

**PROCEDURE AND PRIVILEGES COMMITTEE**

*Seventh Report — Changes that count:*

*Making temporary orders permanent and other procedural wins — Tabling*

**MR S.J. PRICE (Forrestfield)** [4.08 pm]: I present for tabling the seventh report of the Procedure and Privileges Committee titled *Changes that count: Making temporary orders permanent and other procedural wins*.

[See paper [3376](#).]

**Mr S.J. PRICE:** Standing order 282 empowers the Procedure and Privileges Committee to, amongst other things, examine and report on the procedures of the Assembly. The seventh report fulfils this obligation of the committee through an examination of the temporary orders currently in place, and a recommendation that they all be adopted into the standing orders. The report also suggests some other straightforward changes to the standing orders to clarify language and to overcome some procedural obstacles that the Procedure and Privileges Committee has identified. I will now provide a brief explanation of each of the recommendations that the PPC has made.

The first recommendation concerns the walk-through divisions. The current practice of walk-through divisions originated from the recommendations in the second report of the Procedure and Privileges Committee that was presented on 15 February 2022. This approach was introduced during the height of the COVID-19 pandemic to ensure social distancing during formal votes. In the context of the forty-first Parliament, with a significant government majority, the traditional division process, which requires most members together on one side of the house, posed challenges when social distancing. This walk-through procedure was introduced in response to this. As members are aware, in the walk-through system when a division is called and the bells are rung, members exit the chamber and re-enter from behind the Speaker's chair, passing by the clerks' table, where the votes are recorded. This process has proven both effective and efficient. It simplifies the act of voting for members and recording votes for the clerks, while also providing the added benefit of preserving the privacy of members' documents left at their seats, which the traditional division method could potentially have compromised. However, it is important to recognise that the traditional voting system has its merits. Steeped in parliamentary tradition, it carries a certain formality and the call to lock the doors brings clarity and decisiveness, especially when government and opposition numbers are more even. The committee has also contemplated whether, in a more balanced Parliament, the walk-through method might create congestion as members converge behind the Speaker's chair to enter the chamber. However, on balance the committee favours the walk-through division process as a practical method for conducting divisions. Looking to the future, it is possible that advancements in technology may introduce further improvements to this process such as electronic voting, although the Assembly is not yet at that stage. For now, the committee recommends that the walk-through division procedure continue with its formal incorporation to the standing orders.

The second recommendation is to make permanent the temporary order concerning members' statements. Members' statements are provided for in standing order 147. They are six 90-second statements that take place once in a sitting week at a time decided by the Speaker. The current practice is for these statements to be held prior to the lunch break on Thursdays. In the temporary order agreed on 29 November 2023, members' statements were expanded to eight two-minute statements. The previous 90-second statements resulted in a race call of members hurrying through their contributions. The additional 30 seconds has improved this. Further, the additional two statements a week over the course of a 19-week sitting year provides an additional 38 opportunities to raise constituency matters in the house. The committee is of the view that this was a positive change and that the temporary order concerning members' statements should be enshrined in standing orders.

The third recommendation concerns the family-friendly sitting hours. The temporary order on this was a continuation of the order introduced in the previous year, which was recommended in the fourth PPC report tabled on 22 June 2022. In that report, the PPC said —

Given the Parliament of Western Australia provides the most generous schedule of sitting days and times for the conduct of parliamentary business, the Committee considers there is scope to propose a slight adjustment to the sitting schedule which will promote the House to conclude its business at a reasonable hour on Tuesday nights, without necessarily resulting in a reduction in the overall time available to conduct business.

