

CONSTITUTION AMENDMENT (DEMISE OF THE CROWN) BILL 2017

Second Reading

Resumed from 29 June.

MR P.A. KATSAMBANIS (Hillarys) [8.26 pm]: I am the lead speaker for the opposition on the Constitution Amendment (Demise of the Crown) Bill 2017. The bill has been on the notice paper for quite some time and it has come up for debate, and I am glad it has because we do not need these bills lying around. The opposition will not oppose this bill. In fact, we will support it. There are only four clauses in the entire bill and we think it is relatively straightforward, so we do not need to go into consideration in detail.

The bill deals with the demise of the Crown, which is quite different from the circumstances we dealt with in 2014 with the Succession to the Crown Bill. This bill deals with what occurs when the reign of one monarch ends by either death or abdication. In those circumstances, there is a transfer of the holder of sovereignty from the deceased monarch to their successor. Since the Swan River Colony and then state of Western Australia was established, we have seen the demise of the Crown both through death and abdication. So none of these things is theoretical. They have happened in the relatively short history of the existence of the colony and the state of Western Australia.

Going back many centuries, historically, the death or abdication of the monarch, the demise of the Crown, led to three very significant things happening, one being the immediate dissolution of Parliament. Another was the immediate vacation of office of all officers of the Crown so that all those offices were effectively declared vacant and they expired with the expiry of the Crown. Probably the most important of all for the ongoing good order of society is that all proceedings brought on behalf and in the name of the Crown are discontinued—that is, all legal proceedings in the name of the Crown and, obviously, the most important of those are proceedings for criminal offences. That was historically the situation. Over time, these things have been changed by legislation of the United Kingdom Parliament—as early as the sixteenth century, I am told, and the history books record—and also by custom and practice as it has developed.

No reference is made to the demise of the Crown in the Constitution Act 1889 of Western Australia, nor in the Constitution Acts Amendment Act 1899 of Western Australia. Despite no references being made in those acts, as I said, we had the demise of the Crown by death and by abdication in the twentieth century. That was well after the Constitution Act and the Constitution Acts Amendment Act came into being. There have been no issues with those three matters that I mentioned—the immediate dissolution of Parliament, the immediate vacation of office of all officers of the Crown or any discontinuation of legal proceedings—because over time and over history from the sixteenth century onwards, laws and customs in Britain changed. Through our historic links to Britain and the Crown, the Australian colonies and then the states and the federal Parliament of Australia assumed the British Crown as our head of state.

Because these areas of law and perceptions of the law change from time to time, there has been some commentary here in Western Australia and in other states and other jurisdictions, including New Zealand, about how the demise of the Crown would be dealt with at law. For instance, someone might petition the court to say, “The monarch has passed, and my case was on foot when the monarch passed. Therefore, the proceedings in my name should be brought to a halt, never to be brought against me ever again.” How would we deal with that? In the past, it has not been an issue, as I have said. One school of thought suggests that we do not need to worry about that. The law in that area is settled. It is not written law. It is customary law. It is assumed law from Britain.

However, back in 1994, the Western Australian Law Reform Commission, in its report on project 75, “United Kingdom Statutes in Force in Western Australia”, recommended that Parliament should consider enacting a general demise of the Crown act. Suffice to say, that report sat on the shelf and probably gathered dust for over two decades, until it came time to consider the Succession to the Crown Bill 2014. That is quite an important bill and it has now passed into law across the commonwealth. The purpose of that bill was to remove the presumption of male privilege in succession to the Crown. I put on the record that as the father of three daughters, as well as two sons, I fully support that bill. That bill was too long in coming, but it has been done.

The Standing Committee on Uniform Legislation and Statutes Review in the Legislative Council has provided some commentary on project 75 of the Law Reform Commission. The Attorney General has just walked into the chamber. In legal terms, it was not *ratio decidendi* but was *obiter dicta*. The Standing Committee on Uniform Legislation and Statutes Review recommended in its eighty-eighth report that we dust off and look at the recommendations made by the Law Reform Commission on the demise of the Crown. In August 2015, the Standing Committee on Legislation in the other place, in considering the issues that had arisen in the Succession to the Crown Bill, recommended that Parliament amend the Constitution Act of Western Australia to include specific provision for the demise of the Crown. The lead speaker for the opposition on that bill in the other chamber was

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

the former Attorney General, Hon Michael Mischin. The former Attorney General got together with the Standing Committee on Legislation, the Solicitor-General and parliamentary counsel, and effectively adopted a provision from New Zealand, refined it and made it applicable to Western Australia. That recommendation and that draft bill was contained in the twenty-eighth report of the Standing Committee on Legislation. The effluxion of parliamentary process meant that the previous Parliament was prorogued and we did not get to pass the bill at that stage. However, the bill has now been brought back by the new government. This bill is essentially the same bill as came out of the drafting process in August 2015, apart from a few dates and references. The bill clarifies very simply that if there were the demise of the Crown, none of the three historic consequences that I have mentioned would occur. There would be no need to prorogue Parliament. There would be no need to consider the position of “officers of the Crown”, however defined in this modern day and age, because we have officers of the Crown and officers of the Parliament, but generally it covers everyone who might fall under the Crown.

Mr D.A. Templeman: You mentioned the demise of officers of the Crown. Do you mean officers of the Parliament?

Mr P.A. KATSAMBANIS: Officers of the Crown. In the context of fifteenth or sixteenth century England, I would imagine that did not mean officers of the Parliament. That is why a moment ago, before the minister’s very, very worthy injection, I said “however we define officers of the Crown today”. That highlights how our law and our customs have evolved from that time. The minister is taking me back to my first-year legal history classes in 1984 at the University of Melbourne. I am dusting down the recesses of my mind about what was happening at that time.

Dr M.D. Nahan: Are they very dusty?

Mr P.A. KATSAMBANIS: In relation to those legal history classes held on a Friday morning, yes, extraordinarily dusty!

Mr D.A. Templeman: After a Thursday night out in Lygon Street!

Mr P.A. KATSAMBANIS: Yes—“university night” preceded Friday morning legal history classes! We probably have a different understanding today of “officers of the Crown” from the understanding back in fifteenth and sixteenth century Britain. That is for well-known historic reasons, which we sometimes re-enact in this place at the opening of Parliament, with the Usher of the Black Rod knocking on doors and the Sergeant-at-Arms standing there ready to guard us and our Legislative Assembly chamber from the regent’s hordes coming down from the other place! Thankfully today, we do that only ceremonially.

Mr D.A. Templeman: I think we should do it in full regalia!

Mr P.A. KATSAMBANIS: That is the thespian coming out in you, Leader of the House! Importantly, the bill also clarifies—I think this is the most important of the three matters we are dealing with—that legal proceedings that are brought in the name of the Crown will not disappear.

I put on record that there are two camps. The first is the camp that says we do not need this bill, because we have embraced and adopted the customary laws from the fifteenth and sixteenth century that came to our colony in the 1830s, along with the British Crown, and that passed to our state upon statehood. I probably fall into that first camp. If this bill had never come to this Parliament and if it was never passed, I do not think there would be a gap in our Western Australian law in 2017. The second camp is that there is significant legal debate around this matter; therefore, there is no harm in passing this bill. The bill puts beyond doubt, in words that will now be incorporated into our Constitution Acts Amendment Act 1899, that the demise of the Crown, however that happens, and whenever that happens, will not lead to the dissolution of Parliament, will not lead to a vacation of the office of all officers of the Crown, and will not lead to a discontinuation of proceedings brought on behalf of and in the name of the Crown. I have probably spoken on this bill far longer than is necessary. However, I hope it has provided some context for people in the future who may consider why we have passed this bill. With those words, I commend the bill to the house and indicate the opposition’s support for the passage of this bill.

