The Declining Membership of the NSW Legislative Council Cross Bench and its Implications for Responsible Government

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In 2007, the election for the New South Wales Legislative Council resulted in a decrease in the number of parties represented in the House, a decrease in the membership of the cross bench, and an increase in the representation of the major parties. The total cross bench membership of the House has now dropped from 13 members at the 1999 election (representing 9 different minor parties) to 11 members at the 2003 election (representing 7 different minor parties and one independent) to 8 members following the 2007 election (representing just 3 minor parties). While the cross bench still holds the balance of power in the House, the Government now needs only three out of the eight cross bench votes to effectively guarantee support for its measures.

The changes in the representation of parties in the House since 1999 reflect the impact of significant electoral reforms that were introduced after the 1999 election in response to widespread criticism of the 'table cloth' election ballot paper of that year. Those reforms included stricter requirements for the registration and membership of political parties and changes to the 'above the line' voting system, essentially removing party control over preference flows. At the time, these reforms received a mixed reception from the cross bench in the Council, in anticipation of the impact that they would have on minor party representation in the House.

The changing membership of the Council since 1999 has in turn been accompanied by a change in the functioning of the House. Since the 2007 election there has been a significant reduction in orders for the production of State papers to the House. Successful amendments to bills have also declined significantly since 2007. Such changes highlight the link between the electoral arrangements of the House, its resultant membership, and ultimately the way it functions as a House of Review within a system of responsible government.

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Introduction

The New South Wales Parliament, like various other parliaments in Australia, follows a model of strong bicameralism — strong executive dominance of the lower House, against a check and balance function in the upper House, founded on a different electoral system for the two Houses and coupled with relatively strong constitutional powers for the upper House.

However, as this paper discusses, recently the balance of this model in New South Wales has shifted as a result of electoral reforms introduced after the 1999 election.

A Brief History of the NSW Legislative Council Electoral System

The New South Wales Legislative Council was established in 1823 and met for the first time in 1824. Its role was initially that of a consultative body to the colonial Governor. However, in 1843 it became the first representative body in Australia, with 24 members elected on a limited franchise granted to male property owners, together with 12 non-elected members appointed by the Crown.

For 13 years, the Council continued as a partially elected chamber. However in May 1856, with the achievement of responsible government in NSW and the adoption of a bicameral parliament, the Council reverted to being a nominated chamber. It was not until 1978 that it was again to be elected on a popular franchise.

At the outset of responsible government in NSW in 1856, the Legislative Council was envisaged as a safe, revising, deliberative and conservative element between the newly created and elected lower House and the Governor. Membership was for life, and members were appointed by the Governor on the advice of the Government of the day.

Similar arrangements were adopted for the appointment of the Queensland Legislative Council, until its abolition in 1922. By contrast, the upper Houses in the other States were elected from the outset. Between 1922 and 1978, the NSW Legislative Council was therefore the last and only unelected House in Australia.

In 1978 the new Wran Labor Government was elected with a mandate to reform the Council. After extensive negotiations between Wran and the Liberal and National majority in the Council, a system of proportional representation for election of the Council was adopted, similar to that adopted for the Australian Senate in 1949. At the same time, the membership of the House was reduced to 45.

Proportional Representation in the Council

Proportional representation as an electoral system attempts to apportion representatives of parties in numbers roughly commensurate with their proportion of the overall vote. This is based on a system of quotas, whereby a set proportion or quota of the overall vote is required for the election of any one member, after which that member's 'surplus' votes may be distributed to other candidates. At the introduction of proportional representation in the NSW Legislative Council in 1978, the quota for election to the Council was 6.25 per cent of the total formal votes.

In 1987 a further significant reform of the Council electoral system was introduced when a system of 'group voting ticket' or 'above the line' voting was instituted, again similar to that used in the Australian Senate. Under this system, a voter could vote for individual candidates below the line. Alternatively, the voter could indicate a preference for a group by voting above the line and the voter's preferences would then be distributed in accordance with a 'group voting ticket' lodged with the Electoral Commissioner by the party in advance of the election.

In 1991 reforms were also introduced to reduce the number of members of the Council from 45 to 42, and to reduce their term of office from three terms of the Legislative Assembly to two, with half (21 members) up for election at any one election. As a result, the quota of votes a candidate required for election to the Council fell from 6.25 to 4.55 per cent.

