

ROAD TRAFFIC AMENDMENT (DANGEROUS DRIVING) BILL 2004

Standing and Sessional Orders Suspension, Order for Legislation Committee to Report

HON KIM CHANCE (Agricultural - Leader of the House) [10.55 am]: I move without notice -

1. Suspension under Standing Order No 433.

That standing and sessional orders are suspended so far as will enable the following motion to be moved and the question resolved at this day's sitting -

That -

- (1) The Standing Committee on Legislation is ordered to report the Road Traffic Amendment (Dangerous Driving) Bill 2004 with such findings or recommendations as it may care to make on Tuesday, 19 October 2004 or before that day where standing order 338 applies.
- (2) On Tuesday, 19 October 2004, the next stage of the Bill is an order of the day and the remaining stages are to be completed before the adjournment of the House on that day.

2. Order for Committee to report Bill.

That -

- (1) The Standing Committee on Legislation is ordered to report the Road Traffic Amendment (Dangerous Driving) Bill 2004 with such findings or recommendations as it may care to make on Tuesday, 19 October 2004 or before that day where standing order 338 applies;
- (2) On Tuesday, 19 October 2004 the next stage of the Bill is an order of the day and the remaining stages are to be completed before the adjournment of the House on that day.

This motion was foreshadowed last night and I made certain comments about the Government's reasons for wanting to introduce this motion. I note that the Leader of the Opposition intends to move certain amendments relating to both the reporting date and the day on which the matter will be dealt with under part 2(2) of the motion. Although I will not pre-empt the amendment that the Leader of the Opposition may move, I indicate that I am satisfied that the Government will be happy to support the Leader of the Opposition's amendments on the extension of the reporting date and the day on which the Bill can be completed, should the motion be successful.

HON NORMAN MOORE (Mining and Pastoral - Leader of the Opposition) [10.58 am]: There are two motions. I understand that we must deal with them in two stages. One motion is to suspend Standing Order No 433, which requires an absolute majority to achieve that. Bearing in mind the way in which the House is currently constructed, it will be necessary for all sides to agree to a suspension of standing orders.

Hon Kim Chance: That is correct, but I thought it made sense to move the two motions as one. However, I agree that they must be dealt with separately.

Hon NORMAN MOORE: They must, because we cannot deal with the second motion until we have suspended standing orders.

Hon Kim Chance: Yes.

Hon NORMAN MOORE: In view of the indication of the Leader of the House that the Government will support the amendments that I propose, the Opposition will support the suspension of standing and sessional orders. I will leave it at that. I will have a few other things to say when the House deals with the motion itself.

THE DEPUTY PRESIDENT (Hon Simon O'Brien): An absolute majority is required for this suspension of standing and sessional orders to be carried.

HON PETER FOSS (East Metropolitan) [11.02 am]: I am a little cautious. Before we suspend standing and sessional orders, members should understand the likely impact. We should not suspend standing and sessional orders lightly. If we suspend, we may spend time on a debate with which we may have problems. I inform the House that it may need to take into account matters in considering the form of the motion. In fact, this motion raises a matter in a debate just conducted that led to the House voting against a referral to the Standing Committee on Legislation on the basis that it is probably overloaded.

Hon Kim Chance; Hon Norman Moore; Deputy President; Hon Peter Foss; Hon Jim Scott; Hon Derrick Tomlinson; Hon George Cash

I will tell the House a little about what happened this week. On Monday, two committees met. The committee met on one Bill, and a subcommittee met on another Bill. That took a large part of the day. The House sat all day, of course, on Tuesday, and a Legislation Committee subcommittee meeting took an entire break in the House's sittings. On Wednesday, we met until quite late at night when the House had risen. I happen to be on another committee that met late last night. I seem to be operating on 16-hour days in this place. My first appointment yesterday was before eight o'clock in the morning. Working that out, it was 18 hours here and a first appointment at 8.00 am, so we are putting in some reasonably difficult hours. I raise that not to complain about the hours we are working, but to indicate that to fit more work into the committee's schedule, and to expect a good result, could be difficult. I hope before we pass a motion, members give some consideration to how the committee will actually do this work. What efforts will be made to look after the interests of the committee so it can carry out this task effectively?

