



## Crossing the floor in the Federal Parliament 1950–August 2004<sup>1</sup>

Since 1 July 2005 the Howard Government has had control of the Senate and the balance of power in this chamber has, in effect, shifted to individual members of the Coalition. The media have speculated that this power could result in members of the Coalition crossing the floor over a range of issues including the sale of Telstra, industrial relations and voluntary student unionism.<sup>2</sup>

Crossing the floor is a major decision because party unity, reinforced by party discipline, is highly valued by the political parties. Political scientist John Warhurst has noted that 'careers are not made by criticising the leader or by crossing the floor'.<sup>3</sup> Although former senator and Liberal minister Fred Chaney believed that crossing the floor was 'not all that principled',<sup>4</sup> he also said that 'crossing the floor is the stuff of which parliamentary heroes are made'.<sup>5</sup>

This research note presents the preliminary results of a study by the authors of instances of crossing the floor in the Federal Parliament from 1950 to August 2004.<sup>6</sup>

### Definition

For the purposes of the study crossing the floor is defined as an action unique to Westminster style parliaments where a Government or Opposition member of parliament refuses to vote with his or her own party in a particular division and crosses the floor of the parliamentary chamber.

### Scope of the study

Crossing the floor is a political act and is not officially recorded. This study has used Senate *Journals* and House of Representatives *Votes and Proceedings* to identify floor crossing divisions, with Hansard being used to check the context of debate.

The study includes:

- cases where, although a division was not required, a member or senator requested that his or her name be recorded as voting for or against a motion.

The study does not include:

- abstentions, although this is also a form of dissent
- unintentional floor crossings
- floor crossing divisions that occurred in the two periods when the Liberal Party and the (Country Party) Nationals were not in coalition (February 1973 – May 1974 and April 1987 – July 1987). During these periods (Country Party) Nationals members and senators voted with the Labor Government on some issues.

### Floor crossings

In the period of the study there were 14 243 divisions. Of these 439 (3%) were identified as divisions in which members of parliament (MPs) crossed the floor. The floor crossing divisions in each chamber were:

- Senate: 297 (67.7%)
- House of Representatives: 141 (32.1%)
- Joint Sitting: 1 (0.2%)

Floor crossing divisions in the Senate as a proportion of all Senate divisions was 5%. This compares with 2% for the House of Representatives.

### Number of floor crossers

Between 1950 and 2004, 245 MPs, (87 senators, 154 members and four who served in both houses) crossed the floor. This represents 24% of all MPs who sat in Parliament during this period. The proportion of floor crossers from the House of Representatives (63%) compared to the Senate (36%) reflects the relative size of these Chambers, although senators were more active dissenters (see table 2). A slightly higher percentage of all senators (26%) crossed the floor compared to members (23%).

In 48% of all floor crossing divisions there was only a single MP who crossed the floor, and in 26% two or three MPs were involved. Only 6% of the divisions had 10 or more floor crossers.

### Floor crossers by gender

There were more men than women floor crossers even taking into account the greater number of male MPs overall. Although women composed 12% of all MPs they only formed 5% of the MPs who crossed the floor. The study found that 10% of women MPs (11) crossed the floor compared to 26% of male MPs (234). The most frequent women floor crossers were: Senator Kathy Martin (LP, Qld) who crossed 20 times, Senator Flo Bjelke-Petersen (NPA, Qld) 18 and Senator Shirley Walters (LP, Tas) 14.

### Floor crossers by party

In the period of the study, 63% of floor crossers came from the Liberal Party, 26% from the National Party and 11% from the Labor Party. The small percentage from the Labor Party reflects the party's particular emphasis on discipline where a formal pledge binds all Labor MPs to support the collective decisions of the Caucus. The last two Labor MPs to cross the floor—Senator George Georges in 1986 and Graeme Campbell MP in 1988—were both suspended from the party for their actions.

## Floor crossers by state and territory

The full state and territory breakdown is as follows:

**Table 1: Floor crossers by state and territory**

State/territory	Number and % of floor crossers
New South Wales	60 (25%)
Victoria	49 (20%)
Queensland	56 (23%)
South Australia	21 (9%)
Western Australia	30 (12%)
Tasmania	25 (10%)
Northern Territory	2 (1%)
Australian Capital Territory	2 (1%)
Total	245

## Who crossed the floor

The most frequent floor crossers were Senator Reg Wright (LP, Tas) and Senator Ian Wood (LP, Qld) who crossed the floor on 150 and 130 occasions respectively. They alone accounted for 37% of the floor crossings in the Senate. Table 2 shows that the most frequent floor crossers were Liberal senators. It also shows that Tasmania produced eight of the most frequent floor crossers followed by Queensland and Western Australia with six each.