The 1995 and 1999 Legislative Council Periodic Elections

Following the reforms of 1987 and 1991, the Legislative Council periodic election of 1995 threw up a very singular outcome — the election of the Hon Alan Corbett, representing A Better Future for Our Children Party. Mr Corbett was elected with 1.28 per cent of the first preference vote, on a campaign that cost less than $500. He was returned thanks to the flow of preferences to his party based on the identification of voters with his party name on election day, and the reduction in the quota for election to the Council.

With the example of Mr Corbett in 1995 no doubt in mind, the 1999 Legislative Council periodic election saw a record 264 candidates representing some 80 parties or groups standing for election, resulting in a ballot paper measuring one metre by 70 cm. Quickly labelled the 'tablecloth', it resulted in considerable public consternation on election day. It also created novel administrative problems for NSW Electoral Commission staff, ranging from the need to increase the width of voting booths and provide larger ballot boxes, to hiring larger forklifts, trucks and planes to carry the ballot papers.

The election itself also threw up some curious results. Three candidates were elected with less than 1 per cent each of first preference votes; indeed one candidate

was elected with only 0.2 per cent of first preference votes (or 0.04 of a quota). On the other hand, another candidate with 50 per cent of a quota of votes was not elected. The reason for this was the flow of preferences under the group ticket voting system. Like-minded minor parties were able to compete for votes against each other, sure of their ability at the end of the day to swap preferences, thereby securing the election of a member despite receiving a relatively small proportion of the primary votes.

In turn, this outcome prompted concerns that the voting system permitted manipulation of preference flows, especially by micro and front parties, bringing the electoral system and even the House itself into disrepute.

The 1999 election also resulted in a high water mark in the Council in terms of diversity and representation of minor parties. The House, by now down to 42 members, consisted of: 16 Government (Labor) members; 13 Opposition (Liberal/National) members. The Coalition experienced a dramatic swing against it of 11.1% in 1999, with a total vote of only 27.37%, resulting in only 6 coalition members being returned to the Council in 1999 (7 were returned at the previous 1995 election); AND 13 minor or micro party members, acting as independents. These members represented a diverse array of parties ranging from more recognised minor parties such as The Greens and the Australian Democrats to parties such as the Christian Democratic Party, the Outdoor Recreation Party, Pauline Hanson's One Nation, Reform the Legal System and the Unity Party. As indicated, several of these candidates received their quotas thanks to complex flows of preferences that would have been impossible without group ticket voting.

The outcome of the 1999 election in turn produced a very dynamic and fluid House. Under the *Constitution Act 1902*, a simple majority of the House, that is half the members present plus one is required for the determination of all questions arising in the Council. Accordingly, when all members of the House are present, a majority of the House requires 21 votes, the President having only a casting vote and not a deliberative vote. With the Government clearly nowhere near a majority in the House, the 52nd Parliament from 1999 to 2003 was a very active and challenging one, for both the Government and staff.

Proposed Reforms to the Council Electoral System

In response to the 'tablecloth election' of 1999, the Government introduced the Parliamentary Elections and Electorates Amendment Bill 1999 to reform the electoral arrangements for the Legislative Council.

The key reform proposed by the Government was the abolition of the group ticket voting system. Under the proposed reforms, parties would no longer be able to lodge with the Electoral Commissioner before an election a list indicating their preference flows. Parties were still required to field 15 candidates below the line to

qualify for a group box above the line. However, group ticket votes 'above the line' would now only indicate a vote for the 15 or more candidates of that group 'below the line'. In addition, if voters wanted to indicate further preference flows above the line, they would have to do so by continuing to number 2, 3, 4 and so on above the line. In effect, the only preferences that could flow between parties would be those preferences filled in by voters themselves.

Another important proposed reform was a tightening of the rules for registration of political parties, including: a minimum of 1000 members for registration, instead of the previous 200; a substantial application fee of $3,500 for registration of a political party (there was previously no fee) and a further $5,000 to contest an election; and the requirement for a party to be registered for 12 months prior to an election.