MR D.T. PUNCH (Bunbury) [8.40 pm]: I, too, rise to speak to the second reading debate of the Constitution Amendment (Demise of the Crown) Bill 2017. In doing so I mention that I have had the privilege of meeting the Queen and the Duke of Edinburgh when I was the director of the South West Development Commission. The occasion was their visit to Busselton on Friday, 21 March 2000. The commission had the responsibility of helping to prepare the itinerary; assisting the advanced staff on route planning; working to showcase the attractions of Busselton, member for Vasse, to a potential world stage; and looking at the local media and marketing opportunities for local produce—in short, turning a social visit into an economic opportunity. The visit started with the Queen and Prince Philip flying into Busselton airport, where they were met by the then Deputy Premier Hon HENDY COWAN and the chairman of the South West Development Commission, Stuart Morgan.

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

It started with a visit to Rotary Park, a very famous park in Busselton, opposite the shire chambers—a site of many events—in which every single producer possible in the Vasse region had assembled their produce for the day. Wines, tourism products and tourism opportunity were all showcased. The Deputy Premier escorted the Queen in one direction and Prince Philip was escorted in another. There was an occasion when Prince Philip picked up a local bottle of wine and inquired from the chairman of the development commission how much it was. He was told \$16, and when he expressed some surprise at the price, he was promptly told it would be £16 a bottle in Piccadilly for the same.

The couple then went on to the Vasse Primary School. The streets were filled with people waving flags. It was a great community celebration that concluded with a lunch at the shire. The lunch was an opportunity for the local TAFE college to showcase its abilities to provide front-of-house and back-of-house servicing to provide an absolutely fantastic luncheon for the community and for the Prince and the Queen. Specifically noted was the manner in which the Queen embraced Aboriginal elders and her respect for them at the lunch. It was a very special moment.

I make those comments because for many people living today, the Queen has been head of state for most of their lives. Her picture has hung in local government offices, many primary schools and state government offices, and for quite a few of the population—I recognise that many people who have joined us from overseas come from different systems—it has been a very important part of their lives. On the demise of the Crown, when the Queen finally is no longer in that position, there will be a profound sense of change in our community, and whatever we think about the monarchy it will trigger grief, questioning and uncertainty. There is an obligation on members in this place to do as much as they possibly can to limit that uncertainty, particularly when it reflects on the provisions that sit within imperial law, which the member for Hillarys has outlined, that can have a profound impact on our institutions. The last thing we need during a period of change is uncertainty about our Parliament and uncertainty about the offices held by officers of the Crown however they may be defined, and any aspect of law or litigation brought on behalf or in the name of the Crown.

This bill is an adjustment to the Constitution Act 1889 (WA) to make it clear that the Queen as sovereign and the Crown as an entity are in fact separate and there is an ability to transfer all functions, duties, powers, authorities, rights and privileges, and dignities belonging to the Crown to the sovereign's successor. Yes, it is a very simple amendment; it is something that does not need to take an awful lot of time in this place. It is interesting that it started out in 1994, as we have heard, with the Western Australian Law Reform Commission report on project 75, "United Kingdom Statutes in Force in Western Australia", first identifying a preference to deal with this issue rather than leaving it to the uncertainty of interpretation of imperial statutes. It came up again in 2014 with the Standing Committee on Uniform Legislation and Statutes Review, and then came up again in August 2015 with the twenty-eighth report of the Standing Committee on Legislation. Simple things take a long time to reach gestation it appears, but today we are finally dealing with it.

In conclusion, as I do not have much to say on this matter, I have to acknowledge this amendment fixes a very specific problem. But our interrelationship with imperial law and the Crown means that we need to be consistently vigilant for something that might be sitting there to catch us out, and it leads to the more fundamental issue with the future demise of the Crown—that is, a community conversation about our future as a nation and our state as part of the Federation, and we need to debate the question about Australia at some point having an independent head of state. I am certain that debate is not far away. I commend this bill to the house.

MR C.J. TALLENTIRE (Thornlie — Parliamentary Secretary) [8.46 pm]: I am very pleased to speak to the Constitution Amendment (Demise of the Crown) Bill 2017. I preface my remarks by saying that I am a staunch republican, but I can see that there is a need under our current arrangements to ensure that the present system works effectively and that it is not one that could in any way be hampered by some form of legal challenge should the monarch die. Bearing in mind that our current monarch has been on the throne for 65 years—I am sure that monarchists could even tell me down to the day that it is 65 years and 289 days or something like that—it is something, though, that is very much a potential reality. At 91 years of age, even with the best of British medical support that no doubt Queen Elizabeth receives, something could go wrong at any time. I am very pleased that this bill is here in this house because if the Queen were to pass, various people appointed as officers of the Crown could find their appointments challenged. It is even possible that this Parliament could be challenged.

Some people have said this has been going on for a long time, but I would put that we are in uncharted waters here. If we look at the history, we find that since 1890 when we had responsible—that is the term—government in Western Australia, how many monarchs have passed? I have looked at this and I have also looked at the proximity of the passing of a monarch to an election held in Western Australia, and it is very interesting. It suggests that if Queen Elizabeth were to pass in the next year or so, there could be legitimate grounds for a challenge, certainly at some level. We have not been here before. I am going to run through the situation.

In 1890, when responsible government was created in Western Australia, it was towards the latter years of Queen Victoria's era. When Queen Victoria passed on 22 January 1901, after 63 years on the throne, our

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

Parliament was prorogued, or dissolved, very soon after, on 15 March 1901. In other words, very soon after the passing of Queen Victoria there was an election in Western Australia—about two months after. Then came Edward VII, who died on 6 May 1910. Then there was a bit of a lag. The next proroguing of the Parliament did not occur until 31 August 1911, so there was a little bit of time lapse there but probably not enough time for anyone to launch any constitutional challenge to those people, or indeed the Parliament appointed under the monarch Edward VII. Then we had the reign of George V, who died on 20 January 1936, after an election on 15 January 1936. It is fair to say that a new Parliament was in place, and probably most of the appointments under the Crown had not been consolidated or confirmed at the time of the passing of the monarch. I think there is a proximity between the date of the Western Australian state election and the passing of the monarch that suggests that that could explain why there would not have been any challenge at that time.

Then—this is quite remarkable—Edward VIII abdicated after falling in love with Mrs Wallis Simpson. He abdicated on 11 December 1936, and that was the date the new Parliament in Western Australia opened. Clearly, there would not have been a challenge then because there would have been a new regime. Then we get to George VI—the father of Queen Elizabeth II—and he was King until he died on 6 February 1952. The next state election was on 15 January 1953. So, again, a fair degree of proximity between the demise of the monarch and the next election. George VI, of course, was the last monarch to die in this era of responsible government in Western Australia. We are in uncharted waters here. If Elizabeth died quite soon, it would raise questions about what could be done in terms of legal challenges to the Western Australian Parliament and its appointments.

This is interesting, and it is not recorded in *Hansard*. When we were being sworn in I noted members opposite who chose to swear allegiance to Queen Elizabeth II, her heirs and successors.

