



PARLIAMENT OF WESTERN AUSTRALIA

VALEDICTORY SPEECH



HON JOHN COWDELL, MLC
(Member for South West Region)

Legislative Council

Thursday, 19 May 2005

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CLOSE OF SESSION

Valedictory Remarks

THE PRESIDENT (Hon John Cowdell): Members, for some years there was always concern when Gough Whitlam visited this state. We did not know whether we would get speech 31, which was two-hours on one vote, one value, or speech 27, which would be a two-hour speech about the centralisation of the railway system, the centralisation of the hospital system or the centralisation of anything else that Gough had on his mind at the time. So there may be some reason for concern today as I refer to Parliament House. I approach this speech with some trepidation. After all, when they do the inevitable condolence motion, they will pull out the entry in the biographical register, they will look at the maiden speech and perhaps they will read this valedictory speech. The only consolation is that all of the stuff in the middle does not count for much.

It has been my privilege for the past four years to make some small contribution as one of the two Presiding Officers of the Parliament. I have sought to enhance this building and through it the role of Parliament; to provide an improved working environment for members and staff alike. We have in the term of the thirty-sixth Parliament managed to build a new \$2.7 million northern wing with 18 additional offices, including party and members' meeting rooms and much-needed staff accommodation. We have restored the Parliamentary Library to its original home and made it one of the four great rooms of the Parliament. At the same time we created in our centenary year the Aboriginal People's Gallery and Room - a symbol that we have become more than just a white settlers' Parliament. I was particularly pleased that our two indigenous members could speak at the opening and that Aboriginal elders from around the state could attend. I look forward to the Parliament building up its collection of indigenous art, so that all Aboriginal peoples of the state are represented, as indeed all 144 local government districts are represented in the paintings that appear on our walls.

The Cabinet Dining Room has been enhanced and revamped as the Centenary Room. We have upgraded security with cameras, security doors - much to the consternation, of course, of some members - and bollards, without I believe significantly impeding the access of the public to its Parliament. We have enhanced our traditional Edwardian gardens while also providing a showcase for our native flora on the banks facing the city. We have sought to preserve and enhance our buildings with extensive expenditure on stonework and facade restoration. We initiated the listing of Parliament House by the National Trust and agreed with the Minister for Heritage that Parliament House would be placed on the state Register of Heritage Places in our centennial year of 2004. We are not a museum, however, and this building must be continually adapted to the needs of the public and members. I thank the government and the Treasury in particular for their generous financial support. Sometimes this has come at a cost. I remember going into Expenditure Review Committee discussions on one occasion and being told, "We'll have to beat up Laurie for a while but then we will give you the money. We were willing to sign up on that basis."

This Parliament has an enviable record in terms of securing its history. We have built on that record by publishing revised members' registers and a history of the parliamentary building *House to House* and of the Presiding Officers, Speakers and Presidents. Our oral history program is continuing apace, and we may expect in the near future publications highlighting the roles of officers and staff of Parliament, the changing nature of membership of the chambers and, for want of a better word, a coffee table publication highlighting the architectural features of Parliament House and a survey of our art collection. We have recognised the particular role of those involved in recording and preserving our history by the creation of parliamentary fellowships and the appointment of David Black, Harry Phillips and Phillip Pental to be the first three fellows. I do pay particular tribute to the role played by Mr Peter McHugh in the parliamentary history program. It is a passion of his. We have sought to highlight aspects of our history with the creation, as members can see, of honour boards and displays to be seen as people come into the Parliament - more of an ambit claim on government. We have established a special members' collection in the Parliamentary Library consisting of all publications by or about members and of course the oral histories.

We have been particularly committed to Parliament reaching out to the community. Our in-house parliamentary education program has been extended to the regions. A joint program has been initiated with the Constitutional Centre and the Electoral Commission. Local presenters have been employed to reach schools throughout the state. Two regional Parliaments were conducted last year. For the first time regional sittings of the Parliament have been initiated, with the Legislative Assembly sitting in Albany and our own chamber in Kalgoorlie-Boulder in September 2004. I hope that this initiative will continue into the new Parliament, as many towns and regional centres are eager to have a parliamentary visit. The Parliament in Perth has been made more accessible. A Parliament open day was held

last year. I hope that this will continue on a regular basis. Access has been provided for youth Parliaments, youth general assemblies, youth commonwealth heads of government meetings and the like. Access has also been provided for community forums, such as drug summits and water summits, and last Sunday we had what might be called a talent summit, recognising the twenty-fifth anniversary of the WA Academy of Performing Arts. In addition, great progress has been made in providing electronic access to proceedings of Parliament, not to mention virtual tours. A citizen's guide to the Western Australian Parliament was published last year, and videos and other educational aids are regularly updated.

