

**STANDING ORDERS COMMITTEE**

*Report on SO 155, Procedure for Raising Matter of Privilege, and SO 134, Providing for a Right of Reply*

**HON N.F. MOORE** (Mining and Pastoral - Leader of the House) [11.22 am]: I move -

That the Standing Orders Committee report on Standing Order No 155, "Procedure for Raising Matter of Privilege", and Standing Order No 134, "Providing for a Right of Reply", be made an order of the day for the next sitting.

This matter was on the Notice Paper before prorogation, and relates to a couple of matters the Standing Orders Committee has considered and reported to the House.

**HON J.A. COWDELL** (South West) [11.22 am]: The Opposition supports this matter again being made an order of the day for the next sitting.

**HON PETER FOSS** (East Metropolitan - Attorney General) [11.23 am]: I support the motion. I draw the attention of the House to the nature of the motion and the way these matters must be handled in this House. Members will see that this motion stands separately from the motion recently adjourned. A number of procedures of this House are required for different things to happen. For instance, if a Bill needs to be restored, the House can do so by motion. As we saw with motion No 2, matters cannot be dealt with when not covered in motion No 1; that is, the restoration of a Bill is necessary before moving to refer it to a standing committee. If members wish to refer a matter to a standing committee or to establish a committee, a separate procedure of this House is required. Similarly with this motion, although the standing committee and the report exist, the business can be brought to the House only by an order placing it on the Notice Paper of the House. We could have reached motion No 5 on today's Notice Paper, but that has been put off until next Tuesday. A different procedure is required for setting up a select committee. Interestingly, this Notice Paper is useful and educational as it shows the various procedures this House must adopt to deal with Bills, references to standing committees, the re-establishment of the consideration of a report of a standing committee, and the establishment of a select committee.

Hon Tom Stephens: What can we do by leave? If I seek leave to re-establish the committee now, would you give leave?

Hon PETER FOSS: Unfortunately, contrary to the things the Leader of the Opposition has said publicly about us filibustering, the Leader of the Opposition spoke for five hours yesterday.

Hon N.F. Moore: It was three. He's not finished yet!

Hon PETER FOSS: The member is to continue talking. Interestingly, his members left the House almost empty during that speech as they have heard it all before.

By effectively taking the business of the House from the hands of the Government, the Leader of the Opposition has stopped the House dealing with the Notice Paper for today, and put it off until next Tuesday. If the Leader of the Opposition had sought leave, he might have received it. Effectively, the matter will be put off until next Tuesday. In speaking about this motion -

Hon Kim Chance: When will you start?

Hon PETER FOSS: Hon Kim Chance missed the start of my speech; perhaps I should start at the beginning for the benefit of members who did not hear it.

The PRESIDENT: Order! I have made my position clear for the day. Members should not interject.

Hon PETER FOSS: Today's Notice Paper provides a useful example of the various processes and procedures of the House and different processes undertaken by different motions. It is useful to have it before us. It indicates how we deal with matters such as reports that need to be considered as an order of the day. A motion that went off the Notice Paper at the end of last session will need to be restored by a member moving the motion again. A report such as this before us needs to be considered by moving a motion to have it made an order of the day. We probably have never had a Notice Paper as interesting as the one before us, with its variety of motions to consider. It is pity we were not able to deal with motions of different types today.

The PRESIDENT: Order! I do not know whether Hon Greg Smith can hear me from where he sits. I said earlier that standing orders empower me to suspend a member; if I have to do so, I will.

Hon PETER FOSS: It is a very interesting Notice Paper and it is excellent that we have an opportunity to see it. It is a pity we do not have an opportunity to debate all matters on it. That happens when the Opposition takes the business of the House from the hands of the Government. I am pleased to support this motion. I expect it to go through quickly, as I expect could have happened with other matters on the Notice Paper. Obviously, the

Opposition is determined to play with the Notice Paper and delay things. If that is the way it wants to do things, fine.

**HON TOM STEPHENS** (Mining and Pastoral - Leader of the Opposition) [11.29 am]: The Leader of the House's motion will attract the support of the Opposition. I take the opportunity extended to other members of departing a little from the subject matter of the motion. At the beginning of this week I indicated to the Leader of the House that one matter has priority for the Opposition; namely, the re-establishment of the Select Committee on the Finance Broking Industry in Western Australia. The Leader of the House used words to the effect of "Over my dead body."

Hon N.F. Moore: That is absolute tripe! I said move your motion and the House will deal with it.

Hon TOM STEPHENS: The Leader of the House made it absolutely clear that there would be no cooperation from the Government on that matter. I wrote to the Leader of the House the next day to indicate -

Several members interjected.

The PRESIDENT: Order! The Leader of the House and the Attorney General will not interject. I am trying to listen.

Hon TOM STEPHENS: I put in writing to the Leader of the House what I had said to him the day before. This matter was dealt with cordially; there is nothing exciting about any of it. The sun comes up in the morning and the response from the Government is, "No, you are not going to get our assistance." I know the Government will not give us assistance to have that select committee re-established. As a result, today we have taken the steps that we have. I will make it absolutely clear to the House -

Hon N.F. Moore: You stopped the Sentencing Matrix Bill from going to a committee. Be clear about what you have done.

The PRESIDENT: Order! This is not a debate about crime. This is a debate about whether a matter is to be restored to the Notice Paper. I have given the Leader of the Opposition as much latitude as I gave other speakers. He should return to the subject matter.

A government member interjected.

The PRESIDENT: Order! I can manage the place.

Hon TOM STEPHENS: Mr President, you have asked members not to interject. You have threatened to throw them out. There have been three interjections during my speech. All I ask is for you to apply the standing orders as you have so threatened.

The PRESIDENT: Yes, and I certainly will be doing that, have no fear.

Hon TOM STEPHENS: I will accord with your direction not to respond to the members.

The PRESIDENT: The Leader of the Opposition is mistaken. I said that this is not a debate about crime. He should not go off on a tangent and develop an argument about crime as every member will want to do that.

Hon TOM STEPHENS: I accept your ruling. I will not take the opportunity to respond to the arguments that have been put by government members in this debate. I accept your ruling. I will not be thrown out of this Chamber by you. I ask of the Chair simply that when I respect your rulings, that you require that same respect from the other side.

The PRESIDENT: The Leader of the Opposition.

Hon TOM STEPHENS: Thank you, Mr President. The Labor Opposition will support this motion.

Question put and passed.