Also, the Magistrates Court Bill has priority over the other business of the Standing Committee on Legislation. Therefore, in accordance with that resolution of the House - it is another matter to consider when suspending standing orders - something may need to be done about that if the House wishes this Bill to have priority over the Magistrates Court Bill. I raise all those matters. Before we proceed to debate the suspension of standing and sessional orders, members may need to consider whether they are going far enough with the suspension of standing and sessional orders.

HON JIM SCOTT (South Metropolitan) [11.05 am]: The Greens (WA) will support the amended version of this motion to suspend standing and sessional orders. First, we think that the original order amounted to blackmailing of this House in the most disgraceful fashion that I have seen for a very long time. It was an attempt by a minister in the other place to dictate what happens in here. It should be abhorred by anybody who wants to see decent legislation pass through this place with proper scrutiny. It is important that we properly scrutinise Bills in this House without the sort of blackmail that occurred by the Attorney General.

Hon Ken Travers: It was a motion to let the House decide; you can't say it is blackmail - that's outrageous.

Hon Norman Moore: You obviously don't watch television.

Hon JIM SCOTT: The parliamentary secretary obviously did not get the letters that other members received from members of the other House.

Hon Ken Travers: They were asking you to reconsider your position.

Hon JIM SCOTT: The member was probably helping them to write the letters.

The DEPUTY PRESIDENT: Order! The question is whether to suspend standing and sessional orders to allow debate on another matter. It is quite proper for Hon Jim Scott and others to touch on the prospect that will be considered if standing and sessional orders are suspended. Obviously, we do not debate that fully until a decision is made on the motion before us. I am prepared to allow Hon Jim Scott to give an overview of the prospective elements. I know he will be brief. Hon Jim Scott has the call, and I ask that he be heard in silence.

Hon JIM SCOTT: My second comment about the motion before us is that we need to consider this matter fairly carefully because the Labor Party has moved to suspend standing and sessional orders in order to effectively bring on a guillotine of debate. Ironically, I congratulate government members that it is their first effort to do so. I am prepared to support the suspension of standing and sessional orders, but I do so with some anger at the tactics being used by the Government.

Question put and passed with an absolute majority.

Motion

HON KIM CHANCE (Agricultural - Leader of the House) [11.08 am]: I move without notice -

Order for Committee to report Bill.

That -

- (1) The Standing Committee on Legislation is ordered to report the Road Traffic Amendment (Dangerous Driving) Bill 2004 with such findings or recommendations as it may care to make on Tuesday, 19 October 2004 or before that day where Standing Order No 338 applies;
- (2) On Tuesday, 19 October 2004 the next stage of the Bill is an order of the day and the remaining stages are to be completed before the adjournment of the House on that day.

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Hon Peter Foss: While on your feet, can you expand on how you think we will get it done?

Hon KIM CHANCE: I am not sure whether I am meant to answer that question now, but it is a relevant question. The decision to refer this Bill to a committee, and to this particular committee, was a choice of the House. When the House made that choice it gave consideration to the existing workload of the Standing Committee on Legislation. I should perhaps not take that for granted in the way that I did. I imagine that the House considered those factors. It is not a matter for me to explain to the House why it chose to make a decision that my side of the House opposed. However, having noted that, as I said, I have discussed this matter with the Leader of the Opposition. He has made very clear to me the workload issues that are confronting the Legislation Committee. I have taken note of the Leader of the Opposition's views on behalf of the Legislation Committee. I have already indicated that the Government will accede to an amendment to the motion that will be moved by the Leader of the Opposition, which provides more time for the work to be carried out.

Amendment to Motion

HON NORMAN MOORE (Mining and Pastoral - Leader of the Opposition) [11.11 am]: I have probably had as much to say about this matter as I need to over the past two days. I do not propose to reiterate my absolute disgust at the behaviour of the Attorney General. Others can make their own judgments about that. I would like to think that he will apologise at some time to the people he suggested support drunken drivers who kill children. He could at least apologise for that even if he wishes to continue to believe that we are criminals. That is for him and his leader to decide. The motion moved by the Leader of the House puts a very onerous burden on the Legislation Committee. I have amendments to the motion. I move -

Paragraph (1)

To delete "Tuesday, 19 October" and substitute "Wednesday, 27 October".

Paragraph (2)

To delete "Tuesday, 19 October" and substitute "Wednesday, 27 October".

To delete "that day" and substitute "Thursday, 28 October 2004".

