

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Forty-third Report — “Standing Order 5: Days and Times of Meeting; and other miscellaneous matters” — Motion

Resumed from 13 October on the following motion moved by Hon Adele Farina —

That recommendations 1A, 2 and 3 contained in the forty-third report of the Standing Committee on Procedure and Privileges, “Standing Order 5: Days and Times of Meeting; and other miscellaneous matters”, be adopted and agreed to.

HON ADELE FARINA (South West) [4.09 pm]: Very briefly, I commend the committee report to the house and take this opportunity to thank the officers of the Standing Committee on Procedure and Privileges for their assistance with this inquiry. I put on the record that I commend recommendations 1A, 2 and 3. The Leader of the Opposition will at some stage make further comments about these recommendations.

HON PETER COLLIER (North Metropolitan — Leader of the House) [4.10 pm]: I will make a few brief comments. The Liberal Party supports recommendations 2 and 3 from the Standing Committee on Procedure and Privileges’ forty-third report. With regard to recommendation 1 and the changes to the standing orders for sitting hours, we have two options. We will support the retention of the current sitting hours, which is captured by both recommendations 1A and 1B. However, there is support from the Liberal Party to go with recommendation 1B. The reason for that is given the situation today when a minister, for example, is captured either in a committee or on parliamentary business, it is very, very difficult for him to put his mind to preparing for questions. That is something that a number of Liberal Party members in particular feel strongly about. Having said that, we are also mindful of the sentiments of the house and that we will perhaps be on the losing side this time. When it comes down to it, we support the current sitting hours. We would prefer recommendation 1B—this follows on from a conversation I had behind the Chair with Hon Sue Ellery—but there has also been a little disquiet about the starting time on a Wednesday at one o’clock, particularly for those who have committee work. They often do not finish and they are very, very pressured for time. We would like to think that the procedure and privileges committee might give some consideration next year to looking at a way in which perhaps half an hour could be carved off on a Wednesday and replaced somewhere else, but that is something for another consideration. For all intents and purposes, we support recommendations 1A and 1B, but we would prefer recommendation 1B.

HON SUE ELLERY (South Metropolitan — Leader of the Opposition) [4.12 pm]: The forty-third report reflects the views of the Standing Committee on Procedure and Privileges after it surveyed members about their thinking on the temporary orders that now govern our sitting times and breaks. We now operate under temporary orders. If the recommendations in this report are accepted, the temporary orders will convert into our standing orders to be the permanent arrangement for how we sit. The difference between the temporary orders and how we were sitting previously is essentially whether we sit on a Wednesday night. We have changed the sitting hours to start earlier. We have an additional five minutes for orders of the day, when legislation is dealt with, than we had under the previous system. We support recommendation 1A, recommendation 2 and recommendation 3. Recommendations 1A and 1B are different in one sense; recommendation 1B, which the Leader of the House just indicated is the preference of members opposite, introduces a third formal break in proceedings for afternoon tea on a Tuesday. We do not support that, Mr President. In fact, if we had our way, we would eliminate a formal break for afternoon tea on any day and we would have a shorter dinner break on Tuesday nights. We find this work practice extraordinary whereby we stop all business of the chamber to go and have a cup of tea and a very nice afternoon tea. As a work practice, we find it to be unproductive. It is out of kilter with the work practices of every workplace I have ever visited and bear in mind that I used to be a union official for a range of different unions including nurses and all sorts of people. I think the notion of a formal afternoon tea is out of date. If people want to have afternoon tea, there is no reason why they cannot do that, but the notion that we all have to stop work at exactly the same time and interrupt the business of the house to take a cup of tea together seems to me to be really out of step with productivity in the workplace. It is out of step with modern workplaces and I do not see how it can be justified as a productive or sensible way for the representatives of Western Australia to conduct their business. Members of the Legislative Council can avail themselves of refreshments without Mr President or everyone having to stop work at the same time. We think a sensible way to proceed is not to add another formal afternoon tea break. If we had our druthers, we would eliminate them all, but we know that we do not have support for that in this house. If we had our druthers, we would also shorten the dinner break on Tuesday evenings from an hour and a half to one hour. I make clear our position that we support recommendation 1A, which keeps our current arrangements, and recommendations 2 and 3. We think that the proposal by some in this place to support recommendation 1B, which would create yet another formal break in which to have a cup of tea together, is out of step with modern work practices.

