

## STANDING COMMITTEE ON PROCEDURE AND PRIVILEGES

### *Seventieth Report — Standing order 5 — Days and Times of Meeting — Motion*

Resumed from 15 August on the following motion moved by Hon Martin Aldridge —

That recommendation 1 contained in the seventieth report of the Standing Committee on Procedure and Privileges, titled *Standing order 5 — Days and times of meeting*, be agreed to.

**HON NICK GOIRAN (South Metropolitan)** [4.09 pm]: At the outset, I foreshadow an amendment. Before I move it, I perhaps might ask staff to circulate it for the benefit of members. It has only just been prepared at short notice. In doing so, I indicate that as it presently stands, the motion before us is that recommendation 1 from the Standing Committee on Procedure and Privileges be supported. In short, if it is to be moved without amendment, I will not support it. I explain why to members. The effect of the motion before us is to bring forward sitting hours on a Tuesday so that we start at one o'clock instead of two o'clock. Frankly, I do not care. The outcome of that is that we would then essentially finish at 9.25 pm on a Tuesday, instead of 10.25 pm. Again, I frankly do not care. If that is the will of members—I think it is—I am entirely relaxed about that. I raised my issue at the time of the referral. I ask members to give serious consideration to the amendment, and I ask the government to consider it; it may need time. I respect the fact that there has been no opportunity to consider this amendment. Maybe caucus meetings and the like need to be held for different parties and all the rest of it. If in order to achieve this, we need to defer consideration and briefly bring it on tomorrow, I am, of course, also relaxed about doing so.

At the end of the day, for those members who have primary carriage of substantial legislation, the notion that we would start at one o'clock on a Tuesday and continue until 4.30 pm without adjournment, recess or change in proceedings is obviously, as we look at the schedule before us, unprecedented. It happens at no other point of the week. The maximum period is two and a half hours. At the moment, that happens on a Tuesday and a Thursday.

The extra hour to make it three and a half hours is not only unprecedented in this chamber, but those of us who have served in the legal profession know that courts do not operate on that basis either. When resuming from lunch or an interval in the court at 2.00 pm, the court adjourns at 4.15 pm. It may seem like a trivial matter, but I put it to members who have not experienced two and a half hours of either continuous questioning, either as the deliverer or responder to the questions, or to sit in full attention to debate in the house, whether it be second reading or otherwise, that to add an extra hour, to put it at its most charitable, is not desirable.

In my view, the solution to this, which I will put for the Leader of the House's consideration, is to simply move consideration of committee reports from a Wednesday to a Tuesday, and for it to happen one hour prior to the taking of questions without notice. It will have absolutely zero impact on any other proceedings of the day. Whoever is in government will not be impinged upon regarding the quantity of time for orders of the day. I might even put to the government that the additional hour allowed for may even make Wednesdays a more productive and fruitful time.

I put this forward in good faith. I acknowledge that members have not had an opportunity to hold caucus or discuss this. It is something that I thought of today, but I put it forward in good faith in the hope that we can achieve the end, which seems to be that members would genuinely like to start and finish an hour earlier on a Tuesday. Also, it would not put undue pressure on those with primary carriage of bills, particularly on Tuesdays, that would otherwise see a three-and-a-half-hour period without cessation.

### *Amendment to Motion*

**Hon NICK GOIRAN:** I was just stretching my legs for a moment. Before I resume my seat, I move the amendment that I have foreshadowed and circulated to members in advance. I move —

To amend recommendation 1 as follows —

After “Tuesday 9.25pm” — To insert —

(3) That standing order 15 be amended as follows —

To delete 15(3) and insert —

(3) **Consideration of Committee Reports**

Consideration of Committee Reports shall be taken at 3.30 pm each Tuesday for a period of 60 minutes.

**HON SUE ELLERY (South Metropolitan — Leader of the House)** [4.15 pm]: The government will not be supporting the amendment. The motivation we have been given regarding the reason the honourable member is seeking to move the amendment is the same argument that he gave the house at the time that I moved the referral motion. I take members back to *Hansard* of 21 June. In his comments at that time, Hon Nick Goiran drew members' attention to what he described as the material impact on those members who have primary carriage of bills. He essentially articulated the same argument that he has put just now. That is on the record.

