

Hon Dr Steve Thomas; Hon Sue Ellery; Hon Colin De Grussa; Hon Tjorn Sibma; Hon Nick Goiran; Hon Pierre Yang; Hon Neil Thomson; Hon Martin Aldridge

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Standing Orders Review — Motion

Resumed from 3 June on the following motion moved by Hon Sue Ellery (Leader of the House) —

- (1) That the Standing Committee on Procedure and Privileges be required to undertake a review of the standing orders with a view to —
 - (a) modernising the procedures of the house; and
 - (b) reviewing and adopting best practice from other upper house chambers in Australian Parliaments, including the Australian Senate.
- (2) The committee make recommendations for new and amended standing orders.
- (3) The committee is to report to the house no later than 10 August 2021.
- (4) The committee is to provide an interim report on recommendations for speaking time limits by 22 June 2021.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [7.30 pm]: Thank you, President, for the opportunity to make a few brief comments on the motion before the house. I will just go through this motion, which states —

- (1) That the Standing Committee on Procedure and Privileges be required to undertake a review of the standing orders with a view to —
 - (a) modernising the procedures of the house; and
 - (b) reviewing and adopting best practice from other upper house chambers in Australian Parliaments, including the Australian Senate.

They may or not be best practice, but the opposition has no problem with that. The opposition agrees that looking for best practice is always a good thing. The opposition agrees that we should always be prepared to review the things that we do. The opposition has never had a problem with the first parts of this motion. Paragraph (2) states —

- (2) The committee make recommendations for new and amended standing orders.

Could I be bothered trying to seek an amendment to that, I would suggest that it should read that “the committee make recommendations for new or amended standing orders”, because the way it is written suggests that there is obviously an issue that will be fixed. Perhaps we might consider the opportunity that the standing orders cannot be materially improved in the way that the government thinks it can. I would have actually preferred that. Those things make some sense, President. The problem that confronts us, though, and it is a problem of the convergence of trust and agenda, in my view, comes to us because of the way it has been presented in paragraphs (3) and (4) of the motion, which state —

- (3) The committee is to report to the house no later than 10 August 2021.

That is for the entire report on all the standing orders —

- (4) The committee is to provide an interim report on recommendations for speaking time limits by 22 June 2021.

That is just under three weeks away. It has been said by various members in this house that the last time the standing orders were looked at in some degree of depth was about 10 years ago, and the entire process to review the standing orders of the Legislative Council took two years. I would have said that it was immensely optimistic to suggest that we could go through the entire process in a couple of short months, because by the time this review gets together, it would have the rest of June, July and perhaps a smidgen of August in front of a particularly busy committee that may have many other things to examine. But to suggest that the interim report about speaking times be done in three weeks is frankly unbelievable.

I go to the comments in the introduction and I must say that most of the comments by the mover of the motion related to seeming to want to restrict time frames. I would have thought that in the first instance, the debate should have been much more about making this the best set of standing orders the house can have—that should be the focus—and, as a part of that, potentially looking at the speaking time frames. I do not understand the urgency of that, unless it is perhaps that the government has some urgent bits of legislation that it would like to deal with under a new set of standing orders. I know that it has been brought up before by various members, but could it be the case that the government might like to rush through some legislation in relation to electoral reform of the upper house, for example?

It might be the case that the government would want to rush that legislation through without giving the opposition the full amount of time available in which to prosecute the argument on behalf of, let us say, the regional community of Western Australia. I can well imagine that that could happen. I was in the other house—the house that shall not

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be named—back in 2005 when the first piece of legislation we debated was to take eight seats out of the regional areas in the lower house and place them in the metropolitan area. I suspect that one of the things I will be doing very soon is debating a very similar piece of legislation in the Legislative Council.