The 7.00 pm finish on Tuesdays has anecdotally been well received by members and staff. As the PPC pointed out in its fourth report, in a calendar year the Legislative Assembly still sits for several more weeks than the next state Parliament in Australia. Further, the PPC notes that there is a general move in Australian Parliaments away from the legislation-by-exhaustion approach. Parliaments around the country and further afield are acknowledging that late nights do not necessarily have to be a feature of parliamentary life. The temporary order in place provides a presumption that the house will rise at 7.00 pm on a Tuesday, but it is framed in such a way that the house can sit later if more time is required for business. If this is the case, the Speaker notifies the house of an extended sitting before question time. The committee is aware that as the composition of the house changes over time, the sitting

hours may also vary—the patterns of sitting hours will differ from Parliament to Parliament. However, in light of the changing nature of legislative activity and the general movement towards a more family-friendly approach to parliamentary business, the presumed 7.00 pm finish is a sensible approach and should be incorporated into the standing orders.

The fourth recommendation of the PPC in this report concerns the length of time that temporary orders last. At the moment, they can only last for 12 calendar months. That means that if they have been working well, motions must be moved in the house to continue them. This takes up time the house could be spending on other business. The committee suggests that this standing order be changed so that temporary orders last for the session of the Parliament. If shorter trial periods are desired, those can be built into the wording of the temporary order. However, the starting point will be that each temporary order will last for as long as the Parliament.

The fifth change recommended is that the list of tabled papers, which the standing order requires must be read out by the Clerk, simply be published by the Clerk. This would formalise the current practice of the house and cut down significant amounts of time reading out the list of tabled papers, which can get quite long, particularly after a recess and during annual report season.

The sixth recommendation is a fix for committees. Standing order 267(3) provides that “A videoconferencing facility may be used by a committee to examine a witness.” This has resulted in some difficulties for committees in circumstances in which videoconferencing technology might not be available. Committees have also experienced instances of technical difficulties occurring and a video link dropping out mid-hearing but an audio link being able to be maintained. If this part of the standing order were reframed as using the term “electronic facility”, consistent with the language employed by the Legislative Council, this broader expression would allow more flexibility for committees to examine witnesses remotely. There are no changes to the requirements about in camera evidence. That will still have to be taken in person.

The seventh change is a small one to remove the awkward phrase “thanks nature” from the standing orders. Standing order 117(5) currently reads, “Motion of a laudatory, valedictory, congratulatory or thanks nature”. The PPC recommends making a simple change from “thanks nature” to “commendatory nature” to tighten up the language in the standing orders. In a similar vein, the PPC also recommends getting rid of the term “en bloc” from standing order 176. This term is arcane and modern readers might not understand its meaning or know how to pronounce it correctly. Thus the PPC recommends changing “en bloc” to “together” for moving multiple clauses and amendments.

Last but not least, the PPC recommends that a standing order be added for supplementary questions. Although supplementary questions are an established practice of the house, they are not in the standing orders. The proposed addition to standing order 82 would give supplementary questions a home in the standing orders and would confirm the discretion of the Speaker regarding their application. The proposed standing order would also require that supplementary questions be direct and related to the substantive question.

In closing, the recommended changes to the standing orders in this report are designed to enhance the efficiency, accessibility and overall effectiveness of the Legislative Assembly’s procedures. By incorporating successful temporary orders such as the walk-through division method and extended members’ statements, the Assembly can lock in these beneficial practices. Confirming arrangements for the finish time on Tuesdays also reflects the Assembly’s recognition of the importance of work–life balance for members, aligning with broader trends in Australian Parliaments. Addressing procedural hurdles like the yearly renewal of temporary orders, simplifying the handling of tabled papers and updating the rules for remote witness examinations, the proposed revisions will save time, and the minor changes to language will make the standing orders clearer and more accessible. Codifying supplementary questions is an important recommendation that acknowledges that this practice is fully established in the house, and it deserves to be reflected in the standing orders. The changes recommended in this report are by no means an exhaustive list of enhancements to the standing orders. There are doubtless other matters that a future PPC could turn its mind to. However, what is recommended by the current PPC is sensible and will make a positive impact on the business of the Assembly. I commend the report to the house.

