

## **SUBMISSION NO 2 BY ED HITCHCOCK TO 2022 INDEPENDENT ELECTORAL REVIEW**

### **RE: PROPOSALS TO ABOLISH THRESHOLD AND ADDRESS OVERHANGS**

#### **1. SUMMARY**

This is a second submission by Edward Hitchcock. This one is to address proposals to abolish or reduce thresholds and possibly change rules regarding overhangs.

The final report of the 2012 review made some suggestions for changes to the one–electorate–seat rule, and to the methods for allocating seats in parliament.

I submit that, rather than remove the one–electorate–seat threshold, that the 5% threshold should be lowered.

I submit that changes are needed to limit the risk of the MMP system being gamed to unfairly profit from split voting, where split voting is using party and candidate votes to vote for different parties. Changes are also needed to reduce the already small risk of overhangs. I submit that consideration should be given to deeming a party vote to be a vote for that party as well as a vote for its local candidate if any.

#### **2. THE ONE ELECTORATE SEAT RULE**

I submit that the one electorate seat rule should not be abolished. The proposal seems to be an attempt to remove the inconsistency between this and the 5% threshold.

However, the problem with abolishing the one–seat rule is that it transforms those one–candidate parties into independents, just another form of small party. So little has been gained. Also, I think that in a party–proportional electoral system, independents should be avoided as they don't really fit.

I am particularly concerned that the proposal involves changing the proportional nature of the parliament. It apparently does this by taking list seats to give them to independents. Great care would be needed to protect the party–proportional basis of our MMP (*MM proportional*) system.

Scotland (the devolved assembly AMS system) provides an example where a purportedly proportional system has been distorted in a way to 'abolish' overhangs, but which considerably distorts proportionality in the process.

I submit that it would be more appropriate to formally abolish independents, thus requiring candidates to belong to a party (even a one-candidate one). Doing this would encourage one-person parties to seek wider voter support than just in one electorate. This seems to have worked well up until now to limit overhangs.

### **3. GAMING THE SYSTEM WITH INDEPENDENTS**

MMP seems to offer an opportunity to game the system. Two allied parties can decide to be 'friends', one appealing for party votes, the other for electorate votes. If the voters play along, then the party vote party wins list seats and the electorate vote party wins electorate or overhang seats.

This has already happened in NZ (more by chance than design I think), with ACT/National in Epsom and with the Maori Party and Labour. My informal research suggests that this is becoming an issue in Germany. A few isolated examples may not be a problem, but I think we need a method to limit intentional mis-use of this vote-splitting idea.

One solution is to link party and electorate votes. A party vote for a party would be deemed to be also an electorate vote for the same party's candidate if any. This method would not provide a guarantee against overhangs, but would largely eliminate them.

### **4. THRESHOLD PERCENTAGE**

I have made a separate submission suggesting that two-choice party voting be used to avoid the problems that now arise with wasted votes.

If thresholds are to remain, I submit the 5% threshold be reduced or preferably eliminated. The one-electorate-seat rule or waiver should be retained, being abolished only if the 5% threshold is abolished or lowered below about 2%.

Edward Hitchcock  
edfhit@gmail.com  
14 November 2022