



THIRTY-NINTH PARLIAMENT

REPORT 35
STANDING COMMITTEE ON PROCEDURE AND
PRIVILEGES
LEGISLATIVE COUNCIL PRAYER

Presented by Hon Barry House MLC (Chair)

June 2015

STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

Date first appointed: 24 May 2001

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

“1. Procedure and Privileges Committee

- 1.1 *A Procedure and Privileges Committee* is established.
- 1.2 The Committee consists of 5 Members, including the President and the Chair of Committees, and any Members co-opted by the Committee whether generally or in relation to a particular matter. The President is the Chair, and the Chair of Committees is the Deputy Chair, of the Committee.
- 1.3 With any necessary modifications, Standing Order 163 applies to a co-opted member.
- 1.4 The Committee is to keep under review the law and custom of Parliament, the rules of procedure of the Council and its Committees, and recommend to the Council such alterations in that law, custom, or rules that, in its opinion, will assist or improve the proper and orderly transaction of the business of the Council or its Committees.”

Members as at the time of this inquiry:

Hon Barry House MLC (Chair)	Hon Adele Farina MLC (Deputy Chair)
Hon Nick Goiran MLC	Hon Martin Aldridge MLC
Hon Kate Doust MLC	Hon Colin Holt MLC (until 16 December 2014)

Staff as at the time of this inquiry:

Nigel Pratt (Clerk)	Paul Grant (Acting Deputy Clerk)
Grant Hitchcock (Acting Usher of the Black Rod)	

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ISBN 978 1 9254149 26 5

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REPORT OF THE STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

IN RELATION TO THE LEGISLATIVE COUNCIL PRAYER

1 REFERENCE

- 1.1 On Wednesday, 16 October 2013, the Legislative Council resolved the following reference to the *Procedure and Privileges Committee* (“the PPC”):

That Motion No. 1, Legislative Council Prayer, be discharged and referred to the Standing Committee on Procedure and Privileges to inquire into and consider whether the current Council prayer should be changed, and if so, recommend an appropriately worded alternative.

2 BACKGROUND TO THE REFERENCE

- 2.1 On 14 May 2013 the following Notice of Motion was given and recorded on the Legislative Council Notice Paper under Motions:

That a revised form of Prayer, as contained in the Schedule to this motion, be adopted by the Council.

Schedule

Almighty God, we ask for your blessing upon this Parliament. Direct and prosper our deliberations to the true welfare of Western Australia and its people. Amen.

- 2.2 The Notice of Motion recorded on the Notice Paper was in identical terms to a previous Notice of Motion given on 13 June 2012. That motion lapsed as a result of prorogation on 14 December 2012.
- 2.3 On Wednesday, 18 September 2013, the motion was called and the introductory remarks of the member were interrupted pursuant to order. The motion recommenced on Wednesday 16 October 2013 and, following the close of the introductory remarks, a corollary motion was moved that subsequently discharged and referred the Legislative Council Prayer to the PPC for consideration and report.

3 APPROACH BY THE PPC

3.1 The PPC reviewed the reference from the House and inquired into the history of the current Legislative Council prayer. By way of comparison, the PPC also considered the prayers, form of words and associated Standing Orders of the Houses of Parliament in the other Australian jurisdictions. The PPC notes that in some of these jurisdictions the procedure for reading prayers and the form of words are prescribed in the relevant Standing Orders.

3.2 The Standing Orders of the Legislative Council are silent on the matter of prayers inasmuch as the only reference to prayers in the current Standing Orders of the House is under Formal Business at SO 14(1)(a). Similarly, the only reference to prayers in SO 63 of the previous Standing Orders repealed on 1 December 2011 was as follows:

The President shall take the Chair and read prayers at the time appointed on every day fixed for the meeting of the Council....

3.3 SO 14 provides for an orderly progression of business from the start of proceedings through to the Orders of the Day and other business of the House as listed on the Business Program. The inclusion of prayers at SO 14(1)(a) recognises the practice of the House in the reading of prayers prior to the commencement of proceedings.

3.4 While the Standing Orders are not prescriptive as to the reading of prayers or the form of words, it is clear that the Council has taken ownership of its prayer following the decision of the House on 22 April 1975¹ where the House agreed to a motion setting out the form of words to be recited. The pre-1975 prayer and an extract from the minutes and the *Hansard* are contained in **Appendix 2**.

3.5 The PPC therefore agreed that the most prudent course of action was to consult with the whole of the membership of the Legislative Council to seek their views on the wording of the current prayer, and that proposed by the member in the referred motion.

3.6 To this end, the President wrote to all members of the Legislative Council on behalf of the PPC on 8 May 2014 inviting members to make a submission to the PPC on the following two questions:

- (1) Should the Legislative Council Prayer be changed; and
- (2) What content should be contained in an appropriately worded alternative prayer?

¹ Western Australia, *Parliamentary Debates*, Legislative Council, 22 April 1975, 976-79.

