



***AUSTRALASIAN STUDY OF
PARLIAMENT GROUP
(Queensland Chapter)***

**PARLIAMENTARY
PROCEDURE**

Guest Speakers

Mr Neil Laurie, Clerk of Committees and Clerk Assistant

Mr Clem Campbell, MLA, Member for Bundaberg

Mr Tony FitzGerald, MLA, Member for Lockyer and Leader of
Government Business

Miss Fiona Simpson, MLA, Member for Maroochydore

Mrs Liz Cunningham, MLA, Member for Gladstone

Ms Judy Spence, MLA, Member for Mount Gravatt

Mr Bill Hewitt, Former MLA

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Dr REYNOLDS: I welcome you all to the meeting tonight. I was observing to some of our speakers that it is interesting that with the number of meetings that we have had over the years, we can talk about women and Parliament, parliamentary reform, committee systems, Estimates committees and so on, and we more or less talk to each other. However, when we talk about Parliament as it is, we get a big roll-up. I guess that the ABC should be congratulated for running question time so that everybody is appalled and screams and rants about it.

I am Paul Reynolds, the Chair of the Queensland Chapter. It is my great pleasure to call on a distinguished list of speakers to speak tonight. Our topic is parliamentary procedure. Our speakers will talk for about 10 minutes on what they felt when they came into the Parliament as untried persons, what they found about Parliament and what their suggestions might be for reform.

We all know that politicians, like academics who are gabby and opinionated like my good self, wish to talk forever. However, I have suggested to the speakers that they should pretend that they are speaking in a debate on a matter of public interest, which is when backbenchers get 10 minutes to vent their spleen about everything that they like or dislike. Tonight there is no bell on them, so let us hope. However, we have a scene setting, which seemed to be a good thing.

We have asked the Clerk Assistant, Mr Neil Laurie, a distinguished member of the Table Office of this Parliament, to talk to us from a parliamentary situation. He will not so much speak as an employee, but as one of the administrators of the Parliament, about how he sees parliamentary procedure. I have no idea what Neil will say, so that is not to be rehearsed.

I will outline a few points of procedure before Neil speaks to us. I will call each speaker in turn and introduce them very briefly to you. They will speak from the lectern and, when they have finished, they will sit at the table. By the time that all our speakers have finished speaking, they will be sitting at the table. After that, there will be unlimited question time so that you can talk to them and direct questions to them severally or together. The microphone will be roaming at that point. Hansard is recording the proceedings, so we will have a full transcript of what goes on. As always, we will publish that as part of our proceedings. After we wind up, you are most welcome to move down the gangway, past the Speakers Green, and into the Stranger's Bar. Refreshments will be provided and there will be a cash bar. The staff will be there to look after you.

I hope that this will be a very pleasant and informative evening. Without further ado, I call on Mr Neil Laurie, Clerk Assistant to the Parliament.

Mr LAURIE: Sometime ago, I was asked by the Queensland Chapter of the Australasian Study of Parliament Group to be a guest speaker at tonight's function and I readily agreed. My brief, as I understand it—and it may be somewhat in conflict with Paul's—is to provide a 10-minute snapshot of the daily operations of the Queensland Parliament. I assure you that 10 minutes is not very long in which to give that snapshot.

I understand that tonight's audience includes past and present members of Parliament and other persons who have only a peripheral understanding of the operations of the Parliament. To be honest, you appear to be a very difficult audience, containing many who are novices in the subject and many others before whom I feel humbled to be saying anything about the procedures of the Parliament, considering my short period of exposure to the Parliament. I have opted for the only course of action that I believe is available to me, that is, my speech tonight will assume that no-one here knows anything about what happens inside the Parliament. In doing so, I apologise to those members of the audience whose experience far eclipses mine.

Where do you start when talking about the proceedings of Parliament? I thought long and hard about this and, to my mind, the best place to start is by asking what the functions of Parliament are and relating the daily activities back to those functions. There is no exhaustive or irrefutable list of functions of the Parliament. Bearing that in mind, the following broad list of functions is not a bad list with which to start.

Firstly, Parliament is there to make laws or amend laws for the "welfare, peace and good government" of the State. By its very definition, that is what its powers are as set out in the Constitution. By this I also include granting the power to the Government to make subordinate legislation and monitoring that subordinate legislation.

Secondly, the Parliament is there to determine the State's Budget. The history of the English Parliament demonstrates that financial matters are very much at the core of parliamentary business.

Thirdly, the Parliament is there to provide the Government of the day—as we all know, that is where the Government is from—to scrutinise the actions of the Government and to hold the Government accountable to the people.

Fourthly, the Parliament is there to represent the people of the State and to allow a forum for the views of the people to be aired and their grievances addressed.

It is my opinion that all of the daily activities of the House can be sheeted back to one or more of those very broad functions.

Where do the actual rules of the House and its procedures stem from? The Queensland Constitution Act 1867 provides that the House shall from time to time adopt Standing Rules and Orders for the conduct of parliamentary business. I have in my hand a copy of those Standing Rules and Orders. However, the Standing Rules and Orders are not holy writ and are not in themselves exhaustive or binding on the House.

Firstly, what about matters not contained in the Standing Orders? Standing Order 333 provides that if there is no Standing Order with respect to a particular proceeding, reference is to be had to the rules and practices of the House of Commons. In a very real and practical sense, that means that Table officers and members of Parliament, when they want to refer back, go to Erskine May's treatise on the parliamentary practice of the House of Commons. It is a wonderful book for finding out information about the House of Commons, and I also recommend it to those who suffer from insomnia.

Secondly, Standing Order 332 provides that the Standing Rules and Orders may be suspended by the House. The suspension of the Standing Orders manifests itself in two main ways. Quite often the House will suspend the Standing Orders in order to allow a matter to be dealt with in an informal way or in a way contrary to the Standing Rules and Orders. Another manifestation is the introduction of Sessional Orders—an increasingly common feature.

Sessional Orders are motions passed by the House which enable the House to do certain things and take certain actions either not covered by the Standing Orders or which are designed to supersede the Standing Orders for the duration of the parliamentary session. The current Daily Program is the result of Sessional Orders passed on 2 April 1997. Indeed, today the Parliament tends to operate more from Sessional Orders than from Standing Orders. Another example of a current Sessional Order is the rules relating to the operation and conduct of committees, because the current Standing Orders are woefully deficient in relation to the operations of committees, as we have a very young committee system in Queensland.

Therefore, when you want to find out about the operations and procedures of the House you may have to look at three sources: the Standing Orders; those Standing Orders as amended by any Sessional Orders; or, if there are no relevant Standing or Sessional Orders on a particular matter, the rules and practices of the House of Commons. It does seem to be a very cumbersome procedure, but officers of the Table Office have a vested interest in it remaining so!

That being said, I shall now take you through a typical daily program operating under the current Sessional Orders. Before proceeding, I should briefly define a word which regularly occurs when talking about parliamentary proceedings and which is a very basic word to come to an understanding of. The word is "motion". To put it simply, a motion is a form of words proposed by a member which, if agreed to by the House, becomes an order or resolution of the House. It is a question that is put to the House.

I will now begin a recitation of a typical day in Parliament. The typical sitting day starts with a prayer which is said by the Speaker. During the first session of the first Queensland Parliament, Henry Jordan, the member for Brisbane North, introduced a motion to open each sitting day of Parliament with a prayer. The motion was approved by 20 votes to 2. The prayer then adopted is still used today.

The next item of business, when it is applicable, is Messages from the Governor. If there is any Message from the Governor, such as a notification that certain Bills have received assent, those Messages are received immediately after prayers.

The next item that often occurs on the parliamentary business paper—and these days, it happens more often than not—are matters of privilege. In simple terms, a matter of privilege is any matter which affects the powers, privileges and immunities of the House, its committees or members. Traditionally, matters of privilege have always been given priority in the order of business for the House and matters of privilege suddenly arising may always be raised as they arise without the leave of the House.

The next standard procedure is the Speaker's statement. If the Speaker has any matter that he or she must bring to the attention of the House, it is done during this portion of business. An example would be for the Speaker to notify the House that he or she has referred a matter to the Members' Ethics and Parliamentary Privileges Committee—another frequent occurrence these days.

Another commonly occurring matter of business is motions of condolence. A condolence motion is designed to allow the House to express its condolences in the event of the death of a member or former member or in respect of a national tragedy. Recent examples include the Port Arthur massacre and the death of Diana, Princess of Wales. At the conclusion of speeches to the motion, a one-minute silence is always observed by the House.

The next order of business that often occurs on the Notice Paper is petitions. A petition is a formal written document expressing a particular grievance by a person or persons, which is presented to the Parliament through a member of Parliament. It includes a request for Parliament to act upon the petition. The role of Parliament is to represent the interests of the people. As I stated earlier, that is one of the basic functions of Parliament. The ancient right of citizens to petition is the only avenue through which individuals can place their grievances directly before Parliament.

A petition is presented to a member of the Legislative Assembly and may only be presented to the House by that member. It is then lodged with the Clerk of the Parliament when its format is checked for conformity to Standing Rules and Orders. It is then presented to the House at the beginning of a parliamentary day, is read by the Clerk to the House and is recorded in Hansard. The petition is then copied and referred by the Clerk to the appropriate responsible Minister. The Minister may respond to the petition. The response is presented to the House by the Clerk and is also printed in Hansard. The petition remains the property of the Parliament and is kept with the Parliament's records.