Several members interjected.

Mr C.J. TALLENTIRE: Yes, of course I noted that the members for Dawesville, Hillarys, Nedlands, Churchlands, Bateman and Cottesloe all swore allegiance to Queen Elizabeth II, her heirs and successors.

Several members interjected.

Mr C.J. TALLENTIRE: I understand where the allegiances of those members lie; it is very clear.

Australia needs to have its own head of state. The potential constitutional challenge we could see here is another reason we need to move on and modernise. Other reasons exist. I was in Canberra yesterday and noticed that there was full head of state recognition for the head of state of Ireland. When does Australia get head of state recognition overseas? It never does, because our head of state never travels on our behalf. If we look at things in bland marketing terms, prestige is conferred upon a nation that has its head of state travel and represent it elsewhere—there is that elevation of recognition. Australia has never had that. That is another reason.

Several members interjected.

Mr C.J. TALLENTIRE: I notice a monarchist—the member for Churchlands—complaining about my speech. I am unclear about —

Mr S.K. L'Estrange: You don't know how I voted at the last republican vote!

Mr C.J. TALLENTIRE: I noted that the member for Churchlands swore allegiance to Queen Elizabeth II when we were being sworn in. The member for Churchlands chose to do that ahead of swearing allegiance to the people of Western Australia. The member for Churchlands swore allegiance to Queen Elizabeth II, her heirs and successors. The member for Churchlands does not even care who her heirs and successors are, but he was prepared to swear allegiance to them. There we have it.

Several members interjected.

The ACTING SPEAKER (Mr R.S. Love): Members! Sit. We will not let this turn into a complete debacle. The member for Thornlie will get back on his feet and you guys over here will let him speak. The member for Thornlie will not seek interjections from these members by directly challenging them.

Mr C.J. TALLENTIRE: I have outlined two reasons we should be a republic, one of which is that we should have an Australian as head of state. We should have the capacity to have an Australian head of state represent us overseas.

I also want to express my concern for the people of Great Britain—that is, for the entrenchment of their class system. When we think about it, their adherence and blind allegiance to a monarchy is the entrenchment of that class system. We are very lucky not to have that in this country. We have it to some extent at times, I think, but we do not have the problem of a class system in the same way. The United Kingdom definitely has it, and that was

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

very much in evidence in the June 2016 Brexit referendum, during which we saw the disenfranchised people rebel against the establishment by voting against the people who perhaps were better educated and those who were able to take their holidays in Europe and enjoy the benefits that come with membership of the European Union. It became a class issue. The UK class system has caused so much damage to that country and restricts people. There was a push by the Blair government to talk about social mobility, and I think the David Cameron Tory government tried to continue the same line, but I do not think it exists properly in that country. That class structure is locked in because people want to have their little place on the pyramid of social hierarchy. The people at the very top—the monarchy—help keep the rest of the people in their respective order. That restricts social mobility—something I think all in this place believe in and see as being a great virtue in our society. No matter who we are or where we are born, if we have the right opportunities—we have lots of work to do on ensuring equality of opportunity—and breaks and have the education and motivation, we can succeed in this country and will not be locked in by dint of class or place of birth. The UK has a political system—a democratic system they would call it—whereby the head of state is there by birth, not by merit. We have to move away from that.

I have outlined the case for this legislation being much-needed. We are in uncharted waters. I have demonstrated how over the years in WA we have been very fortunate. I am not sure because I do not know the history well enough to say whether it was by design, but the prorogation or dissolution of our Western Australian Parliament has corresponded almost perfectly with the death of a monarch. For that reason we have avoided such a challenge in the past. I see the need for this legislation, because if Queen Elizabeth II died in the next year or so I think it would be quite possible for us to see various legal challenges.

I notice the member for Hillarys put a view that suggested that there would not be an issue because we would be able to fall back on the long history of the British monarchy and the respect for the institutions and appointments made under the reign of a previous monarch. I do not think that holds water. We have to look at the situation. Since 1890 the number of monarchs who died at a time close to the change of government at a state level, which has then led to the reappointment of various Crown officers, means that we have not tested this before. If Elizabeth II were to die very soon, we would be in a position to see it tested.

Several members interjected.

Mr C.J. TALLENTIRE: I can take only one interjection at a time. I will take the member for Hillarys' interjection; I think it was a serviceable one.

The ACTING SPEAKER: Members! Sit down when I stand up, thank you. Member for Thornlie, sit down. Let us have a bit of silence, so we can listen to the member for Thornlie.

Mr C.J. TALLENTIRE: I wanted to make one more observation. The monarchists opposite will be interested in hearing that the House of Windsor is the part of the dynasty we have at the moment. But it is interesting that it was once called the House of Saxe-Coburg and Gotha, and it changed its name just over 100 years ago. In recent times, we have had almost an obsession with celebrating and commemorating events of 100 years ago. One such event, to the best of my knowledge, passed by in total silence—the obsequious media did not bother to mention it at all. It happened on 17 July 2017, which was exactly 100 years since the Saxe-Coburgs changed their name to Windsor—we never mentioned it! It is interesting that it went by and I am surprised that the monarchists opposite did not raise that we were celebrating 100 years of the creation of the Windsors! It was not mentioned. I think it is important that we pass this legislation to ensure stability. I look forward to the day—very soon, I hope—when we do become a republic and we free ourselves from the apron strings.

MR T.J. HEALY (Southern River) [9.00 pm]: I rise to speak to the Constitution Amendment (Demise of the Crown) Bill 2017. I note that I am not the lead speaker. The purpose of this amendment is to make abundantly clear what is not clear; that the demise of the Crown has no impact on the Western Australian Parliament. It has no effect on our officers or the state government. This bill clarifies that the demise of the sovereign will transfer all functions, duties and powers to the heir. In the expedience of time, I concur with Hon Sue Ellery's comments in the other place. I also wish to reiterate, in support of the member for Dawesville, that Queen Elizabeth is a lovely English grandmother.

Several members interjected.

Mr T.J. HEALY: No; she is. I am not disrespecting her at all. She has done more service —

Mr Z.R.F. Kirkup interjected.

Mr T.J. HEALY: I agree. She has done more service than many of us. The purpose of this bill is what will happen if she does pass. I remember a media rush earlier this year when the attendants were called to Windsor Castle in the middle of the night. We feared that we had lost the Queen. This bill was on the table and we were not ready. What would have happened? The good thing is that it turns out it was only the retirement of Prince Philip; it was not the end of the Queen, but our entire government could have fallen if it had been the Queen. The member for Bunbury mentioned his meeting with the Queen and Prince Philip. I would like to mention my interaction with

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

Prince Philip. I am very proud that I am a Queen's Scout; I wear my scout badges. I also acknowledge that the Liddelow Scout Group was here tonight. My issue with Prince Philip is that he almost hit me in his car—true story! In 2007, I was honoured to be a Western Australian scout sent to Windsor Castle to represent Australia for the centenary of scouts. I also got to meet the Queen, but my most exciting story is that Prince Philip almost hit me in his car. An hour before the ceremony, we were in Windsor Castle and there were the people who came around and adjusted our badges to make sure we were all looking presentable and things like that. We were in the old stables. We were in the area that was there 100 years ago. About 100 scouts were all seated there. Prince Philip had obviously been out driving and did not know there were 100 scouts in his stable—his parking area. He came in at about 100 miles an hour—maybe 30 miles an hour!—and almost hit me and about 10 other scouts. The issue I had with his retirement is that I still have a bit of an issue with Prince Philip—that he almost hit me, and I guess his retirement means that I cannot settle that score at some point.