4 PRAYER SUBMISSIONS

- 4.1 The PPC received six submissions in response to the two questions posed relating to the Legislative Council Prayer. One submission comprised the joint submission of 12 members.
- 4.2 The PPC thanks all members for the submissions received. Copies of the submissions are contained in **Appendix 3**.
- 4.3 On Wednesday, 22 October 2014 the PPC began a preliminary review of the submissions.
- 4.4 The six submissions received by the PPC equated to 16 responses from members, or 44% of the 36 members of the Legislative Council. Two of the six submissions received were supportive of a change to the Prayer.
- 4.5 While the PPC received only one submission from a member of the same party as the mover of the motion, the PPC was advised that the position of the whole of that party supported the wording of the proposed prayer as contained in the motion referred. It is reasonable to assume therefore that a further 10 members supported the motion to change the prayer despite the lack of a formal response.
- 4.6 The remaining four submissions —
- did not support a change to the prayer;
 - did not support a change other than a minor amendment to the current wording of the prayer;
 - provided an additional submission supporting the retention of the reference to Her Majesty the Queen in the prayer; and
 - provided an additional submission reasoning that the reference to ‘man’ in the prayer relates to species rather than gender.
- 4.7 The PPC is satisfied that a sufficient proportion of members, being 26 members or 72% of the Legislative Council, have expressed a view on the current or proposed wording of the prayer.

5 REVIEW OF THE PRAYER

- 5.1 Upon the consideration of the submissions, it became evident to the PPC that no clear consensus existed amongst members to adopt the form of words proposed in the motion referred to the PPC.

- 5.2 The PPC noted that, other than the mover of the motion and the mover's party colleagues, there was no significant support amongst members to adopt an entirely new prayer. Rather, members agreed that a minor alteration to the current prayer to remove gender based language was a more appropriate change.
- 5.3 Consequently, a majority of the PPC favoured the proposal to adopt an amended version of the current prayer that effected the removal of gendered language. The modernisation of language to remove gender is consistent with the principles² adopted by the PPC during the review of the Standing Orders that likewise recommended the removal of gendered terms. Consistent with those principles, the PPC agrees that a minor amendment to the prayer is a more appropriate approach in this instance and better reflects the views of the current members of the Legislative Council on this issue.
- 5.4 The PPC notes that the proposal to adopt an amended version of the current prayer does not affect the reading of the Lord's Prayer at the commencement of a sitting.

6 RECOMMENDATION

- 6.1 The PPC is of the view that the current Legislative Council prayer provides members with an appropriate opportunity to reflect upon their role and that of the Council prior to the commencement of proceedings.
- 6.2 A majority of the PPC recommends that the Council adopt the form of Prayer contained in **Appendix 1**.

² Legislative Council Standing Committee on Procedure and Privileges, Western Australia, *Report No. 22 — Review of the Standing Orders* (2011) 2.

6.3

Recommendation 1:

That the Legislative Council substitute the current prayer for a new prayer as follows:

Almighty God, creator of the universe, giver of life, who has ordained that we should live as social beings, seeking the fulfilment of our own true purpose within our society; bless this Legislative Council now assembled to deliberate upon the affairs affecting the well-being and good order of society in Western Australia; that all members give honour, wisdom and integrity to the role for which they have been chosen, and the decisions and decorum of this Council be always to the advancement of Thy glory, the honour of Her Majesty and the continued benefit of the people of this State. Amen.



Hon. Barry House MLC

Chair

18 June 2015

APPENDIX 1

1 PROPOSED LEGISLATIVE COUNCIL PRAYER

1.1 The proposed Legislative Council Prayer is as follows:

Almighty God, creator of the universe, giver of life, who has ordained that we should live as social beings, seeking the fulfilment of our own true purpose within our society; bless this Legislative Council now assembled to deliberate upon the affairs affecting the well-being and good order of society in Western Australia; that all members give honour, wisdom and integrity to the role for which they have been chosen, and the decisions and decorum of this Council be always to the advancement of Thy glory, the honour of Her Majesty and the continued benefit of the people of this State. Amen.

APPENDIX 2

1 PRE-1975 PRAYER AND EXTRACT FROM THE 1975 MINUTES AND HANSARD

Legislative Council

Western Australia

Form of Prayer.

Pre-1975

PREVENT us, O Lord, in all our doings with Thy most gracious favour, and further us with Thy continual help; that in all our works begun, continued, and ended in Thee, we may glorify Thy holy Name, and finally by Thy mercy obtain everlasting life; through Jesus Christ our Lord. *Amen.*

MOST GRACIOUS GOD, we humbly beseech Thee, as for this State in general, so especially for the Legislative Council at this time assembled: That Thou wouldest be pleased to direct and prosper all their consultations to the advancement of Thy glory, the good of Thy Church, and the honour and welfare of Her Majesty and this portion of Her Dominions; That all things may be so ordered and settled by their endeavours, upon the best and surest foundations, that peace and happiness, truth and justice, religion and piety, may be established among us for all generations. These and all other necessaries, for them, for us, and Thy whole Church, we humbly beg, in the Name and Mediation of Jesus Christ our most blessed Lord and Saviour. *Amen.*

OUR FATHER which art in heaven, Hallowed be Thy Name. Thy kingdom come. Thy will be done, in earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, As we forgive them that trespass against us. And lead us not into temptation; But deliver us from evil: For Thine is the kingdom, The power, and the glory, For ever and ever. *Amen.*

Extract from the
Minutes of the Legislative Council
Tuesday, 22nd April, 1975.