The proposed reforms to the group ticket voting system were particularly significant:

a) The inability of parties to direct preferences meant that small like-minded parties that had previously run against each other, splitting their votes but then redistributing them via preferences, would be unable to do so. Instead, their votes would effectively be 'exhausted' if and when the last candidate in their group was eliminated for failing to make a quota. Rather than those votes flowing elsewhere to another party, they would now fall out of the equation.

b) The new method of voting above the line would make it easier for major parties that handed out how-to-vote cards on election day to direct preferences through the numbering of group ticket boxes 2, 3, 4 and so on above the line. By contrast, smaller parties and independents without the resources to hand out how-to-vote cards across the state would be less able to influence the flow of preferences from voters who put them number 1 on their ballot paper.

Reaction to the Reform Bill in the House

Not surprisingly, during the second reading debate in the House, reaction to the Parliamentary Elections and Electorates Amendment Bill 1999 varied considerably.

In his second reading speech introducing the bill, the Special Minister of State, the Hon John Della Bosca, observed:

> Voters are rarely aware of the list of preferences of a party or group … Nor are voters in control of the distribution of these preferences. Often, all the voters know is that they are voting for their preferred party or group. For example, at the last election 60,000 people voted for one party but ultimately ended up electing a person from another party who was No. 17 on the first party's preference list. …
>
> The last election also revealed that there were some parties that based their whole electoral strategy on preference deals rather than seeking primary votes. Such actions only add to the cynicism of voters and undermine public trust in our system of parliamentary democracy.

The Hon Michael Gallagher, Leader of the Opposition, also strongly supported the reforms:

> Other reforms in the bill relate to above the line voting. This will move strongly and swiftly towards the abolition of the pre-poll registration of preferences, which was so widely and easily manipulated at the last State election. It is a positive step. When people cast their vote they should know not only what the parties stand for but where their preferences will be directed from that point on. People need to know exactly where their vote will end up at the end of the day.

On the other hand, cross bench members from the various minor parties objected to the bill. The Hon Peter Breen, representing the Reform the Legal System Party, observed:

> My other objection to the Parliamentary Electorates and Elections Amendment Bill is the attempt by the Government to introduce first-past-the-post voting by stealth in the upper House. The requirement for a party to field 15 or more candidates in order to secure a position above the line, combined with the requirement to number just one box above the line, means that, for all intents and purposes, preferential voting will be effectively eliminated.

Mr Breen also noted that he, along with the Hon Dr Peter Wong and the Hon Richard Jones, were the three beneficiaries of the 'tablecloth' election in 1999. He argued that together the three of them brought considerable diversity to the Council:

> The reason I mention these things is to illustrate the point that the present system of voting for members of the upper House is one of the fairest voting systems in Australia and demonstrates the importance of proportional representation. We three crossbenchers represent diverse interests in the community which would be denied in this Parliament if we were replaced

The Hon Richard Jones, an independent since his resignation from the Australian Democrats in 1996, was more forthright in his comments:

> Why have so many critics jumped on the reformers' bandwagon? I suggest the answer lies in the Government's seeking seamless and unaccountable authority. The Opposition similarly can do without the irritation of a large crossbench when, inevitably, it returns to office. Approximately 35 per cent of voters did not vote for a major party. Therein lies the true nature of the Government's call for reform. The major parties are clearly the losers in the tablecloth election. They do not like the results, so a smokescreen of clichés and platitudes will be trundled out to obscure the true nature of their objection.

By contrast, The Greens were largely supportive of the legislation, perhaps because as a larger minority party, they could conceivably benefit from the changes, but perhaps also out of a genuine desire for reform. Mr Ian Cohen for The Greens observed:

> Previous speakers in the debate have lamented the loss of opportunity to get various people elected to the Parliament. It is quite possible. I am not confident that the Greens will gain greatly from this system. It is quite possible that the major

> parties may gain, and perhaps the Greens will not do so well. Various speakers have said that the balance of power will fall into this or that camp, and certain people will lose. Perhaps the Greens will lose. But if that is the price of a reasonable attempt at running an appropriate democracy that reflects the will and feelings of the people, it will be worth it. If the Greens suffer, so be it.

In support of this argument, Mr Cohen argued that many of the parties registered at the 1999 election did not represent the interests they purported to represent: the Women's Party did not support women at all; The Save the Forests Party was a front; and The Animal Liberation Party was registered and run by people who had absolutely nothing to do with the animal liberation movement. However, they were registered at the 1999 election in an attempt to control preference flows with votes cast 'above the line'.