Parliament is a workplace but it is also a community. I have striven to improve the working conditions for staff. This is not only through improved pay and conditions but also through improved career paths and the recognition of both length and quality of service. For me, the annual awards are a highlight of the parliamentary calendar. We have instituted a special Parliamentary Service Award as well as recognition for every five years of service by staff.

Marian Woods might once have said that members would only pay attention if she stopped feeding them. We were paying attention, and the flags of this Parliament House flew at half-mast for Marian last year.

Parliament plays an important role in promoting the state. It plays host to dozens of international delegations. I value the overseas friendships I have built up as a result of these visits. However, they are not as many as those forged by Hon Clive Griffiths. Regular briefings and discussions are held with consuls, consul generals and ambassadors. Only last week we hosted a visit by the Dutch ambassador and the Dutch consuls for every state in Australia and Papua New Guinea. Sometimes we are a bit remiss in relations. For example, last year I led a parliamentary delegation to Hyogo prefecture in Japan to celebrate 10 years of our parliamentary friendship agreement and over 20 years of our sister-state relationship. In that time our sister-state assembly had sent more than 20 delegations to Western Australia without ever receiving a reciprocal visit. This week we participate in the visit of Mr Wu Bangguo, the Chairman of the Standing Committee of the National People's Congress of China. I must apologise for being absent for a period this afternoon as I go to welcome Mr Wu.

This is starting to sound more like a "state of the Parliament" address and it probably is. Then again, I have so few opportunities and members have so many. Let me make a parting reference, as I outlined to the Parliamentary Services Committee on Tuesday, to plans that are in hand. We have plans drawn up to make the courtyard a usable space. At the moment, it looks like the back of an ablution block. It is a particular embarrassment whenever we bring international guests to Parliament. I hope that the prefabricated structures that sprawl into our courtyard can be folded back onto the Harvest Terrace wing and that the whole area can be roofed. At long last Parliament would then have a year-round usable space. We would have a space of sufficient size to accommodate major functions and delegations, not to mention school groups. This is not a radical change. Many Australian Parliaments have proceeded by stages and finally roofed the space between the upper and lower house chambers. At 101 years, we are just taking a little longer than most. In the near future we will have to address our city aspect. The fountains are crumbling and are almost unusable. The forecourt needs to be paved properly. We have already addressed the Harvest Terrace front and paid for alterations to Harvest Terrace with islands and traffic-calming devices. I pay particular tribute to the parliamentary gardeners, who have done such a brilliant job on the Harvest Terrace side.

The chambers remain a top priority. Seating alterations will have to be made following recent legislative changes. More importantly, plans are well under way to provide for the airconditioning of the chambers and improved security arrangements in the public galleries. The next major building initiative should be the construction of a committee house. At the moment, the Legislative Assembly and Legislative Council pay \$500 000 in rent to accommodate Parliament's committee offices. The most desirable site is the current members' car park. Failing that, Hale House, which is currently occupied by the Department of Education and Training, and located immediately across the road, could accommodate at least one set of committee offices, the finance department and probably the overflow from the Leader of the Opposition's office, allowing us to deal with the Summer Palace appropriately.

I have proposed to my fellow Australian Presiding Officers and Commonwealth Parliamentary Association branch presidents a major revamp of the CPA in Australia. My proposal envisages the inauguration of an Australian conference of legislatures under the auspices of the CPA and along the lines of the American National Conference of State Legislatures. It would involve an annual conference open to all Australian legislators - federal, state and territory - rather than the current highly restrictive conference and seminar arrangements. At the moment members would, on average, attend perhaps one CPA conference or seminar in their entire parliamentary careers. The coverage is totally inadequate and the quality of conferences could be greatly improved by a more significant annual event.