8.—Prayer—Revised Form.

The Order of the Day having been read for the adjourned debate on the motion moved by the Hon. J. Heitman as follows:—

That a revised form of Prayer, as contained in the Appendix to this motion, be adopted by the Council.

Appendix

ALMIGHTY GOD, CREATOR OF THE UNIVERSE, GIVER OF LIFE, WHO HAST ORDAINED THAT MAN SHOULD LIVE AS A SOCIAL BEING, SEEKING THE FULFILMENT OF HIS OWN TRUE PURPOSE WITHIN THE SOCIETY AND SANCTIONS OF HIS FELLOW MAN; BLESS THIS LEGISLATIVE COUNCIL NOW ASSEMBLED TO DELIBERATE UPON AFFAIRS AFFECTING THE WELL BEING AND GOOD ORDER OF SOCIETY IN WESTERN AUSTRALIA, THAT ALL MEMBERS GIVE HONOUR, WISDOM AND INTEGRITY TO THE ROLE FOR WHICH THEY HAVE BEEN CHOSEN, AND THE DECISIONS AND DECORUM OF THIS COUNCIL BE ALWAYS TO THE ADVANCEMENT OF THY GLORY, THE HONOUR OF HER MAJESTY AND THE CONTINUED BENEFIT OF THE PEOPLE OF THIS STATE;

WE MAKE OUR PRAYER IN THE NAME OF JESUS CHRIST. AMEN.

OUR FATHER, WHO ART IN HEAVEN, HALLOWED BE THY NAME; THY KINGDOM COME, THY WILL BE DONE, ON EARTH AS IT IS IN HEAVEN, GIVE US THIS DAY OUR DAILY BREAD, AND FORGIVE US OUR TRESPASSES, AS WE FORGIVE THOSE THAT TRESPASS AGAINST US. AND LEAD US NOT INTO TEMPTATION; BUT DELIVER US FROM EVIL; FOR THINE IS THE KINGDOM, THE POWER AND THE GLORY, FOR EVER AND EVER. AMEN.

The Hon Clive Griffiths moved, To delete the words, "WE MAKE OUR PRAYER IN THE NAME OF JESUS CHRIST."

Debate ensued.

Amendment—put and passed.

Question, That the motion, as amended, be agreed to.

The Hon. R. F. Claughton moved, To delete the paragraph commencing with the word "OUR" and ending with the word "AMEN".

Debate ensued.

Amendment—put and negatived.

Question—That the motion, as amended, be agreed to.

Debate ensued.

Question—put and passed.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

**PUBLIC TRUSTEE ACT AMENDMENT
BILL***Second Reading*

Debate resumed from the 19th March.

THE HON. R. THOMPSON (South Metropolitan—Leader of the Opposition) [5.06 p.m.]: The main purpose of this Bill is to give to the Public Trustee the authority to dispose of records which serve no useful purpose. I support the legislation because to the best of my knowledge no obligation is placed upon legal practitioners or private trustee companies to keep for ever records and papers concerning their various clients. For that reason I cannot see why the Public Trustee should be treated any differently, and have to keep records and documents for ever.

Sufficient safeguards are contained in the legislation inasmuch as after an appropriate period of time a final clearance will be given by the Auditor-General. Micro filmed copies of ledger cards which have a bearing on estates will be retained permanently.

The only other two matters dealt with in the Bill are consequential and relate to the Death Duty Assessment Act. I support the legislation.

THE HON. I. G. PRATT (Lower West) [5.07 p.m.]: I wish to speak very briefly in support of the Bill, and mainly to support the principle embodied in it. I refer to the disposal of documents which are no longer required.

One does read that tremendous embarrassment is caused in some of the more populous countries of the world, both to Government departments and public bodies, in physically having to provide accommodation for the storing of documents.

The principle contained in this Bill is that once documents have served their useful purpose they may be disposed of. This is a principle which is most essential in the operation of public bodies and Government departments and it is one which, I feel, we should carry into community work and the work of Government departments and bodies as far as we can. I support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

PRAYER: REVISED FORM*Motion*

Debate resumed, from the 25th March, on the following motion by the Hon. J. Heitman—

That a revised form of Prayer, as contained in the Appendix to this motion, be adopted by the Council.

