

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Standing Orders Review — Sitting Hours — Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [4.16 pm]: I move —

That the Standing Committee on Procedure and Privileges be required to inquire and report into whether the Legislative Council should amend its sitting hours to meet and adjourn one hour earlier on each sitting Tuesday.

Members would be aware that on the first Tuesday evening of a sitting block, my deputy leader and I convene a meeting of all of the parties of Parliament to talk about matters related to the business of the house. Several months ago I asked members at one of those meetings whether there was any interest in starting on Tuesdays at 1.00 pm and finishing on Tuesdays an hour earlier, meaning we would finish orders of the day at 8.45 pm instead of 9.45 pm. We would take members' statements at 8.45 pm instead of 9.45 pm and, if there is agreement, I propose to refer that to the Standing Committee on Procedure and Privileges to consider a change to the standing orders and to consider any flow-on effects as a consequence of that change.

There was agreement and support indicated for that and that is what brings the motion here today. It is a small change. It perhaps brings us one hour closer to more reasonably family-friendly hours. Our friends in the place that dare not speak its name did it and the sky did not fall down on them. On Tuesday mornings respective parties hold their, in our case, caucus meeting—in other parties it is party room meetings. They finish in order to let their Assembly members get to their business before 1.00 pm. The general consensus out of those business management meetings was that people are happy to proceed and that is what brings this motion here today.

HON NICK GOIRAN (South Metropolitan) [4.19 pm]: I rise to support the motion moved by the Leader of the House. I thank her for her introductory remarks and for providing the history behind this motion. The motion, if passed by the house, will require the standing committee to inquire into and report on whether this will happen—not how this might happen, but whether it should occur. It is for that reason that I expressly provide my support for the motion. If this motion is passed, it would see the Standing Committee on Procedure and Privileges consider this matter and report to us. It may then result in the house, on a later occasion, agreeing to a change in our operations to see us starting on a Tuesday at one o'clock and adjourning one hour earlier. I have been on the record on multiple occasions over the past 14 years saying that I do not much mind when we meet as a house. We could start at six o'clock in the morning and finish at midnight for all I care. What I do care about is the work ethic that is provided by members of the house of review and that there is a proper opportunity for members of this place to fulfil their duty and scrutinise legislation. That begins with reading the legislation and analysing it and then having a robust debate. If this type of proposal facilitates that objective—that is, that we will see a proper opportunity for members to scrutinise legislation—it will have my support. If this is just a proposal for people to be able to “knock off early”, I find it hard to provide any support for that. I am encouraged that the Standing Committee on Procedure and Privileges will be required to consider whether this should occur.

If it does occur, I draw to members' attention that there will be a material impact on those members who have primary carriage of bills. It will not be a point lost on members that on Tuesdays, immediately after formal business has concluded, we commence orders of the day until 4.30 pm when we are interrupted for the taking of questions without notice. That would see us dealing with orders of the day for just shy of three and a half hours. For members who may not have had the carriage of a bill for that length of time, might I encourage them in one of the upcoming debates to participate for three and a half consecutive hours, or at least, as standing orders currently allow, two and a half consecutive hours, and tell me after that if they still feel as though they want to go for another hour. If that is the case and members want to do three and a half hours of orders of the day and scrutiny of legislation, that is no problem—let us do that. However, I ask the procedure and privileges committee to actively give consideration to that point.

To demonstrate it a little further, I note that a number of submissions were appended to the sixty-fourth report of the Standing Committee on Procedure and Privileges, which was tabled in September 2021. One of the submissions was from Hon Sue Ellery and dated 13 July 2021. The honourable member said on that occasion —

I would welcome the committee examining how we can increase the amount of time to progress the legislative program of the Government. I suspect it is a combination of at least two and perhaps three mechanisms.

I pause there to note that at the time the honourable member wanted us to have more time for the scrutiny of legislation, something that I would support. The proposal currently before the house would not see more time, but just a shift of time. The honourable member concluded the submission, saying —

Thirdly, additional sitting hours; Wednesday evening seems the most logical to me.

At the time, in July 2021, Hon Sue Ellery was advocating for additional sitting hours, including an extension of hours on Wednesday evenings. Again, I have no problem with that. If that is what the Standing Committee on Procedure

and Privileges wants to recommend to us, although I suggest that might be slightly outside the scope of the terms of reference put to it, we should consider that. I remind members that once upon a time the Legislative Council sat until 10.30 pm on Wednesdays. As I say, it does not much matter when we sit, so long as we have sufficient time to fulfil our duties.

I conclude on this point. In the submissions appended to the report was also an excellent submission by Hon Kate Doust, dated 20 July 2020. The honourable member, a former President of the Legislative Council, had this to say —

One issue that I believe needs to be considered when looking to create change that would enable more government business time on the schedule is the impact on the chamber staff and their workplace arrangements. Whilst it might be desirable to add hours, an extra day or delete a tea break on a day or multiple days for members, each of these decisions has a flow on impact on the running of operations of both the chamber and the Parliament as regards staff rosters, award/agreement arrangements and provision of services.

The honourable member said further—

I am agnostic on the issue of the potential loss of a “tea break” SO 5(2), whilst it may be perceived as archaic it has always served a useful purpose to give staff a formal break ...

The honourable member concluded —

Or in some cases provide a minister a break from moving from committee stages to question time.

I hope that if this proposal goes ahead, the members who have heavy carriage of legislative agendas, such as Hon Matthew Swinbourn and Hon Stephen Dawson, are properly consulted prior to our imposing on them on a Tuesday a three-and-a-half-hour obligation to sit and answer the questions that will be asked during that period. There are solutions to this, and I am confident that under your guidance, President, the procedure and privileges committee will provide us with a satisfactory recommendation.

HON TJORN SIBMA (North Metropolitan) [4.27 pm]: Bearing in mind the time available, I will be forced to comply with the commitment I gave that this contribution would be brief. I support the motion; however, I echo the very sound counsel expressed by Hon Nick Goiran, but also make the observation that the Standing Committee on Procedure and Privileges has looked at the issue of standing orders on at least two occasions in this Parliament already. I do not recall that an early start and early closure on a Tuesday was suggested by any member who gave a submission to that inquiry. However, I draw members’ attention to the fact that easy options such as this being dangled in front of us come with some consequences and I think they need to be given some consideration too, if only to reflect on paragraph 2.2 of the sixty-fourth report of the PPC, which states —

Determining the hours that the Council sits requires a balance between providing adequate time for the Council’s core business of deliberating, scrutinising and representing and ensuring that Members have adequate time to engage in committee work, constituency work and preparation for parliamentary sittings.

With respect to that last part, it is often the case that non-government members, opposition members most notably, take the opportunity to be briefed on government bills in the hours directly preceding the commencement of formal business on a Tuesday. I think that what is being suggested in this motion will constrain that capacity. As a member of the committee, I might potentially be moved to give consideration to what other consequences might flow. Personally, I might be minded to recommend something controversial to everyone, which is sitting day Mondays to accommodate the new allegedly family-friendly direction. Easy options such as this are best avoided, but I will give my due consideration to them—potentially Fridays as well!

Debate interrupted, pursuant to standing orders.

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