In the event, the Parliamentary Elections and Electorates Amendment Bill passed the House with amendments in relation to the costs for registering a party, which was reduced from $3,500 to $2,000, and the minimum number of members for registration of a political party, which was reduced from 1000 to 750. The abolition of the group ticket voting system, however, went through unamended.

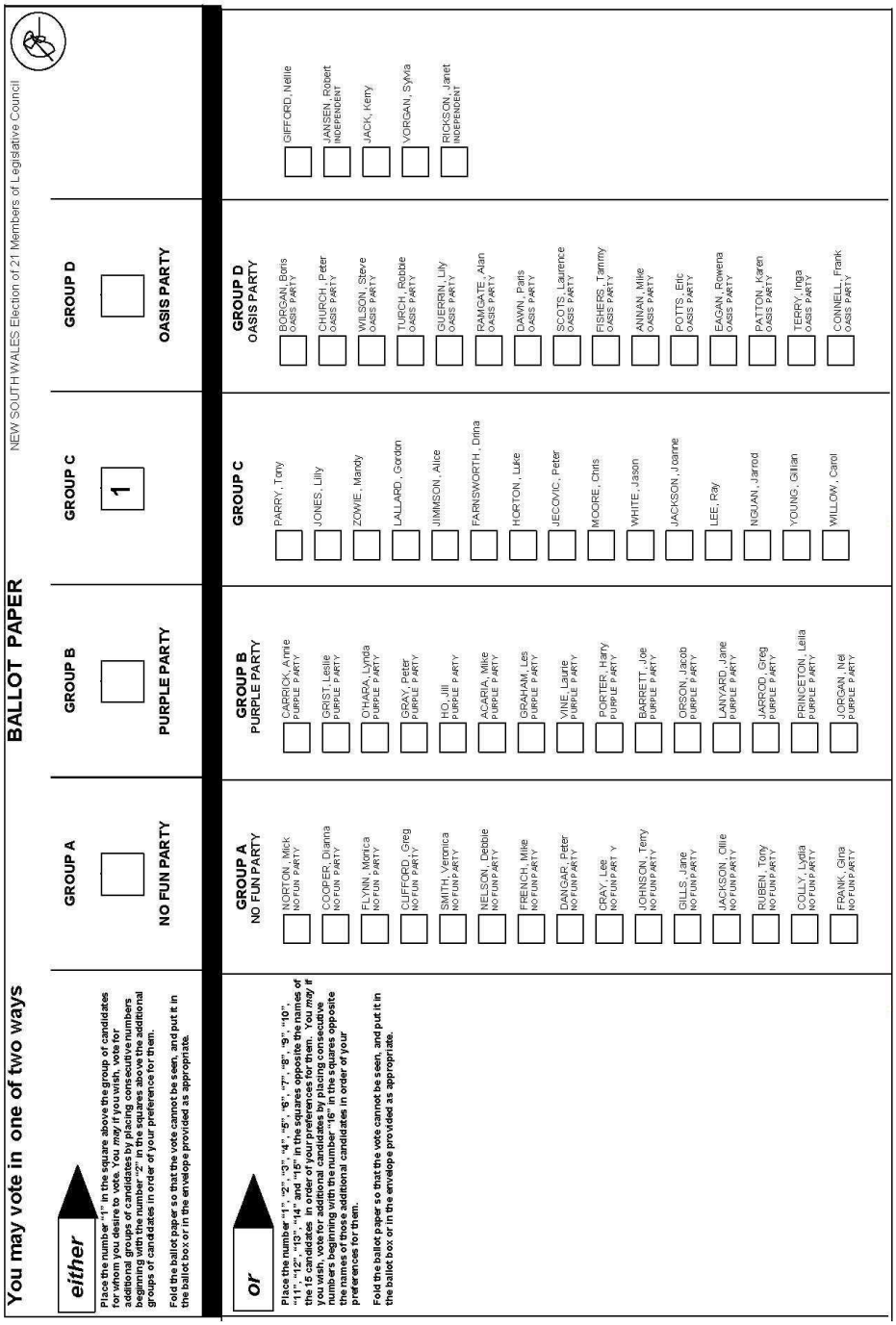
A sample Council ballot paper showing the 'above the line' and 'below the line' voting mechanisms since 1999 is shown below.