Appendix

ALMIGHTY GOD, CREATOR OF THE UNIVERSE, GIVER OF LIFE, WHO HAST ORDAINED THAT MAN SHOULD LIVE AS A SOCIAL BEING, SEEKING THE FULFILMENT OF HIS OWN TRUE PURPOSE WITHIN THE SOCIETY AND SANCTIONS OF HIS FELLOW MAN; BLESS THIS LEGISLATIVE COUNCIL NOW ASSEMBLED TO DELIBERATE UPON AFFAIRS AFFECTING THE WELL BEING AND GOOD ORDER OF SOCIETY IN WESTERN AUSTRALIA, THAT ALL MEMBERS GIVE HONOUR, WISDOM AND INTEGRITY TO THE ROLE FOR WHICH THEY HAVE BEEN CHOSEN, AND THE DECISIONS AND DECORUM OF THIS COUNCIL BE ALWAYS TO THE ADVANCEMENT OF THY GLORY, THE HONOUR OF HER MAJESTY AND THE CONTINUED BENEFIT OF THE PEOPLE OF THIS STATE; WE MAKE OUR PRAYER IN THE NAME OF JESUS CHRIST. AMEN.

OUR FATHER, WHO ART IN HEAVEN, HALLOWED BE THY NAME; THY KINGDOM COME, THY WILL BE DONE, ON EARTH AS IT IS IN HEAVEN, GIVE US THIS DAY OUR DAILY BREAD, AND FORGIVE US OUR TRESPASSES, AS WE FORGIVE THOSE THAT TRESPASS AGAINST US. AND LEAD US NOT INTO TEMPTATION; BUT DELIVER US FROM EVIL; FOR THINE IS THE KINGDOM, THE POWER AND THE GLORY, FOR EVER AND EVER. AMEN.

THE HON. CLIVE GRIFFITHS (South-East Metropolitan) [5.11 p.m.]: Following a question without notice asked by the Hon. I. G. Medcalf, and the reply supplied by the Minister for Justice suggesting that the Standing Orders Committee give further consideration to the revised form of prayer, I wish to advise that the committee has met and discussed the matter. The committee has agreed to the deletion of the paragraph which reads—

We make our Prayer in the name of Jesus Christ.

I have been instructed to recommend to this Council that the amendment will overcome the question raised by Mr Medcalf.

Amendment to Motion

Accordingly, I move an amendment—

Delete the words "We make our Prayer in the name of Jesus Christ".

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.12 p.m.]: I see no objection to the amendment which would remove part of the objections raised in my own mind when this proposal was placed before the House.

Mr Medcalf forestalled the remarks I intended to make on this motion when he asked the Minister by way of a question without notice to have this matter referred back to the Standing Orders Committee. I agree with the argument that in these times we have a multi-religious community. It is true the majority of our people are nominal Christians although there are a great number of adherents to other different sects and it could well be that a person elected to Parliament, at some stage, could find it quite objectionable to be present when such a prayer is recited.

However, I consider that the traditional Lord's Prayer should also be excised from the revised form. I think the first paragraph of the revised form of prayer would be quite sufficient for the purposes of the Legislative Council. Personally, I do not find that the recital of prayers does anything to affect my attitude towards the procedures of the House. As far as I am concerned, the moral and ethical attitudes with which I have become imbued have long been set and are not improved by the constant daily repetition of such prayers.

I propose to foreshadow a further amendment, that the last paragraph containing the Lord's Prayer also be deleted. Perhaps some other member will be good enough to support me.

THE HON. I. G. MEDCALF (Metropolitan) [5.15 p.m.]: It is very gratifying that the Standing Orders Committee has met and reached the conclusion that it is desirable to delete the portion of the prayer which reads, "We make our prayer in the name of Jesus Christ".

I certainly support the amendment moved by Mr Griffiths. It is, of course, exactly in line with the question I asked and with my suggestion that we should delete this reference in the interests of ecumenism, or the ecumenical approach, so that we may have religious agreement as far as that is possible. To achieve such agreement I think it is necessary to delete the reference to "Jesus Christ" which we do not find in some of the religions in our community, though we nevertheless recognise them as valid religions.

It is pleasing that the committee has reached this conclusion. I support the

amendment and I appreciate the consideration that has been given to the matter.

It is also pleasing to find that Mr Cloughton is in agreement on this point. I was not aware that he was about to ask a question similar to the one I asked on this matter. If that was the purport of his comment it is a good thing and it illustrates that this is a matter of common appreciation; it is not one of party but an effort to get a common approach that is suitable to all members of the House and to all members of the community.

I must say, however, that I cannot go along with Mr Cloughton in his suggestion that we should delete the Lord's Prayer, which is also part of the prayer before us.

The PRESIDENT: Would the honourable member confine his remarks to the amendment before the Chair?

The Hon. I. G. MEDCALF: I will certainly do that, Mr President. I feel we should in fact confine our amendment to the amendment that has been moved by Mr Clive Griffiths. I do not believe we should make any further amendments to the prayer before us; indeed I think it would be contrary to that same ecumenical spirit should we delete any further portions of the prayer. With those comments I indicate my support of the amendment.

Amendment put and passed.

