

BUSINESS OF THE HOUSE

Standing Orders Suspension — Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [5.51 pm] — without notice: I move —

That so much of the standing orders be suspended so as to enable the following variations to the order of business for Wednesday, 13 June 2018; Thursday, 14 June 2018; Wednesday, 27 June 2018; and Thursday, 28 June 2018 —

- (a) no consideration of committee reports on each Wednesday;
- (b) the Council is to commence meeting at 9.00 am on each Thursday;
- (c) no private members' business on each Thursday; and
- (d) on Wednesday, 27 June 2018, the house is to proceed to orders of the day at the conclusion of motion 1, Independent Rural Fire Service; and
- (e) the Council is to sit beyond the normal adjournment time on each Wednesday and Thursday, and shall take members' statements at 7.20 pm on each Wednesday and at 6.20 pm on each Thursday.

I indicate that this motion reflects negotiations behind the Chair over the last several days. I thank members of the house for their cooperation in getting us to this point. This type of motion is not unusual. In fact, I cannot remember a time leading up to a midyear or end-of-year break in which we did not need to come to some arrangement to facilitate the passage of legislation that the government of the day deemed necessary to be passed before the break. The measures we have used include the measures that are sought to be put in place by way of this motion.

I did seek to accommodate the requests from various members about what was and was not more suitable to them. Members would be aware that one of the tools that this house has used from time to time is to dispense with debate on motions on notice. One motion on notice is currently being debated and is very important to a number of members. It was clear that those members did not want to give up time for debate on that motion. Therefore, the government has sought to accommodate that. Other variations to the order of business were also considered to provide the government with additional time to deal with the legislation that we deem necessary to have passed before the house rises. During the course of the discussions, I indicated that those government members who want to make a budget response have agreed to make their speeches when the house returns in August, so that was accommodated as well.

I thank members for their cooperation. I was asked informally whether the house would have a dinner break on the Wednesday night. My view is that I am not looking to build in a dinner break. However, I might ask members for their assistance, because depending on where we are at on the Wednesday with a particular piece of legislation, the members who are engaged in that piece of legislation may need to have a short comfort or meal break. I have canvassed this with a number of members, but I might ask for cooperation to jump over a particular piece of legislation for a short time, depending on where we are at in the proceedings, at about 6.00 pm or 6.30 pm on the Wednesday evening.

Other than that, I appreciate that this means that members will need to adjust their diaries. I appreciate also that for regional members, it will be an additional burden given the travel they need to do. I place on the record my appreciation for the cooperation of members of the house. I am hopeful that we will not need all those hours in the second week of our sitting, but that remains to be seen.

HON MARTIN ALDRIDGE (Agricultural) [5.54 pm]: We do not have a lot of time before the dinner break but I want to make some comments on this motion. We were told by the government that the purpose of this motion is to facilitate the passage of a number of the government's priority bills. As far as I am concerned, there is no guarantee about the passage of any bills. However, the motion will enable the government to pursue its legislative agenda. I note that the first two bills listed on the weekly bulletin for debate today are the Corruption, Crime and Misconduct and Criminal Property Confiscation Bill 2017, which was introduced into this place on 14 September 2017, and the Coroners Amendment Bill 2017, which was introduced into this place on 22 August 2017, among other bills. It is interesting that the Leader of the House presented no substance to this house about the urgency of the consideration and passage of that legislation, particularly given that the first two orders of priority that have been identified by the government in the weekly bulletin have clearly not been priorities for the government since August and September last year.

Hon Sue Ellery; Hon Martin Aldridge; Hon Jacqui Boydell; Hon Peter Collier; Hon Alison Xamon; Hon Rick Mazza

With respect to the part of the motion that deals with motions on notice, I believe the government has an ulterior motive. Motion 2 on the daily notice paper is a gem. Hon Darren West gave notice of that motion on 13 June 2017. The proposed motion states —

That this house congratulates the McGowan Labor government for its Local Projects, Local Jobs initiative and for the positive impact this will have on local communities.