I thank the Premier for appointing me to chair the state's 175th anniversary committee from 2002-04. I was given the unique opportunity of coordinating celebrations for the state's 175th and Parliament's 100th anniversaries. I thank Betty O'Rourke and the Constitutional Centre, who acted as our secretariat, and Hon Mark McGowan, who as the Parliamentary Secretary to the Premier, implemented the program.

I am pleased that we initiated a program of state heritage icons, with one icon being named each month. A program to preserve and highlight each icon was announced on a monthly basis. The icons included the Swan River, with a comprehensive conservation program; Kings Park, with a range of improvements; Fremantle harbour, with the

inauguration of the migrant welcome wall; the Eagles-Dockers derby, with an appropriate football history publication; the Albany dawn service, as indicative of the Anzac spirit, with a war memorial conservation program and Anzac educational program; and Kalgoorlie gold and Broome pearls, which further enhanced our regional perspective. Significant grants were announced with the naming of His Majesty's Theatre as an icon. A new interpretation centre was provided to the Midland railway workshops icon. The Royal Show was named as an icon and recognised for its special role in connecting the country with the city.

Funds were provided in the 175th year for a WA on Show expo, which coincided with the opening of the Perth Convention and Exhibition Centre. Funds were also provided to significantly boost the Perth International Arts Festival program and to allow for two country sittings of Parliament. I approached myself as chairman on this matter and received a positive response to the request for funding. The celebrations were augmented with hundreds of local community grants and the issuing of special birth certificates and commemorative medallions for schoolchildren. There was also a 175th anniversary heritage and history conference and the inevitable educational supplement in *The West Australian*. Who can forget - perhaps members can - that *The West Australian* ran a series of 175 defining moments in which the Swan Brewery made it as one of the defining moments but Parliament did not. We will not dwell on that. A significant list of publications were also funded to record the ongoing history of the state.

I look forward to an amendment this year to the preamble to the state's Constitution to recognise prior ownership and traditional custodianship of the land by the Aboriginal people. The amendment was approved by caucus in our 175th year but, unfortunately, its implementation was delayed beyond the 175th year. When I came here 12 years ago, I started out by contemplating the nature of the house and its history. I stated that the Legislative Council did not warrant retention on the basis of its record, but that it was showing signs of improvement. Imagine my surprise that within eight years, both the Leader of the Liberal Party and the Leader of the National Party had come out in favour of its abolition. I have witnessed 12 of the 16 years of this chamber's operation as a finely balanced house elected by proportional representation. Eight of those 16 years have been with a conservative majority, and eight of the 16 with an effective progressive majority. I have seen the passage of a lot of good legislation and some bad. One would have to say that the oft quoted percentages of 85 per cent agreement, 10 per cent agreed subject to significant amendment and perhaps only five per cent disputed legislation would not be far from the truth. However, these are not newsworthy statistics and are not closely followed in the media.

We have seen legislation improved as a result of committee inquiry and amendment on the floor of the chamber. Our committee system has expanded and matured. I have participated in the committee system through service on the Standing Committee on Legislation, the Joint Standing Committee on the Anti-Corruption Commission, the Joint Standing Committee on the Commission on Government, the Parliamentary Services Committee and the Standing Committee on Procedure and Privileges. There can be no better education. We have produced some good reports, and we altered the parliamentary timetable to allow for the consideration of committee reports. Staff in the committee office do an excellent job and make us all look good.

It is essential that committees travel to consider and examine national and international best practice. I see Hon Bruce Donaldson is nodding in hearty agreement. It is commendable that we also have the imprest system to allow travel and private study. I know I particularly appreciated, for example, being able to visit the eastern states to study the senior college middle school model prior to its introduction in Mandurah. I believe the imprest system should be administered by Parliament. There is no reason that a representative committee could not be established to determine acceptable guidelines prior to a transfer of responsibility for the imprest system from the Department of the Premier and Cabinet to Parliament. I myself think that the current guidelines could be made more stringent.

Members, there needs to be a further streamlining of the Council's procedures. Often the customs and practices of the house are diametrically opposed to standing orders. This, of course, leads to confusion. This situation needs to be rectified. We have made limited progress in that regard. We have not as yet implemented all the recommendations of the Procedure and Privileges Committee report on amending standing orders to conform with the written statutes of the state. Unlimited speaking time has been partially abolished, and it needs to be fully abolished. Procedures are in place that facilitate filibusters and legislation by exhaustion, and this does not enhance the conduct or standing of the house. There should be time limits on debates, such as those regarding the suspension of standing orders. I believe that Erskine May's *Parliamentary Practice* is not always applicable in a small, proportional representation chamber.