HON RICK MAZZA (Agricultural) [4.16 pm]: I rise to make a couple of comments on the Standing Committee on Procedure and Privileges’ forty-third report. The Shooters, Fishers and Farmers Party

also supports recommendation 1A, including the tea breaks on Wednesdays and Thursdays, and recommendation 2. I am a little concerned about recommendation 3, which provides unlimited 10-minute lots for the consideration of committee reports. We currently have three lots of 10 minutes in which to speak, which I think is more than adequate. Notwithstanding that, we will support the recommendation, but some consideration could probably be given to limiting the time, even if it were just four lots of 10 minutes, rather than having unlimited time, as some members might continue to consider a committee report indefinitely.

HON NICK GOIRAN (South Metropolitan — Parliamentary Secretary) [4.17 pm]: I am pleased to rise to contribute to the consideration of the forty-third report of the Standing Committee on Procedure and Privileges, of which I am a member. I do not want to take up too much time speaking on recommendations 2 and 3 because it is pretty plain that there is general consensus about them, notwithstanding the brief contribution by Hon Rick Mazza a moment ago about recommendation 3. However, I want to take a moment to make some remarks about alternative recommendations 1A and 1B. In particular, I noted the remarks of the honourable Leader of the Opposition who in reference to alternative recommendation 1B said, according to my notes, that she cannot see how it can be justified as productive and sensible. As one of the youngest members of the chamber—Hon Martin Aldridge is certainly younger than me—and therefore potentially one who will have to live for a longer period with the arrangements that we make, I want to take this one opportunity I have to persuade Hon Sue Ellery why it could be productive and sensible, even if in the end she may well conclude that she does not wish to go down that path.

It is incredibly providential that we should be considering this report immediately after we considered the procedure and privileges committee's forty-fourth report, which was on a matter of privilege raised by Hon Sue Ellery, MLC. Far too much emphasis was placed on the label that is given to the period of recess that is taken for 15 minutes between 4.15 and 4.30 pm on Wednesdays and Thursdays. The purpose of that recess has absolutely nothing to do with tea, coffee, water, refreshments or anything like that, whether taken collectively or individually. It is unfortunate that over an extended period that that recess has been labelled "afternoon tea". That is not why that recess is of any importance and it has nothing to do with modern day work practices or anything like that. The difference is that in this workplace—if members want to call it a workplace, compared with other workplaces that Hon Sue Ellery referred to, including her vast experience in other places—at 4.30 each day we have a guaranteed procedure whereby question time is taken. This is the opportunity for members of the opposition, largely, to hold the government of the day—the executive—to account and to ask virtually any question that they like. As I outlined only moments ago this afternoon, we have an excellent convention in this place whereby members who ask questions have an opportunity to put those questions on notice to increase the accuracy of the answer that they are given. In my very brief experience as a parliamentary secretary, I have found that the 15 minutes of recess provided just prior to question time is incredibly productive and sensible. The reason is that in the couple of months that I have had to undertake this role, I have found that we inevitably receive quite a lot of the answers at the last minute—during that 15-minute period. The recess gives the member responsible the opportunity to check the answer that has been provided and to ascertain the extent to which they are comfortable answering the question. In her earlier remarks this afternoon, Hon Sue Ellery said that if members are in doubt, they should not answer the question. I think that was good advice on her part. Equally, I am sure that the honourable member would prefer it if an answer were given to the question. That additional time gives those responsible for answering questions the opportunity to ensure that a proper and wholesome answer is given. I will give the honourable member an example. Last week, Hon Sally Talbot asked a question of the minister I represent. At the very last moment, I identified an issue with the answer. I identified that for the member and was able to give supplementary information the next day. Part of the reason I had the opportunity to even sight that answer was the recess in proceedings. Had I not had that time, I would have been left in the situation of simply, in a robotic fashion, providing whatever answer had been given to me. Those are the reasons that it is justified to have a recess; it has nothing to do with refreshments or anything like that. I would very much encourage members to reconsider their stance on this issue.