I am not sure whether Hon Darren West realised what he was getting himself into when he gave notice of that motion. I therefore suspect the government has an ulterior motive in its eagerness to discharge further debate on motions on notice once we have dealt with the independent rural fire service motion moved by Hon Rick Mazza. I say that particularly after we have had an extensive conversation in this place about how we manage motions on notice. There is obviously a reluctance to move away from the time that is allocated to debate motions on notice. I suspect that the government is not willing to open this can of worms before we go into the winter recess.

I want to make two comments about the proposed extension to sitting hours. These matters have been canvassed by the Leader of the House. The first is the extended time period within which the house will deal with a matter, particularly on a Wednesday afternoon and evening following questions on notice at 4.30 pm until the house potentially rises at 8.00 pm. The second is that the late sitting on a Thursday will obviously have an impact on regional members of Parliament, because many of us travel home to our families on a Thursday evening.

It is interesting that the government came to this view only today. I had received some advice from the government Whip that a plethora of government backbench members were eager to speak on the budget reply. Those members were obviously discharged rapidly at some stage today to facilitate the priority business of the government, which dates back to August and September last year. Nevertheless, I am sure that those members will get their opportunity in August. The other consideration is obviously the impact on members and staff as we enter into an intensive sitting period next week with budget estimates. That will be a long week. I am sure that the Labor Party is also scrambling to ensure that it has a good showing in the Darling Range by-election, which I am sure is also a consideration for the government.

I want to mention another issue that I see on the weekly bulletin, and I am not sure of the reason why, but it might be the availability of ministers and shadow ministers. The proposed order of business for Tuesday and Wednesday reflects the order that the government intends to take on bills. However, on Thursday, the order of bills is completely flipped on its head. I think what will happen is what we saw happen towards the end of last year, when the government flip-flopped with the debate on bills and said it would do 10 minutes here and 10 minutes there and come back to something else next week. I will be surprised if the government is able to deal with any legislation and get it through the house in the next two weeks. With those few remarks, I will rest.

The PRESIDENT: The Leader of the House has moved the motion standing in her name. I will not read it out, but the question is that the motion be agreed to. I give the call to Hon Jacqui Boydell, but, noting the time, I will leave the chair until the ringing of the bells.

Sitting suspended from 6.00 to 7.30 pm

HON JACQUI BOYDELL (Mining and Pastoral — Deputy Leader of the Nationals WA) [7.30 pm]: I will not delay the house on the Leader of the House's motion for too long, but I want to raise a couple of issues from our negotiations over the last few days with members of the house about how to manage sitting hours and the legislation that the government has indicated is a priority. I have had this conversation with many members. I understand that there is a list of priority legislation for the government because it wants to expedite legislative debate on some issues and bills before the house. As members of the house, we are all under time pressure in how we manage and prepare our contributions to debate on priority legislation, which is usually presented to party leaders. We have that conversation with our members in an attempt to have meaningful debate. Although we try to manage that process in the interest of all members to make sure that everyone has an opportunity to raise issues that are important to them on legislation, all members should be able to do that.

The government is asking members of this house to sit longer hours. Taking into consideration all the other responsibilities members of this house have—government and non-government members—the communication process and how we manage that and our priorities might be slightly different for non-government members from those of government members. I respect all members' positions on those things. I accept that there might be a need for priority legislation to come before the house that requires some adjustment of either the business of the house or order of debate on legislation, particularly for legislation with time constraints attached. I have not been able to determine, despite a couple of attempts, whether time constraints apply to the legislation that the government will put before the house. Personally, I think there could be a couple of bills in this category, but it is not my legislative agenda. I understand that there could be a couple of bills with time constraints, but I certainly have not been able to work that out. In the interest of moving forward on how we manage priority legislation, it would be of benefit to non-government members, certainly within the Nationals, if we could have some indication of what the

Hon Sue Ellery; Hon Martin Aldridge; Hon Jacqui Boyde; Hon Peter Collier; Hon Alison Xamon; Hon Rick Mazza

government considers to be a priority bill due to time constraint or date of effect or some indication apart from a political agenda on why the government seeks agreement for legislation to pass this house in a particular period of time. I know that can be frustrating to government members, but that is the democracy of the house, and it is the right of the house to scrutinise legislation as members see fit.