I support the Constitutional Amendment Bill to give the President a deliberative vote. The President has a deliberative vote in the federal Senate and the South Australian upper house and this will soon be the case in the Victorian Legislative Council. I have noticed no greater or lesser impartiality in presiding officers who have a deliberative vote. The deliberative vote is currently exercised by the Chairman of Committees and all acting Presidents in this chamber. The President's electorate should not be denied a vote in this chamber, nor should the presidency be hawked around to see which member is willing to forgo voting rights in the chamber by becoming President.

There is a place for a different mirror of the public mind, and a proportional representation system provides that through representation of non-geographically concentrated constituencies in this chamber. I believe there is no case for an increase in the size of this house, no case for the creation of a so-called state senate and no case whatsoever for the maintenance of malapportionment in this chamber. I think on balance that the Legislative Assembly and the Legislative Council should be amalgamated with one chamber of 74 members, consisting of 59 single member constituencies and 15 members elected by statewide proportional representation, but not as a top-up. As this would require a referendum, it is unlikely to happen. Therefore, I believe that this house must distinguish itself from the Legislative Assembly. I am consistently amazed by arguments that this house should revert to what was effectively a system of single member constituencies that operated prior to 1989. If anything, there is a strong argument for differentiating ourselves further from the Legislative Assembly, not merely replicating its single member constituency system with all its faults. There is a tendency for many MLCs to pursue the role of shadow MLAs. I have some sympathy for the views put by the previous Leader of the Opposition, Hon Colin Barnett, that some differentiation should exist between the role and entitlements, but not the pay, of upper house and lower house members.

Members, it has been my great honour to represent the South West Region in Parliament. I have taken a great interest in supporting the educational facilities and schools throughout the region. Of course, I have diligently attended, as have most members, countless speech nights and graduations, not to mention cadet reviews and local youth group programs. I supported the activities of our local development commissions and actively canvassed government in support of funding for a whole host of local projects. Invariably, I have ended up putting the case for constituents who had been bullied by state instrumentalities such as Western Power or have been ridden roughshod over by various planning authorities or have not received the support they are entitled to and have needed from community welfare, disability services or Homeswest. I am very proud of the fact that my office in Mandurah has been involved in running the local emergency relief program for the past 12 years.

I have been clearly associated with the various conservation groups in the Peel region, and in particular have taken an active role in the campaign to save the Creery Wetlands, securing an adequate management plan for the Yalgorup National Park and planning for a comprehensive Peel regional park. I am particularly proud of the success that has been achieved in securing government support for the Mandurah railway - I suppose I should call it the southern suburbs railway - funding for the Peel deviation and the allocation of grants for the Hotham Valley Tourist Railway and the Pinjarra Rail Heritage Centre. Of course, I will not dwell on my other less successful campaigns, such as that to save the Pinjarra courthouse. One overwhelming thing will always remain with me; that is, the great kindness, courtesy and generosity that has been shown to me by all manner of people from one end of the electorate to the other. That has been the enduring reward for having this job.

While I have represented the South West Region in this house, I have also represented the Australian Labor Party and the wider Labor movement. Although it was very gratifying to receive 1 500 below-the-line votes the last time I stood for the South West Region, the overwhelming majority of votes were cast for me as a representative of the ALP. I once had to explain to a constituent that I would not take a conservative stance in Parliament on a particular issue, although a majority of constituents in the south west clearly held that view. I pointed out that I was elected to give voice to the view of 38 000 constituents, the minority in the south west who voted Labor. The majority had, at that time, three Liberal members and one National Party member to put their views. Ninety-five per cent of electors vote for a party ticket in the upper house. The parties provide a coherent program and choice and, in the main, their pledges are honoured. The outcome would be far different if we had a whole house full of much-vaunted Independents. There would be so many deals and concessions to get a majority that no-one would have any idea of what legislation would emerge. People forget this. One thing that united all members of the Joint Standing Committee on the Commission on Government was opposition to Campbell Sharman's line that political parties were somehow not a legitimate form of expression and that legislative obstacles such as the removal of the option of block voting and Robson rotation should be put in their way. This sort of bunk has been put from time to time and I am glad that there was unanimous rejection of it.