These amendments will give the committee an extra eight days or thereabouts to contemplate the legislation, bearing in mind that the Council will sit in Kalgoorlie next week and the committee will not meet at that time. Following that is a two-week break. The proposal is that this matter be dealt with by the end of the second week after the break. The amendments will also mean that the House is not required to conclude debate on the Bill the day the report is received. The proposal is that it will be dealt with at least by the end of the following day. I do not like the idea of the House making decisions about when a Bill will be passed; it is effectively a guillotine. I am told it has been used before; I am told I may have even done it myself. These things depend somewhat on the circumstances. Everyone in the House agreeing that something should happen when there is no problem concerning the politics of a particular motion of this nature is a bit different from the House imposing its will on everyone else who may not want this guillotine process to be put in place. I acknowledge the circumstances in which we find ourselves. I thank the Leader of the House for indicating that the Government will support the amendment. I look forward to the report of the committee when it comes back to the House.

HON PETER FOSS (East Metropolitan) [11.14 am]: I will talk about the origins of this motion. I thought that the Attorney General had reached the absolute pits in my estimation, but he has done worse. I did not think he could lower himself in my estimation any further. He claims to be a lawyer but he behaves like a cheap publicist. I have raised in this House before the situation of victims, in particular the victims I have tried to get him to see to talk to. As far as I am concerned, this Attorney General regards victims as an opportunity for publicity. He appears to have no sympathy for them as human beings; he does not treat them like human beings. He treats them as an opportunity for publicity. That is what has happened in this particular case and that is what the Government's motivation is in this instance. He is not only involving victims; he is involving other members of Parliament. That is also disgusting. I have been in this Parliament on a number of occasions when I have felt sickened. I feel sickened at the way we have given way to this sort of behaviour. The finance brokers control Bill was a lovely example. Do members remember that one? About the only good thing a person can say about this Parliament when it does something like this is that for years afterwards the members of this Parliament feel sick to their stomachs that they participated in it. Another one is a matter that is currently before another committee so I will not speak about it.

I must say that if we are to treat legislation as a battle between who can get the most publicity in the newspapers and not whether it is good or bad law, we should all feel sick at the fact that we have not carried out the oath we swore as parliamentarians. I do not know how other members feel. I have some respect for members who are prepared to feel sick at what we are doing. I have no respect for the Attorney General; I have no respect for

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anyone who cannot see that we are giving way to a cheap political trick. Unfortunately, it is a cheap political treat that is played on the emotions of victims; people who have suffered a terrible loss. They have been conned into believing that their child would have died for some purpose if we make this change in the law. Come on, nothing will ever compensate for such a death. To try to tell people that making a bad law change is some sort of memorial for a child sickens me even more. It has been suggested to parents that it is a worthwhile thing that a child's name should be associated with a law that I believe has serious problems. I would hate to think of my child being associated with something draconian. I like to think of my child as someone who will go into the world with an attitude that does not involve the brutality of how things seem to be dealt with these days. I am not happy with this. I understand the political reality and I feel sickened by it. I must say that one of the nice things about the fact that I will not be here next year is that I will not have to allow my principles and scruples to be compromised in the way I believe we are compromising them now. There are advantages in leaving Parliament. To members who are staying on, I say that they do not have to have the sort of compromise of their scruples that we are involved with here.

I will raise a serious problem, which I raised before. How are we going to do it? We have discussed the means by which it may take place. It will require considerable cooperation from the Government. We thought about the workload at the time the Bill was referred to the committee. At that stage, we were not trying to get it done in a period that I do not think is possible. If it is to be done in this period, we may have to make other changes. If the Government wants this timetable, it will have to give a commitment about how it will happen. It will not happen unless the Government is prepared to pull out all the stops.

Point of Order

Hon DERRICK TOMLINSON: Hon Peter Foss had the call and not only was Hon Ken Travers in breach of standing orders by standing and speaking as he was, but also he was being offensive to not only Hon Peter Foss but also the whole House. If he wants to conduct meetings, I ask that he conduct them elsewhere.

The DEPUTY PRESIDENT (Hon Simon O'Brien): I was about to draw Hon Ken Travers' attention to the standing order, which he knows about, in relation to not occupying the gangways to hold discussions. That has now been brought to his attention and I am sure he will have the courtesy to comply.