Ms J.J. Shaw interjected.

Mr T.J. HEALY: I do have some comments on that. I respect the role of Queen Elizabeth but I seek to make what would be called some republican comments. A republican comment on this bill is relevant because if an Australian head of state were appointed or elected—I will leave that to another time—this would all be easier. Our head of state should be someone like Pat Morris, an Australian, a titan of Gosnells. She was our first female mayor in Gosnells. She is a Freeman of the city and patron of numerous clubs—a fantastic figurehead! She would be an incredible person to play a role in this. As would someone like Edd Black, an Australian and a long-time principal of Huntingdale Primary School. He is a long-time champion of the teachers' union and a great leader of educators in my area. He would be a fantastic head of state. Ross Leipold is another fantastic Australian who would serve so well in this role. He is the long-time president of Gosnells Cricket Club and a local champion. Rodney Croome is a member of the Order of Australia, a lifelong equality advocate, a former Tasmanian of the Year, and an academic and marriage champion.

This bill is about the end of a monarch and the beginning of another. It is about the start and end of a monarch; it is the start and end of an emperor. Thank you for allowing me to mention a number of people earlier, Mr Acting Speaker. There are also some fantastic women of merit in the Cottesloe area—the start and end of an emperor. Some great female members also come from the state seat of Cottesloe. Some women of merit could be great heads of state and could also, for those who might be listening and thinking of playing along at home, be great new Liberal MLA's for Cottesloe. The majority of councillors and local government representatives in the state seat of Cottesloe are, in fact, women, including Cottesloe Mayor Jo Dawkins, Cottesloe Councillor Katrina Downes and Cottesloe Councillor Sally Pyvis. And what about Diedre Wilmott, Cambridge Mayor Keri Shannon, and Cambridge Deputy Mayor Pauline O'Connor? I say to members of the Liberal Party, if they are looking for women of merit in the seat of Cottesloe, I have a fantastic list of people! In Peppermint Grove, the president is Rachel Thomas, and Karen Farley and Dawne Horrex are councillors. In Mosman Park, Jenna Ledgerwood is deputy mayor. I could go on and on! Members of the Liberal Party may be seeking a new head of state or they might be looking for a new member of Parliament in the seat of Cottesloe. I want to tell them, before it is too late, to search out these great women. I also acknowledge that I think Slade Brockman made his first speech in the federal Parliament today. I think members of the Liberal Party have an opportunity coming up to put a fantastic woman of merit into their ranks. I think we have enough balding man in safe Liberal seats. I endorse so many of these wonderful women.

MS M.M. QUIRK (Girrawheen) [9.07 pm]: Earlier today, I accidentally heard a couple of the clerks in this chamber discussing this legislation. The tenor of the conversation seemed to be that they expressed surprise that so many members of Parliament were interested in speaking on this arcane bill. One remark was made that the bush lawyers would feel it necessary to contribute. I was not going to speak on this matter, but now I feel that I should because I do not want to disappoint anyone's expectations!

I think we have heard about the purpose of the Constitution Amendment (Demise of the Crown) Bill 2017, which is to remedy some oversight whereby, in the event of the untimely demise of the Queen, there would be some constitutional confusion in the state. That can be easily remedied if we promptly pass this bill. This bill is very much overdue. Like many other pieces of legislation that our good Attorney General has introduced in this place, his predecessor had ample opportunity and ample recommendations to remedy the situation. It is by luck and good fortune, rather than good management, that the premature death of the Queen has not plunged us into constitutional crisis. Like so many of the bills and recommendations for reform that were in Attorney General Mischin's in-tray—there was a significant logjam in that in-tray—this is another suggestion of reform that never saw the light of day. The need to remedy the situation was first mentioned in 1994 by the Western Australia Law Reform Commission. Then the Standing Committee on Uniform Legislation and Statutes Review produced a report in 2014. There was again a report in 2015 from the Standing Committee on Legislation specifically on the demise of

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

the Crown. Despite this succession of recommendations, Attorney General Mischin, even though he was said to have supported the legislation, did not take the extra step and actually introduce a bill.

I have to say at the outset that this bill is not an attempt to diminish or undermine the significant contribution and public service of the current monarch, Queen Elizabeth II. Over 40 years Her Majesty's contribution not only to Britain, but as leader of the commonwealth, has been both substantial and significant. But whilst we marvel at the Queen's commitment, professionalism and longevity, we are realists and know that at some stage a successor will assume the role of monarch and that a level of uncertainty, which has been identified in the second reading speech, would follow that succession had we not introduced this legislation. That includes the immediate dissolution of Parliament, the immediate vacation of all officers of the Crown and that all proceedings brought on behalf and in the name of the Crown would need to be discontinued. It also has to be said that this is not some dastardly and reprehensible plot on the part of republican sympathisers to diminish the significance and influence of the British monarchy. In making the remarks I am about to make, I am also mindful that when the Constitution referendum into becoming a republic was held in 1999, the federal electorate of Cowan, in which my seat resides, was strongly opposed. That is, of course, now some time ago and I think part of the result is explicable by the incomprehensible model that was put forward, which deterred many from backing the change. I need to respect the result and honour the views of my constituents, but by way of observation, in the many years that have followed there has been an influx of constituents from the subcontinent and South Africa and both of these groups understand that a country can cut the apron strings and become a republic and still belong within the family of the Commonwealth.

All of this is a preamble to the underlying issue: why in 2017 are we so still inextricably and unexpectedly linked with another country? In a commercial sense we were unceremoniously dumped, losing our colonial advantage when the United Kingdom entered the European common market in the 1960s. Now that the UK has rejected Europe in Brexit, Britain is now aggressively competing with Australia in trade and economic matters across the globe and using members of the royal family as trade ambassadors for British enterprise that directly competes with Australian business and trade. But that is not my biggest grievance. It is why we do not have enough confidence in ourselves to be fully autonomous and embrace an Australian as a head of state. I am afraid that another's reflections sum it up better than I could possibly, but I will leave it to members to guess who it is at this stage. I quote —

The fact is that if the plans for our nationhood were being drawn up now, by this generation of Australians and not those of a century ago, it is beyond question that we would make our Head of State an Australian. Any suggestion that the British monarch should fill the role would not be entertained. This is not because our generation lacks respect for the British monarchy, or the British people, or our British heritage, or the British institutions we have made our own, or our long friendship with the British in peace and war. On the contrary, Australians everywhere respect them, as they respect The Queen. But they are not Australian. It is so obvious, that if we were just now drawing up our constitution, we probably would not even feel the need to say that the Australian Head of State will be Australian—it would go without saying.

That it does not go without saying today is an accident of history. We are attached to Great Britain by long threads of kinship and affection which, to a considerable extent, are embodied in the warmth of our regard for Queen Elizabeth. Many Australians may well feel that to substitute an Australian for the monarchy constitutes in some way a rejection of these ties. I think all of us can understand these feelings.

But the creation of an Australian republic is not an act of rejection. It is one of recognition: in making the change, we will recognise that our deepest respect is for our Australian heritage, our deepest affection is for Australia, and our deepest responsibility is to Australia's future.