I might add that I have noted, particularly in recent times, some ministers seem to spend an inordinate amount of time handling the conduct of bills in succession. Giving them an opportunity to check answers just prior to signing off for them to be given in this house would be appropriate and would, in fact, enhance the question time procedures in this place. We have a convention that questions are given with a little bit of notice. If members want the answers to be accurate, truthful and correct, they should give those responsible for answering the questions that extra 15 minutes. However, if members are not actually that interested in making sure that the answer is correct and accurate, they would say, "Look, forget that. You're the minister. You're the parliamentary secretary. It's your problem. We've asked the question. We put in the question at eleven o'clock this morning. We know you've been busy for the entire day and haven't had a chance to read the question." Our response is—to take the advice of Hon Sue Ellery—if in doubt, do not answer the question. On Tuesdays during question time we might find ourselves in a situation in which a lot of ministers and parliamentary secretaries may take the advice of Hon Sue Ellery and choose not to answer the question. I have been in this place long enough to notice

that when questions are not answered by ministers and they ask that the question to be put on notice, there is generally an uproar from the opposition that the member with the responsibility to answer the question could possibly suggest that the answer needs to be put on notice because they have not had enough time to do the research, yet, so far, the response has been that it is neither productive nor sensible to build in just that extra 15 minutes to improve the process. I have an amendment to the motion that I could move, whereby we would be able to consider option 1B instead of option 1A. The difficulty is that I get the sense from the Leader of the Opposition that there is no willingness to compromise on this issue, notwithstanding that we have just considered the forty-fourth report of the Standing Committee on Procedure and Privileges and the importance of giving accurate information to Parliament in answers to questions taken without notice or even on notice.

I noted that my good friends from the Shooters, Fishers and Farmers Party have indicated that they are enthusiastic for option 1A. I regret that that is their position on this matter; nevertheless, I understand that those members may never be in the situation of needing to answer questions during question time and therefore they might not see the value of it. Nevertheless, as I have indicated, it has been my experience that it is a valuable recess. I wish we would change the name so that, hopefully, Hon Sue Ellery would not be too concerned about the name. As I have indicated, the recess has absolutely nothing to do with those things associated with the name. I do not know where the Greens sit on this matter, but no doubt we will hear from them shortly.

HON HELEN MORTON (East Metropolitan) [4.27 pm]: I am aware that people are keen to move on this but I wanted to emphasise similar points to those that Hon Nick Goiran has raised. Basically, I want to indicate that of the people who have had to be in the position of being a minister handling proceedings—perhaps legislation in the centre of the room here or dealing with question time—other than the people on this side of the house, only one other person in the house has been in that position and it was for a relatively short time.

Hon Sue Ellery: Not so. If you recall, I represented the Attorney General, so I did the bulk of the legislation.

Hon HELEN MORTON: Hon Sue Ellery was doing some work, yes.

I want to say that in question time ministers often have to handle a variety of portfolios other than their own. In proceedings, if the member is taking through a lengthy piece of legislation, the only time they have to go to the toilet is that 15-minute recess. It is not about afternoon tea. Afternoon tea is on for half an hour or more and people can come and go as they please, except the person who is dealing with the legislation and except those people who have to be able to deal with the issues that Hon Nick Goiran mentioned about checking questions and answers. Ministers cannot get up and leave during question time. If they want to get up when legislation is being handled and leave to go to the toilet without that 15-minute break, they have to ask the Presiding Officer to leave the chair until the ringing of the bells. The advisers also have to go out of the chamber during that time and the bells need to be rung for the Presiding Officer to return to the chair. That is what that 15 minutes represents. We are talking about a 15-minute lull in actions and services in the house to enable some of those things to take place. I can assure members that there were many, many times when I did not get to have a cup of tea or coffee. It was always about checking the answers that had been brought to me and were piling up on my desk while I was handling legislation.

Debate interrupted, pursuant to standing orders.