Debate Resumed

Hon PETER FOSS: If we are to make this order, we must make a serious attempt to give the members of the committee the opportunity to carry it out. I asked what priority the Government will give it. That must be taken into account. An order of this House already gives priority to another piece of the Attorney General's legislation. Even without such an order, we normally deal with matters in order. It must be appreciated that unless we come up with some other mechanism, this will be extremely difficult. The Leader of the Opposition has suggested how we may be able to assist with the processes of the committee. However, it is not enough for the Opposition to try to find ways to assist with the processes of the committee; the Government must do so. It wants the Bill dealt with in a particular time, so it must provide us with the capacity to do so. That the Leader of the Opposition has already worked on what we can do to assist the committee is a very clear indication of the cooperation from the Opposition. We cannot make the Government's arrangements; only it can make its arrangements. That is why I gave the Leader of the House the opportunity to say how he believes this will happen. I presume that he has given it some thought. It is no answer if he merely brushes it off and says that the people who referred the Bill to the committee should have given that some thought. The Bill was referred to the committee without the priority that the Government is now seeking to give it. The Leader of the House is seeking to justify a change; I want to hear what the Government will do to assist the committee to meet the timetable it is seeking to set. I do not think that is unreasonable, especially given that the Leader of the Opposition is already trying to make this a workable proposition for the Opposition. The Leader of the Opposition is to be congratulated on his work, and I had hoped that his spirit of cooperation would be reciprocated by the Leader of the House. I do not think that is an unreasonable expectation, as he is the person who has moved to put in place a particular timetable. I am not sure whether the Leader of the House is able to give a summary in reply to this motion. It might be a procedural motion to which he cannot reply. However, I hope that someone from the government side will indicate the degree to which we can expect cooperation from the Government, and the means by which we will achieve the dates that will be set.

HON KIM CHANCE (Agricultural - Leader of the House) [11.22 am]: I will comment on the matters raised by Hon Peter Foss. I do not think there is any issue about how the committee can deal with the matter and whether the Government needs to do anything at all. I have already suggested that surely these matters were thought through. I do not think Hon Peter Foss or any other member of the House needs to be reminded of the various options that are available to a committee when it finds itself in circumstances such as this. We have the process

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of the formation of specialist subcommittees. We have the process of substitution, which the Government has certainly considered.

Hon Peter Foss: I know what the processes are. What I need to know is whether the Government will cooperate and whether it has any plans.

Hon KIM CHANCE: Of course the Government will cooperate, but that is not a matter for the Government, nor is it a matter for the House. That is a matter for the committee to determine. The committee has control of its own destiny in these matters. For members who are not aware of this, I advise that the committee can delegate the matter to a subcommittee to report on the matter. It is also capable of substituting other members to carry out that work on its behalf. Those are all issues that I think every member who has ever served on a committee is aware of.

HON GEORGE CASH (North Metropolitan) [11.24 am]: I join with the Leader of the Opposition and Hon Peter Foss in voicing my disgust at the way in which the Attorney General has conducted himself on the referral of this Bill. His comments in criticising the Legislative Council for trying to do its job are some of the most shameful parliamentary comments I have heard in recent times. I believe that his comments are founded on the proposition that he is prepared to advance his political and ministerial career, even if it is at the cost of grieving parents, over the tragic death of a 10-year-old girl. I think that is appalling. As Hon Peter Foss has said, and I concur, in all the time that I have been a member of this place I have never seen the death of a young person used in such a gross and malicious manner. I make those comments because I do not think the Attorney General should be allowed to get away with what he has done. It is clear from the comments of the Leader of the House this morning that the political stunt that was pulled by the Labor Party over the dead body of that 10-year-old girl has failed. The Leader of the House was not able to put forward a reasonable explanation for how the Standing Committee on Legislation will be able to deal with the burden that is about to be placed on it by this House. If the Leader of the House is proposing that a subcommittee be formed, I would be very pleased to be on that subcommittee. I believe that the issues that the Legislation Committee - or subcommittee if that is to be the case - will need to consider are very serious, not only for the community of Western Australia but also for the manner in which this Legislative Council conducts itself and legislates on the question of the onus of proof.

I will give members an example of why I say that this has been nothing but a political stunt. We are dealing in the first place with the Road Traffic Amendment (Dangerous Driving) Bill 2004, which was referred to the committee. The criticism of the Attorney General, who went as far as saying that he believed that members of the Legislative Council were acting in a criminal way in delaying the Bill, can be shown for the hypocrisy it is and I will explain why. This Bill was introduced into the Legislative Assembly on 23 June 2004. That is about three months ago. The first reading and the second reading speech by the Attorney General occurred on that day. The Bill could have been dealt with one week later on Wednesday, 30 June when the Legislative Assembly was sitting, but it failed to believe at that time that the Bill represented a priority.