Amendment to Motion, as Amended

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.18 p.m.]: I move an amendment—

That the following paragraph be deleted—

OUR FATHER, WHO ART IN HEAVEN, HALLOWED BE THY NAME; THY KINGDOM COME, THY WILL BE DONE, ON EARTH AS IT IS IN HEAVEN, GIVE US THIS DAY OUR DAILY BREAD, AND FORGIVE US OUR TRESPASSES, AS WE FORGIVE THOSE THAT TRESPASS AGAINST US. AND LEAD US NOT INTO TEMPTATION; BUT DELIVER US FROM EVIL; FOR THINE IS THE KINGDOM, THE POWER AND THE GLORY, FOR EVER AND EVER. AMEN.

I concede to Mr Medcalf that this does not contain any reference to Christ and for that reason the prayer is not specifically of a Christian faith; but nevertheless it is a prayer very much associated with that faith, and while my detailed knowledge of other religions would not allow me to be adamant and state that this prayer does not occur in other religions, I believe that would be the case.

For example a Moslem may find objection for the very reason of finding himself unwittingly associated with a recitation of that prayer.

To test the feeling of the House I move accordingly.

THE HON. N. McNEILL (Lower West—Minister for Justice) [5.20 p.m.]: I rise to indicate my opposition to the amendment moved by Mr Cloughton. I do not agree with the argument he used that portion of the Lord's Prayer as we know it may be related specifically to all Christian people. Mr Cloughton also said that a Moslem, for argument's sake, may not fully endorse the use of that prayer.

My point is that the Lord's Prayer is, after all, a prayer to Almighty God. Mr Cloughton perhaps overlooks the point that portion of the proposed motion is once again a prayer to Almighty God and, accordingly, I think the substance of his argument is somewhat lost, in view of that fact. The prayer proposed is one to Almighty God, but those general words may not enjoy the support of all other types of religions.

The fact remains, however, that there is a necessity for a prayer and I strongly believe that such a prayer and the Lord's Prayer should, in fact, have a place in the proceedings of this House.

I oppose the amendment.

THE HON. H. W. GAYFER (Central) [5.22 p.m.]: I am afraid I cannot agree with the amendment moved by Mr Cloughton and I intend to oppose it; indeed I feel this is the only part of the proposal in front of us which should be retained.

We are confined at this stage in talking to the amendment and if the amendment is carried it will mean that the motion then will constitute the first part of the prayer with the last two lines deleted by the previous amendment.

My contention is that the entire amended prayer should have been deleted, and I say this with all respect to the committee which has worked so hard on this matter, and also with respect to the advice that has been given by certain clerics and the work which they have put into it. I fully appreciate all that has been done, but because of my opposition to the whole issue, I cannot agree to the deletion suggested by the amendment.

Amendment put and negatived.

Motion, as Amended

THE HON. H. W. GAYFER (Central) [5.24 p.m.]: I wish to oppose the motion.

As I have previously stated I am mindful of what it seeks to achieve but, frankly, after reading the old and the new prayers I cannot see much wrong with the old except, perhaps, its length; and I believe this aspect has been circumvented by Presidents over the years when reading prayers in this House, when certain portions of the recognised prayer, and not all of it, have been read.

In respect of the prayer that is portionally read here every night and which has been portionally read every night for

years past I would point out that it contains 301 words and four "Amens". The prayer before us contains 186 words and two "Amens", so it appears we would be certainly cutting out two "Amens".

I do not see why it cannot be acceptable to the House if, under the existing form of prayers we deleted the first part of the prayer and the benediction at the end and left the centre portion—starting with the words, "Most Gracious God" and following this with the Lord's Prayer.

I see no reason why we should implement a new prayer at all. It is my intention to vote against the motion as amended, and if this is carried we will continue with the old prayer on the books at the moment and I should hope that consideration would be given to the President, in his own wisdom, leaving out the first and last part of the prayer.

THE HON. N. E. BAXTER (Central—Minister for Health) [5.26 p.m.]: I have been here a long time and I daresay I am a little more conservative than most, but I would point out that we have used a certain form of prayer for years. As Mr Gayfer has said we have shortened that prayer during the week which means that the full prayer is not used during the whole of the week.

As you are aware, Mr President, you have done what Presidents before you have done—you have used the full form of prayer perhaps on Tuesday; abbreviated it somewhat on Wednesday, and further abbreviated it on Thursday. So it has not been necessary over the years to go through the full form of prayer on every day that we sit. I cannot understand the reason for the proposed change. Perhaps the wording is more modern in style for some people; but perhaps I am an old style Christian who believes in God and all the old things associated with religion; and perhaps it is for this reason that I express the opinion I do.

It does intrigue me, however, that Standing Order 53 states—

The President shall take the Chair and read prayers at the time appointed on every day fixed for the meeting of the Council.

