

**ADJOURNMENT OF THE HOUSE**

**HON KIM CHANCE (Agricultural — Leader of the House)** [10.01 pm]: I move —

That the house do now adjourn.

*Legislative Council — Sessional Order 2008 — Adjournment Debate*

**HON NORMAN MOORE (Mining and Pastoral — Leader of the Opposition)** [10.02 pm]: I want to say a few words tonight about the way in which this house is being managed. We have been debating whether we should adopt a sessional order to give the government more time for its legislation, and at the same time to give the opposition some time for private members' business. However, there has been no response from the government to that, other than to say it is thinking about it. No sessional order has been provided to me that I might look at and consider. This session has now been going for several weeks after the house agreed unanimously—albeit without a vote—in an urgency motion to support such a sessional order, and we are continuing to operate under the same old standing orders. Those standing orders deny the opposition any opportunity to debate matters other than the urgency motion. They also deny the Opposition any opportunity to bring on or debate any private members' bills.

Five private members bills are currently on the notice paper. One of those bills is in the name of Hon Peter Foss. I suspect we will not be debating that bill. However, four other private members' bills are on the notice paper—two in the name of Hon Paul Llewellyn, one in the name of Hon Giz Watson, and one in my name. I am interested in the bill in my name, for obvious reasons. That bill happens to have been on the notice paper since 25 October last year. I asked the Leader of the House on one occasion when we would be dealing with that bill, and he said when we have dealt with some government business. That bill, which is about holding a referendum on daylight saving this year, needs to be dealt with now, because a time factor is attached to it. On many occasions I have stood in this house and supported legislation on the basis that a time limit is attached to it and we need to deal with it by a particular point in time, and we have agreed to that to satisfy the government's requirements. This bill has a time limit. It provides for a referendum to be held during a period of time that is not very far in the future—the period between 13 April and 18 May. That time period has been established so that the government cannot hold a referendum with the next state election, for obvious reasons. I would like the government to give some consideration to allowing the private members' bills on the notice paper to be dealt with some time. In my time as a member, many private members' bills have been dealt with, but very few have been dealt with in recent history. The Leader of the House seems to think that this house exists simply to deal with government business and nothing else. He had a different view when he sat on this side of the house, as did all his colleagues.

I am very loath to use standing order 128. It has been used infrequently over the years, on occasions when there has been a matter of some great magnitude. I could have moved to bring this bill on using standing order 128, and I suspect the house might have agreed, but I do not want to use that process if I can help it. I am saying to the Leader of the House that I would like to debate my bill, and I know the Greens (WA) would like to debate theirs because they have told me. It is about time the government made a bit of time available for private members' business. That time is about now, for my bill.

I am not simply saying that I want some of the existing time. I am saying that I am prepared to support a sessional order that gives the government quite a number of extra hours for its own business and provides for two hours a week of private members' time. That is what I am putting on the table. I am not saying that I want some of the government's time for private members' business; I am saying that we should change the rules so that we can actually provide for private members' time. I have been asking the Leader of the House to do that for more than a year, and he continues to ignore me. I am getting sick of it, and I am sick of the way in which this place is currently operating from that perspective. The opposition is entitled to some time. Even in the Legislative Assembly, where the government has vast numbers of members compared with the opposition, there is private members' time every week. We do not have that. The only time available to the opposition is if we get in first on an urgency motion or if we get in first with a motion. If the government gets in first, we get nothing.

The Leader of the House had the same view as I have when he sat over here. I put it to him tonight that either he develops a sessional order quickly so that it can be implemented to introduce a bit of fairness into this place, or he just gets up and tells me to get lost because he will not do it. In that case, I will just start using standing order 128 every day, against my better judgement. I am putting a fair proposition to the Leader of the House—develop a sessional order and give the opposition some time for private members' business, and let us have a bit of fairness in the house. If he does not want to go down that path, we will have to use the standing orders available to us.

*Isolated Children's Parents Association — Adjournment Debate*

**HON MATT BENSON-LIDHOLM (South West)** [10.09 pm]: On Tuesday and Wednesday of last week it was my pleasure, along with a number of my parliamentary colleagues, to attend the thirty-sixth annual Isolated Children's Parents Association conference in Perth. I attended in my capacity as chairman of the Rural and Remote Education Advisory Council, and I also represented the Minister for Education and Training, Hon Mark McGowan, and Hon Sue Ellery in her capacity as Minister for Communities.