Hon Peter Foss: Was that a criminal plan?

Point of Order

Hon KIM CHANCE: I have sat here and tolerated the outrageous comments of Hon Peter Foss and Hon George Cash about a member of another House.

Hon Norman Moore: Did you see the television?

Hon KIM CHANCE: No, I do not watch television.

The DEPUTY PRESIDENT: Order! A serious point of order is being raised by the Leader of the House.

Hon KIM CHANCE: It seems to me that those comments are neither relevant nor appropriate comments to be made in this place. Similarly, I have also very carefully considered the narrow terms of this debate, given that it is a debate enabled by suspension of both the standing and sessional orders. I cannot for the life of me imagine how the timing of the progress of legislation in another place in the same session of Parliament is within the standing orders or is relevant to and in concert with the narrow definition provided within the suspension of both the standing and sessional orders. It may be that Hon George Cash will tell us how the progress of legislation through the Legislative Assembly is somehow relevant, but he still cannot explain how he can make that consistent with our standing orders.

THE DEPUTY PRESIDENT (Hon Simon O'Brien): Order! I have listened carefully to the point of order and the further expansion of it by the Leader of the House. I have listened carefully to the comments of Hon George Cash, which, in my view, are directly relevant to the two-part motion that is before the House. Even though the question relates to an amendment, he is of course entitled to address the substantive motion, as he has not already

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done so. In my view he is doing so and his remarks are relevant. He is not referring directly to debate in another place; he is referring to the public record of the progress of an issue according to the timetable that the issue has followed. I therefore rule that there is no point of order.

Debate Resumed

Hon GEORGE CASH: I will continue, but before doing so, it was clear to me at least, and I think to most members, that there was never a point of order. It was an opportunity for the Leader of the House to try to defend his indefensible position, because he knows the record of the Legislative Assembly on this matter and he knows that in a moment I will refer to when the Bill arrived in the Legislative Council and the fact that it was not dealt with expeditiously. I said that this is a political stunt. That is confirmed by the words of the Leader of the House. The Bill was introduced into the Legislative Assembly on 23 June, first read on 23 June and second read on 23 June. It could have been dealt with a week later on Wednesday 30 June or, with the cooperation of the Opposition, it could have been dealt with as an urgent Bill on the day it was introduced, if that had been the wish of all the parties. It was in fact delayed from 23 June to 17 August, when the second reading speech was continued.

Hon Kim Chance: That is a three-week delay.

Hon GEORGE CASH: There was no reason for that. The Leader of the House knows that, with negotiation, Bills can be considered to be urgent Bills and dealt with on the same day. It has been done in the Legislative Assembly and it has been done here on many occasions. His excuse is not good enough.

Hon Kim Chance: Perhaps there was no agreement.

Hon GEORGE CASH: Perhaps the Attorney General at the time did not see any political advantage in playing his political stunt. This is all about a political stunt. The Leader of the House has been sucked into the political stunt.

Hon Kim Chance: You have been sucked in, because you are in an embarrassing position.

Hon GEORGE CASH: I am not using the death of this child; the Attorney General is doing that. That is why most members of this House are appalled at the manner in which he has acted.

The third reading of the Bill occurred in the Legislative Assembly on 17 August. It was introduced into this House on Wednesday, 18 August. It was referred on 21 September, a month later, and the reason it was referred to the Standing Committee on Legislation on that day is that it was the first day it appeared on the notice paper to be dealt with. It could not be referred any earlier than that because the Leader of the House himself obviously did not regard it as urgent legislation.

Hon Kim Chance: We had a three-week recess in that period. What planet are you living on?

The DEPUTY PRESIDENT: Order! Hon George Cash will address the Chair and other members will refrain from interjecting.

Hon GEORGE CASH: All the excuses under the sun will not repair the damage that has been done by the outrageous remarks of the Attorney General, now joined in concert by the Leader of the House, who now wants to make excuses. The fact is that this House referred the Bill to that committee so that it could get on with the job of looking at the issues in the Bill and send it back to the House as soon as possible. I hope that the Leader of the House will admit that he did not see this as a matter of urgency when it was introduced on 18 August, because he could have brought it on for debate then.