I think that all members of the house would agree to proceed this way if a time constraint applies, and everyone is open to understanding the potential legal implications or emotional complications when legislation particularly relates to people—for example, the Historical Homosexual Convictions Expungement Bill, which was previously listed as a priority, but is now seemingly no longer a priority. In trying to manage that, I simply want to raise that as a bit of a frustration. When non-government members are trying to work with the government to understand that priority, it would be good if some of that information was forthcoming. We support the motion in the interest of trying to allow members to debate the legislation before the house, but with no rubberstamp that every piece of legislation listed as a priority will pass by the end of the sitting in June, because dealing with all the other issues before the house may make that challenging.

I thank the Leader of the House for listening to concerns raised by the leaders of the other parties on how we manage the time of the house. I know managing that is not easy. I recognise that the Leader of the House had tried to accommodate a lot of those concerns. The National Party will support the motion and I look forward to understanding the constraints around that priority legislation.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [7.37 pm]: I want to make a few comments on this motion and on some of the additional points that have been raised. As the Leader of the House had already expressed, we are at the same point that we are at every time we come to break. I was leader of this place for just over four years and we had exactly the same situation then. That is not unusual and it does not necessarily have to be a time-constrained piece of legislation that the government wants to get through. Very frequently, I would put to the opposition legislation that respective ministers insisted were absolutely vital to get through—we had to get this legislation through—and we would do it through negotiation and consultation with members opposite, whether that was the opposition or the crossbench or whoever it might be, to try to get a conciliatory position arrived at. Having said that, I raise a couple of things that have been raised by members of the Liberal Party. We started very late this year in March. We could not quite work out why we could not start in mid-February, which would have given us another two weeks for legislation. That is true. The budget reply speeches always take precedence over every other piece of legislation, so inevitably most of the government's time was going to be taken up with budget reply speeches in the 10 days following the handing down of the budget. They were issues we had to pre-empt. Having said both of those issues, it does not remove the fact that governments like to get legislation through coming into either the midyear or the end-of-year break. Having been in that position, at the time, I always came to an agreed position with the opposition—the now Leader of the House—and the Greens to make a determination. Sometimes, of course, we did not reach a particular time limit and we sat all night. That happened on two occasions. I need not remind people of that. Having said that, we came to an agreed position. In this instance, in an effort to try to assist the government with its legislative agenda, the Liberal Party will support this motion because it is something that is not unusual; it is something that has been done for as long as I have been in this place, even when I was in the position of Leader of the House. The Liberal Party will support the motion.

HON ALISON XAMON (North Metropolitan) [7.40 pm]: I rise on behalf of the Greens to indicate that we will also support this motion and to indicate we appreciate the spirit in which discussions have occurred behind the Chair to try to reach a broad agreement about how to enable additional hours to be made available. I also wish to make it clear that although the Greens are comfortable with allowing additional hours in order for the legislative agenda to be progressed, we of course will, as we always do, take as much time on each piece of legislation as required but no more. That is always the case and will continue to be the case.

Having said that, I will express the personal view that I hope that workers' compensation legislation is not only able to be passed, but also able to be passed in a timely manner. I am aware that there are families who will be directly affected by the passage of that legislation. In terms of determining what priority legislation we will deal with, it is my personal hope that that will get swift passage.

HON RICK MAZZA (Agricultural) [7.41 pm]: I rise to indicate that the crossbench will also support the motion. We understand that the government desires to get these bills through. As has been said here, obviously debate around those bills needs to be thorough. We look forward to making sure that they are debated at length.

The PRESIDENT: I note that this type of motion requires an absolute majority. Having cast my eye around the chamber and done the headcount, we indeed have an absolute majority and therefore the motion is agreed.

Extract from *Hansard*

[COUNCIL — Tuesday, 12 June 2018]

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Hon Sue Ellery; Hon Martin Aldridge; Hon Jacqui Boydell; Hon Peter Collier; Hon Alison Xamon; Hon Rick Mazza

Question put and passed with an absolute majority.