Another commonly occurring item on the Daily Program is statutory instruments. At this time the Clerk of the Parliament notifies the House of regulations, orders and so on that have been tabled in the House since the last sitting day.

The next item of business is usually ministerial papers, where annual reports or other special reports such as the reports of royal commissions are tabled by Ministers in the House.

Ministerial statements follow closely afterwards. Ministerial statements are announcements by Ministers, usually with the approval of Cabinet, concerning policies and decisions relating to their respective portfolios. If the Minister moves, "That the House take note of the statement", this allows equal time to be given to the Leader of the Opposition to reply immediately or at a later date to the ministerial statement. For some strange reason, that motion is not moved very often. The Minister gives a hard copy of his/her statement to the Clerk of the Parliament at the completion of the statement, and it is recorded in Hansard.

Another common item is personal explanations. This is a time set aside for members to provide an explanation to the House or a response to matters raised in the House or in the media.

Another segment on the Daily Program is when the reports of committees, issues papers, the Hansard record of public hearings and statements by committees are tabled. A recent introduction has been the setting aside of time each Thursday for the debate of committee reports, but only if a member moves that that debate take place when the committee's report is tabled.

The next item that I will talk about is notices of motion for debate. During the morning session of a sitting day, a member or members may give notice of a motion for debate to take place for one hour between 6 p.m. and 7 p.m. of that sitting day. A copy of the debate topic is given to the Clerk of the Parliament. If more than one member moves a motion, the Leader of Government Business, in consultation with the Opposition, decides which topic will be debated. The first speaker in the debate is the mover, who is allocated 10 minutes. The other members who speak are each allocated five minutes. Usually the Speaker curtails the debate five minutes before the time for conclusion, in order to allow time for a division, which is almost inevitable.

I shall talk briefly about subordinate legislation. Although it does not appear on the Daily Program, it is relevant to notices of motion because quite often a member may move for the disallowance of some piece of subordinate legislation. This is a very important part of parliamentary proceedings. Subordinate legislation, also known as delegated legislation, is legislation formally made under the authority of the Governor in Council, pursuant to an Act. Examples of subordinate legislation include regulations, by-laws, ordinances, orders in council and proclamations. Such legislation contains the operational mechanics of an Act which would not be detailed in the Act itself.

At the commencement of each new Parliament, the Legislative Assembly sets up a Scrutiny of Legislation Committee, which is responsible for scrutinising all legislation, including subordinate legislation. All subordinate legislation is required by law to be laid before the House, usually within 14 days of its notification in the Government Gazette. If the Scrutiny of Legislation Committee believes that any subordinate legislation should be disallowed, it will report this to the House. Any individual member may also move for the disallowance of subordinate legislation. If a disallowance motion is

passed by the Legislative Assembly, the subordinate legislation ceases to have effect. I cannot emphasise too much how important this is to the legislative process.

I shall now briefly talk about private members' Bills, which is another item that may appear on the Daily Program. Prior to doing so, I will talk about the various types of legislation considered by the House.

When a proposed law is introduced into Parliament, it is called a Bill. Tonight I will not go through the Bill process, because frankly it is too large a topic to handle in 10 minutes. The Standing Rules and Orders of the Queensland Legislative Assembly recognise two types of Bills: public Bills and private Bills. Public Bills, or Government Bills as they are generally known, account for almost all legislation. A public Bill relates to matters of public policy and is usually introduced by the relevant Minister, who is responsible for its passage through the House.

A private Bill relates to a particular interest or benefit of any persons, public company or corporation or local authority. Under Standing Rules and Orders, a private Bill can only be initiated in the House if a petition is first presented and received with a printed copy of the proposed Bill attached. A notice of motion for leave to bring in the Bill must be brought in within 30 days of the presentation of the Petition. Upon the first reading of the Private Bill, it is then referred to a select committee for consideration and, if received favourably, the Bill will be read a second time at a future date and will follow the same legislative procedures as a public Bill. It is important to note that a private member's Bill is either a public or a private Bill introduced by a private member.

In recent times, there has also been the introduction of private members' statements. If all scheduled business in the House has concluded before 10.30 a.m. when question time begins, the Speaker will call on any member or members who wish to make a statement to the House on any topic of concern. The call is alternated between Government and Opposition members, usually with the Leader of the Opposition given the first opportunity to speak. Each speaker has a time limit of two minutes.

One of the liveliest and most reported—as Paul alluded to before—times in the parliamentary sitting day is question time. This is when the Chamber becomes a forum for the Opposition, in particular, to extract information from, question and criticise the policies and actions of the Government. This daily segment of each sitting day highlights one of the fundamental principles of responsible Government, which is the accountability of the Executive Government to the Parliament and to the electorate. Both public and media attention is usually focused on this one-hour period of parliamentary business each sitting day.

The questions asked are categorised as questions without notice and questions on notice. Questions without notice are used frequently by the Opposition for a more effective and strategic "attack" on the Government and its policies, usually on the most topical issues. If Ministers are unable to produce the required information, the questions can be taken on notice and the Minister will respond the next sitting day. Each member is allowed to ask one question without notice per sitting day, except for the Leader of the Opposition who may ask two. The total period of time given to this form of parliamentary scrutiny is one hour. However, I think many backbench members go through a whole session of Parliament without getting to ask one question.

Questions on notice are used usually when a detailed answer is required. These questions are submitted to the Office of the Clerk of the Parliament within two hours of the commencement of the day's sitting. The questions are edited and then faxed to the relevant ministerial office. The Minister's written response is prepared by the Minister's department. The Minister has 30 days in which to reply. Each member is restricted to one question on notice per sitting day. Often, if there has been a large break between one sitting week and the next, there will be numerous questions asked on the first sitting day. Questions on notice may be addressed not only to a Minister but also to any member of the House in relation to any Bill or motion for which the member has responsibility. This also includes the chairman of a committee in relation to the activities of that committee.

I have been informed, but unable to verify, that the Government may also use question time to enhance their own position by the use of dorothy dixers. Apparently, this is when Government backbenchers ask prearranged questions to provide Ministers with an opportunity to praise the Government, criticise the Opposition and tactically reduce the amount of question time available to the Opposition. However, no Whip has been able to confirm this allegation.

The order of business that usually occurs after question time is Government business, which is a broad name given to any matters that the Government may wish to action in the House. It includes the introduction of legislation and the passage of Government legislation.

I will now talk briefly about various types of debates which occur in the House. Parliamentary debates provide an opportunity, particularly for the Opposition, to examine and question Government policies and actions. Parliamentary debates include the Address in Reply, which occurs when each new Parliament is formally opened by the Governor, who delivers an Opening Speech outlining the Government's program for the forthcoming session. At the first meeting of the House, two new members move and second a formal Address in Reply, expressing thanks to the Governor, loyalty to the Sovereign and a determination to work for the betterment of Queensland.

Up to seven sitting days are allocated for a general debate on the Government's proposed programs. This also offers an opportunity for members to speak on subjects of their own choice. First speeches are often made during these proceedings.

Another type of debate is the Adjournment debate, which lasts for half an hour. Each member who participates in the debate is allowed five minutes to speak on almost any subject. This provides members, particularly the Opposition, with a further opportunity to scrutinise the Government. It also allows members to talk about parochial issues, which is usually what happens. Table staff are often surprised by how willing members of Parliament are to talk in the Adjournment debate, no matter the hour. If the House rises at 5 a.m., one will still find three or four members willing to speak to an Adjournment debate, long after everyone else wants to go home.

Another type of debate is the Grievances debate. This debate originated in the ancient financial procedures of the House of Commons. Traditionally, before the Parliament granted supply to the Crown, it would air its grievances concerning the Crown, thus indulging in some political power play. In today's Parliament, the Grievances debate still offers the same opportunity for the Opposition to discuss and criticise the Government's policies. Each speaker has a time limit of two minutes to address the House on whatever topic they choose. Once again, they usually choose parochial issues and circulate the Hansard containing their speech within their electorate.

The other type of debate obviously relates to legislation. Debating the contents and implications of a Bill is an integral and most important function during the passage of legislation. One most significant debate is when the House resolves itself into a Committee of the Whole. The Bill is then debated clause by clause and amendments to the Bill may then be proposed. From my experience, this is when the most worthwhile debate and discussion on Bills take place.

Unfortunately, or perhaps fortunately, this is all that I am able to say in the short period available, but I hope it sets in context some of the matters to be discussed by the remaining speakers. Thank you.

Dr REYNOLDS: Thank you, Neil, for that very comprehensive rendition of what it is that the Parliament does formally. I think that it was important to set that in context, and I thank Neil for his expertise and his willingness to address us on that. That sets the scene for what we are going to hear from the participants. Neil has set the scene, he has put the flats in place and dressed the set. Now we have the actors come on and tell of their role.

Clem Campbell is the member for Bundaberg. I had the privilege of teaching his two daughters at the University of Queensland, as it happens. Clem was first elected in 1983. He used to be one of the younger members, but it seems no longer. Clem has fulfilled a variety of roles, which he will probably tell you about if he feels inclined to do so. Two of the things that I would like to bring to your attention about Mr Campbell are that he was Chairman of Committees in the first term of the Goss Government, which means that he was the Deputy Speaker, and he is also a member of our committee of the Australasian Study of Parliament Group. You have 10 minutes, Clem.