Nothing in the creation of an Australian republic will alter the facts of our heritage and our affections. Indeed our relationship with Britain may well become the more thoroughly "modern relationship" which the British Prime Minister expressed a desire for two years ago. The development of a mature and modern relationship will certainly not be inhibited by recognition of the truth. We are friends with separate destinies to carve out in the world. We are not as we once were, in a parent-child relationship.

The people of modern Australia are drawn from virtually every country in the world. It is no reflection on the loyalty of a great many of them to say that the British monarchy is a remote and inadequate symbol of their affections for Australia. And we can be equally sure that in the 21st century the British monarchy will become even more remote from even more Australians.

Australia occupies a unique place in the world and makes a unique contribution to it. Our destiny is in no-one else's hands but our own: we alone bear the responsibility for deciding what the nature of our government and society will be, what advantage we will take of our human and material resources, what kind of place our children will inherit.

I might ask my colleagues present whether they think they know who these words belong to.

Several members interjected.

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

Ms M.M. QUIRK: It might be a Prime Minister. It might be Prime Minister Keating in June 1995, but how much more apposite are those words today than when they were made 22 years ago?

The other issue that in my mind evidences the need to limit those archaic ties with the Crown relates to recent disclosures concerning the dismissal of Prime Minister Whitlam by Governor-General Kerr in 1975. Sir John Kerr has always maintained that beyond advice received from Chief Justice Sir Garfield Barwick and his conversations with Anthony Mason, also a High Court judge, although not at that stage, he acted alone with no intervention from Buckingham Palace. However, a recent article in *The Sydney Morning Herald* and investigations throw a new light on research that leads us to seriously question this assertion. We now know that representatives of the British government flew to Australia in the lead-up to the 1975 dismissal to meet with the then Governor-General, casting further doubt on the accepted narrative that London officials did not play an active role in Australia's most significant constitutional crisis. The article states —

... Sir Michael Palliser, the newly appointed permanent under-secretary of the Foreign and Commonwealth Office, arrived in Canberra a month before the dismissal and held a joint meeting with Sir John Kerr and the British High Commissioner, Sir Morrice James, just as the Senate was blocking supply. Sir Michael later reported back to London that Sir John “could be relied upon”.

These are extraordinary materials, which are only just coming to light, indicating that the British Foreign and Commonwealth Office and the British High Commission were in discussion about the possibility of interfering in domestic Australian politics, specifically the half-Senate election in November 1975. Some researchers inferred that given the nature and the seniority of those involved in discussions, the Queen must have been aware of the portending events.

In an article in *The Sydney Morning Herald*, “Monarchists can't pretend the royals are just a symbol”, Peter Fitzsimons made the following conclusions a few days ago that this —

... goes right to the heart of the integrity, or lack thereof, of Australian sovereignty under our system of a constitutional monarchy.

If Kerr acted alone, it was—whatever the outrage—at least an all-Australian affair. If he acted with input of either or both of an unelected Sovereign and her unelected officials, then it was the exemplar of an outrageous intervention by foreigners in Australian affairs, which demonstrates exactly why we need to be a republic!

He goes on to state —

Here we have two unelected Brits, discussing with one unelected Australian, the fate of Australia's duly elected government and the best way to bring it down!

The upshot of the meetings appeared to be that Kerr could go ahead to dismiss Gough, as the Queen's position could be protected.

One researcher, Jenny Hocking, describes it in her book as Kerr getting “the royal green light”.

Others have described this whole narrative as being a left-wing conspiracy theory but, as Peter Fitzsimons says in his article about Professor Jenny Hocking, who has done this tireless research into this dismissal over many years, her research has been thorough and fearless and she is even now in the Federal Court trying to get documents that are due to be released under the 30-year rule, the release of which is being blocked. As Peter Fitzsimons concludes —

If in Australia we are no more than Little Englanders, then there is no problem with England acting in this manner. It is what it has done with colonies since time immemorial.

But if we believe we are our own people, Australians capable of being a free-standing entity beneath the Southern Cross, this revelation might help provide the impetus we need to do exactly that and become a republic.

Finally, I leave the last words to Malcolm Turnbull. In an article he wrote in the Australian Law Reform Commission Reform Journal in 1999 headed “The republic: A vote of confidence in Australia” he said —

We were embarrassed that a substantial minority, but a minority nonetheless, could embrace the divisive and intolerant nonsense of One Nation. But what will the world say if on the verge of the millennium, the centenary of our life as a nation, Australia signs up for another 100 years of the British monarchy?

What will it say about our belief in a tolerant, multicultural society if we reaffirm that our Head of State must be a member of the British ruling family and must, by law, be a member of the Anglican Church?

What will it say about our belief in ourselves, our confidence in our own people, if we reaffirm that no Australian, not the best or most brilliant, is good enough to be our Head of State. In 1930 it took a great struggle by Prime Minister Scullin to persuade King George V that an Australian, Isaac Isaacs—one of our greatest jurists—was good enough to be Governor-General, the monarch's viceroy or representative.

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

Nearly 70 years later, have we come no further? Do we still believe that Australians are only good enough to have the second ranking post?

Finally, what will it say about our commitment to a society of equal opportunity if we reaffirm that there will always be one office in our society to which no Australian may aspire, an office the occupant of which is defined by heredity, not ability, by sectarianism, not tolerance, and by the laws of the United Kingdom, not the laws of Australia.

I commend the bill to the house.

MR Z.R.F. KIRKUP (Dawesville) [9.23 pm]: Unsurprisingly, I rise—to the delight of the member for Perth—in support of the Constitution Amendment (Demise of the Crown) Bill on behalf of the opposition. A couple of us in the chamber this evening canvassed our own experiences with our fantastic Queen and sovereign. I thought I would very quickly apprise the house of a small story of my experience when I was invited, together with the state's former Premier, to go to the 2011 Commonwealth Heads of Government Meeting visit with the Queen when it was held at Government House here. I was working for the Premier at the time and had the fortunate experience of, as I think Sir Robert Menzies said, “simply watching Her Majesty pass by”.

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr C.J. Tallentire interjected.

Mr Z.R.F. KIRKUP: I am certain the member for Thornlie quite enjoyed it. It was a fantastic time and a time that made me proud to be a Western Australian, proud to be an Australian and proud that we are part of a commonwealth of nations with the Queen as our head of state.

Several members interjected.

The ACTING SPEAKER: Thank you, members!

Mr D.A. Templeman: Will no-one rid me of this turbulent priest?

Mr Z.R.F. KIRKUP: Members opposite might deride, but I find it fascinating that we are here today in this house and remarks have been made by the member for Thornlie that absolutely undermine the service of our sovereign to this nation and to the commonwealth. I find the 65 years, eight months and 12 days that Her Majesty has been on the throne to have been exemplary and something many in this place could do well to take note of and try to replicate even in a very small manner.

Several members interjected.

Mr Z.R.F. KIRKUP: I am also reminded that members in this place might try their best to deride the Crown and the institutions that we hold dear and, indeed, as members of Parliament serve. But I inform the member for Thornlie that he should go to the standing orders and find that under general rule number 1 we operate under the Westminster system, a system we have inherited from the British empire and the Crown, the sovereign over there. Similarly, as the member for Churchlands quite rightly pointed out, the member for Thornlie should avert his eye to the facade that sits behind the Acting Speaker and see the coat of arms of the British empire. He cannot continue to deny that somehow he has some sort of —

Several members interjected.

