



# Objection 430

Lucy Bradlow and Bronwen Bock

8 pages

**Redistribution Committee for Victoria**

Australian Electoral Commission  
Locked Bag 4007, Canberra ACT 2601

**By email:** [FedRedistribution-VIC@aec.gov.au](mailto:FedRedistribution-VIC@aec.gov.au)

Dear Redistribution Committee for Victoria,

**Re: Victorian federal redistribution: Proposed abolition of the seat of Higgins**

Thank you for the opportunity to provide an objection to the current Victorian federal redistribution process.

As the community-backed independent job share candidate for the seat of Higgins in the next federal election, we strongly object to the proposed abolition of the seat of Higgins.

We have two primary objections to the Redistribution Committee's proposed abolition of the seat of Higgins:

1. Failure to explain why Higgins was chosen over other possible electorates; and
2. Failure to consider the social and cultural implications of the abolition of the seat.

We believe the Australian Electoral Commission (AEC) has not explained why Higgins was chosen over the other possible electorates, and that important social and cultural ramifications of the decision to abolish the seat have not been taken into account as a part of the decision. These considerations fall under the scope of "community of interests" under the Electoral Act (Cth) 1918 and should have been given equal weight in the Redistribution Committee's decision making process.

We believe that if these considerations are taken into account, the seat will not be selected as the appropriate electorate for abolition.

**Failure to explain why Higgins was chosen over other possible electorates**

In chapter 2 of the [Report of the Redistribution Committee for Victoria: Proposed redistribution of Victoria into electoral divisions](#) (the Report), the Redistribution Committee sets out that its approach to identifying which electoral division to propose for abolition was guided by the provisions of the Electoral Act; specifically:

1. The numerical requirements and the obligations relating to community of interests,
2. Means of communication and travel,
3. The physical features and areas of the proposed electoral division, and
4. The boundaries of existing electoral divisions.

The Report explains that in the 63 suggestions to the redistribution and 75 comments on suggestions, arguments were made to abolish **12 different electoral divisions**. The Redistribution Committee decided that abolition of an eastern electoral division was a better way to address all growth corridors across Melbourne while minimising the movement of electors between electoral divisions. Eight of the 12 identified electoral divisions in submissions are in the east (Casey, Deakin, Goldstein, Higgins, Hotham, La Trobe, Macnamara, and Menzies). Of those located in the East, the Redistribution Committee decided to investigate Casey, Higgins and Hotham for redistribution, as well as three other seats in the east - Aston, Chisholm and Dunkley.

Table U of the Report sets out arguments made in submissions for and against the abolition of different electoral divisions. There is no evidence in this table that there were more arguments for or against Higgins. Indeed, there are three submissions in favour of Higgins being abolished and one arguing it should be retained, while there are 10 submissions arguing for the electorate of Hotham to be abolished and two arguing it should be retained. The Report fails to explain how the decision to abolish Higgins was made, nor does it address why it did not choose Hotham.

The Redistribution Committee had six available seats for consideration for abolition. Instead of providing detailed information for why it selected Higgins, it simply states:

*“As a consequence of making the necessary adjustments to ensure that all electoral divisions would meet the numerical requirements of the Electoral Act, the Redistribution Committee unanimously proposes abolishing the existing Division of Higgins.”*

The Redistribution Committee has a duty to provide a more detailed analysis of the reason for selecting Higgins. Based purely on the reasoning provided in the Report, there is no explanation of why Higgins was chosen as opposed to any of the other five named electoral divisions.

### **Failure to consider social and cultural implications of the abolition of the seat.**

The Report makes it very clear that the Redistribution Committee was only guided by demographic and geographic concerns in deciding which electorate to abolish. We believe these considerations fail to adequately take into account the social and cultural implications of the abolition of the seat of Higgins, as part of the Act’s requirement to take into account the concept of “community of interests.”

We argue that the Redistribution Committee should have considered the social and cultural implications of abolishing the seat. Specifically:

- Higgins is the *only* seat in Victoria in which all declared candidates are women, and

- There are two people running a historic job sharing campaign, as a single-candidate, in Higgins, that could have far reaching implications for participatory democracy across Australia.

These factors are equally - if not more - important than the demographic and geographic considerations when considering the “community of interests” and deserve to be given due weight. It appears that the Redistribution Committee did not take into account the gendered impact of this decision, or it did not place sufficient weight on this aspect and if it did, Higgins would not have been chosen.