As the example below shows, a thick black horizontal line divides the Council ballot paper. Voters have the opportunity to vote for candidates in the traditional way by numbering squares 'below the line', or to vote 'above the line' by selecting one or more group voting square.

The 2003 Legislative Council Periodic Election

The impact of the reforms introduced through the *Parliamentary Elections and Electorates Amendment Act 1999* was felt immediately at the next periodic Council election in 2003. This time, only 15 groups nominated for above the line positions, compared to 80 at the 1999 election. This may have reflected the increased cost and membership requirements for registering a political party, but it may also have reflected the realisation that smaller parties would no longer be able to achieve the return of a member to the House.

In the event, the minor or cross bench parties won only 4 seats (down from 7 at the previous election) — 2 for The Greens, 1 for the Christian Democrats and 1 for the Shooters Party. As a result, the overall number of minor party members or independents in the Council fell from 13 members following the 1999 election to 11 members following the 2003 election (representing 7 different minor parties and one independent), with 7 of those 11 having been returned at the tablecloth election of 1999 election, and 4 having been returned at the 2003 election under the reformed electoral rules.



Source: NSW Electoral Commission, *Handbook for Scrutineers*, 2006, p 36

By contrast, the Labor Government, which was returned to office, increased its numbers in the Council from 16 to 18 members. The Liberal/National Opposition remained unchanged at 13 members.

Some of the key findings from the election were:

First, preferences played virtually no part in the final outcome. In 1999, preferences flowed strongly between groups under the group ticket voting system, as more than 90% of votes had been cast above the line. Under the new system, 80-90 per cent of preferences exhausted between groups. Accordingly, the members elected in 2003 reflected almost entirely their level of primary vote support.

Second, parties that divided their core support were disadvantaged by the new system. The Shooters Party, Pauline Hanson's One Nation, the Fishing/Horse Riders/4WD ticket, and Australians Against Further Immigration are likely to share a similar support base. Together they polled 1.63 quotas. Under the pre-1999 electoral system, this support could have been accumulated using ticket voting, giving the combined support base an outside chance of electing two members. In the event, under the revised electoral arrangements, these parties split their vote, no preferences flowed and John Tingle from the Shooters Party was ultimately elected with less than half a quota, edging out Pauline Hanson for the final vacancy.

This time there were no curious results in terms of members returned. While in 1999 a candidate was elected with only 0.2 per cent of first preference votes (or 0.04 of a quota) following the distribution of preference, the lowest mark for the election of a cross bench member in 2003 was 2.05% of the first preference vote (or 0.45 of a quota).

The 2007 Legislative Council Periodic Election

The 2007 periodic election closely followed the pattern set by the 2003 election. The lowest mark for the election of a cross bench member in 2007 was 2.79% of the first preference vote (or 0.62 of a quota).

Once again, minor parties won only 4 seats — again 2 for The Greens, 1 for the Christian Democrats and 1 for the Shooters Party. As a result, the overall number of minor party members in the Council fell from 11 members following the 2003 election to 8 members representing three minor parties following the 2007 election — comprising 4 Greens, 2 Christian Democrats and 2 Shooters Party members. The members of the other minor parties elected in previous parliaments, such as the Outdoor Recreation Party, One Nation, Reform the Legal System and Unity Party, were not returned.

In contrast the Labor Government again increased its numbers in the House, this from 18 to 19 members. The Liberal/National Opposition also increased its

representation from its low water mark of 13 up to 15, having failed to gain an increase at the 2003 election.

These changing numbers are shown in the table below. With the Labor Government having 19 members (effectively 18 excluding the President), the Opposition having 15 members and the cross bench having only 8 members, the Government is close to having a majority in the Chamber. It is only when the Opposition, Greens and either the Christian Democrats or Shooters oppose the Government that the Government lacks the numbers to guarantee the passing of its legislation and resolutions.