Mr CAMPBELL: Thank you very much. We may be the actors after the set has been put in place, but if we were here in this beautiful, regal room in 1921 up to some of 1922, we would have been members of the Legislative Council of Queensland. All I have to say is that you are the best behaved members of any Parliament I have ever seen.

In an ordinary Parliament, it is not like this. There is cut and thrust and there is also a lot of noise. Parliament comes from the word "parlais", which means to speak. That means people should listen. One aspect of Parliament that I have always found very difficult to accept is that very few people indeed listen.

Tonight, I just want to cover three aspects in 10 minutes: the relevance or credibility of the Parliament, the committee system, and our legislative role. I came into Parliament from the profession of agricultural scientist—a researcher. So I had a very simple scientific way of saying anything in any papers that I wrote or statements that I made: I made a statement, then I provided the facts. When I came to Parliament, I would say that it took me only a week to realise that the facts should not spoil a

good story. For me as a member of Parliament, that has been the hardest thing to accept. Many of the things that are said in the Parliament are not based on fact; they are nowhere near what is the truth or the reality. With my background, that has been of concern to me. So I felt it very important that if there was something that I could do in the Parliament, it would be to make it a more credible and relevant place to the people of Queensland and to ensure that members made certain that their statements were based on fact.

One of the things that has also taken away from the Parliament is that debates consist of read speeches. So when you think of the cut and thrust of a debate, members asking questions and having them answered, that is now very seldom seen. Government members are given a prepared speech to read, Opposition members make their point. As someone who engaged in public speaking, I love the cut and thrust of debating. However, very seldom does it really occur. I suppose that is because as part of the Parliament we have the Executive Government, which is there not only to run Government but also to control what really happens in Parliament. One of the areas that I would like to see changed to some extent is for us to base more of our statements on fact rather than just deciding that we will say whatever is nice.

The second point that I raise is committees. Although we have a committee system, I do not really believe it has been accepted within the Chamber. As Leader of the House, Tony has given the committee system some bona fides. Until Tony became Leader of the House, we had never debated a committee report. I should not say that because I think we might have really debated one, although we did not get to finish the debate on that report before the Executive Government decided that it would make a decision about it. In effect, we have all of these committees—it is a very extensive committee system—but until we in that Chamber are prepared to debate the reports of those committees, we have not really accepted or fully appreciated the committee system.

The third aspect that I would like to talk about is the legislative role of members of Parliament, which is one that I believe has diminished greatly. That has occurred because of the extra time that we have to spend on the additional responsibilities that we have now compared with responsibilities of members of the House 20 or 30 years ago and the time that they had available in which to carry out their duties. We have a lot more constituency work to do than was required in the past, although we have more resources. Members are more accessible to the people. We now have a committee system, which means that some members are very involved in that work. That means that members have very little time to devote to legislation. I have never read a lot of the legislation that goes through the House. As a member of Parliament and one who is making laws, I think that I should be ashamed to say that I really do not know the effect of some laws that are passed. That concerns me. The laws have become so technical that no-one knows what is going on, not even the Minister. We have the experts—the lawyers—come in and give us a briefing. They say, "Technically, it has to be done that way." We say, "Why! We do not understand." They say, "That is the way that it has to be done." We find out that they are the laws that do not work. If we cannot understand them, how can anyone else be expected to understand them?

The other concern I have is in relation to mutual recognition. Through the template legislation that is now going on throughout Australia, members are becoming less relevant. Ministers go away to COAG or to ministerial conferences and come back and say, "We have all agreed on this legislation. That is the template legislation. You all have to accept it." We say, "Perhaps we want a change." They say, "No, we gave our agreement. It has to stay like that." So in actual fact, the greater part of our legislative roles have been taken away. In many ways, rather than fulfilling our legislative role as representatives of the people to make laws on their behalf, we have abrogated that role to COAG meetings and to agreements between Ministers.

We have three readings of a Bill. There is an historical reason why we have three readings of the Bill. When the Westminster system was in its infancy, most members of Parliament could not read, so the Clerk or the Table staff would have to read out the Bill. The second reading was when the members debated the Bill and amended it. The third reading of the Bill was because the members wanted to know what changes had been made. Because we can read, We now have only one debate.

The only problem is that because of information overload, we do not actually get to read the Bills. I will give you one good example. I have just received subordinate legislation. We do not even get to see it in Parliament, it is just dropped on the table. We more or less let the backroom boys make all the rules—the laws. So here it is, subordinate legislation No. 227 of 1997, Body Corporate and Community Management Act 1997. Do you realise that we have accepted all of that as the rules of the Act of Parliament that we have passed? I have to say that I do not think one member of Parliament actually understands it. I would doubt that one member of Parliament has read it. But it is a law, and it is

a fairly important law. A lot of people are now living in units or retirement homes and they have to accept those laws.

Finally, we have to make the Chamber more relevant. We can do that only if members are made more accountable for what they say in the Chamber. I am a member of the Members' Ethics and Parliamentary Privileges Committee. We had to look into and report on an alleged misleading of the House by a Minister. In our report we found that the Minister had misled the Parliament. However, although he misled the Parliament, we found that because he did not do it deliberately, he had only to apologise. If he had done it deliberately, under the convention he would have had to resign. The evidence given to us was that, basically, the information provided by the director-general and the top legal advisers was wrong. So the Minister gave misleading information to the House that was based on wrong information from his top public servants. No action was taken against those public servants. What are the standards of this House if a Minister can say, "I have misled the House because I have been given wrong information", and no-one is held to be accountable? No action has been taken other than the Minister apologising. I believe that if we participate in making the House more credible and more relevant, we will make it a better Chamber, make better laws and provide better government for the people of Queensland.

Dr REYNOLDS: Thank you, Clem, for a very good, informative and succinct speech.

Tony FitzGerald precedes Clem by three years. He was elected the member for Lockyer in 1980. He has been a very strong supporter of the Australasian Study of Parliament Group since it was first formed. Among the many things that I could say about Tony, I will say that he is the only person who has been the Leader of the House and who does not have a ministerial portfolio. The position of Leader of the House did not exist until the mid 1970s, when the Rafferty's rules Bjelke-Petersen/Chalk Government finally decided they should stop leaving the business of the House to the Whips and start to delegate it to a Minister. Because Bjelke-Petersen fought with all of his Ministers, he gave it and took it away a few times, but then routinely it was given to a senior Minister. Tony is now the Leader of the House, but he is not a senior Minister. Uncle Harry is not a missionary, but he is very happy.

Mr FITZGERALD: Thank you very much, Paul, for the introduction. I have the title of Parliamentary Secretary to the Premier, and I am able to act in his stead to conduct ministerial business when I receive the correct authority, such as when attending ministerial councils. However, that is another matter. As to the position of Leader of the House and how it came to be this time around that we have a non-Minister as Leader of the House—the House is very delicately balanced and it was deemed by the Premier that he needed somebody there who would watch the conduct of the House and try to organise its business in a way that could make the life of a minority Government possible. You would know that the numbers in the House are 44, 44 and 1. When you take out the Speaker, the numbers become equal and the Speaker has to use his casting vote if we receive the vote of the Independent. If we do not receive that, we lose the question before the House. So this position became important. I believe the position has more importance than it did when the Government could use its numbers at a later time to correct any problem that arose during the day. That is now not always possible.

Mention has been made of some of the changes, particularly those to the Sessional Orders of the House by Neil Laurie of the Table Office. I established these Sessional Orders because I wanted to have control of the House. Not being too coy about it, I wanted to get and have control of the House and yet permit the Opposition and private members to have as great a say as possible in a House in which a Government has to conduct its business.

The functions of the Parliament have already been identified to you. However, I made a few notes. Naturally enough, the Parliament must give members the opportunity to question the Executive and to scrutinise expenditure. Private members also wish to be able to express their views and put forward alternative policy. The Government needs a Parliament to pass its legislation to enable it to implement its policy. And private members want the opportunity to raise local issues in Parliament to make other members and the public aware of them. If you were to judge the conduct of this Parliament, I suppose only modesty would prevent me from saying that it is probably the most successful Parliament ever in that regard.

Private members have the opportunity to raise matters, particularly during two-minute speeches. In relation to the Grievances debate on Thursday evenings, I have been very surprised that there have always been at least 15 members who wish to speak in that debate. Members queue up no matter what hour of the night it is. It is always well conducted. As a former Government Whip, I knew that the speaking list for the Adjournment debate would always be filled. No matter what time of the

morning it was, the speaking list for the Adjournment debate would always be filled. In respect of the Grievances debate on a Thursday evening, I was surprised that 15 members would be prepared to wait for that length of time to make a speech. I always move the motion to adjourn the House. I was already ready to move that the House do now adjourn whenever no members rose to their feet. However, I have not yet had the opportunity to move that motion, because some member always wishes to get to his or her feet.

I think the criteria I set down have been fulfilled. The Government has achieved its objective of getting through its legislative program. We have been a minority Government since February 1996. Last year we sat for 46 or 47 days. That was a reasonable length of time for a Government to sit, particularly for one that does not have command of the House. Last year, our hours of sitting were more than in the two previous years. The Chamber conducted business for 414 sitting hours. The total in some other years has been up to 500-odd hours. However, we sat for a reasonable length of time. We certainly will not be breaking records this year, but it looks like being about a 45 to 46-day year. I suggest that it will be somewhere in that vicinity.