### ***All female candidature in Higgins***

Higgins is the only seat in the state where the incumbent and declared candidates for all major parties are women. We note all these candidates had declared their candidacy *before* the Redistribution Committee had announced their decision:

- Dr Michelle Ananda-Rajah, Member for Higgins
- Dr Katie Allen was selected as the candidate for the Liberal National Party on 24 February 2024
- Angelica Di Camillo was selected as the candidate for the Greens Party on 5 April 2024
- Lucy Bradlow and Bronwen Bock announced their candidacy as a community-backed job sharing independent candidate for the seat of Higgins on 20 April 2024

The Redistribution Committee was made up of an all-male panel:

- Mr Tom Rogers, Chair
- Mr Aneurin Coffey, Member
- Mr Craig Sandy, Member
- Mr Andrew Greaves, Member

Women make up only 38.4 per cent of seats in the House of Representatives in the current Parliament. Never before has it been more important to encourage and foster women to seek elected office. At the same time, it has been [widely noted](#) that it is increasingly difficult for women to run for elected office with online abuse and harassment of female political candidates rising.

The decision by the Redistribution Committee to abolish a seat in which all the candidates are women is not only devastating for the women candidates, but it sends a broader message to any woman considering running for office - you can be prevented from running before you have even been given the opportunity to try.

This broader societal impact should be taken into account by the Redistribution Committee as a significant and overriding factor speaking to community of interests.

### ***Historic job sharing candidacy***

Over the last two years we have been working on a campaign for job sharing in federal Parliament.

On 20 February 2023, we wrote to the AEC to request a meeting to discuss amending the AEC's candidate nomination form to allow for the inclusion of two people to nominate as the candidate in a job sharing arrangement to represent one electorate in the 2025 federal election (see Appendix A). In this letter we also outlined our research which indicated there are no legal barriers to this step, and that it would in fact be discriminatory to not allow it. The AEC responded on 10 March 2023 to say that this would be a matter for the Attorney-General, or his department, who our lawyer then met with (see Appendix B).

On 20 April 2024, we officially announced our campaign to run as a community-backed independent job sharing candidate for Higgins in the next federal election. At this point the AEC became aware, if they were not already, that the electorate where the historic job sharing candidacy would be running was Higgins.

Job sharing has benefits for participatory democracy by allowing two people to act as one Member of Parliament - sharing the role and its many requirements. Job sharing would have benefits for many people, including carers, people with disabilities, people from regional and rural communities, carers and anyone else for whom full-time work is not an option and the demands of the role of MP make running for office impossible. However, given the current state of our workforce, where most women in the workforce work in part-time or casual roles, job sharing would particularly benefit women. Allowing voters the opportunity to elect a job sharing candidate in Parliament would be one way to increase the representation of women - particularly young women - in federal Parliament and it would enhance representative democracy.

Much of the [media coverage](#) surrounding our campaign noted that given the government had not amended the AEC's candidate nomination form to specifically allow for the inclusion of two people to run as a candidate to represent one electorate, the campaign may result in a legal challenge before the Courts.

Higgins is the only seat in the country to have a declared job sharing candidate. While the AEC's decision alone does not prevent two people running as a candidate in another electorate, it raises a number of material challenges. Primarily, we were running as a community-backed job sharing candidate, which will be impossible if the decision to remove Higgins is maintained and is divided into five different electorates. Additionally, we had invested significant time and funding into our campaign for Higgins.

While we intend to do everything in our power to continue our campaign, the Redistribution Committee's decision to abolish the seat of Higgins has put a significant roadblock in the

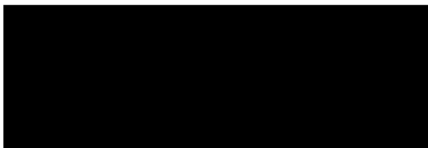
middle of our historic campaign. This roadblock, whether or not intended, may be perceived as a decision that lessens the likelihood of the AEC having to expend legal costs in a potential challenge to the legality of a job sharing candidate in Australia.

At a time when every apparatus of the government should be doing everything in its power to foster and encourage women to enter politics, and enhance representative democracy, the Redistribution Committee's decision to abolish the seat of Higgins appears to actively discourage women from entering politics.