**MR P.J. RUNDLE (Roe — Deputy Leader of the Opposition)** [4.19 pm]: As Deputy Chair of the Procedure and Privileges Committee, I will add a few words. Obviously, I support the changes that were outlined by the member for Forrestfield, our Deputy Speaker. We have been talking about them for quite a while. Some of these changes developed during some extraordinary circumstances in the previous Parliament. Just briefly, I think the way that we go about divisions is better. It is based on the current Westminster system in the United Kingdom, as I understand it, in which members go past and put the vote in the postbox and so forth because there are so many more members than here. The other part of it is that it helps to maintain the privacy of material, as the Deputy Speaker mentioned. A member might have stuff all over their desk and would not want someone to cross the chamber during a division and sit at their desk, so I think it is more appropriate to do it this way. The logjam was mentioned. Unfortunately, the logjam is mainly on one side at the moment. Hopefully, things will be a little more evenly spread behind the chair after March 2025. I am certainly supportive of that scenario.

In terms of the two-minute statements, I have noticed that everyone has moderated their tone slightly in the past year or so as they have not had to try to jam as much information as possible into 90 seconds. That is a better result. It allows members to put out information about their constituents or an event in their electorate in a moderate way. From my perspective, everyone has generally agreed with that.

I think the amended sitting hours are very sensible. From my perspective, being a regional member, we often travel to Perth late on Monday nights. We might have been to Esperance or somewhere else on the weekend and driven many hours, so having a 10 o'clock wrap-up on Tuesday night added to our fatigue. I also think it helps from a family perspective. I imagine that members like the member for Rockingham appreciate the new sitting hours. For members with small children or even with older children, it is nice to be able to catch up with their family after 7.00 pm on Tuesday nights. Overcoming the fatigue element is something that I appreciate from a work health and safety angle, as I am sure do many other members. We certainly considered the family side of it and I think that will be greeted positively by members on both sides. I will not go into the other changes that the Deputy Speaker referred to, but I am certainly supportive of the PPC report.

**MR D.A. TEMPLEMAN (Mandurah — Leader of the House)** [4.23 pm] — by leave: I obviously will not be in this place after the next election; however, these matters are very important. Having been in this place for nearly 24 years, I have seen the machinations, if you like, of the previous standing orders and the amended standing orders that we have been operating under for this Parliament. It is important that we consider the efficiency of the procedures of this place; there is no doubt about that. It is important that we acknowledge that and that we also acknowledge the changes in technology and influences that prevail.

One thing that all members need to be conscious of is that this place is still a theatre. Now, I do not mean that in the context that members might think; I mean that our workplace is essentially on display. Not many workplaces are televised, recorded and, indeed, available to the general public. It is important that that is considered as part of any consideration of procedural matters. I am all for efficiency but I was never a fan of the walk-through for divisions, only because of heritage reasons. I actually think part of the excitement of votes is in fact the anticipation of what the numbers will look like visually. Historically, there have been some very interesting circumstances in which votes have been very close. Indeed, that has been important with regard to the visual aspect of what this place is here for.

The proposed recommendations are very sound and I think reflect the modern approach that we should take. However, I temper that with a reminder that, unlike any other workplace that I know of, Parliament is in fact a live, recorded workplace. That does not happen in many other workplaces that I am aware of. Therefore, our procedures and practices are important both visually and historically. Things will occur in Parliament and speeches will be given that may not seem as important now, but they will be important in the history of our state. Issues come before this place from time to time that evoke strong emotions amongst both the public and members. One of those issues was of course the passing of the voluntary assisted dying legislation. I think people will look back at the history of those sorts of debates in time. Indeed, the historic nature and significance of that should not be lost in those considerations.

I am all for the modernisation aspect. I mean, we have modernised the way that Hansard operates in this place. I think the modernisation of procedures and practices to make them more family friendly is admirable. I do think, though, that as time goes on and numbers change, we can expect debate on bills to take longer. If the principle of everyone having a right to have their say prevails, that is something that will need to be considered.