The ACTING SPEAKER (Mr I.C. Blayney): I am going to start calling people. It is a principle of this place that you might disagree with everything that people say but you do allow them to say it or defend it to the death or whatever it is.

Mr Z.R.F. KIRKUP: He cannot deny the traditions of this place by which he serves and by which he was elected, yet somehow perhaps he continues to deride the system we have inherited in Australia, which has served us very well since we gained responsible government.

Mr M. Hughes interjected.

Mr Z.R.F. KIRKUP: I am very glad the member for Kalamunda touched on that because I will get to the United States in time. I will keep my speech brief, knowing the time. I am very keen to see whether the member for Baldivis will contribute this evening as an avid republican. I am waiting for it. As an avid royal follower, as quite rightly pointed out by the member for Perth, I was interested to see what happened when there was previously another demise of the Crown when King George VI, sadly, passed away in 1952. It is very interesting to read what happened then because Australia has changed quite significantly in that time; I have no doubt about that. But one might look to the outpouring of public, I guess, bereavement with the untimely death of Princess Diana in 1997 and

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

the Queen Mother in 2002. Members will see that right then and there the people of this nation were still very firmly in support of a constitutional monarchy.

Mr D.R. Michael: Rubbish!

Mr Z.R.F. KIRKUP: Member for Balcatta, it is not rubbish and I will get to that very soon.

Mr D.R. Michael interjected.

The ACTING SPEAKER: Member for Balcatta, I am calling you for the first time.

Mr Z.R.F. KIRKUP: I have to say that that might be the first time I have seen the member for Balcatta ramp up. I do enjoy it. But members —

The ACTING SPEAKER: Please direct your comments to me, member.

Mr Z.R.F. KIRKUP: Of course, Mr Acting Speaker. I thought it was prudent to go back to 1952 and see what happened in this great nation when there was the unfortunate demise of King George VI. There are a couple of interesting things that members may be aware of—certainly the elder members of this place.

Mr T.J. Healy: Beryl was in primary school.

Mr Z.R.F. KIRKUP: I am certain that Beryl from Falcon was all over it.

Unfortunately, I suspect that one day this place will have to go through this. I hope it is some time away, unlike the member for Thornlie, who suggested it could be very soon. I suspect that Her Majesty will live for a very long time.

Mr C.J. Tallentire: She's 91.

Mr Z.R.F. KIRKUP: And long may she reign!

Mr J.N. Carey: These are the same arguments of those against same-sex marriage.

Mr Z.R.F. KIRKUP: Member for Perth, please.

Mr J.N. Carey: Where do you stand on marriage equality?

The ACTING SPEAKER: Member for Perth, I am calling you for the first time.

Mr Z.R.F. KIRKUP: It is an outrage that the member for Perth would go to such lengths to suggest that this is somehow linked to same-sex marriage. It is absurd and I absolutely reject it.

In 1952, as I understand, the entrances to this place were draped in purple and black. Ministers—I hope to see them all doing the same—wore black suits and ties in mourning. Church bells were tolled an hour a day until the funeral, which was designated a full day of mourning.

Ms S. Winton interjected.

The ACTING SPEAKER: Member for Wanneroo!

Mr Z.R.F. KIRKUP: I understand that theatres like the great His Majesty's Theatre were asked to close. Sporting fixtures were cancelled and schoolchildren, quite proudly, although I suspect this will not happen again, sang *God Save the Queen* and Australia's national anthem, one after the other. I have read with interest articles in *The Australian* more recently that have outlined secret plans that the commonwealth government has gone through time and again with successive Governors-General for what might be the inevitable day of the demise of the Crown. From the moment that Her Majesty Queen Elizabeth II takes her last breath, we are all aware in this place that her son, the Prince of Wales, will become King Charles III as King of Australia and that Prince William, the Duke of Cambridge, will go on to be the new heir to the throne. I am interested to see what happens in Australia when that unfortunate time comes. I understand that the code for the day is called "D" and it counts up to 10 for the 10 official days of mourning that our great nation will go through. As we would expect, flags in this place and across government buildings will be flown at half-mast. I understand that that will happen, except for the day of ascension for the new monarch, when he is eventually proclaimed. A flag notice will be issued immediately upon Her Majesty's death. Interestingly, with the rise of social media, when it has previously been the role of the Governor-General to inform the people of Australia of the demise of the Crown, I suspect that Twitter will probably get there first. It will be a very interesting time.

Mr J.N. Carey: What an amazing observation.

Mr Z.R.F. KIRKUP: I thank the member for Perth once again for his fantastically eloquent remarks as ever.

Mr J.N. Carey: You stun us with the intellectual debates.

Mr Z.R.F. KIRKUP: There is a time for emotion, I suspect. This is more it.

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

In any case, as expected, bells will be rung at churches across the country. St George's Cathedral, the place in which my fiancée and I will be getting married, as a proud seat of the Anglican Church for which Her Majesty is the defender of the faith, will ring out hour after hour.

Several members interjected.

Mr Z.R.F. KIRKUP: I do so love it. There are few things that get those opposite so riled up, like union bashing and somehow supporting Her Majesty Queen Elizabeth II. I have seen them go just as strongly when we hit the unions up, and here they are again.

Mr T.J. Healy: Why aren't you getting married in Dawesville?

Mr Z.R.F. KIRKUP: That is a fantastic question. It is because my grandmother and my great-grandmother were both baptised in that church and my grandparents were married in that same church. I look forward to continuing the family tradition.

Mr D.J. Kelly: Dawesville wasn't good enough for them either.

Mr Z.R.F. KIRKUP: Come on now. I think it is important. The whole point of what we are dealing with today goes to tradition and history. It is not surprising to me that the tradition and history of my family is lost on those members opposite, who seem to cast them aside.

I understand that Australia will continue to send four representatives from our nation to the state funeral.

Mr J.N. Carey: You should be one of them—the prince of Dawesville!

The ACTING SPEAKER: That is the second time, member for Perth. I ask you to restrain your emotions a bit.

Mr Z.R.F. KIRKUP: This is the pitch, member for Perth. Unfortunately, when the time comes, it will be one of great solemnity and a watershed moment and the end of an era. All of us in this place are acutely aware that the Australian attitudes towards the head of state and the constitutional monarchy by which we all serve presently will no doubt change when, unfortunately, there will be a demise of the Crown.

I was interested to hear—I think it was the member for Balcatta—that somehow the republic is more popular. I can tell the member for Balcatta that the republic has never been less popular than in the Newpoll that was published in early 2017, I think, when it stated that 51 per cent of Australians were in total support of the constitutional monarchy, 12 per cent were uncommitted and a measly 37 per cent—I suspect, representative of those members opposite—were in favour of a republic. Interestingly enough, there was strong support, as I would expect, from Beryl's year group, with 54 per cent of those aged 50 and above in favour of a constitutional monarchy. Interestingly, support was exceptionally high in those aged 18 to 34. To me, those members opposite who somehow suggest that it is a more popular, widely held belief that Australia should become a republic absolutely missed the memo. They are stuck in this Whitlam dismissal era that I keep going on about. We should have played a game before when we all take a shot when we hear the words "Whitlam dismissal" because it would have kept going.

Mr D.R. Michael: You've got the numbers around the wrong way.