The ICPA is a marvellous organisation, totally committed to the advancement of children living in rural, remote and regional parts of Western Australia. At the very heart of the ICPA's concerns is the provision of the best educational opportunities possible to young people in this state. In my address I congratulated organisers on the theme of this year's conference, namely "Education: Reviving Rural Communities", noting that education is the single most important investment that society can make and the thread that binds rural and remote communities together. The provision of a quality education system is essential for the advancement of all rural and remote communities. I would suggest that if society fails to invest in rural and remote youth, isolated communities will falter and we will consign young people to mediocrity at very best.

This government is investing in rural and remote education. The Rural and Remote Education Advisory Council, which was revamped in 2006 by the previous Minister for Education and Training, demonstrates the government's commitment to the best possible outcomes for students in rural Western Australian communities. I will not go into the operations of RREAC; suffice to say that the bipartisan approach that sees me as chair and the member for Wagin, Terry Waldron, as deputy chair is delivering quality strategic advice to the Minister for Education and Training on a diverse range of rural and remote education issues.

Getting back to the ICPA conference, the agenda was excellent, with the speakers focusing on a range of highly interesting and relevant issues. Some of those issues included information and communications technology, the role of the Schools of Isolated and Distance Education, post-compulsory education, student accommodation, allowances and special education services. Although those topics were very thoroughly canvassed, there were a lot more than those I have just mentioned. The issues addressed were very comprehensive and debate focused on meaningful and well-considered solutions that will be brought to the attention of the Minister for Education and Training. I congratulate all concerned with the thirty-sixth ICPA conference, particularly the outgoing committee. I wish Emma Foulkes-Taylor, the new state president, and her committee the very best for 2008 and beyond. I look forward to attending the 2009 conference and working with the ICPA in the meantime as it strives to deliver the best for children in rural and remote Western Australia.

*Legislative Council — Sessional Order 2008 — Adjournment Debate*

**HON KIM CHANCE (Agricultural — Leader of the House)** [10.12 pm]: I rise to respond to the Leader of the Opposition's words. It occurred to me, while he was speaking and I was listening to his ultimatum, that a lot of members of this place would be making their judgements without the benefit of history. The Leader of the Opposition spoke about the sessional order as if it was something that had been used in this house for a long period of time. Let me be very clear: the only time that this house has had a sessional order of any length has been while I have been the Leader of the House. We never had access to the sessional order while we sat on the other side of the house.

**Hon Norman Moore:** Do you know where it came from?

**Hon KIM CHANCE:** I did not interrupt the Leader of the Opposition.

**The DEPUTY PRESIDENT (Hon George Cash):** Order! The Leader of the Opposition should let the Leader of the House state his case. The Leader of the Opposition has had his turn.

**Hon KIM CHANCE:** Let me tell members what used to happen when we sat on the other side of the house. Members do not have in front of them the document I am holding in my hand. This document is called the notice paper and it runs to some 27 pages. The way we conducted business when Hon Norman Moore was Leader of the House was that we started the day with the Leader of the House saying, "I move that order of the day 530 be now taken." We would finish 530 and the Leader of the House would then say, "I move that order of the day 135 be now taken." That is how business was conducted in this house. If we did not complete the business before the house that the Leader of the House wanted to achieve, he then moved that the house do now sit beyond 10.00 pm. Do members want me to tell them how many times we used to sit beyond midnight, beyond 1.00 am, beyond 2.00 am and how many times we used to sit here until we broke for breakfast—all-night sittings? We have not done that once while I have been Leader of the House. I can recall the day when we sat for 26 hours nonstop. We passed 22 bills on that day. I remind honourable members how many bills we got through last year. I think it was 44 bills in a whole year. Can members imagine why we get a little resistant to the Leader of the Opposition saying, "I want to do my bill"? We also want to do his bill, but we want to get some government

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legislation through. Passing 44 bills when we received, I think, 87 bills from the Assembly is not a work output that is conducive to productivity in this house.

The honourable Leader of the Opposition has said that I have ignored his bid for a sessional order. In fact, I have spoken to him on a number of occasions about the sessional order. When I accepted, from the government's point of view, the spirit of the motion that called for this house to have a sessional order, what I specifically did not say was that we were going to adopt a sessional order that we did not agree with.

**Hon Norman Moore** interjected.

**Hon KIM CHANCE:** Hang on. The Leader of the Opposition knows that there are elements about the 2006 sessional order that I will not accept. When I put one of those elements to the Leader of the Opposition, he told me to do something that I found biologically unacceptable.

**Hon Norman Moore:** Which one was that, Mr Leader?

**Hon KIM CHANCE:** We will talk about that later! Clearly, we have one or two issues on which we have more than minor points of difference. That is fine. I do not object to being told to do that, but it means that we have a point that will be difficult to negotiate.