The Standing Order does not say what form of prayer the President may use. I suggest, Mr President, that as presiding officer in this Chamber, when opening the proceedings of the House, you could at any time use any form of prayer you like. Even if the House does not agree to the motion you, Sir, could come here tomorrow and use this form of prayer or another form of prayer if you so desired. You have this right as President, because the Standing Order does not lay down what particular prayer you should use.

The PRESIDENT: I hope the Minister is not suggesting I should use a form of prayer that has not been agreed to by the House.

The Hon. N. E. BAXTER: I do not suggest that for a moment; I was merely saying that if you wished you could use any form of prayer you liked—I do not suggest that you should.

I do not think we really need a change of prayer. The Standing Order says that prayers should be said and that is all. I cannot support the motion.

THE HON. W. R. WITHERS (North) [5.28 p.m.]: What I am about to say is not said in jest, but I did close my eyes for a few moments and while doing so I did a bit of meditation and asked, "What would you like, God?" And the reply I received may be of interest to the House. I do not know whether the reply came from God, from my background training, or whether it was my id speaking, but the answer I received was, "Please yourself; it is of your own making. Apart from this the President can read the prayer in whole or in part—he can leave out what he wishes. So please yourself. What does it matter?"

I wonder how long we will debate this subject, and whether anybody else has asked God what He thinks.

THE PRESIDENT (the Hon. A. F. Griffith): I feel I should say a few words concerning this matter. First of all let me take the blame entirely for the fact that the Standing Orders Committee has contemplated a change.

As the Minister for Health and the mover of the motion have said, our Standing Order 53 provides that—

The President shall take the Chair and read prayers at the time appointed on every day fixed for the meeting of the Council.

In my interpretation of that Standing Order it is within my competence to read a prayer of my choosing. However, I feel that in addition to being President I am a member of this Chamber, and I felt it incumbent upon myself to ask your opinion about whether we should continue in the way we have for many, many years.

I also considered whether I should change the form of prayer without giving the House an opportunity to consider the matter. I think if I had suddenly decided to change the form of prayer I may have been questioned regarding what consideration had been given to the matter and whether the Standing Orders Committee had considered it. I am sure such questions could arise in the minds of at least some members.

The Minister for Health said that Presidents from time to time have read the whole prayer on one day, another portion of it on the next day, and a further portion on the following day. Surely that is conclusive evidence that past Presidents thought the whole prayer was too long, otherwise they would not have elected to adopt that practice.

I have sat in this Chamber and listened to the prayer being read since 1953. The opening words of the prayer are, "Prevent us, O Lord . . ." and they simply mean, "Help us, O Lord." Why should we retain that old English when we can update the prayer and put it into more modern English? I will not read the complete prayer to you because since becoming President I have not done that; however, if I were to do so those members who have never heard it may be surprised, because I think it would probably occupy 10 minutes of the sitting. On the other hand, if members study the prayer of the Legislative Assembly they will find it consists of six lines plus the Lord's Prayer.

I assure members that my intention in this matter is to continue with the practice of saying prayers before the commencement of the business of the House each day; but because it has occurred to me over a long period of time that the prayer is unnecessarily long and is expressed in the old form of English, I thought it would be better for us to express ourselves in a prayer in more modern English. It was my wish that before any change was made the members of the Chamber should have the opportunity to express their opinions.

I want to assure the Minister for Health that if this House rejects the motion I certainly do not intend—

The Hon. N. E. Baxter: Don't pick on me; I am not the only one who said he will vote against it.

The PRESIDENT: I am not picking on the Minister. I am merely reassuring him in connection with his statement. He said if the motion is rejected it would be competent for me to use the proposed form of prayer tomorrow. I want to assure the Minister that such would not be the case. If the House rejects the motion the matter will not be of any great concern to me. My suggestion to the Standing Orders Committee and that committee's subsequent consideration of the matter was intended purely to improve the situation. I leave it to the House to decide the matter.

Question (motion, as amended) put and passed.

House adjourned at 5.35 p.m.

APPENDIX 3

1 SUBMISSIONS



Received 8.05.14

8 May 2014

All Members
Legislative Council of Western Australia
Parliament House
PERTH WA 6000

Dear Members,

Reference from the House on 16 October 2013: Legislative Council Prayer

On Wednesday, 18 September 2013, Hon Sally Talbot moved, during consideration of Motions on Notice, that a revised form of prayer be adopted by the Council. The debate on this motion was interrupted pursuant to Standing Orders.

When the debate resumed on this motion on Wednesday, 16 October 2013 the House resolved, That Motion No. 1, *Legislative Council Prayer*, be discharged and referred to the *Procedure and Privileges Committee* ("the PPC") to inquire into and consider whether the current Council prayer should be changed and, if so, recommend an appropriately worded alternative.

The PPC has considered the referral and has subsequently agreed to seek the views of all Members of the Legislative Council in relation to the following two questions —

- (1) Should the Legislative Council Prayer be changed; and **NO**
- (2) What content should be contained in an appropriately worded alternative prayer?

Accordingly, the PPC invites submissions from all Members in relation to the two questions proposed, and requests that Members make their submissions to the PPC by Thursday, 26 June 2014.