In my view, it would help the progress of this motion if the focus of the mover of the motion, the Leader of the House, was on improving the standards of the house rather than, quite obviously, a bent agenda, if you will, of reducing the speaking time frame. I listened fairly carefully, as I tend to do, to the Leader of the House. To support that agenda of reducing the time frame, the Leader of the House gave us a demonstration of the relative performance, I guess, of various upper house chambers around Australia. I think she thought that would be in support of her cause. I stopped to think. In 2017, yes, the New South Wales and Victorian upper houses passed 69 pieces of legislation each, and this house passed 22. I remind members that 2017 was an election year. I remember that election very well, because that is when I came into this place. That meant that, effectively, not much happened before the middle of May, which is normal for an election year. I think the Parliament came back on 10 May. The time we had in which to operate was two-thirds of a normal year. We might argue that we could perhaps have done a bit more than pass 22 bills in that period of time, but it was two-thirds of a normal year.

In the following year, 2018, according to the minister's own numbers, the Western Australian Legislative Council passed 44 pieces of legislation, compared with 49 in Victoria. I would not have thought that was a crisis, to be honest. New South Wales did particularly well with 93 pieces of legislation. I presume that the New South Wales' Liberal government was immensely effective in that period of time and probably came up with some very good legislation that did not require significant amendment. In 2019, New South Wales fell back. It got off that higher level and dropped back to 24 pieces of legislation, which matched Western Australia's 24 pieces of legislation, and Victoria jumped up to 50. What happened in 2019, members? We had the voluntary assisted dying legislation. Do members know what? That took a fair bit of time. That was a fairly important piece of legislation. That took a few weeks for us to get through. I make no apology on behalf of the Legislative Council for doing proper scrutiny of legislation, which is our job, and getting through that legislation not as quickly as the government would prefer. Funnily enough, the VAD legislation took a fair bit of time. I note that in 2020, according to the Leader of the House, this house got through 50 pieces of legislation, which was the highest number of any of the groups. In 2019, we had 24 in Western Australia and New South Wales, and 50 in Victoria. That was great for Western Australia, considering we had the VAD legislation. In 2020, guess what? We matched Victoria from the year before.

I find offensive the supposition that this Legislative Council is not doing its job and is simply holding up legislation. That is not the fact. It is not the truth. This Legislative Council has in the past been doing the job that the people of Western Australia expect it to do. They expect this house to provide proper scrutiny. It is not as though the legislation that we are presented with is perfect. There are lots of things that need to be fixed. It always amuses me—perhaps someone who has been around longer than me can remember—but I thought that the record for making a speech in this house was still held by Hon Ken Travers. No, not Ken Travers? Perhaps it was Hon Tom Stephens. Does anybody remember the longest speech by Hon Tom Stephens? I think the record is actually held by members of the Labor Party in opposition. It is not unusual. I am not averse to giving a reasonably long speech myself, as members who have been around for a while would know.

The poor old Minister for Mental Health, who represents the Treasurer in this place, has had to sit through most of them so he probably deserves another gold star, but I think that those are very important speeches. I will give members a hint. I do not actually write speech notes; I write the things that I think are important in dot-point form. It can take a fair while to get through them; particularly if I think this government is doing the wrong thing in a budget, I fully expect to take the time to drag out those issues. That is the job that I do for the state of Western Australia. To suggest that there is an issue with holding up legislation in this chamber is rubbish. I am sick to death of government members in the other place running around putting out in the media that all this legislation would have been passed if only the opposition and the Legislative Council had done its job. What absolute garbage. We passed 50 pieces of legislation last year and that equalled the best of the year before. We did it because the COVID legislation was important and, in fact, we probably curtailed some of our examination and gave the government the opportunity to get its legislation through in a timely manner. The Legislative Council did its job properly.

We are not going to rubberstamp what the government does. We have no intention of rubberstamping what the government does. It makes far too many errors. I am sure the Minister for Mental Health is aware of this example because we will debate the Supply Bill in the not-too-distant future. The first day the Premier, who is also the Treasurer, stood up and read a bill into the Legislative Assembly a few weeks ago—guess what? In a four-clause bill with a half-page explanatory memorandum, the explanatory memorandum was wrong. I pointed out in the briefing that the government had made an error. It was a mistake with where it put things. It was only \$15 billion in the wrong year, but that is not bad for the government. A \$15 billion error is pretty close! It is a rounding error. This year's and next year's iron ore royalties will probably cover it so we will be okay.