The number of sitting weeks is very interesting. I do not think a lot of people realise that, as the Deputy Speaker highlighted, Western Australia has one of the highest numbers of sitting weeks or sitting days allocated. It is important that a future Parliament and government consider what that means, because the value of our members being continually in their community is as important as the time that they spend in here. Indeed, I think that is an important consideration.

I commend the committee for its practice. What I am hearing from the committee is that the recommendations in this report may need to be considered before we rise. We will perhaps have a discussion with the Speaker and then the manager of opposition business about what we need to do to consider and respond to the recommendations. Given that we have only five and a half days sitting days in which to do that, if it is appropriate, I will set up a meeting with the relevant members to progress that.

**MS M.M. QUIRK (Landsdale)** [4.30 pm]: As a member of the committee, I wanted to make a couple of brief remarks.

**Mr D.A. Templeman** interjected.

**Ms M.M. QUIRK:** That is all right. I know that the Leader of the House, who is also a former Whip, has strong views about the colour, movement and theatre of the Parliament. One of the recommendations of the Procedure and Privileges Committee will eliminate some of that theatrical flourish, but be that as it may.

It is usually customary during the tabling of reports to thank staff. I particularly thank the Sergeant-at-Arms, Thomas Moorhead; the Clerk, Mathew Bates; the Deputy Clerk, Liz Kerr, and their predecessors for their contribution

to the committee. If anyone looks at the reports—I cannot say that is probably that likely—they will see that they are very well researched and well written. I also thank the other members of the committee. As is the case with most parliamentary committees, it comprised members of both government and the opposition. However, by and large, there was fierce consensus and bipartisanship on these issues. I acknowledge that the issues that we were asked to consider were approached with goodwill. I look forward in my retirement to sitting down and looking at the revised standing orders because there is certainly the need for some changes. That said, this Parliament is run extremely well in a streamlined fashion in terms of the actual conduct of the house. I will not say whether that is true about the debate in the house, but the adherence to standing orders and the fact that over almost four years no-one has been ejected from this chamber is testament to the fact that the fundamentals of the standing orders stand the test of time.

**DR D.J. HONEY (Cottesloe)** [4.32 pm]: I apologise for not being in the chamber earlier. I was enjoying my cup of tea.

I will make a brief contribution to the tabling of this report. At the outset, I indicate a strong support for the recommendations that have been put forward by the Deputy Speaker, as is the proper procedure under standing orders. I echo the comments of the member for Landsdale about staff and other committee members. Given that the Speaker will not recontest her seat at the next election, I recognise the key role that she played as the chair of that committee in constantly thinking about ways to improve Parliament. Like every single member in this place, I hold the Speaker in enormously high regard. She has been really cognisant of the need to modernise our standing orders to make them more family friendly. I will say that I think making the standing orders more family friendly is an area where we could go further in the future. For a parent responsible for a child, Parliament is not a very flexible workplace whilst it is sitting. Whilst Parliament is not sitting, maybe a member can organise their day, but I know that our latest member is a new parent with a child, if you like, in the chamber, so I am certain that it is really tough to fit that in with Parliament. I think that we could do more to have more civilised hours.

To be frank, the history of Parliament is that it was almost a gentlemen's club and the hours were based to suit gentlemen who had other roles and businesses. They would sort of come up to Parliament as an afterthought—perhaps not an afterthought, but they fitted Parliament in around that, which gave us the late hours. I am a big supporter of mums being able to breastfeed their bubs in the chamber. I think that is a fantastic move forward. There are too many workplaces that exclude children for no good reason, so I was very keen to see that progress in this place as well. Otherwise, what we do here is important to the whole state. I will talk about that a bit more in my valedictory address. I certainly commend these recommendations because I think continuing to do these will improve the operation of the house. I know that members love the theatre of the walk-through rather than sitting in their seat and voting. I think it makes it easier for the Whip as well. Other than that, I commend the recommendation of the Deputy Speaker to the house.