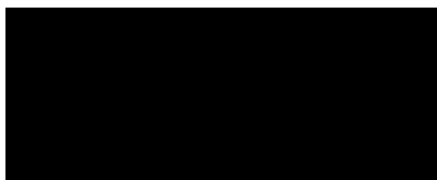
We implore the Redistribution Committee to consider the social and cultural implications of the decision to abolish the seat of Higgins in its review of this Proposed redistribution of Victoria and to not proceed with this decision.

We appreciate the opportunity to submit an objection to this important process. Please do not hesitate to reach out at the contact details above for any further information.

Yours sincerely,



Lucy Bradlow



Bronwen Bock



**APPENDIX A - Letter to AEC dated 20 February 2023**

**Mr Tom Rogers, Dr Kath Gleeson**  
**Australian Electoral Commission**  
10 Mort St  
CANBERRA CITY ACT 2601  
C/O [REDACTED]

**20 February 2023**

Dear Mr Rogers and Dr Gleeson,

We are writing to request a meeting to discuss amending the Australian Electoral Commission's candidate nomination form to allow for the inclusion of two candidates to represent one electorate in the 2025 federal election as shared representatives.

According to our research, we see no legal barriers to the inclusion of two candidates in either the Australian Constitution or the *Commonwealth Electoral Act 1919* for the following reasons:

- Section 163 of the Commonwealth Electoral Act simply describes the characteristics that would make a person eligible for nomination. It does not specifically state that the job must be done by one person or a "single" member.
- Part III of the Australian Constitution sets out that the number of members of the House of Representatives can be altered as necessary to accurately represent constituents, without specifying a particular number of members per seat.
- Section 34 of the Constitution places only two limitations on eligibility for selection as a member of the House of Representatives - that one be 21 and that one be a citizen of Australia.

There is also an argument to be made that if section 163 of the Electoral Act was interpreted to disallow joint nomination for election to Parliament, this would discriminate against women and all potential candidates who are unable to work full-time due to caring responsibilities or health requirements, contrary to Section 5(2) of the *The Sex Discrimination Act 1984*.

We believe there are significant benefits to two people representing one electorate in a job sharing capacity, in particular the potential to increase gender representation in Parliament.

According to the Workplace Gender Equality Agency, women currently make up 51% of the workforce, but 58% of women in the workforce work in part-time or casual roles.<sup>1</sup> Being a Member of Parliament not only requires unpredictable and long hours, but it also requires travel to Canberra for 22 weeks of the year. For many women, these demands make the role prohibitive.

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<sup>1</sup> WGEA Gender Equality Scorecard, December 2022.  
<https://www.wgea.gov.au/sites/default/files/documents/WGEA-Gender-Equality-Scorecard-2022.pdf>

Similar barriers apply to people with disabilities, carers and anyone else for whom full-time work is not an option.

If we want Australia's Parliament to be truly representative, then we must open additional options for furthering the participation of women and other under-represented groups. Shared representation is one such option.

Currently, the only barrier to two people running to represent the same electorate is that previous candidate nomination forms for the House of Representatives in the federal election only allowed space for one candidate.

We would appreciate meeting with you to discuss how the forms may be amended to enable two people's names to be entered as 'the candidate.'

We are available to meet at your convenience.

Yours sincerely,



Kim Rubenstein



Lucy Bradlow



Bronwen Bock



**APPENDIX B - Letter from the AEC dated 10 March 2023**



**Electoral Commissioner**

Kim Rubenstein  
Lucy Bradlow  
Bronwen Bock

Via email [REDACTED]

Dear Kim Rubenstein, Lucy Bradlow and Bronwen Bock

Thank you for your joint letter of 20 February 2023, requesting a meeting with myself and National Election Manager, Dr Kath Gleeson, to discuss the AEC candidate nomination form.

I note that your proposal raises a number of constitutional issues. You have referred to provisions in Part III of the Constitution, some of which leave matters to be determined by Parliament. As you would be aware, under the Administrative Arrangements Order, constitutional matters are the responsibility of the Attorney-General's Department. Accordingly, I believe that a formal meeting to discuss the changes you are proposing would be outside of both my and the AEC's responsibilities. This is a matter that may be more appropriately directed to the Attorney-General or his Department or to a parliamentary forum.

Sincerely  
[REDACTED]

Tom Rogers  
/D March 2023