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Do members know what the Treasurer did? We were also discussing the Treasurer's Advance Authorisation Bill and we had asked for additional information to shorten the time frame. Precisely what I said in that briefing was that the best thing the advisers could do to assist the passage of this legislation was to give the opposition as much information as they were willing to give. The more information that they gave us, the less we would have to search for. The advisers said that is a great idea and we should do that. Government members will have a spreadsheet that has everything in it in detail. No doubt when we considered the Treasurer's Advance Authorisation Bill the minister's advisers had it in detail and could pull it out, and members on this side could ask key, important, localised questions and the information was sitting in that Excel spreadsheet, which is fantastic. That is what is supposed to happen. The more the government gives us in advance, the better we can operate and the faster the legislation goes through. That bill went through the lower house in a couple of hours and the upper house in about three. That gave the opposition and the crossbench the capacity to jump up and ask important questions about issues in their electorates and in portfolios about which they cared. That is working. That important piece of legislation had two hours in the lower house and three hours in the upper house—gone, done. How on earth is it that this house is holding up legislation?

I am sick of hearing about all the bills that we have apparently held up because do members know what? None of the ones that the government is talking about was on the list of a dozen that were important pieces of legislation the government wanted to get through at the end of last year. Absolute rubbish! Absolute garbage! This is the spin campaign in maximum gear. Frankly, every time the government starts to come out with that, we need to demonstrate and point out that we were effective as an opposition but also facilitated the passing of legislation. If this government could not get its act together to the extent that perhaps the New South Wales government could in 2018, which was the stand-out year in all the numbers read out by the Leader of the House today, that is not our fault. If the government cannot manage the business of the house well, that is not our fault. If it cannot manage its legislation and answer questions and if it makes us ask the same question over and over again because it does not want to answer it, guess what? That is what happens. We will not abandon ship on this legislation. For new members, there is an old saying in Parliament and in government: the opposition will have its say and then government will have its way. We know that the government will have its way, but we will have our say. We will not put up with the government removing our say as a part of that process. It is an important role for the people of Western Australia.

What frightens me the most about this, and I do not think it has been mentioned tonight, is that this government will most likely curtail the amount of time that we can spend on our contributions to the second reading of bills. I do not think that curtailing the time of contributions to the third reading of bills matters so much because on occasions they are important, but most of the time they are just a time in which we thank everybody, find points of agreement and move on. However, in our contributions to the second reading, we outline the things that we think are wrong or that are right about bills. The government will probably seek to curtail our second reading contributions, and that will be an absolute shame and I will resist it. But what frightens me is that I think government has every intention of impacting on the committee stage of bills, and I would find that absolutely appalling.

Let me take members to examples of this happening around the world. Do members realise that there are jurisdictions in which individual members can seek the call three times on a particular clause and no more. Just imagine, honourable members, particularly those on the crossbench who want to hold this government to account, being on the first clause in the Committee of the Whole stage, and the government recommending that members be limited to three five-minute contributions or three 10-minute contributions—three rounds of questions! That is the sort of thing that frightens me, because I often stand up—I know that honourable members across the board stand up—and ask 20 or 30 questions on the first clause because that is where we get a generalised understanding of the bill and specific information. It frightens me severely that we could not do that—it truly does. However, despite the fact that I am frightened by the intention of this government, which was outlined in the speech of the Leader of the House when she presented this motion, that it is almost exclusively based on speaking times, I fear for the committee stages of bills—I truly do. I think that that will be a disaster for the state of Western Australia.

Even though I am terrified about the potential outcome of this motion, I still support the motion's intent to review the standing orders, because we should never be frightened of reviewing what we do. My apologies to Hon Tjorn Sibma and Hon Martin Aldridge, and members of the government, led by the President, who will have to pick up the workload. Apologies to you, President, for the workload that you are about to embark on during what will probably be a very busy time. I am sorry that this has been inflicted upon you, but I do not think that we should be afraid of reviewing the standing orders. However, if it is to be a proper review—a review that comes back demonstrating and convincing all of us of the benefits—then we should not be frightened of it.