Yours sincerely,

A blue ink signature of Hon. Barry House MLC.

Yours Sincerely

Hon. R.J. MAZZA

HON. BARRY HOUSE MLC
PRESIDENT
CHAIR, PROCEDURE AND PRIVILEGES COMMITTEE

PARLIAMENT HOUSE PERTH WESTERN AUSTRALIA 6000
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SUBMISSION TO THE STANDING COMMITTEE ON PROCEDURE
AND PRIVILEGES REGARDING CHANGES TO THE LEGISLATIVE
COUNCIL PRAYER

15 May 2014

Hon Barry House MLC
President
Legislative Council of Western Australia
Parliament House
PERTH WA 6000

Dear Mr President

With regard to your letter of 8 May, 2014 sent to all Members of the Legislative Council by you in your capacity as Chair of the Procedure and Privileges Committee, we the undersigned Members respond as follows:-

We believe that the current form of prayer used at the commencement of each day's sittings followed by a recitation of the Lord's Prayer is entirely appropriate and in its sentiment and substance requires no change to its wording.

Indeed the words used in the opening prayer gives Members the opportunity for a moment of quiet reflection and contemplation to consider the purpose for which we are assembled and that is to represent all the people of Western Australia from whatever background, ethnicity or religious group they identify with.

This is no more evident than in the words seeking that Almighty God "*bless this Legislative Council now assembled to deliberate upon affairs affecting the well-being and good order of society in Western Australia*" and further "*that all members give honour, wisdom and integrity to the role for which they have been chosen*".

SUBMISSION TO THE STANDING COMMITTEE ON PROCEDURE
AND PRIVILEGES REGARDING CHANGES TO THE LEGISLATIVE
COUNCIL PRAYER

In moving the original motion, which resulted in this matter being referred to the Procedures and Privileges Committee for their consideration, the Hon Sally Talbot explained in her rationale for proposing the changes that it was primarily on the basis of the inappropriateness of the use of the term “man” and the male possessive pronoun “his” in the current prayer. However, her proposed wording then substantially changed the words and therefore the sentiment expressed in the prayer and went much further than merely eradicating gender based language.

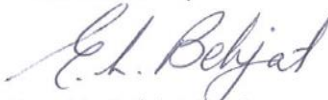
Whilst we do not believe that any changes are required to the current prayer, if it is the will of the House that some changes are made to remove the masculine terms currently in use then we suggest the following wording be considered:-

Almighty God, creator of the universe, giver of life, who has ordained that we should live as social beings, seeking the fulfilment of our own true purpose within the society and sanctions of our fellow human beings; bless this Legislative Council now assembled to deliberate upon affairs affecting the well-being and good order of society in Western Australia, that all members give honour, wisdom and integrity to the role for which they have been chosen, and the decisions and decorum of this council be always to the advancement of Thy glory, the honour of Her Majesty and the continued benefit of the people of this State. Amen

This would then be followed, as is the case now, by the recitation of the Lord’s Prayer.

We thank you for the opportunity to express our opinion on this matter and trust that it assists you with your deliberations prior to reporting your findings and recommendations to the House.

Yours sincerely



Hon Liz Behjat MLC



Hon Peter Collier MLC

SUBMISSION TO THE STANDING COMMITTEE ON PROCEDURE
AND PRIVILEGES REGARDING CHANGES TO THE LEGISLATIVE
COUNCIL PRAYER



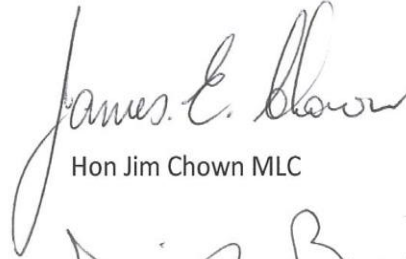
Hon Helen Morton MLC



Hon Ken Baston MLC



Hon Donna Faragher MLC



Hon Jim Chown MLC



Hon Peter Katsambanis MLC



Hon Simon O'Brien MLC



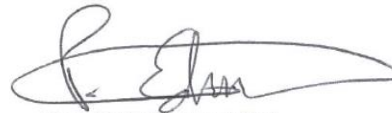
Hon Brian Ellis MLC



Hon Nigel Hallett MLC



Hon Mark Lewis MLC



Hon Phil Edman MLC

Received 15.07.14



Parliament of Western Australia
Legislative Council

Hon Stephen Dawson MLC

Member for Mining & Pastoral Region

Shadow Minister for Disability Services; Mental Health; Child Protection

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Hon Barry House MLC
President
Legislative Council of Western Australia
Parliament House
PERTH WA 6000

20 June 2014

Dear Mr President

Barry

Reference from the House on 16 October 2013: Legislative Council Prayer

Thank you for your recent correspondence regarding the Hon Sally Talbot's motion that a revised form of prayer be adopted by the Council.

I understand the Hon Sally Talbot has corresponded with you on this matter and I would like to add my voice to the sentiments expressed in her correspondence.

