pendulum

<table>
<thead>
<tr>
<th>2014 South Australian Electoral Pendulum</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Labor (26)</strong></td>
</tr>
<tr>
<td>Electorate</td>
</tr>
<tr>
<td>Hartley</td>
</tr>
<tr>
<td>Bright</td>
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<tr>
<td>Ashford</td>
</tr>
<tr>
<td>Elder</td>
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<tr>
<td>Mitchell</td>
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<tr>
<td>Newland</td>
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<tr>
<td>Light</td>
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<tr>
<td>Colton</td>
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<tr>
<td>Florey</td>
</tr>
<tr>
<td>Mawson</td>
</tr>
<tr>
<td>Wright</td>
</tr>
<tr>
<td>Lee</td>
</tr>
<tr>
<td>Torrens</td>
</tr>
<tr>
<td>Kaurna</td>
</tr>
<tr>
<td>Enfield</td>
</tr>
<tr>
<td>Reynell</td>
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<tr>
<td>West Torrens</td>
</tr>
<tr>
<td>Little Para</td>
</tr>
<tr>
<td>Giles</td>
</tr>
<tr>
<td>Taylor</td>
</tr>
<tr>
<td>Port Adelaide</td>
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<tr>
<td>Playford</td>
</tr>
<tr>
<td>Croydon</td>
</tr>
<tr>
<td>Cheltenham</td>
</tr>
<tr>
<td>Napier</td>
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<tr>
<td>Ramsay</td>
</tr>
</tbody>
</table>

Appendix 2: Election timetable

The Electoral (Miscellaneous) Amendment Act 2013 introduced set dates for General elections.

The writ sets the dates for the close of the electoral roll and the close of nominations for an election. The Electoral Act 1985 requires that, for a general election, the writ be issued 28 days before the date fixed for polling (S47(2a)).

<table>
<thead>
<tr>
<th>Election Period</th>
<th>Date Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issue of Writ</td>
<td>Saturday 15 February 2014</td>
</tr>
<tr>
<td>6 days after the issue of the writ (Electoral Act 1985 S48(3)(a)(ii))</td>
<td></td>
</tr>
<tr>
<td>Close of Roll</td>
<td>12 noon, Friday 21 February 2014</td>
</tr>
<tr>
<td>3 days after the close of rolls (Electoral Act 1985 S48(4)(a) and S4(1))</td>
<td></td>
</tr>
<tr>
<td>Close of Nominations</td>
<td>12 noon, Monday 24 February 2014</td>
</tr>
<tr>
<td>Polling Day</td>
<td>Saturday 15 March 2014</td>
</tr>
<tr>
<td>3rd Saturday in March 4 years after the last general election (Constitution Act 1934 S28(1))</td>
<td></td>
</tr>
<tr>
<td>Return of Writ</td>
<td>Date set by Writ</td>
</tr>
<tr>
<td>(The following is not included in the timeframes set by the Writ)</td>
<td></td>
</tr>
</tbody>
</table>

Period for receipt of a petition to the Court of Disputed Returns is 40 days from Return of the Writ (Electoral Act 1985 S104 (i)(e))

Source: SA Electoral Commission website, accessed 1 April 2014