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The committee considered it at paragraphs 4.10 to 4.12 of the report. Under the heading “Members having carriage of bills”, the committee stated —

- 4.11 The PPC observes that from time to time ministers or parliamentary secretaries spend extensive periods of time at the Table while in charge of a Bill; often with little to no breaks or relief. On occasion, these members may require a few minutes to reacquaint themselves with the next item of business.
- 4.12 Without being overly prescriptive, however, the PPC is satisfied that the Council is capable of continuing to manage its business with the existing practice and mechanisms available to it, and without undue impact on members having carriage of Bills.

The honourable member put forward his case when we moved the referral. It was considered by the committee, which reached the conclusion I just read out. In my time in the position of Leader of the House, when there are proposals to change standing orders, even those as simple as the one we are now considering, the practice of the government has been to refer it to the PPC and ask it to look at it. Sometimes there may well be unintended consequences or flow-ons. I am quite surprised to see an amendment from a member who takes great pride and interest in following due process; nevertheless, that is the member’s choice to make. I will not be referring this to the Standing Committee on Procedure and Privileges or seeking to defer the consideration of this matter. It may well be something that we consider doing at some point in the future; I am not ruling it out or making a judgement on its merit or otherwise.

I say two things. The PPC considered the specific point of the motivation for this change, not the actual change before us. It considered the motivation and arguments that the member has relied upon and set out its views in the report. The second point is that as a matter of process, I think it is appropriate that changes to standing orders go through the PPC; that is its purpose. I will not rule out considering a referral of this kind at some point in the future. Maybe that is something we want to think about. However, the purpose of the referral on 21 June was to change the start and finish times on a Tuesday by one hour, as was the view of people in the conversations that we had behind the chair. Over many months, I kept saying to members, “Can you tell me your party’s position?” The response was that there were no issues going forward. People made a few comments, and the committee considered those comments and made the recommendation that is before us on the notice paper today. The government will not be supporting the amendment, but it supports the recommendation of the PPC.

**HON TJORN SIBMA (North Metropolitan)** [4.19 pm]: I will keep my remarks brief. As a member of the Standing Committee on Procedure and Privileges, I am well aware of the cogitations of the committee. I stand by the report that was tabled, but I make the observation that even recommendations from a committee as august as the PPC are not completely infallible and incapable of being potentially further refined and improved. The amendment put by Hon Nick Goiran, in my independent judgement, makes eminent, good sense. There would be absolutely no loss to the chamber’s processes and no encumbrance foisted on government. In fact, it would provide an elegant solution to what I would call the disaster that is the programming on a Wednesday afternoon, when we chop and change between different pieces of business and I do not think members necessarily maintain the most perfect or elegant continuity in focus. I think it is absolutely uncontroversial. I think it is sensible. Sometimes we need to admit that sensible ideas have their place even in this chamber. Without making any reflection on the quality of the report, which I stand by, I think it could be further refined and this might be the way to do it. I will be voting for the amendment.

**HON MARTIN ALDRIDGE (Agricultural)** [4.21 pm]: I have listened to the mover of the amendment and also the government response to the motion to amend the recommendation of the Standing Committee on Procedure and Privileges. I want to draw members’ attention to part 3 of the report, which refers to the approach taken by the PPC, because I think it provides important context. Paragraph 3.3 says —

The PPC notes that the referral was progressed on the basis of agreement and support amongst party leaders, therefore further consultation with members was not advanced by the PPC.

Paragraph 3.4 says —

Instead, the PPC has focused its consideration on the agreement reached by the party leaders, whether there are any adverse consequences to the business of the Council, and a recommendation to give effect to the leaders’ agreement.