Historically, leaders of government have always been of the opinion that changes to the standing orders should be done by consensus. I understand that consensus is the normal way in which that is done. It might be said that when there is a hostile upper house, we have to work by consensus. I understand that Hon Norman Moore had an absolute majority after the 2013 election and that in relation to the standing orders the house always operated by consensus. It appears that for the first time that consensus will be lost tonight. That is a terrible shame.

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One thing we potentially could do to make this better is to simply take a small breather and give ourselves more time to assess precisely what we want out of this process, because this motion proposes a monumental change to the way in which we do business. As I said, I am frightened about the outcome but I hope that the negotiation goes back to being one of consensus. I hope that we will have proper scrutiny of legislation in particular during the committee stage of bills, which, as I said, frightens me. I could probably curtail most of my contributions to the second reading stage to four or five hours, if I worked really hard at it! The work done during the committee stage of the bill, however, gives every member an opportunity to contribute and to get information that is critical. I hope that is not on the agenda, but I think that it might be. I think that immediately after we face that, we might be facing some legislation that seeks to change the standing orders that will change representation in this place and limit our ability to do anything about it.

For that reason, I have developed an amendment to the motion. I would like to see a reasonable time frame put in place that will allow us to have a proper and formal review, because I struggle to see how the Standing Committee on Procedure and Privileges will get its work done in time. Perhaps they can meet every day, because it will not be me doing that work.

With those few words, I think we would like to try to make this better. The opposition will support a motion that looks into the issue of privileges to make sure the standing orders are effective and functional. As I said, we have hit an issue between agenda and trust. Right now, the government is asking us to take on trust its agenda, and that meeting of trust and agenda is not one in which we have a lot of faith. We are missing that trust and agenda; the trust has gone out of this process—it has disappeared. So, let us try to put trust back into this debate. Let us have a proper review, in the fullness of time, to look at all those things. I have no doubt that, at some time in the future, we will have a debate about curtailing our access to debate bills.

The funny thing is that we are debating sending a review off to a committee, and that should really have been a very short debate. We should have put parts (1) and (2)—maybe including “or” in (2) and a different reporting process.

Amendment to Motion

Hon Dr STEVE THOMAS: I move —

- (a) In part (3) of the motion, to delete “10 August 2021” and insert —
3 June 2022
- (b) In part (4) of the motion, to delete “22 June 2021” and insert —
3 December 2021

HON SUE ELLERY (South Metropolitan — Leader of the House) [7.51 pm]: I indicate that the government will not support the amendment. I outlined the reasons that the motion was in two parts and contains a much shorter time frame for the element that looks at speaking times. I do not think it is complex to make a recommendation about how we adjust speaking times. I accept that it is more complex to come up with recommendations that might look at other areas of the way the house conducts its business, and that is why I put in the motion two different time frames.

I think it is selling the Standing Committee on Procedure and Privileges short to think that it cannot deal with a comparison of limits on speaking times in other jurisdictions and produce an interim report to this house. A lot of things have been said in the course of the afternoon and this evening that I think might be characterised as revisionism—rewriting history. I will not go into all those elements—maybe I will at another time—other than to say —

Hon Nick Goiran interjected.

Hon SUE ELLERY: Other than to say —

Hon Nick Goiran interjected.

Hon SUE ELLERY: Other than to say, President —

Hon Nick Goiran interjected.

The PRESIDENT: Order!

Hon SUE ELLERY: Thank you, President. What I will say is that a fair bit of revisionism has gone on in the description of how things have occurred over the last four years. What has been disappointing and intensely ironic about this debate is that it has demonstrated why we need to review the standing orders. If members do not get the irony of what has happened in here today, that is part of the problem.

In any event, we will not be supporting the amendment. It is possible for the committee to do the work relating to the fourth element, which relates to speaking time limits. It is not unreasonable to ask the Standing Committee on Procedure and Privileges to undertake this task in a timely fashion. It is not about, as somebody said, “Getting rid of the pebble in the shoe that is the opposition.”