The number of Bills we have been able to get through has been quite reasonable. The Opposition has generally debated the Bills well. You cannot get an Opposition any bigger than you have at present. They would be in Government if they had another member. You have a very large Opposition. You have to consider that. Sometimes backbenchers want to have their say.

We have also brought forward the hours of sitting to a 9.30 a.m. start. That is much earlier than we have been used to. I remember starting at 2.30 of an afternoon. Some other Australian Parliaments start in the afternoon. We were starting at 11 a.m. and then that time was brought forward to 10 o'clock. I decided to move it forward to a 9.30 a.m. start for the simple reason that I do not like sitting very late at night. That can be very dangerous if you do not have the numbers or cannot be assured of knowing where all of your members are. Therefore, it is a risk to sit too late at night, as any Leader of the House would know, or any Whip would be able to advise you.

Accordingly, last year we sat for a total of three hours and nine minutes after midnight. That is all we sat past midnight. I will tell members that there is a possibility we will be sitting up until midnight or thereabouts a few nights this week, because we have a fair legislative program still to get through. The usual sausage machine that we see towards the end of the year has snuck up on us again. However, the House shall determine how it will handle those matters.

One of the problems we do have—and I think the Parliament will have to come to terms with this—is the length of time members speak in second-reading debates. As has been mentioned previously, we have the most active debates in the Committee stage. In this Parliament, we are taking a lot of amendments during the Committee stage. It scares the daylight out of a Leader of the House to be taking amendments off the floor that have not been properly thought through and to have ministerial advisers checking the consequential amendments that we often take now. A number of amendments have passed through the Chamber with the support of the Independent member that have not been to the Government's liking. The Government has not been happy with the amendments. However, they do go through.

The question I have to ask my Ministers and their advisers is, "If this amendment gets up, are there any consequential amendments and can you live with this particular clause, or do we leave the Bill lie and go on with other business? Do we want to abandon it?" So far we have been able to accept all of the Bills as amended. Quite often they have been very good amendments. I am not saying that they have been amendments that have taken the temper of the issue slightly away from what the Government had intended. On the whole, they have been quite acceptable.

After the next election, for example, the Government may not be happy about a couple of pieces of legislation that it finds difficult. There is one such example in the Bill that Clem referred to—the subordinate legislation. A couple of clauses were certainly not to the Government's liking and they will have to be amended by any Government that comes into power after the next election. If it has the numbers, I presume that it will do that.

I have a problem with the unlimited nature of second-reading debates. It is very hard for me to tell the Government Whip, "I do not want Government members to speak." If a large number of Opposition members want to speak, because I want to get my legislative program through I virtually have to go around saying, "No-one from our side is going to speak." It is very difficult if Government members want to have a say. Alternatively, a member may speak only briefly. In terms of members getting to their feet and speaking for any length of time—if someone says, "When will my Bill be on?", I say, "There is an unlimited number of speakers. Up to 70 can speak. Because you take out the

Ministers and the Speaker, 70 members remain who can speak. They can all speak for 20 minutes. You can do your own maths. You tell me how many want to speak." That cannot always be worked out.

A lot of Parliaments have a very formal arrangement whereby the Whips say, "We will have three speakers from either side on this Bill", or "Two on your side and one on ours" or "Five on our side will speak", and in that way you have a number to work to. By agreement, you work out which are the major and minor Bills. Alternatively, at the beginning of the week the Government says, "These are the Bills that are to go through. Please yourself how long you speak, but at the end of the week they will all be deemed to be passed and one question will be put." You can have that type of debate if you wish, which is very rough. That is how the Victorians manage their legislative program at present. So you spend a lot of time on the Bills that are important and a lesser amount of time on those that are not important. That needs to be corrected.

I agree with Clem on one point, that is, his comment about written speeches, particularly those from Government members. Naturally enough, I am talking about previous Governments as well as the present Government. It annoys me a lot that members will read briefs straight into Hansard. Some members are very poor readers. I do not think I am an excellent reader and, at times, I do have to read a speech if it is an important speech that has to be made in a certain debate.

Opposition spokesmen should certainly be able to read their response to a Minister's second-reading speech. That is always accepted in Parliaments. Naturally, the Minister gives a second-reading speech and reads from a prepared text because it is Government policy. However, all other members should only be referring to notes. The practice is that members are not supposed to read speeches in the House. However, in the past members have always said, "Mr Speaker, I am reading from copious notes", and then they would go back and continue to read every word in front of them. It makes the speeches very long and tedious. I believe it should be done away with. You will notice that during the Committee stage members do not read from prepared scripts, yet they say what they want to say and express themselves very, very well.

We have also introduced the citizens' right of reply. That was recommended by a committee. If a member uses the privilege of the House to criticise a member of the community or a corporation, that person or corporation has access through the Speaker to the privileges committee and it will recommend that a short statement in reply be placed in Hansard.

I have spoken for a little over my allotted 10 minutes. How Parliament is conducted is a challenge for all of us. I would like to see it continue to evolve. I am not that displeased with the way in which our Parliament is conducted compared with other Parliaments. The standard should be lifted continually with regard to those fundamentals of a parliamentary democracy that we have in Queensland. Some members on both sides of the Chamber share my views. We look forward to this system evolving over the years to come.

Dr REYNOLDS: Thank you, Tony. "FitzGerald" is a name that resonates around the State for other reasons. I have always believed that parliamentary reform is ongoing; it never stops and it never changes. As I say to my students, the Parliament is bigger than the casino; it is the only game in town that is from everlasting to everlasting—apart, of course, from the Christian church.

Fiona Simpson is the member for Maroochydoore. She was elected in 1992. She is one of the younger members of Parliament—younger both in terms of age and experience. However, her presence in the Parliament has well been recognised, as she is a Temporary Chairman of Committees, which means that she takes the Speaker's chair on occasion for debate. Fiona is a graduate in journalism and Government. She came into the Parliament after her father had left it. I would hesitate to say "a dynasty" but a political socialisation at least prepared her for an activist role. As a younger member and also as someone whose family background is in politics, I asked Fiona to tell us what she thought about Parliament when she came in and how she finds it now.

Miss SIMPSON: Thank you very much, Mr Chairman. My colleagues, ladies and gentlemen, I think my major in Government preceded Dr Reynolds' lectures on State Government. I am sure that we would have had some interesting debates at times. It is a pleasure to be here. I have been listening to my colleagues and thinking about all of the processes that we could talk about. Firstly, I wish to share an anecdote from my experiences as a member of the panel of temporary chairmen who are deputised to serve in the Speaker's chair or as chairmen of committees.

All members are supposed to treat the occupant of the chair with great respect. After all, you are sitting in the chair and you are able to throw members out. You cannot chop off their heads. Unfortunately, I think they abolished that. However, members are supposed to treat you with great respect. As a younger female member in this Chamber, I expect that my male colleagues will treat me

with great respect. I am still working on the ones who, instead of bowing to me as they are supposed to do according to protocol on the way in and out of the Chamber, curtsy to me.

The Queensland Parliament is certainly a robust Chamber. Although we always believe that people should aspire to higher standards and we want people to aspire to standards of excellence, it is naive for people to think that we should aspire to tame and timid standards in Parliament. I believe in a very robust Parliament; that we are best served by a Parliament where there is cut and thrust. I think that can be achieved by having appropriate lines of battle drawn and with a person in the chair. I have a lot to learn about being a chair.

The most robust times are during question time when the Speaker takes the chair. I believe there has been only one occasion in this Parliament when the Speaker has not taken the chair during question time, and that was when he was attending his father's funeral. That is the time when he is umpiring the battle between two opposing forces. It is appropriate that you have a Chamber in which at times things will get heated. However, there are battle lines. Sometimes, yes, it does go too far. But when I look at other Parliaments around the world, when I consider some of the photos of even female MPs literally slugging it out, I think we are pretty tame by comparison.

However, as a house of debate—and it really should be a house of debate—I do not believe we are well served by the televising of Parliament. I say this as a former print journalist, so maybe I am biased: I think you get a different dimension when you bring television into a Parliament. I believe people have the right to come and listen to the debates and to see the written words of debates. And as anyone who has studied Hansard knows, the reporters tidy up some of the really bad faux pas and are very kind to our grammar.

However, the problem with televising Parliament is that there is a greater distortion than you would get with print media. I do not always agree with everything that is printed, but there is a different rule that operates. You would have heard of the saying that a picture is worth a thousand words. The problem with television and the way that it has evolved—and I guess eventually it keeps dragging the print media down that line as well—is that there is a short, sharp grab; there is a need for vision in order to make a story. I am absolutely certain that stories which are high up in the television bulletins would never be as high in the television bulletins if they had to rely upon the written word alone or an "after the account without vision".

For example, a baby's dummy was once used as a prop in the Parliament. It would be unfortunate if Parliament became a visual circus rather than a house of debate where there is an emphasis on the content and not just the style and visual aspects. Certainly, television has a different emphasis from the printed word and it does bring about a different way of creating news.

As to having a house of debate—I think the number of speeches during the second-reading debate should be at least halved and that there should be more focus on the Committee stage. The Committee stage is where you get into the real debate. I appreciate having the Committee stage because it enables me to raise any queries. Previously, when we were in Opposition, that was very helpful. Certainly, that also applies now that we are in Government when I need to seek some clarification of an issue. That is the time when the Minister can answer your queries. There is the opportunity for debate.