Hon Kim Chance: The House was in recess for three weeks.

Hon GEORGE CASH: The Leader of the House could have dealt with the legislation.

Hon Kim Chance: We dealt with it on the first day we could.

Hon GEORGE CASH: The Leader of the House should not cover for the Attorney General. He should not impale himself on the point of the same political trickery and stunt.

Hon Kim Chance: I wonder why you are running this red herring.

Hon GEORGE CASH: I am not running any red herring. The more the Leader of the House speaks, the more he indicates how much he has failed on this issue and how much this political stunt has backfired on him. The fact is that the Legislation Committee will need time to consider the issues in the Bill. One of the very important issues is the question of whether the Bill reverses the onus of proof from the Crown being required to prove its case against a defendant to the person charged with an offence being required to prove his innocence in the matter with which he has been charged. That happens to be a very important legal issue. It is not only an

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important legal issue, but also an important matter for this Parliament. On very rare occasions the onus of proof is reversed. One occasion is, of course, the question of insanity. There is a presumption of sanity in all cases, but when a defendant wants to use the defence of insanity, the defendant is required to prove it to the satisfaction of the court. It also occurs of course in automatism, but it occurs in very few other cases, although I accept some regulations reverse the onus of proof, often in respect of licences. However, it occurs in very few other cases.

The Parliament must look very carefully at this reversal of the onus of proof. At the very least the Parliament must be informed when it makes the decision, if it decides, to reverse the onus of proof. That is because there is no question that it is possible by statute to reverse the onus of proof, and the Parliament at least is entitled to be informed. The reason the Attorney General did not want this matter referred to a committee is that he did not want the Parliament to understand completely the issues that are inherent in this Bill. This was all about his political stunt, his political trick. I believe that he has failed dismally. I hope that in due course he will apologise to the parents of young Jess Meehan for the damage that he has caused because of the way in which he has used that child's death to further his own political career. I think it is shameful. I support the amendment moved by the Leader of the Opposition, because it is clear that this matter needs to be investigated and that the Parliament needs to make a decision on it.

HON JIM SCOTT (South Metropolitan) [11.39 am]: In supporting the amended motion I agree, probably for the first time in my life, with every word that the Opposition has said. I do that because we are debating a motion that should not have been at all necessary. I do not believe that there was not a single member of this House who did not want to see the legislation brought back to this House and passed after proper scrutiny. It was a lie of the Attorney General to say that members were trying to stop the legislation. It was simply not the truth at all. There was never such an intention. If anybody has messed up having the committee report in time for the passing of the legislation, it has been the Leader of the House. He should have insisted on an appropriate time being inserted into the motion.

Hon Kim Chance: Hang on! It was not my motion. That is exactly what I am doing now. I am giving you the opportunity to put a date on it.

The DEPUTY PRESIDENT (Hon Simon O'Brien): Order!

Hon JIM SCOTT: The Leader of the House could have moved an amendment at the time to include a reporting date that had been worked out in discussion with the committee to determine when its deliberations could be completed. If it had priority, the House could have asked the committee to give it priority over the other work it is doing so that it could have completed this task. Alternatively, the House could have established a select committee comprising any member who is not spending many hours on the work of a number of committees right now. The statement that this House was trying to stop the legislation was a stunt. It has lowered my estimation of the Attorney General, who has misled the people who have suffered the unfortunate loss of their child, by saying that. That was an appalling thing to say. He should be ashamed of his behaviour and he should apologise to this House. Previously, members from both Houses who properly scrutinised a Bill that was rushed into this place were accused of protecting rapists and molesters. It transpired that that legislation and the information behind it was a load of codswallop and would have had very severe impacts on innocent people. The Leader of the House must watch what he does in this House; he is allowing himself to be influenced by the scurrilous tactics of people in another place. I support the amended motion.

Amendment put and passed.

The DEPUTY PRESIDENT: The Leader of the Opposition has further moved in paragraph (2) to delete the words "Tuesday, 19 October" and substitute "Wednesday, 27 October".

Amendment put and passed.

The DEPUTY PRESIDENT: The Leader of the Opposition further moved in paragraph (2) to delete the words "that day" and substitute the words "Thursday, 28 October 2004".

Amendment put and passed.

Motion, as Amended

Question put and passed.