I think it is fair to say that the referral motion, which is recorded at paragraph 1.1 of the report, identifies the very narrow focus of the referral; that is, the PPC was to look at starting and finishing one hour earlier on Tuesdays. Paragraphs 4.10 to 4.12 of the report ventilate some of the concerns that were expressed during the referral debate, potential solutions and how the house has historically managed some of those concerns. I agree with the comments of Hon Tjorn Sibma that this would make Wednesdays more meaningful to the government. At the moment, I believe the government has about one hour and 35 minutes for orders of the day on a Wednesday. This would give it two hours and 35 minutes, so it would be a more meaningful period, particularly when senior public servants are

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brought into the chamber to advise on very technical bills. It would make the ability to transact that business more meaningful on a Wednesday, but also alleviate any potential concern with the three-and-a-half-hour block.

Some members will say that we would be shifting from only two and a half hours on Tuesdays to three and a half hours on Tuesdays. When we discussed the referral motion in June, I expressed my views on the impact that that would have on not just ministers of the Crown and parliamentary secretaries in charge of a bill, but also members of the opposition and non-government parties, who may be the only people invested in the passage of a bill, because they are committed to the chamber for that time—not to mention, as is often the case, the public servants at the table who advise the ministers and parliamentary secretaries. The concern that I ventilated in June was the potential impact that this could have on question time. Members can see that paragraph 4.11 says —

On occasion, these members may require a few minutes to reacquaint themselves with the next item of business.

I think this solution could address any potential concerns that might arise with the operation on Tuesdays and this three-and-a-half-hour block. It would keep us at a maximum of two and a half hours on Tuesdays. It would not diminish the time for the government's orders of the day by one minute. I think this would make the time for the government's orders of the day more productive for the government. In light of the process by which the narrow referral has been managed and brought to the house via recommendation 1, which I have moved, members should give this careful consideration. I think it would only improve the recommendation of the PPC.

**HON WILSON TUCKER (Mining and Pastoral)** [4.25 pm]: I rise briefly to support the amendment. I think it is very sensible. I am doubtful that it will be successful in achieving majority support in this house. In much the same way as daylight saving involves a small amendment of one hour, I think the original motion is quite digestible in that it provides for a change of only one hour. It is probably borne out of an element of selfishness that I say that by eight o'clock on a Tuesday night, I feel my willpower waning quite a lot. From a personal perspective as a member of this place, a change of two hours would be much more acceptable. I understand that we are probably going to be dealing with one hour, but I just want to put on the record that two hours would be a meaningful change and would make it a much more family-friendly time and allow the majority of us to get a good night's sleep and wake up refreshed and ready for another day in this place.

**HON DR BRAD PETTITT (South Metropolitan)** [4.26 pm]: Very quickly, I want to add my comments, noting that I support both the original motion and the amendment. That said, I appreciate that the government will not support the amendment, but I will say that I think this is something that is worth considering. The arguments for how it would divide up our time are quite sensible. Although the amendment will not get up, it is certainly something that I would support going forward in further refining what we do in this place. I think it is a sensible amendment and would work well. On that basis, I will be supporting it.

*Division*

Amendment put and a division taken with the following result —

Ayes (12)

Hon Martin Aldridge	Hon James Hayward	Hon Dr Brad Pettitt	Hon Wilson Tucker
Hon Ben Dawkins	Hon Steve Martin	Hon Tjorn Sibma	Hon Dr Brian Walker
Hon Nick Goiran	Hon Sophia Moermond	Hon Neil Thomson	Hon Colin de Grussa ( <i>Teller</i> )

Noes (18)

Hon Dan Caddy	Hon Lorna Harper	Hon Martin Pritchard	Hon Darren West
Hon Sandra Carr	Hon Jackie Jarvis	Hon Samantha Rowe	Hon Pierre Yang
Hon Peter Collier	Hon Kyle McGinn	Hon Rosie Sahanna	Hon Peter Foster ( <i>Teller</i> )
Hon Stephen Dawson	Hon Shelley Payne	Hon Matthew Swinbourn	
Hon Sue Ellery	Hon Stephen Pratt	Hon Dr Sally Talbot	

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Pairs

Hon Donna Faragher	Hon Kate Doust
Hon Dr Steve Thomas	Hon Klara Andric

Amendment thus negatived.

Debate interrupted, pursuant to standing orders.

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