**Table 2: Most frequent floor crossers**

Floor crosser	Number of floor crossings
Senator Reg Wright (LP, Tas)	150
Senator Ian Wood (LP, Qld)	130
Senator Alan Missen (LP, Vic)	41
Senator Neville Bonner (LP, Qld)	34
Hon William Wentworth MP (LP, NSW)	31
Senator Michel Townley (LP, Tas) <sup>7</sup>	29
Senator Don Jessop (LP, SA)	27
Senator Alexander Lillico (LP, Tas)	21
Senator Peter Rae (LP, Tas)	21
Senator Kathy Martin <sup>8</sup> (LP, Qld)	20
Senator Flo Bjelke-Petersen (NPA, Qld)	18
Senator Edward Matter MP (LP, SA)	17
Melville Bungey MP (LP, WA)	15
Senator Brian Archer (LP, Tas)	14
Senator Shirley Walters (LP, Tas)	14
Senator John Sim (LP, WA)	13
Senator Magnus Cormack (LP, Vic)	12
Senator and MP Allan Rocher (LP, WA)	12
Henry Turner MP (LP, NSW)	12
Senator Reg Withers (LP, WA)	11
Max Burr MP (LP, Tas)	10
Senator Noel Crichton-Browne (LP, WA)	10
Bruce Goodluck MP (LP, Tas)	10
Senator Ivor Greenwood (LP, Vic)	10
Senator Robert Hill (LP, SA)	10
Jim Killen MP (LP, Qld)	10
Malcolm McColm MP (LP, Qld)	10
Senator Harrie Seward (CP, WA)	10

Despite ALP discipline 28 Labor MPs crossed the floor during this period. The most frequent were: Graeme Campbell MP (WA)—4, Les Johnson MP (NSW)—4, Senator George Cole<sup>9</sup> (Tas)—3, and Bert James MP (NSW)—3.

In only 25% of floor crossing divisions did the floor crossers actually initiate the division (by proposing a motion). Senator Reg Wright initiated 60 (40%) of the divisions on which he crossed. His record is remarkable when compared to the other frequent floor crosser, Senator Ian Wood. He initiated only three (2%) of his 130 floor crossings.

## Current MPs who crossed the floor

There are 17 current MPs who crossed the floor during the study period (see table 3 for number of floor crossings).

**Table 3: Current MPs who crossed the floor to August 2004**

Name	Floor crossings	Subject
Senator Eric Abetz (LP, Tas)	1	human rights (1)
Senator Ron Boswell (Nats, Qld)	6	primary industry (2), human rights (1), parliament (1), referendum bills (2)
Alan Cadman (LP, NSW)	1	referendum bills (1)
Senator Paul Calvert (LP, Tas)	1	human rights (1)
Senator Robert Hill (LP, SA)	10	tax (3), environment, human rights, referendum bills (3), committee referral (2)
David Jull (LP, Qld)	2	civil aviation (2)
Bob Katter (Nats, Qld, now IND)	9	native title (2), tariffs (1), chamber procedure (5), human rights (1)
De-Anne Kelly (Nats, Qld)	3	native title (2), chamber procedure (1)
Senator Sandy Macdonald (Nats, NSW)	2	native title (2)
Senator Julian McGauran (Nats, Vic)	8	primary industry (4), human rights (1), chamber procedure (1), native title (2)
Peter McGauran (Nats, Vic)	1	parliament (1)
Paul Neville (Nats, Qld)	1	human rights (1)
Phillip Ruddock (LP, NSW)	1	immigration (1)
Warren Truss (Nats, Qld)	1	human rights (1)
Wilson Tuckey (LP, WA)	4	civil aviation (2), tax (2)
Senator Amanda Vanstone (LP, SA)	1	tax (1)
Senator John Watson (LP, Tas)	4	environment (1), referendum bills (1), chamber procedure (1), human rights (1)

## Subjects on which MPs crossed the floor

MPs crossed the floor over a range of subjects. Taxation was the major issue being the subject of 43 floor crossing divisions. This was followed by legislation on referendums (26), the environment (23), issues relating to the parliament (21), parliamentary entitlements (21), primary

industry (19), committee establishment and referral (17), civil aviation (14), electoral law (13) and human rights (12). Table 3 lists the subjects on which current MPs have crossed the floor.

### Fate of floor crossers

The act of crossing the floor does not appear to have adversely affected many floor crossers' careers. The number of floor crossers who went on to become ministers, parliamentary secretaries or presiding officers is substantial (43%) compared to the number of all MPs who attained such office (30%). Among the current MPs who have crossed the floor 12 became ministers or parliamentary secretaries (Abetz, Boswell, Cadman, Hill, Jull, Kelly, Macdonald, P. McGauran, Ruddock, Truss, Tuckey and Vanstone) and one became a presiding officer (Calvert).