That is particularly important in light of the fact that amendments from the Opposition are being moved on the floor of Parliament and are now being passed. There is not the same period for public scrutiny of those amendments as there is with other legislation. Legislation is coming through the Parliament that is not open to scrutiny for the same length of time as would normally apply; amendments are now being made on the floor. The Committee stage becomes more critical in trying to understand the impact of these changes. Perhaps that is a big ask of the advisers sitting there trying to understand the full implications of those amendments.

For example, if that legislation goes to a court of law, what will the courts do—look at the Explanatory Notes? There are no Explanatory Notes in respect of amendments moved on the floor of Parliament. Perhaps some of my learned legal friends here could give me some advice as to whether the courts have yet had to resort to looking at the Committee stage and the intent of the amendments moved during the Committee stage. My limited legal understanding is that the Committee stage is not taken into account in a court of law.

Irrespective of whether we are talking about amendments made on the floor of Parliament which have possibly major implications, I think a lot of members of Parliament do not realise that the Committee stage and any answers to questions and clarifications of intent with respect to legislation are not necessarily taken into account in the court process. I believe that is a bit of a concern.

The Committee stage is the most fun part of legislative process. If I am sitting in the chair and there are no amendments, it is even more fun; that makes it less complicated. Some of my colleagues have touched on the process of first, second and third readings. I think that is an antiquated process and it is something that could be shortened without causing any major disasters. I have already touched on the televising of Parliament.

Clem touched on something with regard to detailed legislation and individual members understanding legislation. Whether members are in Government or Opposition, I believe there is a need for better access to professional or legal advice independent of the legal advisers to Executive Government through the departments, particularly when you are dealing with issues of great complexity. You could argue this point also with respect to other levels of Government and certainly with local governments these days and the decisions that councillors are making. I find that if you are looking for advice outside the system, you have to network of free professional advice, which is a bit difficult when you are really seeking a broader canvassing of expert views on the impact of legislation.

That probably covers most of the things that I wish to touch on. In summary, a robust Parliament is of more benefit to the people, but the emphasis should be on the issues and debate rather than on the style and theatre that goes beyond that which serves our democracy. In conclusion, I will absolutely maul a quote of Winston Churchill. I believe he said that the Westminster system of government was the worst system in the world except for all the others.

Dr REYNOLDS: Thank you, Fiona. He actually said it was democracy, but I am sure for him that was the Westminster system, anyway. I was going to ask Judy Spence to speak next, but I apologise because Liz Cunningham has been in a meeting and she has just come out and has limited time with us. With your indulgence, Judy, I will ask Liz to speak now. Liz Cunningham needs no introduction from me. I think she is the most high profile member of the Parliament at the moment, perhaps with the exception of the Treasurer and the Premier. She is, of course, the Independent member for Gladstone. It was said of the Earl Warwick in the 15th century that he was the king maker. I rest my case.

Mrs CUNNINGHAM: Thank you, Dr Reynolds. I apologise for rushing in, and again I will apologise because I am going to rush out. The Monday before a parliamentary sitting week, to use a euphemism, is perhaps an interesting day to say the least. The Scrutiny of Legislation Committee also meets. We have had some fairly important Bills to finalise notes on. I appreciate the opportunity to meet and discuss the issue with you. I think it is a very important one. People's perception of Parliament changes over time. I think they commence with a certain perspective on Parliament and then they read the paper or see the television and their view over time again becomes fairly jaundiced.

In Kerry's letter to me, she asked if I would canvass the value of question time/Dorothy Dixers, the party political system in practice, the conduct of debate in the Chamber and my view of Parliament before becoming a member compared with my present view. Perhaps I will start with the last point first—my view of Parliament before becoming a member and my view now. I guess I was very much a theorist as far as State Parliament was concerned. I have a local government background, which is getting me into a bit of trouble at the moment with Jim Soorley. The purpose of Parliament is to represent the views of the community and to bring the concerns of the community to the Parliament not only on the Bills before the House but also on the local issues that affect the community. It is a slightly different level to local government, but those local concerns include issues that affect the day-to-day life and the quality of life of our community.

I have been privileged to be here for just over two years. I would have to say that my view has changed slightly; yes, we still have a representative role, and to me it is still a primary role. We still have a huge responsibility to look at legislation and see how it will practically impact on our community, what it will cost the community and what it will gain for the community. However, I have been surprised at the level of manipulation that occurs inside the Chamber. That is usually across-the-board whether in question time, debates on Bills or the 6 o'clock to 7 o'clock debates.

The next area that I will speak on is value of question time and Dorothy Dixers. The majority of people in the community—certainly the majority of people whom I have spoken to—expect that we will use our time productively and that we will use our time to improve their quality of life. However, once they have seen the media and they have seen particularly Federal debates—I think they look at the Federal debate and put us all in one big bucket. But we are really not very different. The behaviour in the Federal sphere is slightly different from ours because the Chairs are different. Other than that, often the motivation is very similar. It is very antagonistic and it is confrontationalist because of the two party preferred system.

People read the newspaper reports and wonder what we do in the Chamber. Then they see the TV coverage and they are disappointed with what we do in the Chamber—and Fiona commented on that earlier, too. They are disappointed primarily because they just see grabs at question time. I am part of it so I have to accept part of the responsibility. I am sitting in the Chamber, too. From my perspective, it really does not reflect the responsible positions that each one of us holds. We are here making decisions that affect not only our current community's manner of living but also our future community's manner of living.

Potentially, a great deal of value can be gained from question time, but I think a lot of it is lost because of the point scoring. It is easy for me to say that, although I have not asked a question in question time yet. That is a choice on my part, not an obligation pressed by anybody else. From people's observations and my own observations, question time is not limited to endeavouring to find out the nitty-gritty of the issues. It appears to be primarily focussed on getting the headline in the next day's paper or on the TV. In fact, on occasions when we have all been sitting in the Chamber for the full hour of question time, when we read the media the following day or watch the news that night, we wonder if we were sitting in the same room, because the focus that the one-minute grabs or the article has taken does not really reflect the circumstances of the discussion. That is not a criticism of the media; I guess they have a job to do, but as we do they need to be mindful all the time that they are handling people's futures.

Dorothy Dixers occur no matter who is sitting on the Government benches. The Opposition side asks deep and searching questions or questions to get the papers' attention the next day and the Government side asks the questions that make the Ministers look the best in the answers they give. The motives are fundamentally the same; they are just coming from opposite directions.

I am going to get murdered tomorrow, thank you very much whomever it was who invited me to do this! I appreciate that. The reason that I stood as an Independent is that I do not support the party political system except, fundamentally, on one level; and the role of an elected member to government is to represent their community. In great measure, the ability of a person to represent their community is hampered by or balanced by—my word would be "hampered" but perhaps the party person's word would be "balanced by"—the prerequisite to support party policy and to toe the party line. In a lot of instances the community misses out because its representative is unable to represent that community's perspective because the party policy may be contrary to that perspective.

That is not to say that, if you go up to the Gladstone electorate, everyone will say, "Yes, she has represented my point of view." On the guns issue, half the community would say, "I wanted her to vote." That is a bad issue. On the issue of workers' compensation, half the people would say, "I wanted her to go this way and she went that way," or vice versa. There are always going to be some disgruntled people, but my constraint is not which party requires my vote, my constraint is in trying to determine what is best for the bulk of the community and what is best for the issue being debated. It is not constrained by a party policy. To me that is the greatest disadvantage of the party system.

I have commented on the conduct of debate in the Chamber before and my point of view has not changed at all. I think our behaviour is abysmal. Young people sit up above the Chamber on a regular basis. These are school children who have learnt about Government—the responsibilities of Government and the responsibilities of decision making. They come in after the teacher has spent a whole term saying to them, "This is your Government. These people are there working for you." The children sit up there and they hear somebody abusing somebody else across the Chamber—and these are grown-ups. If the children did it, their mothers would send them to their room and the teacher would send them up to the headmaster or keep them in, yet here are all these grown-ups—all of us—sitting there behaving in a manner that would be unacceptable for them as 10-year-olds.

I know it is robust debate or the theatre of Parliament, but irrespective of those euphemisms we retain the responsibility to set an example to the community. In saying that, there will be many occasions when folk will be able to tell you where I have done the wrong thing—and I am sure I have. The collective responsibility is for us to take our role seriously, to behave in a manner that brings credit to decision makers and to represent the representative role as opposed to confusing children who observe us. They look at us and say, "If I did that, my mum would give me a belt in the ear."

I think my time is just about up. As Fiona said, I do not believe that there is a better way for us to get the collective benefit for our community in a legislative process than the process we have now except having 89 Independents.

Dr Reynolds: As one who has lectured for many years on Queensland politics, I will not do an editorial, except to observe that 89 Independents made the Parliament a gridlock for 30 years in the 19th century and that is why the party system emerged. Judy Spence is the member for Mount

Gravatt. She was elected in 1989. She is a shadow Minister, but before that she did a great deal of work as the Chair of the Public Works Committee, which is one of the great parliamentary committees established in the reform era of the Ahern Government.