**Hon Norman Moore:** You've never even tried.

**Hon KIM CHANCE:** We have to work our way through these issues. I am more than happy to speak to the Leader of the Opposition about a sessional order that we can all live with. However, I say to the Leader of the Opposition that I think his comments about the way in which we run this house are not sustainable. We are not getting legislation through in a reasonable time.

**Hon Norman Moore:** Because you bring on all these bills that take days and days and days.

**Hon KIM CHANCE:** If only we brought in legislation that the opposition agreed with!

**Hon Norman Moore:** If we didn't have McGinty's bills day after day after day, we'd get some business dealt with.

**Hon KIM CHANCE:** I was not going to say this, but successive governments, both Labor and coalition, have been trying for decades to get that legislation through that we dealt with today. Every government up to now has failed to regulate that industry. This government has achieved it. This is the kind of legislation that the Leader of the Opposition is appealing against and saying has held it up. I think this house has done a good job with that legislation. However, members need to accept that the amount of time that we have to debate legislation is entirely dependent on how productive we are with the use of our time. We have not been productive. The Leader of the Opposition says that there is not enough time to debate opposition business. Honourable members will be aware that we have had an excellent speech from one honourable member in this house, Hon Ray Halligan, that has now gone on for, I think, three hours and 40 minutes —

**Hon Bruce Donaldson:** It is still five hours behind your speech!

**Hon KIM CHANCE:** — and we are still yet to get to the point at which that speech is concluded because we have adjourned it.

**Hon Norman Moore:** Under the sessional order, that would have been voted on two weeks ago.

**Hon KIM CHANCE:** Yes, and that is an issue that may have an upside and may have a downside. I am not making a point about the opposition misusing its time.

**Hon Norman Moore:** It is not our time; it is motions, and you can have a motion any time you like.

**Hon KIM CHANCE:** A motion is generally taken to be the opposition's time. The opposition generally occupies the vast bulk of the time for debate on motions on notice.

**Hon Norman Moore:** That is not true. That has not been the case over time at all.

**Hon KIM CHANCE:** The Leader of the Opposition can call black white if he likes, but we all know how much of the time of this house is taken up by motions on notice. Honourable members, I would be delighted to discuss a form of sessional order with the opposition. However, it will not be on the basis of having a sessional order that is unacceptable to the government, because that is not what the process of negotiation is about. The Leader of the Opposition understands very clearly—very clearly—what the government's terms and conditions are for the sessional order. It is not a matter that has not been discussed; it has been discussed at some length over some period of time. I am as keen as anyone to get a sessional order up, but presenting ultimatums and threatening to

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use standing order 128, when the Leader of the Opposition knows full well that we have a flawed ruling on standing order 128, which should not be used until that ruling is determined —

**Hon Norman Moore:** So why did you do it when you were on this side of the house?

**Hon KIM CHANCE:** It was flawed then.

**Hon Norman Moore:** Is that right?

**Hon KIM CHANCE:** Yes.

**Hon Norman Moore:** It did not stop you then.

**Hon KIM CHANCE:** Honourable members, I will sit down and speak with the Leader of the Opposition tonight about a sessional order, if that is what he wants to do. I think it might be much more productive if we did that tomorrow. I am open to that discussion at any time. If one of the points that the Leader of the Opposition wants to make conditional upon our entry into a sessional order is the capacity to debate one or more opposition bills, I do not have a problem with that, and I have told him that. This is something that we have already had an exchange —

**Hon Norman Moore:** This is blackmail!

**The DEPUTY PRESIDENT:** Leader of the Opposition, if you want to discuss the matter with the Leader of the House —

**Hon Norman Moore:** I don't!

**The DEPUTY PRESIDENT:** — that will be your right, but for the time being the Leader of the House has the floor.

**Hon KIM CHANCE:** I object to the Leader of the Opposition saying it is blackmail. It is not blackmail; it is actually what he told me he wanted to do. I am happy —

**Hon Norman Moore:** I did not make that conditional upon anything.

**Hon KIM CHANCE:** I am happy to contemplate that, just as I am more than happy to contemplate bills presented by other members of this house. Indeed, Hon Wendy Duncan has a bill listed under bills for introduction, and I would be delighted for the house to have the opportunity to debate that bill. However, it must be on the basis that both sides of the house get a degree of productivity out of the house: opposition members from their time; ourselves, from some sense of achievement from government time.

Question put and passed.

*House adjourned at 10.22 pm*

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