Many MPs, such as Reg Wright and Graeme Campbell, have survived floor crossing because of the support of their state or local branches. Fred Chaney observed that he 'very seldom saw anyone cross the floor against the wishes of their endorsing body'.<sup>10</sup> David Hamer, senator in the Fraser Government, wrote that:

none of the cross voters was penalised by loss of selection as the Liberal candidate in the next election. ... in some cases their position was strengthened, for they were representing the views of the party organisations in their states, which were opposed to what the federal government was proposing.<sup>11</sup>

Northern Territory Senator Grant Tambling encountered the power of the Country Liberal Party when he defied the Party's instruction to cross the floor on the question of internet gambling. Tambling voted with the government to impose restrictions on online gambling. In September 2001 Tambling failed to regain preselection after the 'party's executive [had] disendorsed the government frontbencher in July'.<sup>12</sup>

Some high profile floor crossers have suffered as a result of their actions. Unlike Senator Reg Wright who became a minister in the Gorton and McMahon governments, Senator Ian Wood never achieved his long-standing ambition to become President of the Senate.<sup>13</sup> Senator Alan Missen was never included on the Liberal frontbench. Some of his colleagues apparently believed that, apart from his independence which was characterised by numerous floor crossings, he would not have been able to make the compromises required of ministers and shadow ministers.<sup>14</sup>

### Crossing the floor and party discipline

Crossing the floor is one indicator of party discipline. As stated above the study shows that discipline is stronger in the Labor Party than the Coalition parties. Whether Labor was in government or not, its MPs crossed the floor on only 18 occasions. This is many fewer than Coalition MPs who crossed the floor on 427 occasions.<sup>15</sup> Coalition MPs were much more likely to cross the floor when they were in Government (4%) than when in Opposition (1%), whereas there was no difference for Labor.

The Liberal Prime Minister subjected to the most floor crossings was Harold Holt (11% of all divisions had floor crossers) followed by PMs John Gorton (7%), Malcolm Fraser (6%) and Robert Menzies (5%). John Howard has had MPs cross the floor in 9 divisions (0.3%). These involved Queensland Nationals members De-Anne Kelly, Bob Katter (now IND) and Paul Marek and Queensland Liberal member Tony Smith.

In Opposition, Liberal leaders Andrew Peacock (two periods as leader: 3.1% and 2.3%) and Alexander Downer (1.3%) experienced the most floor crossings. The figures for Billy Snedden, Malcolm Fraser and John Hewson were 0.8%, 0.4% and 0.4% respectively. John Howard, on the two occasions he was Opposition Leader, experienced floor crossings in only 7 divisions (0.6%) on the first occasion and none at all on the second occasion.

The attitude of Coalition MPs towards dissent has not appeared to change markedly since Robert Menzies established the modern Liberal Party in 1944. Current Coalition MPs still argue that, in certain circumstances, they are entitled to cross the floor.<sup>16</sup> However, the figures above confirm that 'the modern Liberal Party just as much as Labor, comes down very hard on dissent'.<sup>17</sup>

### Government control of the Senate

During the period of the study there were three occasions when prime ministers Robert Menzies and Malcolm Fraser had control of the Senate (see table 4). Floor crossing divisions comprised 4.2% of divisions when the Government had control of the Senate compared to 2.7% when it did not have control. The effect was most marked in the Senate where crossing the floor divisions were 7.8% of all Senate divisions when the Government controlled the Senate compared to 4.0% when it did not have control. The change in the House of Representatives was much less marked (1.5% to 2.6%). Floor crossing divisions increased dramatically during Menzies' second period of Senate control. During this period 15% of Senate divisions involved floor crossers compared to 5% of all divisions during the entire time Menzies was Prime Minister.

Table 4: Divisions and crossing the floor divisions when the Government had control and did not have control of the Senate

Prime Minister and control of the Senate	Senate		House of Representatives		Total	
	Total divisions	Number (%) of floor crossing divisions	Total divisions	Number (%) of floor crossing divisions	Total divisions	Number (%) of floor crossing divisions
Menzies (28.4.51–30.6.56)	344	17 (4.9%)	885	18 (2.0%)	1229	35 (2.8%)
Menzies (1.7.59–30.6.62)	170	25 (14.7%)	411	12 (2.9%)	581	37 (6.4%)
Fraser (13.12.75–30.6.81)	524	39 (7.4%)	962	27 (2.8%)	1486	66 (4.4%)
Total (control of Senate)	1038	81 (7.8%)	2258	57 (2.6%)	3296	138 (4.2%)
Total (non control of Senate)	5359	216 (4.0%)	5582	84 (1.5%)	10947	301 (2.7%)
Total	6397	297 (4.6%)	7840	141 (1.8%)	14243	439* (3.1%)

\*One floor crossing division occurred in a Joint Sitting of Parliament in 1974.