Ms SPENCE: Thanks very much, Paul. Having heard the very good, although fairly serious, accounts about the conduct of Parliament from my learned colleagues, I might take a more light-hearted approach and tell you about some of my perceptions of the absurd things that happen in this place. Neil Laurie gave a very fair and real account of the Daily Program. I intend to go through the Daily Program and point out some of the absurdities in it, rather than the serious side of it.

The first absurdity starts with the prayer in the morning. I agree with the concept of starting the day with prayers. However, it always strikes me as incongruous that the first thing that we 89 members of Parliament do is bow our heads and humbly pray. When you look around the Chamber, these would be 89 of the least humble people you would find in the State, yet they profess to humbly pray each day.

The second incongruous thing about prayers is that I have been here for eight years now and we have the same prayer every day. I have never understood that. Indeed, as Neil tells us, the same prayer has been said on every day that the Queensland Parliament has ever sat. I did not know that. For over 100 years the same prayer has been said. It seems to me that it is time that we changed the prayer. Mr FitzGerald could talk to the Speaker about that.

The second absurdity relates to petitions. As those who have ever sat in the Parliament in the morning will know, this is the only time of the day when you cannot hear what is going on. The Clerk of the Parliament is the only person without a microphone. The first thing in the morning, he stands and reads the list of petitions. No-one in the Chamber—no-one—can hear what he is saying because everyone is chatting. The Queensland public cares a lot about petitions. When they want to protest against something that the Government has decided, they write a petition, they walk the streets with it and they take it seriously. If they realised that these petitions were thrown onto the table and that no-one even hears them, I think that they would be incredibly disappointed. I am sure that we could improve the way that we present petitions to the Parliament.

The next issue is, of course, question time. My colleagues have mentioned question time and there are various schools of thought about its relevance. The Opposition would complain that it can ask too few questions at question time. Really, the Opposition only gets to ask seven questions a day, or eight if we are really lucky. Sometimes it is fewer. It is always a disappointment that we cannot ask more questions. Government members get to ask the same number of questions, but obviously it is not as imperative for them to ask questions as it is for the Opposition.

Having been a Government backbencher for six years, I have to say that question time is one of the most boring times of the day, because Government backbenchers rarely participate in question time. I had the opportunity to ask maybe two or three questions during the six years of the Labor Government. For the rest of the time, you have to sit there for an hour without participating. It is really a time for the frontbench, both of the Opposition and of the Government. Opposition backbenchers do not have too many opportunities to ask questions either.

I am of the Liz Cunningham school of thought when it comes to members' conduct during question time, which I think is fairly appalling. Many times I have sat in Parliament and thought, "I do not want to be here. This is too noisy, this is too loud, this is too unproductive." Had I had a choice, I would probably walk out, but of course you cannot do that. Maybe it is the schoolteacher coming out in me that I cannot stand to see people behaving in the way that they do. My students would never have been allowed to behave in that manner. I think that one day I will have to be Speaker!

At some time during the day, dress standards have to hit home. Female members of Parliament do not have to abide by any dress standards. There is no code of dress for the women members of Parliament. It would not surprise people to know that the women members of Parliament manage to dress themselves appropriately every day, without having a dress standard to live by, yet the men have their own code of dress. They have to wear suit jackets and ties. That is one of the reasons that the Parliament is so efficiently air conditioned. We all have to wear jackets or else we freeze. It is incongruous that while discussing something really important to Queensland, like the drought, the members of Parliament have to sit in suit coats and ties and have water sloshed at them all day by attendants.

This place has a very rarefied atmosphere and I think that it is one of the problems of this place. There are 40 steps to the bar and it takes 60 steps to get something to eat. I have counted them! You do not need any money here. I come in here and I never need any money because members just sign

for everything, although we pay for it eventually, of course. The Parliament does have a privileged atmosphere. Perhaps we need to question how we treat ourselves when one minute we may be talking about fiscal responsibility and the next minute we may be enjoying ourselves so much.

The second issue that I would like to talk about is the sitting hours. As Tony FitzGerald mentioned, the sitting hours of the Parliament have been reformed, which is to his and his Government's credit. The very late hours that were sat during the years of the Goss Labor Government and the Government before that have disappeared. Mostly, we finish at 7.30 in the evening. I particularly appreciate that, because it gives me the opportunity to go home to my family. Unfortunately, we still have some late nights. One thing that really sticks in my mind is the fact that this year we debated the motion on reconciliation at 2.45 on a Saturday morning. I congratulate Tony for doing his best, but the Government's reforms have not always worked. It is very unfortunate that sometimes the important issues get debated in the early hours of the morning.

One of the other incongruous or absurd things that has been occurring in the Parliament in the last few years is the enforcement of the Standing Order which allows members to take points of order when they feel personally offended at something someone has said about them during the course of a debate. Members stand up and take points of order all the time. The Speaker then asks the member who made the offending remark to apologise. Often you end up apologising for something when you do not really understand how you offended the other member.

I believe that points of order were meant for really personal attacks. For example, say I said that Clem Campbell was a liar and a cheat. He has the right to stand up and take a point of order on that. However, if I attacked his actions or beliefs, often he could still say that he is personally offended and take a point of order. The Standing Order has lost its purpose in the Parliament and that is something that we really need to look at and reform.

From an Opposition shadow Minister's point of view, one of the most frustrating things is the fact that you only have seven days to prepare to reply to legislation. Whether it is a short piece of legislation or a very large and extensive piece of legislation, an Opposition member may be called on to reply to and debate that legislation seven days after it is presented. That occurs from time to time. Really, from an Opposition's point of view, seven days is not adequate time to contemplate and discuss the issues, to meet with all the lobby groups and come back to this place and respond to the legislation. I would like to see that time extended to give Oppositions a fairer opportunity to examine legislation in detail.

Unlike other speakers, I agree with the speaking times on legislation. The Labor Government cut down second-reading speeches from 40 minutes to 20 minutes, as they are now. I would not like to see those times reduced. I think 20 minutes is a reasonable amount of time to speak in a second-reading debate. Of course, the problem in this place is that everyone feels that just because you have 20 minutes, you have to speak for the whole 20 minutes, whereas in fact you can speak for 10 minutes or five minutes or whatever you wish. I do not agree necessarily with the Government's adoption of the two-minute Grievances debate. I think that it is impossible to say anything of significance in two minutes. I would prefer that all speeches were five minutes rather than the two minutes that we have now.

One of the frustrations for all members of Parliament is that most of us work very hard and we make quite a few speeches in a week. I probably average two or three speeches a week. However, your electorate does not understand the work that you do in this place. It probably does not even care about the work that you do in here. Members spend a lot of time researching and talking to legislation, which is a fairly meaningless exercise to the electorate at large. The electorate actually likes you to be in Parliament, because they think that you are working only when Parliament is sitting. If Parliament is not sitting, they think that you are on holidays. However, when you are here, they do not appreciate the kinds of things that you speak about or whether you are a hardworking member of Parliament or not. That is one of the frustrations of being a member of Parliament.

I advertise the speeches that I have made in my community newsletter. I list the topics of all of my speeches and ask people to ring and request copies of the ones that they are interested in, and we send them out. Not too many people bother to do that. They always say to me that they are impressed that I have spoken on so many issues, but they are not really interested in reading the speeches or in what I have said in this place. That is frustrating.

Another frustration that I feel is over the fact that very few people come in and view Parliament. We are all here performing and doing important things, and we would like to have a greater audience. I have often thought that one of our failures is that we do not advertise the sitting hours of Parliament and that the general public does not know when Parliament sits. Once they find out, it is usually too

late for them to bother coming in. We could perhaps advertise in the Courier-Mail that Parliament will sit Tuesday, Wednesday and Thursday of a certain week from 9.30 into the evening, and that these are the pieces of legislation that will be debated during the week. We might find that, having been given the information, people come in and watch Parliament. They cannot come in if they do not know that we are sitting.

Finally, I will talk about what this place is like from a woman's perspective, as that is one of the shadow portfolios that I currently hold. This place is very much a male domain. It always has been and still is. The physical setting is very much male dominated. For example, we have a very extensive billiard room that contains two full-sized billiard tables. I do not think that women members of Parliament would have seen that as a top priority when designing this place. There are other physical indications, as well. For example, on any office floor there is one toilet for the females to every four or five toilets for the males. The language of the Parliament is still very masculine. All the chairs of committees are called "chairman". We have not adopted non-sexist language in this place yet.

Finally, I will leave you with a humorous story that shows more than any other just how people think about men's roles and women's roles in this place. There are condom vending machines in the female visitors' toilets near the old Chamber. I happened to mention this to my male colleagues recently. I was saying, "Why doesn't someone modernise the condom vending machines, because there are no condoms in them and there have not been for donkey years. It still costs 30 pence for a condom!" They said, "Judy, what are you talking about condom vending machines?" I said, "You know, the ones in the toilets over there." They did not know that they were there. There are no condom vending machines in the male toilets, because in the mid 1980s they were installed only in the women's toilets. I think that says more than anything about the roles of women and the roles of men in this place. Thank you very much.

Dr REYNOLDS: Thank you, Judy. Judy has always been a good supporter of this group. Liz Cunningham has an 8 o'clock appointment, so I thank her very much for coming.

Judy has reminded me of a line that I cannot resist using. When I was on sabbatical leave in London in 1995, I was in the male toilets of a pub in the West End. There was a condom vending machine there and written across was a nice bit of graffiti: "My father says they don't work."