Even as a new Member of Parliament I am very conscious of the importance given to the standing orders, precedence and longstanding practice in the House however I do believe that this is one area where we could better reflect community standards and expectations by updating the language used in our proceedings.

I am a strong supporter of the council commencing parliamentary sessions with prayers however I do agree with the Hon Sally Talbot that the language used in the prayer could be updated.

Yours sincerely

Hon Stephen Dawson MLC
Member for Mining & Pastoral Region



Received 25.6.14
9.30pm

**Hon Donna Faragher JP MLC
Parliamentary Secretary to the Premier
Member for East Metropolitan Region**

24 June 2014

Hon Barry House MLC
President of the Legislative Council
Parliament House
WEST PERTH WA 6000

Dear Mr President,

Thank you for providing the opportunity to make a submission in response to the inquiry by the Standing Committee on Procedure and Privileges into the Legislative Council Prayer.

You will be aware that the Hon Liz Behjat has previously provided a submission to the Committee on this matter. As a signatory to that submission, I endorse its contents.

In addition to the views already expressed in the submission referred to above, I note that the original motion moved by the Hon Sally Talbot proposed a substantially different prayer which also removed reference to Her Majesty The Queen.

I appreciate that when the House resolved to discharge and refer the motion to the Standing Committee on Procedure and Privileges that the alternative prayer proposed by the Hon Sally Talbot was actually not referred for consideration. I would request, however, that should any alternatives to the prayer be considered by the Committee that you do not support removal of the reference to Her Majesty.

It is my view that removal of the reference to the Australian Head of State should not be supported. If, one day, the Australian people decide to establish a republic, then I would agree that it would be appropriate to reconsider the wording of the prayer. Until such time that this might arise, I see no reason to remove the reference. The Queen is the Australian Head of State and it is my view that Her Majesty should continue to be acknowledged appropriately in the parliamentary prayer.

Thank you for the opportunity to make this short submission to the Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Donna Faragher', written over a large, stylized flourish.

**HON DONNA FARAGHER JP MLC
Parliamentary Secretary to the Premier
Member for East Metropolitan Region**

From: "Holt, Colin" <Colin.Holt@mp.wa.gov.au>
Date: 26 June 2014 5:21:33 pm AWST
To: "House, Barry" <Barry.House@mp.wa.gov.au>
Subject: Council Prayer

Dear Mr President

I am responding (at the 11th hour) to your letter (dated 8 May 2104) to all Members of the Legislative Council in regards to changing the Council Prayer.

In answer to question 1:

Yes I firmly believe the prayer should be changed

In answer to question 2 , I am keen to evaluate the responses received by other Members of the LC and as a Member of the PPC I look forward to further discussions.

Kind regards

Colin Holt MLC
Member for the South West



Hon **Alyssa Hayden** MLC

Your Liberal Member for the East Metropolitan Region



Received 7.07.2014
AH

26 June 2014

Hon Barry House MLC
President
Chair, Standing Committee on Procedure and Privileges
Legislative Council of Western Australia
Parliament House
PERTH WA 6000

Dear Mr President

Submission - Inquiry into Legislative Council Prayer

I wish to thank the Committee for seeking submissions from individual Legislative Council Members on whether the current prayer should be changed and if so to provide an appropriately worded alternative.

I appreciate the motion put by the Hon Sally Talbot on Wednesday, 18 September 2013, as it has allowed for this discussion to take place. I believe that at times we forget or take for granted the honour we have, representing our local communities in this place.

In 1829, Western Australia was colonised and inherited the English system of government and law. Although our Parliamentary system is steeped in English history, we have modified and adjusted procedures to reflect life in Western Australia, in order to improve our effectiveness.

However, I do feel there is a fine line between improving effectiveness and then simply forgetting our history or the fact that we, as Members, represent a larger community and beliefs that may not always reflect our personal ones.

Although personally I do not practice any religion, the daily prayer, reminds me that I represent many who do. Although I am not a Monarchist, I do appreciate that Australia is part of the Commonwealth and that our Parliament operates under the Westminster System. The Queen is the Australian Head of State and I respectfully honour this position, until otherwise, we need to dutifully acknowledge and recognise this.

The idea that the word "man" offends or doesn't represent all genders is not an argument I support. Males and Females belong to the human kind species, the interpretation and meaning of the word "man" in this respect is simply referring to our species and should not be misrepresented to mean anything else.

At the commencement of each sitting day, I use this time to reflect on the words recited by the President in each Prayer, to reflect the honour that has been bestowed on us in this Chamber to represent the varied views, beliefs and values of our community.

It is for these reasons that I do not support the motion to remove or alter the current prayers, as it is a practice that has been entrenched into the operation of this place, reflecting our history and the diversity we represent.

Thank you for this opportunity to submit my opinion on this matter and trust you will take my comments into consideration before finalising your recommendations to the House.

Yours sincerely



HON ALYSSA HAYDEN MLC
Member for the East Metropolitan Region