Implications of Electoral Reform for the Council as the House of Review

The implication of the reforms of the Council electoral arrangements introduced in 1999 are only just starting to become apparent in the post-2007 Parliament. Quite simply the reduction in the cross bench over the past two periodic Council elections has been accompanied by a reduction in the activism and interventionism of the House. This was not so evident in the period from 2003-2007 when the House continued to have 11 cross bench members. However since the 2007 election and the reduction in the size of the cross bench to 8 members, the impact of electoral reform has been clearer to see.

Perhaps the two areas where this is most obvious are in amendments to bills and orders for papers. These are discussed below.

Amendments to Bills

Amendments to Government bills moved successfully in the NSW Legislative Council are down significantly in the current 54th parliament (2007 onwards)

In the 52nd and 53rd parliaments from 1999 to 2003 and from 2003 to 2007, the rate of amendments to Government bills in the House compared to the number of amendments moved, averaged around 40 per cent:

i. In the second session of the 52nd parliament from 1999-2002, 2175 amendments to bills were moved and 811 agreed to, a rate of 38 per cent;
ii. In the third session of the 52nd parliament from 2002-2003, 927 amendments to bills were moved and 372 agreed to, a rate of 40 per cent;
iii. In the first session of the 53rd parliament from 2003-2006 1,656 amendments to bills were moved and 550 agreed to, a rate of 33 per cent;
iv. In the short second session of the 53rd parliament in 2006 203 amendments to bills were moved and 94 agreed to, a rate of 46 per cent!

Periodic election	*Composition of the Council*				*Seats won by minor parties at the election*	*Cross bench votes needed by Govt* for a majority*
	Total seats	*ALP*	*Liberal National*	*Total cross bench members*		
1978 (ALP in office)	43#	23	20	0	Nil	0
1981 (ALP in office)	44	24	18	2	1 x Australian Democrats 1 x Call to Australia	0
1984 (ALP in office)	45	24	17	4	1 x Call to Australia	0
1988 (Coalition in office)	45	21	19	5	1 x Australian Democrats 1 x Call to Australia	Coalition 3 of 5
1991 (Coalition in office)	42	18	20	4	1 x Australian Democrats 1 x Call to Australia	Coalition 2 of 4
1995 (ALP in office)	42	17	18	7	1 x A Better Future For Our Children 1 x Australian Democrats 1 x Call to Australia 1 x The Greens 1 x The Shooters	ALP 4 of 7
1999 (ALP in office)	42	16	13	13	1 x Australian Democrats 1 x Christian Democratic 1 x Outdoor Recreation 1 x Pauline Hanson's One Nation 1 x Reform the Legal System 1 x The Greens 1 x Unity	ALP 6 of 13
2003 (ALP in office)	42	18	13	11	1 x Christian Democratic 2 x The Greens 1 x The Shooters	ALP 4 of 11
2007 (ALP in office)	42	19	15	8	1 x Christian Democratic 2 x The Greens 1 x The Shooters	ALP 3 of 8

Notes: ***** The President has a casting vote but not a deliberative vote. Therefore the number of cross bench votes needed by the government depends on the party from which the President is chosen.

\# The reconstitution of the Council to a directly elected chamber of 45 members took place in three stages. The first stage was a House of 43 members in 1978, then 44 members in 1981, and finally 45 members in 1984.

However, in the first session of the current parliament following the 2007 election, 344 amendments have been moved, but only 38 agreed to, a rate of not quite 11 per cent.

Perhaps unsurprisingly The Greens have been particularly unsuccessful in the current parliament in moving their amendments. Of the 242 amendments moved by The Greens, over two-thirds of the total number of amendments moved in this parliament, only eight have been agreed to. The success of The Greens in April of this year in gaining the agreement of the House to three of their amendments was in fact the source of some ironical cheers from the House.

Orders for Documents

The Houses of the NSW Parliament have a common law power to order the production of state papers, according to the common law principle of 'reasonable necessity'. This power was used extensively by the House between the achievement of responsible government in 1856 and 1934, but fell into disuse after that, before being revived again in the mid-1990s.

The revival by the House of its power to order the production of state papers in the mid 1990s was the catalyst for the *Egan* cases, a series of three cases between 1996 and 1999 concerning the powers and privileges of the Council in respect of the Hon Michael Egan, Treasurer and Leader of the Government in the House.[1] The decisions in the three cases essentially confirmed the power of the Legislative Council, within a broader system of responsible Government, to require the production of state papers.