Hon Tjorn Sibma: That was me. I’ll claim it.

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Hon SUE ELLERY: It is not about getting rid of the opposition.

Hon James Hayward: Just shutting them down.

Hon SUE ELLERY: And neither is it about that. It is about what is a reasonable time to prosecute an argument. If people listened to what I said when I moved the motion, I said that the most effective way that this house scrutinises, reviews and creates better legislation is by the use of two tools: first, by referring a piece of legislation to a committee so that —

Several members interjected.

The PRESIDENT: Order! The member shall be heard in silence.

Hon SUE ELLERY: — experts can be called to give evidence, stakeholders can be consulted and all of those things. The second way is going through legislation clause by clause in the Committee of the Whole, including, as I referred, expansive clause 1 debates. That is pretty quick revisionism, given that I said it earlier today. That has been translated into me saying that I intend to stop the committee process and clause 1 debates. In fact, I said the opposite, but that does not suit the narrative here. The narrative is all about bad government choosing to impose its will on everybody else in a way that is unreasonable for democracy. That is nonsense. I do not think anyone in this house, other than the small band of brothers and their sister, actually believes it.

HON COLIN de GRUSSA (Agricultural — Deputy Leader of the Opposition) [7.57 pm]: I indicate support for the amendment for a number of reasons, not the least of which is that the time frames provided in the motion moved by the Leader of the House, especially looking at speaking time limits, is unworkable in my view. We might be able to do some google searches on what other jurisdictions do but as a member of this place, I would like to be consulted on what I think about speaking times, as I am sure other members would as well.

I am sure that the Procedure and Privileges Committee and members, given their busy schedules between and during parliamentary sitting weeks, do not have much time for that consultation. To expect that to be done effectively by 22 June is simply not achievable. Moreover, the previous report took two years. I would be the first to say that I do not think a report should take two years, especially since there was a review in 2010. I understand it was the first review since 1952, so no wonder it took two years. If these reviews were made a standing order that was done at the beginning of every Parliament, they certainly would not take that long and we might expect results in a reasonable time frame, but that is not the case.

We have not had a review of standing orders for some years. It is simply not achievable to do that review in such a short time frame. Let us remember that we do not just gasbag, wave a couple of bits of paper around and talk in tongues that people may not understand in this place. We are considering legislation for this state. We are doing what we do to make Western Australia a better place. All members in this place come here for various reasons, with their different ideologies, to do the same thing—to make legislation to take our state forward. That legislation must be debated properly. We must have appropriate time to debate legislation. We must have the appropriate scrutiny of that legislation. I am not going to suggest for a minute that I know what recommendations the committee will make about various aspects of debating that legislation. Nonetheless, the role we have in this place is incredibly important.

The role of the Standing Committee on Procedure and Privileges in reviewing the standing orders of this place is incredibly important and must be done properly through consultation with not only all members here, but also, in my view, certainly other Parliaments, not just in Australia but perhaps around the world, because there is nothing wrong with seeing the practices in other places such that we make ours better, if we need to. That is the point: everyone who has stood on this side of the house has supported a review of the standing orders. No-one is speaking against a review of the standing orders. We want it done properly. For that reason, I conclude my remarks simply by saying that I support an extension of the time as indicated in the amendment moved by the Leader of the Opposition.

HON TJORN SIBMA (North Metropolitan) [8.00 pm]: I do not intend to make an extensive contribution, but I want to sum up the essence of this latest dimension of the motion. First, I indicate that I am speaking in support of a very sensible amendment moved by my friend and colleague, Hon Dr Steve Thomas.

Today we had occasion to make two prayers and two acknowledgements of country. I listened intently to the words in that prayer. Sometimes one can gloss over the words, but there is a particular passage in which we are enjoined to demonstrate honour, wisdom and integrity for the role we have been chosen to fulfil. It is in that spirit, and also with the acknowledgement that I am a member of the committee to which this referral will be made, that I feel encumbered at a personal level from being able to fulfil with honour, wisdom and integrity a task that I know is, effectively, unreasonable in its time frame.