I am proud to have represented the party of John Scaddan, Phil Collier, John Willcock and John Curtin in this place. I am proud to have worked with successive Labor leaders, both while and after they were leaders, including Frank Wise, Bert Hawke and John Tonkin, and of course Carmen Lawrence and Geoff Gallop in later days, in the interests of Labor in this state, I am proud to have worked with our federal leaders Gough Whitlam, Bill Hayden, whose staff I was on briefly, Bob Hawke and Kim Beazley. I have also been a part of Labor's south west team and it has been my privilege to work with the likes of Wendy Fatin and Jane Gerrick; Margaret Duff and John Hughes; David Templeman, Mick Murray and Tony Dean; Sally Talbot, my successor, and special agent Guise; Dave Hicks, Terri Coughlin and Paddi Creevey; and many others. I must resist the temptation to mention every constituent in my electorate, as was the wont of the late Ted Cunningham. I have recognised on an annual basis the contribution of the staff of this chamber, the staff of Parliament and all our electorate officers and research officers. At this stage I can only reiterate those comments. I made the point to Malcolm Peacock just a few moments ago that I am having a lunch today for the departmental heads and that they should get going and not wait on my continued prattle in this place. Hopefully, they are well under way.

Three people deserve special mention. Laurie Marquet keeps the whole show running. He works unimaginable hours to the degree that it puts a strain on his health. He has come up with many profound rulings. On some of them I have had to say, "Laurie, even I don't understand this; let's sit down and make it comprehensible." When I became President, I said, "Laurie, how many staff do I get?" Of course, in the best Sir Humphrey style, he said, "President, we are all your staff", which explained who was running what. I recently gave Laurie a book about a cardinal by Morris West entitled *Eminence*. I thought it was entirely appropriate. My inscription was "To the only true parliamentary eminence" and I think that is the case. I recognise Lorraine Coogan. Lorraine is exceptionally good at her job. She brings a sense of style to the place and certainly a sense of organisation. If she has one fault it is that she hides things from me and I cannot find them. There are also all the portraits of the Queen that she has accumulated in her office, which I am sure have been snatched from various parts of the building. We all feel a part of her son Joshua's ballroom dancing career. She has even roped the Premier into the cause. I recognise Margaret Duff, my electorate officer. Ours has been a genuine partnership for 12 years in the electorate. She has been a member for a lot of the time, but without the pay and without the prestige. With Margaret I got the whole family, and I am deeply indebted for everything that Max and Rachel have done for me. I must acknowledge my partnership with the Speaker. We have had some disagreements, such as rehanging the portraits of the Premiers, but they have been minor. I count Fred Riebeling as a friend. We have known each other for many years. Our fathers were captured at the battle of El Alamein and served two and a half years in a prisoner of war camp. However, the Assembly is the Assembly. Hon Colin Barnett summarised the situation well on one occasion when we were proceeding down to the front entrance to welcome the Governor. He said, "We ain't classy but we're rich."

Friends and colleagues, I have appreciated serving with you. There are things that remain to be done. Putting Jim Brown's name on the war honour board is one of them. The one name that should not have been left off the war honour board was Jim Brown. Of course, there is the hanging of the portrait of the father of the house in the members' meeting room. I think that Hon Norman Moore is in for some stiff competition as I see that Malcolm Peacock has framed the portraits of all the Clerks and is looking for somewhere to hang them.

Occasionally a member will receive a commendation that makes it all worthwhile, and I want to thank Hon Bill Withers for providing one such commendation in his letter of 6 April this year. It reads -

Thank you for your recent invitation to the opening of the 37th Parliament.

It is only since I left the Kimberley, in September 2002 to reside in Perth, I have been able to observe the dignity that you have upheld in the Presidency of the Legislative Council.

On each occasion I have heard you speak, at a function, you have done so with humour and impartial authority. Your demeanour in the Presidency has been the subject of conversation across the spectrum of party politics so you deserve the Australian superlative; Bloody well done!

I conclude on the theme of going off into the sunset. I used to sit next to Hon Cheryl Davenport in this chamber. When Cheryl retired, we promised her a Zimmer frame. Now I might have to share a frame, if I can track her down in her villa in Tuscany. There does appear to be life after the Legislative Council. Thank you all.

[Applause.]