Bill Hewitt is, in a sense, if not the father of the House, certainly the father of the ASPG. He has been a member of our committee since we formed. He is a wonderfully strong supporter of our cause and a great parliamentarian. He was a member of the House for some years. I cannot remember when he was first elected, but he remained a member of Parliament until 1983. He has fulfilled many, many roles.

In the bleak years of the sixties and seventies, Bill Hewitt, Mike Ahern and a couple of others were strong, lone voices in the wilderness for parliamentary reform. In so far as we have parliamentary reform today, it is very largely attributable to the work of Bill Hewitt and his colleagues of that era. It is with great pleasure that I ask Bill to wind up the speeches today, by giving us a commentary and a reminiscence on this topic. Thank you, Bill.

Mr HEWITT: Paul, thank you very much for your generous introduction. By way of overview, I would like to disagree with a point that Liz Cunningham made. I am sorry that she had to leave early. I respect her greatly as an Independent, but I have to say that I believe that politically structured parties have delivered great ongoing stability to Australia for 100 unbroken years. By way of contrast, I direct anyone's attention to France, Italy and Greece, particularly during the post-war years, where Government after Government after Government just fell like dominos because of coalitions, splinter groups and Independents coming together and then falling apart. By way of contrast, we have changed our Federal Government only five times since the end of the Second World War. We have had only one crisis of any real significance—the 1975 sacking—which was settled amicably and quickly enough. I say again: we have had 100 years of unbroken democracy. I think that is attributable in very great measure to strong political parties. I believe that the political parties on both sides should look critically at themselves because they have much to do to enhance their own status in the community. However, their contribution remains one of great value.

I welcome the opportunity to speak tonight about Parliament and my participation therein. I want to say that there is something about Parliament. If you come into it, there should be an excitement every day you are there. You should understand that you are part of a great institution. Many people understand that instinctively. There are others who can be here for 30 years or 40 years and do not have the first understanding of that. It is something that embraces you or does not embrace you. If you do not have an ongoing love of the institution, you will never serve it well and you should not be here.

I am bound to say that, in the early days of a Parliament, nothing quite prepares you for what is coming on. After the formalities, the early verbal duels are something that you find very hard to understand and to come to terms with. After a few weeks, you are in there slugging with the best of them. But it is very much a cultural shock. I have always believed that Parliament perpetuates its own worst characteristics. In the early days as a new member, you are looking for a role model: someone to copy, someone whose technique you want to observe closely. Sadly, you will home in on the person who is the perpetual injector—very seldom entertaining, very seldom funny—but that becomes par for the course and you think that interjections are part of the deal.

When I was here, Estimates were debated at great length. It seemed to be a standard procedure that every member on the Government side would say, "and I congratulate the Minister." I thought about this. Some of the Ministers were pretty ordinary, and I thought to myself further: if they were doing a good job, it is what they were being paid for and that is what is expected. So you should stand up in an Estimates debate and, if they were doing a good job, say nothing but take some pains to tell them if they were not doing a good job. That is one of the early revolutions that I staged: I refused to congratulate any Minister.

I thought that in such a limited time I might dwell upon my experience as a presiding officer. For five and a half years I was the Chairman of Committees and for at least one lengthy period I was the Acting Speaker in the House. There was a very colourful Speaker in this House, one Johnno Mann, who was the last Speaker when the Gair Government fell. I formed a warm friendship with Johnno in his last years here. He gave me advice on being a presiding officer. He said, "There are two things you remember. You are the boss. You never forget that you are the boss, and you never let anyone else forget that you are the boss." He applied it and he was a pretty good Speaker.

I learned some words—and I really do not know their origin—"You should always understand the mood of the House." That was the rule that I applied while I was Chairman of Committees and it stood me in very good stead. If you analyse the mood of the House, it changes rapidly from hour to hour, sometimes moment to moment. The place can be incredibly tense and some smart response can have the place splitting itself apart with laughter and the tension is eased. There can be a piece of legislation about which there is enormous controversy. You know that it is coming in at, say, four in the afternoon. At about 3.30 you notice the members coming back to the Chamber. You can feel the atmosphere tightening up and you can feel the mood descending upon the Chamber.

As the Chairman, I had some rules about reading the mood of the House. Firstly, I recognised that there were some members who needed no protection from the Chair. Certainly foremost among those was Doug Sherrington, the Labor member for Salisbury. If anyone ever suggested that Doug needed any protection at all, he would be the first to take umbrage. He could defend himself in a debate so a chairman just let the debate run and made sure that it was relevant. Conversely, some members did not enjoy speaking and spoke rarely. If the interjectors were taking them apart or falling upon them too quickly, I would try to give them some protection and make sure that they presented a reasonable speech.

However, there was one rule I always applied with regard to very controversial legislation: I would not surrender the chair. Let me explain that. There was then a panel of five—it probably still is—who can be called upon to relieve the Chairman of Committees and even the Speaker at different times of a debate. I shared that responsibility because I thought others should be learning the techniques of the Chair. But when a particularly controversial piece of legislation came in, I did not think one should share the chair because in doing so the authority that you have exerted would also be broken. If that legislation was particularly controversial, from the moment I assumed the chair by my stance, by my demeanour and by rulings, I would let everybody know that this was a no-nonsense debate, there would be very little liberty taken and that people would abide by the Chairman's authority.

I enjoyed a very warm friendship with Kevin Hooper—a very fiery Labor member for Archerfield. We were good friends and I lamented his very sad, early demise. Kevin told me once that he could always tell when he was pushing me a little bit too far by my body language. That was great. If he could see me getting ready to rule to call him back to order, he read that of his own volition and came back. That was great: message taken; message received. For whatever happened, I can only say that, to me, reading the mood of the House was terribly important, and to any Chairman of Committees or any Speaker I would say that is the best advice you can get—to read the mood of the House. For example, on a somnambulate Thursday afternoon when the House is half asleep and you are into some Estimates debate or some dull debate and there is some levity taken and given on the other side, you let it run; but, as I say, if it is a heavy debate, you lower the boom forthwith.

I was impressed with the comments of Clem Campbell. It is nice to know that there is a good deal of idealism still alive and well in this House. I am pleased that Tony FitzGerald is held in such respect by both sides of the House. That is important. I refer to Fiona Simpson's comments about television coverage. I agree with what she says. I believe that Federal Parliament should be televised in its entirety or not at all, because the way question time is conducted gives people the impression that that is how Parliament runs all the time. It is not. Many, many hours of parliamentary process is dishwasher dull: quiet, contemplative consideration of a piece of legislation in front of you. If Parliament were televised in its entirety, people would get that understanding. So to me it is important: televise it in full or take it off. Other countries, certainly Japan, televise their parliamentary processes in full.

I can only say that I respect Liz Cunningham very much, but I have that in-built attitude towards structured political parties. They have performed and they remain contemporary. Nevertheless, I believe that they have a good deal of soul-searching that they can do and should do to lift their own act. Notwithstanding the disciplines of political parties, I believe there is the necessity for more flexibility and the necessity for more open debate. On issues of great social concern where there is not the necessity for rigidity, there should be more open and free votes.

Finally, Ms Spence's anecdotes were particularly entertaining. However, beneath them all was a great concern about the process. I respect her for submitting them in such a great form.

As for the future of Parliament, I think that it must continue to be self-critical. It must always try to enhance its own performance and its own status, but, importantly, every last member must understand the great privilege of being a part of it, and every last day that they are here they must show proper respect to it. Thank you.

Dr REYNOLDS: Bill Hewitt mentioned Kev Hooper. An evening cannot go on, if Kev has been mentioned, without one marvellous anecdote. He was also a very close and dear friend of mine. The story is told by the current member for Ipswich, who knew him well as well, that Kev was in full flight in debate when a National Party member dared to interject on Kev. So Kev took it and kept going; he did not miss a beat. However, the House rose for lunch. Kev walked out, across the Speaker's Green, into the Annexe and there was this luckless member—whose name I do not know and perhaps that is just as well—with a group of school children from his electorate around him at the lift. Kev said to him, "You know your trouble, don't you? Your feet smell, your dogs won't fight and you don't love Jesus." At that point he walked off. This member was reduced to a quivering heap with school children all around him. He sought Kev out later and said, "I will never interject on you again, Kev", and Kev said, "You'd better not." That is just one of the anecdotes that passes. I am sure that if the walls could speak there would be many, many of those.

We have heard some wonderful speeches, some wonderful ideas and reminiscences and expectations. We have perhaps 20 minutes because the catering staff are waiting for us over in the Stranger's Bar. I am going to ask two things of you: those of you who have not collected receipts for signing in and paying in at the receipt of custom, if you would do that from Kerry and Damien on your way out? We will take off the mike and make it rove and we could have questions and comments directed to any of the speakers at the table. They will be prepared to field them. In the interests of brevity so that everybody gets a chance—unlike Ms Spence's idea about getting two questions in question time in eight years—if you could make them short, direct and pithy, then everybody gets a go.

QUESTIONER: My question actually is directed to Mr Campbell, but anybody can answer it. You have said that when legislation comes through you very rarely get to look through it and, in fact, find out the finer points of it. Yet you are expected to vote in a certain way. Is that because of your party or is that because that is simply the way things are done in a particular parliamentary system?