I went about my business in this chamber in the previous term with a measure of integrity that I hope is acknowledged by all members present. Some might question my wisdom, and the “honourable” attributed to my name is exactly that, an attribution, but I hope to demonstrate that I am somewhat worthy of that appellation, through counselling

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this chamber tonight and saying, “Let’s just cool our jets a little bit and provide this committee with sufficient time to discharge the job that the Leader of the House wishes to refer to it.”

I cannot understand what is so objectionable about the very modest amendment put by Hon Dr Steve Thomas. If the Leader of the House can be taken at her word and she thinks that the procedures and standing orders of this place should be subject to some review, modification and modernisation, and perhaps that we might scrutinise speaking times, that is fine. There has not been a single member of the opposition who has said that that is a fool’s quest and we should not subject ourselves to that review. Every single member who has stood up has said that is an appropriate thing for this chamber to do and for this committee to be charged with. We object to the process and the absolutely belligerent attitude to accepting even a modest moderation in the time for the committee to undertake that job.

It is very interesting for me to note that I have in front of me business program 14 of Thursday, 3 June, 7.24 pm, and its counterpart document, *Daily Notice Paper* 13, Thursday, 3 June, 7.24 pm. Why do I make that obvious point? Sometimes we miss historical moments as they occur. I make the observation that this is a historical moment. It is worth timestamping because today was the day that the mask slipped from the government. Today was the day that it committed to opening a new front in the war it has been waging against this house for the last four years. Today was the day when the Leader of the House demonstrated a disgraceful disregard for not only the new President and every single member of that committee, but also the Clerk, all the staff and every single member in this chamber. She has told them that it is her way or the highway. She will not even give the members of this committee the courtesy of some additional time to undertake a fundamentally important review. I do not think that that disgraceful disrespect can go unmentioned; it cannot and it should not. The government’s agenda is as clear as day. I advise it to hasten slowly, because it is sowing the seeds of its own demise. The other thing that it has successfully sown here today is the seeds of discord in this chamber. From this moment onwards, nobody on this side of the chamber trusts the Leader of the House, her government or her government’s agenda. If she has any shred of self-respect and respect for this chamber, she will at least agree to this modest amendment in the terms it is put.

HON NICK GOIRAN (South Metropolitan) [8.06 pm]: I will be brief because I have said more than my fair share about the disgraceful conduct of the Leader of the House and the management of the business program in these two extraordinary sessions that have occurred today. I stand by everything I have said over the course of the day. A very interesting contribution was made a little earlier, and I ask members to reflect on this. Hon Sue Ellery was co-opted onto the Standing Committee on Procedure and Privileges and attributed her name to the twenty-second report of that committee, tabled in October 2011, and this passage from that report will be of interest to members. It states —

Upon the initial reference from the House, the Committee called for submissions from current Members of the Legislative Council and a number of former Members. Twelve submissions were received by the Committee (see list at Appendix 1). Further correspondence was received by the Committee from Members during the course of the inquiry and was duly considered by the Committee.

When the honourable member was co-opted onto this particular review, she agreed that there would be an opportunity for submissions to be received by not only current members of the Legislative Council, but also, indeed, former members.

I turn quickly to the other report that I referred to earlier today, which is the twenty-fourth report of the same committee. It was tabled in September 2012 when I was on the Standing Committee on Procedure and Privileges. Interestingly, at page 2, paragraph 3.1, it states —

Since the commencement of sittings in 2012, the PPC has kept the operation of the Standing Orders under general review, and has retained an ongoing record of Standing Orders-related matters that have arisen in the House and its committees. The PPC has also received informal feedback from a number of Members over this period, and has included those matters amongst its deliberations.

Paragraph 3.2 states —

On 12 September 2012, the PPC circulated a paper to all Members in the House. As noted in the Deputy President’s statement to the House at that time, the purpose of this paper was to inform all Members —

I insert at this point, including new members —

of the specific matters under review by the PPC, and seek further feedback from Members.