Mr Z.R.F. KIRKUP: I have the numbers here. I am happy to show the member later.

Mr J.N. Carey: How long will this comedy act go on?

Mr Z.R.F. KIRKUP: I will take the whole eight minutes for the member for Perth.

Mrs R.M.J. Clarke: Doesn't your federal Prime Minister support a republic?

Mr Z.R.F. KIRKUP: Many people have different views but I am saying that, reflective of my generation, my view simply does not sit with what those members opposite have suggested when it comes to a republic. I am curious to understand exactly what we will replace our constitutional monarchy with. Presently, we have the ability to elect or to certainly claim and choose our own Governor-General who, for all intents and purposes, absolutely oversees our democracy and, indeed, has been represented by some fantastic Australians.

I do not quite understand what model members opposite would try to put to the people of Australia to choose between. If it is the US model of the presidency that should somehow be exported here, none of us in this place, certainly with recent events, would suggest that that has worked out particularly well. I find it fascinating that members opposite suggest that should we become a republic, we would like to gamble with an unknown future in absolute ignorance, rather than continue with a popular model that is supported by Australians, certainly in that year group 50 and above and those aged under 35. It is absolutely absurd to me that we should replace a known, well liked and well-run system with some sort of model that we do not quite know what it looks like just because those opposite have some sort of obsession about things like the dismissal. I cannot imagine what a republic of Australia would be like. I think it will still be some time before that conversation comes around again because, quite simply, all politicians of the Australian Republican Movement know that they are not representing a popular

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

cause. The Duke and Duchess of Cambridge and the fantastic Prince George and Princess Charlotte capture the imagination of the Australian people. Eventually, when Prince Harry at some time in the future gets married, and I expect he will—member for Morley, it just keeps going—his wedding will capture the minds, imaginations and emotions of the people of our nation, and I will proudly be one of those people. As I said before, I look forward to the Queen's very long reign over our nation.

MRS J.M.C. STOJKOVSKI (Kingsley) [9.41 pm]: I rise this evening to contribute briefly to the debate on the Constitution Amendment Legislation (Demise of the Crown) Bill 2017. It will be no surprise to members here that with fiery Irish blood running through my veins, I am a staunch republican. When the demise of the Crown legislation was put before us to look at, I was very excited because I thought we were taking some progressive steps towards becoming a republic. However, I understand that is not to be—at this time. In my role as the member for Kingsley, I have done a lot of visits to my local schools to talk to their civics classes and discuss the structure and functions of the Australian government. The very first question that I ask the students is: who is the head of Australia? I have to admit that I get some very interesting answers. A lot of them think Bill Shorten, which is, hopefully, a good premonition for us. A lot of them think Malcolm Turnbull or Tony Abbott, but when I show them the photograph of the Queen, these kids are shocked. They cannot believe that someone who is not even an Australian, does not live here and is not a citizen is our head of state. One of these students commented to me, “Does that mean that I could never be the Australian head of state?” I had to crush this poor girl's dreams because I had to say, “Yes, you are not born into the Windsor family. You will never be the head of state under the current system.”

Some of the astute older students ask me: why are some of our elected members who have two citizenships not allowed to serve in the Australian Parliament, yet our head of state, who is a foreign citizen and does not even have Australian citizenship, is allowed to be our head of state? I agree with these students. How can these astute students understand what the member for Dawesville cannot? It begs the question why the great country of Australia, which I hold so dear, is a constitutional monarchy and not a republic. I fail to see how the interests of Australia are served by having the British Crown as our head of state. I put it to members, and specifically the member for Dawesville, that two countries could not be further from each other; not only is there 14 470 kilometres between Perth and London, but we are also in separate hemispheres and have different geopolitical landscapes, different cultures and different climates. When it comes to sport, how could our head of state, in my passionate sport of rugby, support the Australian Wallabies when she is the British monarch? These are very important questions. Ask any Australian at any Australian barbecue. The topic that they discuss the most is sport. I fail to see how having a British head of state in Australia serves our interests on the sporting fields.

Despite my desire to see the Australian Republican Movement progress, hopefully, in the not-too-distant future but certainly in my lifetime, I understand that the legislation before us is to ensure the continuity of the Western Australian Parliament and the position of other officers of the Crown. At the demise of the Crown in 1952 through the death of His Majesty King George VI and the ascension of Her Majesty Queen Elizabeth II, the Western Australian Parliament was prorogued and members were required to be re-sworn in under Queen Elizabeth II. The member for Thornlie has given us detailed information on previous demises of the Crown and I will not go into those again, but we left ourselves open to constitutional challenges. This legislation is timely, given the advancing age of Queen Elizabeth II, although I acknowledge that she shows no signs of slowing down. Should the demise of the Crown occur through death or abdication, this legislation will ensure the continuity of the Western Australian Parliament and other legal proceedings brought on behalf or in the name of the Crown.

I think it is responsible legislation that, quite frankly, could have been done in the previous Parliament. It is a smudge on the previous Attorney General's record that he did not bring this important legislation to Parliament. In the case of the demise of Queen Elizabeth II, all functions, duties, powers, authorities, rights, privileges and dignities that belong to the Crown should be passed down to the sovereign's successor in the current format. This legislation is a responsible step towards ensuring the continuity of the Western Australian Parliament. It is right that with our constitutional monarchy we deal with this important issue. I suggest that we would not be having this debate if we were a republic. We would be discussing other and, some may say, perhaps more important items. After the member for Dawesville recently outlined for us the horrific events that would happen at the demise of the Crown, my resolve to see a republic sooner, rather than later, has strengthened. I suggest to the member for Dawesville and all monarchists that if they would like to see a functioning head of state who lives in the country over which they preside, perhaps they should look at the esteemed President of Ireland, who addressed us last week.

MR R.R. WHITBY (Baldvis — Parliamentary Secretary) [9.46 pm]: I will not take too much of the chamber's time because we have heard a lot of debate already. Suffice to say, I will support the Constitution Amendment Legislation (Demise of the Crown) Bill 2017, because it takes care of a historical anachronism whereby through the demise of the Crown, Queen Elizabeth, there could be some doubt about the continuance of officers of the Crown—namely, ministers, judges and the Governor. What may happen to bring about a demise of the Crown could be an abdication or a death of the monarch. Those two scenarios have been mentioned this evening. But one

Extract from Hansard

[ASSEMBLY — Tuesday, 17 October 2017]

p4832a-4845a

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

of my colleagues mentioned a third option, which is that a revolution would see the demise of the Crown. I know that in the event of the revolution, we would be very concerned here in Western Australia that we would retain our judges and our Governor and I am sure the people of Western Australia would be very concerned to see the retention of the McGowan ministry. The member for Dawesville mentioned that he was keen to hear from me given that I had expressed a position of being an avid republican. He is correct; I am an avid and passionate republican. Indeed, I have the same convictions as the member for Dawesville's parliamentary leader.

The member for Kingsley mentioned that the Irish blood surging through her veins makes her a passionate republican. I can tell members that I have Australian blood surging through my veins and that makes me a passionate republican. The most likely scenario of the demise of the Crown bill coming into effect would be the instalment of King Charles and Queen Camilla. The fact that we have to debate this bill at all suggests to me that it is high time we come together as a community and as a Parliament and seriously consider another look at the republic. It is almost 20 years since the last republican referendum and the current Elizabethan era is coming to a conclusion with the monarch aged 91 years. I know that the Queen Mother was around until 101 and I, like the member for Dawesville, hope that there are many healthy years ahead for the current monarch, but I am a realist and I assume there will be a day in the next decade or so that the current monarch will pass on into history.