Mr CAMPBELL: Basically, you depend on your party to get the briefing and you will accept the briefing that is given to you. If you are on that parliamentary caucus committee, you would get the briefing. Realistically, when you have a 300-page piece of legislation, as Judy says, and you are supposed to be able to respond within seven days, it is bloody ridiculous. You do not have a chance. There can be a lot of technical aspects that really are not given due consideration. That is just part of the modern Parliament, I suppose, of having so much information and trying to handle it in such a short time. I do not know any other way of achieving it. One time I was nearly going to rebel and say, "If you don't understand it, we shouldn't pass it." But in this technical world, I think that we have just got to keep on running that much faster.

Mr FITZGERALD: I agree with what Clem is saying. There are two points: if you are on the Government side, the Minister will have a Bills committee that has the responsibility to go through that Bill. How that works varies from committee to committee and Minister to Minister. I have been in

Parliament when Bill Hewitt was a Minister. In Opposition, you are relying on your committee, your shadow Minister and whoever they get around them and the advice that they take. Generally, if you are a shadow Minister you get a hold of a Bill and you slip it out to your advisers, who would happen to be on local government or something like that. You get a number of copies of the Bill and you send it straight out. You would have to rely on those when you are in Opposition to get a response back to you to give you a briefing on how they saw the Bill.

Seven days is the Standing Orders. Very rarely Bills get done in seven days. It is possible to suspend Standing Orders and do it in less than seven days. Generally, that is done only with the agreement of the Opposition and when they have been fully briefed on a matter that has to be dealt with in the seven days. We have not had one of those Bills with the Government that we have at present—I would never get away with it. It has rarely been done against the Opposition in any Government. It has been done but it is pretty rare. So that is how it is.

The scrutiny of the legislation is important, and it has to be effected. But you are relying on your colleagues if you can trust them, and that is the faith you have. Otherwise, you have got to go through it individually. Mrs Cunningham will tell you the enormous workload she has. Last year, I think 80 Bills passed through the House. Usually, Independents would not go through every Bill. They would quarantine those that they wanted to look at and go through those with a fine toothcomb and just either tick the rest or else reject the rest.

Mr MOLLISON: Charles Mollison is my name. I have listened with a great deal of interest to our very worthy speakers tonight, I must say, with a great deal of dismay but no great surprise. I am a candidate for the Constitutional Convention. On Sunday I plan to launch my draft constitution. I just want to make the point that in the draft constitution I propose that instead of the nine or 10 such law-making bodies that we now have in this country of less than 20 million people we should have only one. Perhaps that might reduce the dysfunction to one tenth. Probably of more interest, I also propose to do away with the involvement of the political parties in the election process or in our Parliament. I would be interested in comments from any of the speakers. Thank you.

Mr CAMPBELL: I will just say one thing—and I think Bill Hewitt alluded to it beforehand—political parties have given great stability. The other aspect about you saying that you want only one law-making body—you are indicating to me that you want to do away with the States. I have heard a lot of philosophical reasons for that, but what is interesting is: why in so many other countries have they actually broken down back to their member States? Because they found that the big centralised one did not work all the time.

Mr FITZGERALD: I do not think that I will comment on constitutional matters. We are not here about that. I strongly believe in the States system that we have. There are the six States plus the three Territory Parliaments that we have at present in Australia— Norfolk Island is the third one, if you have forgotten—and then we have the Federal Parliament as well with its two Houses. I think that that is quite a reasonable system of Government for us. You cannot possibly have government from Canberra in Darwin or the Torres Strait. I mean, they would tell you all the problems. It just will not work. However, we live in a democracy. Put your case forward on the other platform.

Mr HEWITT: When Germany was absolutely devastated after the Second World War and had to talk about a political structure, one of the first decisions Germany made was that they would return to a strong federation, re-establishing all the States. Philosophically, there would be less chance of history ever repeating itself again if power was spread rather than centralised. I agree with that completely. Also, the thought of someone in Canberra making a decision on where street signs should be here in Brisbane or something of the like is pretty far fetched, to be quite honest.

Ms SPENCE: I would just like to say that while we focused tonight on a member of Parliament's role in Parliament, I think that the electorate values our role as an elected representative in the electorate more highly in many respects. What I am saying is that I feel myself increasingly working as a social worker for the people whom I represent, particularly as Governments reduce bureaucracies all the time. People out there are feeling more alienated by bureaucracies. They are using me and my office as a stepping stone between them and the bureaucracies and in a social work role. So I think on that level, if you are eliminating levels of government, that means that you are eliminating people out there who are actually quite valued by certain segments of the population.

Mr BLAKE: I have a question. Basically, Fiona, I guess it is for you. I heard a message coming through very strongly about your respect and your appreciation of the way the committee system is now beginning to work here in the Queensland Parliament. Being unique, I guess, in Australia, being a unicameral Parliament, I am just wondering if you or any other members have any particular comments that you might make, considering that this is about the conduct of Parliament, about the accountability

mechanisms and whether you personally or any other members have anything that you would like to say apropos the conduct of the Queensland Parliament and about the reintroduction of an Upper House as opposed to strengthening the committee system.

Miss SIMPSON: I remember writing a university assignment on this one, actually—and no, I was not in Paul Reynolds' class. I remember almost being failed for suggesting that we should introduce an Upper House. I think in theory an Upper House is a good system. Once again, it depends on how they are constituted. You could have a great argument about proportional versus actual constituents in electorates with boundaries. The difficulty is that to reverse history and go back, too much history has passed and people will not accept having more politicians foisted upon them. In theory, I think an Upper House is very important. Obviously, we have had very strong Executive-style Governments over the years. I think that is reflective of the fact that we have not had an Upper House.

When I was talking about the Committee stage, I was probably talking more about the processes within the readings of the Bill—the legislation. I would have to say that I am a stronger convert to the committees that operate. I am on the Legal, Constitutional and Administrative Review Committee, or LCARC for short. I now have a greater appreciation of the work that those committees do. I would probably argue that there are more roles for committees which are temporary and which are collapsed after examining certain issues, and are not necessarily ongoing committees, because I think that it forces people to be more focused on an issue rather than needing to work on the agenda of a standing committee. I think there are more roles for that type of committee on difficult issues such as, dare I say, paedophilia and looking at legislative reform across Government. I think there is value in having that in a parliamentary committee structure rather than perhaps in a loose, consultative framework and trying to get things together between Government departments. I think that there is a role for more of those committees that are temporary in nature, but across party lines, to deal with difficult issues such as that.

Mr FITZGERALD: I would support an Upper House that was based on the Canadian Senate system, if I could possibly be appointed to that House. In Canada, the provisional Governments there do not have Upper Houses but the Senate, or the central Government, is appointed by the Prime Minister of the day for the vacancies that exist. I can just imagine the Premier of Queensland being able to select the Upper House here. In Canada they have a great reform that limits the term of the members so appointed. Up until not too long ago, they were appointed for the rest of their mortal lives. They are now appointed until they turn 75. There is one chap who is going to retire in January. He was appointed when he was in his very early 40s and has never faced an election since. I think that it is a great way if you happen to be one of those.

Mr CAMPBELL: It is marvellous how people talk about the need for an Upper House but, really, I believe that the Governments of Queensland have done as well, if not better, than the Governments of other States that have Upper Houses. If this system has served Queensland as well—and I think the achievements of Governments in Queensland have been as good—as other States that have two Houses, why have all of those extra politicians?

Dr REYNOLDS: Thanks very much for that. We are going to wind up now because we have the catering staff over in the Stranger's Bar who are going to serve you with refreshments. There will be a cash bar, but the food is gratis—well, you have paid for it already—and also there will be non-alcoholic drinks gratis.

It falls to me to thank you for coming, for your interest and for your participation. The speakers will come over there and you can engage them informally as you and they are able to handle it. I want to thank all of our speakers—I will not name them because you have met them and know them. I also would thank them for their ability to talk in a non-partisan way to inform us and educate us about Parliament, its operations and procedures, the way they see it, and the different perspectives they bring. I think you see with people like Tony FitzGerald and Fiona Simpson, or people like Clem Campbell and Judy Spence—these are people from the same party but they do not leave their personalities at the party room door. They certainly do not leave their individuality across there when they walk through the bar into the green Chamber. They are still individuals. While they are legislating, they still have their own perspectives.

The thing that you have to do with students when you teach politics as I have done for 30 years is constantly get them to remember that there is no party line. The party line is made by the members of the party and that line then becomes binding on them unless and until they change the consensus. So nothing comes down from on high. These are real people doing real legislative Acts all the time.

I think that it was incredibly important to have Bill Hewitt here as somebody who sees it from a perspective point of view—who has seen it from a past day—and to see it to where it is coming now. I know he wants it to go further. So there is a progression, a time line that is going through.

I also want to thank Hansard for recording our proceedings, as they have always done most generously. We can get transcripts from them so that this lives on the record. Whilst they are not here, I also want to thank the catering staff. They are predominantly women and they stay here for us. They have to go home late at night, often in taxis. It is an imposition on them for them to stay. I think that they deserve our thanks and congratulations for their generosity of their time and their service to us.

So I thank you all for coming. Do join up. We will be having our next meeting as per our constitution in February or March of next year and our annual general meeting in May of next year. We hope that next year will be even better than this one. Thanks very much for your attendance.

The meeting adjourned at 8.30 p.m.