There are two examples—the first from when the honourable member, the Leader of the House, was on the committee and the second from when I was on it—in which the Standing Committee on Procedure and Privileges went out of its way, quite correctly, to seek submissions from members of Parliament. In actual fact, when the honourable Leader of the House was on the committee, it sought submissions from former members of Parliament. I thank members for their earlier contributions, and indicate quickly that of course I support the amendment moved by the Leader of the Opposition. The point is this: those things cannot be done overnight. Some basic decency and courtesy should be given to the President, the Deputy President, the other three members of the committee, all the

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hardworking staff on it, and, importantly, every member of this chamber, and, according to the precedent set by the Leader of the House when she was co-opted onto the committee, also former members, who might have one or two intelligent remarks to make about standing orders.

This second sitting that we are having on 3 June could only happen in a world constructed by this Leader of the House. We have had two days in one, but that is where we are at under this dictatorship. All I can ask, irrespective of the outcome of these particular proceedings, is that the Standing Committee on Procedure and Privileges does exactly the same as it did when the Leader of the House was co-opted onto it—that is, seek submissions from members of this chamber and former members and give them a fair and reasonable time to provide feedback.

How the procedure and privileges committee constructs and does that under the President’s stewardship in a two-and-a-half-week time frame, I do not know, but unfortunately, as members know, the Leader of the Opposition is trying to facilitate a fair and reasonable program. We have already heard from the Leader of the House that under no circumstances will that happen under this particular dictatorship or regime.

Point of Order

Hon PIERRE YANG: I have been listening to Hon Nick Goiran the whole day. He has been using colourful language, but I take exception when he uses the word “dictatorship”. I think it is very unparliamentary to use such a word.

Hon Tjorn Sibma: Would you accept “autocracy”?

The PRESIDENT: Thank you, honourable member.

The word, as I understand it in this context, can be taken broadly, but I would request that the honourable member consider the use of his language in a more general sense. There is no point of order.

Debate Resumed

Hon NICK GOIRAN: I understand the outrage that the honourable member feels about the sense of a dictatorship—I do understand that. That is exactly the point that honourable members have been making over the course of today—that the behaviour of this government under the leadership of the Leader of the House is exactly that. It has never been like that before. Since long before they were members of this place, it has never been like that. It was not even like that in the previous Parliament. It was not like that under the leadership of Hon Peter Collier and it was not like that under the leadership of Hon Norman Moore. I share the member’s outrage.

I thank those members who made a contribution earlier. Despite the interjection and interruption, I conclude on this point: I simply say, and I think it is a valid point, that submissions ought to be sought from members and former members. If the committee is going to seek submissions, it should be done in the ordinary way, as has been done in the past, by giving people a fair and reasonable time to do that. How that can be done in this period of time is beyond me. The amendment moved by the Leader of the Opposition would facilitate that. Clearly, the government has already said that that is not going to happen. The outcome is self-evident; nevertheless, we will see what gets produced in the fullness of time.

HON NEIL THOMSON (Mining and Pastoral) [8.13 pm]: I will not detain people any longer than is necessary. I reconfirm the points I made earlier in the debate. I would like to speak for a very short moment on this amendment, which I support as a new member to this place. I do not look at the chair that I sit on as a chair of the Liberal Party or the chair of Neil Thomson; it is a chair of the voters of my region, and I believe that as a member representing that region I come to this place with a very serious attitude about the procedures of this place. We have very good staff here. We spent a whole day or longer in this place getting instruction on the standing orders, which was given to us with great gravitas. I reiterate: the very least that can be done by the committee is for it to carefully deliberate on the standing orders. I do not object to a review of the standing orders, but I think the time frames that have been laid out are unseemly and cannot result in a good outcome for this place.

HON MARTIN ALDRIDGE (Agricultural) [8.15 pm]: I was resisting seeking the call, but I was provoked to make a short contribution by the Leader of the House’s comments.