## Effect of floor crossing

Floor crossing affected the result of floor crossing divisions in only 53 (12%) of cases. The vast majority of these occurred in the Senate 48 (91%) compared to five (9%) in the House of Representatives. The successful floor crossing divisions in the House of Representatives all occurred between 1952 and 1955. The last successful division in the Senate involved Nationals senators crossing the floor to vote with the Labor Government on the Representation Bill 1983. This bill sought to increase the number of MPs in Parliament

The study considered the effect of crossing the floor on the final outcome of bills, amendments to bills, regulations and substantive motions. The study does not include the final effect on procedural matters. These findings show that the practical effect of crossing the floor is much less important than the symbolic impact. At the final stage of the legislative process the influence of floor crossers has been seen only in the Senate.

As a direct result of their actions:

- two Bills became Acts: Representation Bill 1983 and ACT Evidence (Temporary Provisions) Bill 1971
- 14 amendments supported or moved by floor crossers were included in Bills that became Acts
- two amendments supported or moved by floor crossers were partially successful
- four disallowance motions on regulations or ordinances supported or moved by floor crossers were successful
- four motions relating to the establishment of Senate committees were successful.

No current MPs were involved in these divisions.

## Conclusion

This study shows that since 1950 there have been periods of frequent dissent in the federal parliament contradicting the belief that 'actual defection is rarely, if ever, observed'.<sup>18</sup> The study also shows that, despite the frequency of floor crossing, the effect of this action still remains largely symbolic.

The study found that when a Coalition government controls the Senate instances of crossing the floor increase. In the 41st Parliament it will, therefore, be interesting to see whether this trend continues or whether party discipline is maintained and Liberal Senator Michael Ronaldson's view reflects the events of the next two years:

... [I] have always been a passionate believer in the sanctity of the party room ... I am just so passionately and vehemently opposed to the option of crossing the floor. I actually think it's gutless ... you [are] there as part of a team.<sup>19</sup>

1. The 40th Parliament was dissolved on 31 August 2004.
2. For example, Glenn Milne, 'Checks and balances benefited the Coalition', *The Australian*, 1 November 2004.
3. John Warhurst, 'Are the major parties now control-mad?', *Canberra Times*, 1 February 2002.

4. Fred Chaney, 'Parliament: our great expectations', in *Papers on Parliament*, no. 23, *Parliaments and Constitutions Under Scrutiny*, The Senate, Canberra, September 1994, p. 87.
5. *ibid.*
6. On 15 September 2005 the Nationals Member for Riverina, Kay Hull, crossed the floor twice to vote with the Opposition on Telstra bills. She is the first member of the Coalition to cross the floor since 1997. This study does not include Mrs Hull's floor crossings.
7. Townley's floor crossings are included for the period he was a Liberal senator from February 1975 – June 1987.
8. Martin only crossed the floor as a senator, May 1974 – November 1984, not as a member.
9. Cole's floor crossings are included for the period he was an ALP senator from February 1950 – August 1955.
10. Chaney, *op. cit.*, p. 88.
11. David Hamer, *Can responsible government survive in Australia?*, 2nd ed., Department of the Senate, Canberra, 2004, p. 203.
12. 'Dumped senator slams party', *The Australian*, 17 September 2001.
13. See Alan Ramsey, 'The disappointed rebel', *The Australian*, 19 September 1966 and Wallace Brown, 'Still a rebel at 76', *Courier Mail*, 18 February 1977.
14. Anton Hermann, 'Alan Missen: Liberal Pilgrim', The Poplar Press, ACT, 1993, p. 184.
15. These figures include 6 divisions where both Labor and Coalition MPs crossed the floor.
16. See for example Michelle Grattan, 'Downer looks to score points on crossing the floor', *The Age*, 16 August 2005. Gerard Henderson, 'Prisoners of conscience', *Sydney Morning Herald*, 11 April 2000 and Ian Macphee, 'Liberalism gets a hearing again', *The Australian*, 20 June 2005.
17. Warhurst, *op. cit.*
18. David Lovell, *The Australian Political System*, 2nd ed., Longman, Melbourne, 1998, p. 190.
19. Barry Cassidy interview with Senator Fiona Nash and Senator Michael Ronaldson, *Insiders*, ABC TV, 14 August 2005.

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