I think that in this Parliament, we should be able to find consensus. There is a former Premier in this chamber who is a republican, or at least I understand that to be the case. There is a current Premier who is a republican. There is a current Prime Minister who is a republican. There is a would-be Prime Minister who is a republican. Maybe it is time we all acted on what we believe in. This is something for the nation to decide. Symbols are important. However, I put to members that the move to a republic is far more sensible, moderate and wise than the notion that was put up recently by an organisation in Western Australia that suggested that Western Australia in its entirety should leave the nation of Australia.

I would like to quote what former Prime Minister Sir Robert Menzies said back in 1954 on the occasion of the new Queen's first visit to Australia —

It is a basic truth that for our Queen we have within us, sometimes unrealised until the moment of expression, the most profound and passionate feelings of loyalty and devotion. It does not require much imagination to realise that when eight million people spontaneously pour out this feeling they are engaged in a great act of common allegiance and common joy which brings them closer together and is one of the most powerful elements converting them from a mass of individuals to a great cohesive nation. In brief, the common devotion to the throne is part of the very cement of the whole social structure.

I have no doubt that those were common sentiments in Australia in 1954. I wonder whether anyone in this Parliament really believes that those would be the feelings of this nation on the occasion of the coronation of King Charles and Queen Camilla. The time has come, members, to consider the future of this nation and seriously move on to a new period in which we have a truly independent Australia and Australian head of state. I commend the bill to the house.

MR K.M. O'DONNELL (Kalgoorlie) [9.52 pm]: I also wish to speak on the Constitution Amendment (Demise of the Crown) Bill. I will do something different—I agree with the Labor Party on this!

Several members interjected.

Mr K.M. O'DONNELL: But I am not going to dump on my friend the member for Dawesville! The member for Bunbury has stated how he met the Queen. That would have been a great honour. The member for Southern River mentioned how he was nearly run over by Prince Philip. The member for Dawesville mentioned how he has met the Queen. In 1988, the Queen came to Kalgoorlie–Boulder.

Mr J.N. Carey: To the shopping strip!

Mr K.M. O'DONNELL: Thank you, member for Perth! Somebody is listening! She came and had a look at our beautiful city. Back in 1988, I was a young police officer in Kalgoorlie.

Mr J.N. Carey: Looking for love in all the wrong places!

Mr K.M. O'DONNELL: True, true!

Back then, the police department was heavily under-resourced. On the day that the Queen was to come to our main sporting oval, they started allocating police officers for protection. They identified the two-storey building at the hospital where the nurses lived as a good spot to view the oval, and also to see whether we could see anything from up there and stop any snipers. We did not have many coppers in Kalgoorlie in those days, so I was allocated that position. I said to the sergeant, "All right. Do I get a gun?", and he said, "No, we haven't got enough guns, constable." So I said, "What if I come across a sniper, sergeant?", and he said, "Call us on the radio and we'll

Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman

come over.” All right! Good luck with that! I just want to say that my interaction with the Queen was to help make her visit to Kalgoorlie–Boulder safe so that she would leave in a healthy position.

Ms S.E. Winton: Job well done!

Mr K.M. O'DONNELL: Yes. Thank you. I support this bill.

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [9.54 pm] — in reply: One sometimes wonders why one brings on such a bill at this late time in the evening! I would like to thank the member for Hillarys for outlining the issues associated with the Constitution Amendment (Demise of the Crown) Bill and the historical journey that he took us on. I acknowledge the contribution of the member for Bunbury, who referred to the visit of the Queen and Prince Philip to the south west. I refer also to the very passionate speech by the member for Thornlie about his republican tendencies. The member for Southern River highlighted his outstanding scout history and, indeed, his visit to England to represent the Western Australian scout group. He also outlined his altercation with Prince Philip and the almost demise of himself by Prince Philip's car. The member for Girrawheen gave a great overview of the bill, particularly the issues associated with the republican model that was put to the 1999 referendum, which was defeated a year later. The member for Kingsley made a contribution, with her wonderful Irish heritage, and made passionate comments about the need for an Australian head of state. The member for Dawesville very passionately defended our sovereign. The member for Baldivis put his views on this bill and his support for this bill and an Australian head of state. The member for Kalgoorlie made an impromptu contribution about his experience, as a member of the police service, as a protector of the sovereign. It was almost as though he was painting a picture of the demise of JFK.

I am going to disappoint some members on my side. My brother actually describes me as a republican with monarchist tendencies! I was one of the few Labor members of Parliament who attended the garden party at Elizabeth Quay during the Commonwealth Heads of Government Meeting. There were a few of us at that garden party—not many. I found that quite an interesting experience, because I did wish to get as close as I could to the sovereign, but I now realise that I was being pushed out of the way by the now member for Dawesville!

However, I think in this story we have forgotten two people. The first is Prince Charles. The member for Southern River highlighted his experience as a scout. In about 1997, when I was at Northam Senior High School, Prince Charles arrived at Northam train station from Perth, and the whole school—all 700 of us—were marched down to the train station. We surrounded the station, and Prince Charles came out and promptly waved at us all and said, “You can all have the day off”, so we all cheered loudly, and he got in the car and drove off. That was my only experience with Prince Charles, but we all had the day off.

We have also forgotten one of the most significant contributors to the monarchy over the last 96 years—that is, of course, Her Majesty's husband, Prince Philip. On one occasion, he described his experience to the General Dental Council in 1960 when he said, “Dontopedalogy is the science of opening your mouth and putting your foot in it, a science which I have practised for a good many years.” We know that Prince Philip has bowed out of public life; his final engagement was earlier this year, a few months ago, at the age of 96. At that time he was patron or president of more than 700 organisations or charities. But, of course, he is famous for some of his comments, his gaffes, including one to the President of Nigeria in 2003, to whom he said in greeting him—he was in full national dress—“You look like you're ready for bed.” At a party in 2004, while waiting to be shown to his seat, he said to the person ushering him into the room, “Bugger the table plan; give me my dinner.” Then he said with regard to Tom Jones in 1969, “It's difficult to see how it's possible to become immensely valuable by singing what are the most hideous songs of all.” And to the Cayman Islanders when he visited them, he inexplicably said, “Aren't most of you descended from pirates?” He mentioned in 1967, “I'd like to go to Russia very much, although the bastards murdered half of my family.” But the one I love the most, because he was always full of self-deprecation—he has always been known for that—was his description of one of his family members, his daughter, Princess Anne. He said of her in 1970, “If it doesn't fart or eat hay, she isn't interested.”

I thank members for their contributions tonight. I am very pleased we are not going to go into consideration in detail, because I think it could be the demise of the Crown if that were the case. This is an important bill and I thank members for their comments and contributions.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mr D.A. Templeman (Leader of the House)**, and passed.

House adjourned at 10.03 pm

Extract from *Hansard*

[ASSEMBLY — Tuesday, 17 October 2017]

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Mr Peter Katsambanis; Mr Donald Punch; Mr Chris Tallentire; Mr Terry Healy; Ms Margaret Quirk; Mr Zak Kirkup; Mrs Jessica Stojkovski; Mr Reece Whitby; Mr Kyran O'Donnell; Mr David Templeman