Since the *Egan* cases the House has continued to order the production of state papers. Thirty orders for documents were made in the three years following 1999. In 2003, 15 orders were made, rising to 25 in 2004, 41 in 2005 and 56 in 2006.

However since the change in the composition of the Council following the March 2007 periodic Council election, there has been a significant decline in the number of resolutions agreed to for the production of papers. Only 10 orders for the production of papers were passed in 2007 (admittedly a shortened year due to the election) and 11 orders have been passed so far in 2008.

[1] See the decision of the New South Wales Court of Appeal in *Egan v Willis & Cahill* (1996) 40 NSWLR 650, the High Court decision in *Egan v Willis* (1998) 195 CLR 424 and the decision of the New South Wales Court of Appeal in *Egan v Chadwick & others* (1999) 46 NSWLR 563

Comment

The reform of the Council electoral arrangements in 1999 has seen the membership of the cross bench fall from a peak of 13 following the 1999 periodic election (equal to the coalition parties) to 11 following the 2003 periodic election, and to 8 following the 2007 periodic election. While some minor parties such as The Greens and The Shooters appear to have benefited from the changes, others such as the Australian Democrats (which also appear to have suffered from a loss of electoral support) and the micro parties have been disadvantaged.

Critics of the reforms would argue that they have effectively removed preferential voting in electing the House, thereby limiting representation of minority interests in the House. The electoral outcomes of 1999, where members were returned with a very small proportion of the first preference votes due to the flow of preferences, have not been repeated in 2003 and 2007. As such, it may be argued that the voice of minority interests has been lost to the NSW Parliament.

Supporters of the reforms would argue that they have effectively removed manipulation of the electoral system by preventing the registration of essentially fraudulent or front parties with the objective of referencing votes to another party. As such, the parties that have achieved representation in the House are those parties that received the greatest first preference vote at the 2003 and 2007 elections.

These competing positions go to the nature of representative government, and what form of election is the most democratic. Clearly there is no right or wrong model, and I do not have an answer as to which model of proportional representation is the most democratic.

However it is appropriate to observe that one of the key factors in the revival of the New South Wales Legislative Council as a House of Review in New South Wales over the last couple of decades has been the adoption of proportional representation in 1978 as the means of electing the House. This change, coupled with the partial de-alignment of voters with the major parties, has produced an elected membership of the Council which has been one of the most diverse and dynamic in the country.

As a result, over the past 20 years, the New South Wales Legislative Council has been a House of compromise and negotiation where the passage of legislation has become a consultative process, and the Government has routinely been obliged to disclose information on its operations. This has tended to balance the strict control exercised by the Government over the lower House of the New South Wales Parliament. In effect, the Parliament has followed a strong bicameralism model.

However the electoral changes of 1999 have potentially placed the strong bicameral model at jeopardy. Certainly with the reforms of 1999 there is no guarantee that the electoral cycle over eight years will always produce an upper House in which the minor parties will hold the balance of power.

It can be argued that is not a bad thing. Advocates of the executive model of government which emphasises the efficient prosecution by the elected administration of its legislative agenda — to be judged every few years at the ballot paper — would no doubt support the 1999 reforms.

Against this however it may be argued that the decline in the number of members of the cross bench in the Council, and the potential this has to restrict the House of Review function performed by the Council, is not in the interests of effective and open government in New South Wales.

This argument should not, perhaps, be overstated. The last two elections in 2003 and 2007 have seen a consistent return of 4 minor party representatives. Save in the event of significant dissatisfaction with the major parties, it seems likely that such a return of between 4 and 5 cross bench members at each periodic Council will continue, meaning that the cross bench membership of the House will remain at around 8-10 members. The cross bench does not need to be large to be quite powerful if there is a relatively even balance between the major parties.

Moreover the future is unclear. It will be interesting to see the shape of the House following the 2011 periodic Council election.

In conclusion, the New South Wales Legislative Council will continue to play an important role as the House of Review in the bicameral New South Wales Parliament. With the increasing complexity of modern government administration, there is a need for more, not less, scrutiny and accountability. In New South Wales at least, it is clear that this is promoted by a strong and active upper House, which in turn has been promoted by a sizeable and active cross bench. ▲