When I spoke to the substantive motion, I did not do it in an overtly political way. I was pointing out the practical difficulties that the committee would face in doing a fair and reasonable job on what the house is asking it to do. As the Leader of the Opposition has made very clear, no-one should ever be afraid of reviewing our standing orders, procedures and all the other things that make up the law of this chamber. The Leader of the House has oversimplified it. She has said that it is something that can be easily done in 11 business days. All the committee has to do is look at what happens in all the other upper house chambers and the Australian Senate and report to the house. If the job is that simple, why do we need to refer it to the Standing Committee on Procedure and Privileges? Members can jump on Google during their lunchbreak and make up their own minds and stick up their hand when the Leader of the House tells them to—which will happen shortly, I am sure. Why do we need the PPC to do this? This motion is asking the committee to review and adopt best practice from other upper house chambers. Just because a chamber

Hon Dr Steve Thomas; Hon Sue Ellery; Hon Colin De Grussa; Hon Tjorn Sibma; Hon Nick Goiran; Hon Pierre Yang; Hon Neil Thomson; Hon Martin Aldridge

is practising something, it does not make it best practice. If the government is going to do justice to the task that this house will set the committee via the passage of this motion, it needs to engage with those jurisdictions and say, “We understand that you have this standing order; Google tells us so. But how does it work in practice? What are its advantages and disadvantages?” The government might even want to engage with members of those other houses.

Is it as simple as the Leader of the House claims? Members might as well make up their own minds now because I think the government has made up its mind. It is clear that the Leader of the House has on several occasions this afternoon and this evening not affirmed her previous position that the standing orders should be amended only by consensus. That statement has not been heard today. She believed it very strongly just a few years ago, and loved reciting to this place the experience and teachings of Hon Norman Moore. I ask all members who are looking at the motion and the amendment before us to please consider extending the reporting period. It is the only way that we are going to get something of quality. The other options, which I referred to earlier this afternoon, are to either extend the time frame or make a considered contribution today to allow the committee to focus its work. So far, we have heard from one member of the Labor Party. Clearly, one of two things has happened: Labor members have all been gagged or they do not agree with the Leader of the House that this is the most pressing and important matter that this chamber and the procedure and privileges committee should proceed with forthwith. No-one else from the Labor Party has made a contribution. Unless, of course, they are waiting to make a submission to the committee. If that is the case, I look forward to every single member who has not contributed to this debate today making a very fulsome and considered contribution to assist and guide the committee so that it can achieve what the house wants it to achieve in a very, very constrained time frame.

I really hope that members see fit to support the amendment moved by the Leader of the Opposition. It is certainly not unreasonable. We have a four-year term ahead of us. There is plenty of time to make all of these decisions. I will finish on this point: the Leader of the House has claimed that this afternoon’s and tonight’s proceedings are the exact reason that the standing orders need to be changed. I contend that what has occurred this afternoon and evening is the exact reason that we should take a very cool, calm and sober approach to reviewing and potentially amending our standing orders.

Division

Amendment put and a division taken with the following result —

Ayes (9)

Hon Martin Aldridge	Hon James Hayward	Hon Dr Steve Thomas
Hon Donna Faragher	Hon Steve Martin	Hon Neil Thomson
Hon Nick Goiran	Hon Tjorn Sibma	Hon Colin de Grussa (<i>Teller</i>)

Noes (24)

Hon Klara Andric	Hon Peter Foster	Hon Shelley Payne	Hon Matthew Swinbourn
Hon Dan Caddy	Hon Lorna Harper	Hon Dr Brad Pettit	Hon Dr Sally Talbot
Hon Sandra Carr	Hon Jackie Jarvis	Hon Stephen Pratt	Hon Wilson Tucker
Hon Stephen Dawson	Hon Alannah MacTiernan	Hon Martin Pritchard	Hon Dr Brian Walker
Hon Kate Doust	Hon Kyle McGinn	Hon Samantha Rowe	Hon Darren West
Hon Sue Ellery	Hon Sophia Moermond	Hon Rosie Sahanna	Hon Pierre Yang (<i>Teller</i>)

Pair

Hon Peter Collier

Hon Ayor Makur Chuot

Amendment thus negatived.

Motion Resumed

Question put and passed.

House adjourned at 8.24 pm
