

## Chapter 9

### Reflections on committee service

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#### Understated and underrated?

Parliamentary committees have been described as the ‘vital organs of the parliament’ in that they are the ‘speaking, moving, living faces of the legislature and potentially form a critical connection between the community and an arm of government unlike any other that exists in our system’.<sup>1730</sup> The ultimate purpose of committees is to ‘shine light into dark spaces’ and make the government accountable to parliament, and ultimately the to the electors.<sup>1731</sup> Committees have emerged as ‘vibrant and central institutions’ of democratic parliaments of today’s world and have begun to define new and changing roles for themselves.<sup>1732</sup> Yet, in the wider community there seems to be a lack of understanding about, and appreciation of, the work carried out by parliamentary committees. The important part they play in the functioning of the legislature is often understated and underrated—unless it courts controversy. Although committees carry out a great deal of detailed work and technical scrutiny in a legislature by assisting each of the houses of Parliament in their functions to legislate, monitor and review administration and expenditure; gather information and publicise issues, this is not widely acknowledged in the community more broadly.<sup>1733</sup> This was a point made by Dr Martin Drum who stated that:

*Most political scientists regard parliamentary committees as one of the most successful aspects of parliamentary business, where MPs of all persuasions come together to analyse and investigate issues of public policy and governance. Whilst their recommendations are not always implemented, they do play a major role in informing parliamentary debates. Amongst the public however, the work of parliamentary committees remains unrecognised and underappreciated.*<sup>1734</sup>

#### Concluding remarks on committee service

Some time ago, former Liberal member of the Legislative Council and Attorney General Hon Peter Foss reflected that Parliament was capable of being understood only from within, making the observation that:

*Parliament is incomprehensible to those who are merely spectators. When I hear political commentators commenting on the workings of Parliament, I often laugh. Anybody who has been in this place has to laugh. I have always said that the idea of people who try to write about Parliament without ever having been in it is like trying to give somebody a manual for driving a Maserati without that person ever having driven a car. The experience of this place is so different from the theory. When one reads what theoreticians have to say about it, one thinks yes, but they have missed the point.*<sup>1735</sup>

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<sup>1730</sup> Dr Paul Lobban (2012), ‘Who cares wins: Parliamentary committees and the executive’, *Australasian Parliamentary Review*, 27(1), pp. 178–90, at p. 190.

<sup>1731</sup> Western Australia, Legislative Council. *Department of the Legislative Council Annual report 2017–2018*, Perth: Parliament of Western Australia, p. i.

<sup>1732</sup> Lawrence D. Longley and Roger H. Davidson (1998), ‘Parliamentary committees: Changing perspectives on changing institutions’, *The Journal of Legislative Studies*, 4(1), pp. 1–20 <https://doi.org/10.1080/13572339808420537>

<sup>1733</sup> Western Australia, Legislative Council and Legislative Assembly (2021), *A guide for ministerial and departmental staff*. Perth: Parliament of Western Australia, p. 87.

<sup>1734</sup> Dr Martin Drum (2016), ‘How well do parliamentary committees connect with the public’, *Australasian Parliamentary Review*, 31(1), pp. 42–59, at p. 45.

<sup>1735</sup> Western Australia, Legislative Council. *Parliamentary Debates*, 1 December 2004, p. 8879.

For fear of ‘missing the point’, who best to make the concluding remarks about the work of the parliamentary committees in the WA Parliament but the practitioners themselves. Therefore, in a bid to better understand the system from within, the last word goes to members of the Legislative Council and the Legislative Assembly who have served on committees and have generously shared their select views about their experiences.



**Former MLA Terry Redman shares his recollections of committee service. Photo: WAN Ltd.**

One former member to graciously share his experience with Dr Harry Phillips was Terry Redman MLA (Nats), who was elected to the thirty-seventh Parliament for the seat of Stirling on 26 February 2005 after Monty House MLA (Nats) retired. He was re-elected, and represented the seats of Blackwood–Stirling and Warren–Blackwood until he was unexpectedly defeated at the general election in 2021 by Labor candidate Jane Kelsbie. During his period in office, Terry Redman served on a number of parliamentary committees, including being appointed deputy chair of the Economics and Industry Standing Committee.<sup>1736</sup> He shared his thoughts of his committee experience:

*Parliamentary committees transcend party politics and are the only real non-partisan part of the political process. Committees investigate complex issues of public interest, with enquiries used to build well-structured reports and recommendations. These recommendations often influence government policy and the policy positions of opposition parties. The enquiry process provides an opportunity for the public and relevant organisations to have input into policy development through submissions and providing evidence at hearings. Most Members of Parliament are elected to make a difference. The real opportunity to achieve this is by members using all Parliamentary processes to build on longer term agendas. My advice to all new members is to engage in the committee process to contribute to something that will have a lasting impact.*

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<sup>1736</sup> Member, Public Accounts Committee (7 April 2005 – 7 August 2008); co-opted member, Economics and Industry Standing Committee (inquiry into the production and marketing of foodstuffs) (1 June 2005 – 30 March 2006); and member, Economics and Industry Standing Committee (23 May 2017 – 29 January 2021), appointed deputy chair (4 February 2020 – 29 January 2021).

*One of the significant outcomes of working as a committee is the relationships built across party lines, and interactions and genuine respect that go well beyond the life of the committee. Building quality relationships across the political divide helps develop good government policy and supports long-term strategies to address complex issues. The public will see the 'rough and tumble' of question time, but do not see the work done behind closed doors by the by-partisan parliamentary committees. This collaborative approach to matters of public interest is of high value to the development of solid policy decisions.<sup>1737</sup>*

Former member Katie Hodson-Thomas MLA (Lib), who has an extensive resume of committee memberships to draw from, including as a Deputy Chair of Committees, also shared her experience of parliamentary committees.<sup>1738</sup> Elected to the thirty-fifth Parliament for the new seat of Carine on 14 December 1996, Katie Hodson-Thomas was re-elected in 2001 and in 2005; however, she did not contest the general election of 6 September 2008.<sup>1739</sup> Katie Hodson-Thomas reflected:

*Parliamentary standing committee are vital forums, providing Members of Parliament opportunities to participate in bipartisan inquiries that investigate significant policy of importance to the community. The substantive nature of committees and committee secretariats means that issues can be explored in detail in a less adversarial than the Chambers of Parliament. While inquiries are not always related to the Member's electorate, they facilitate the member's broader understanding of matters of concern to particular communities, cohorts, or more broadly, at a statewide level.*

*During my time as a member and Deputy Chair of the Community Development and Justice Standing Committee, I was involved in investigations into a variety of community issues including WA's Natural Disaster Relief Arrangement; Fire and Emergency Services Legislation; and the Prosecution of Assaults and Sexual Offences. Notable in the conduct of these inquiries was the level of cooperation between members of different political persuasions, whose primary focus was to ensure the achievement of strong recommendations to improve outcomes for the community.*

*The committee is also an avenue for members to put forward motions in the houses to call for inquiries on important issues. During Private Member's Business in the Legislative Assembly on 12 March 2008, I moved a motion in the Legislative Assembly calling on the government to investigate the manner in which the then Directors of the Karrinyup Lakes Lifestyle Village repeatedly ignored local and state government regulations, established to protect residents.*

*The matter was referred by the house to the Economics and Industry Standing Committee for investigation. The inquiry generated considerable community interest and stakeholder input. The associated report, tabled on 19 June 2008, contained 67 findings and 34 recommendations, and resulted in significant amendments to legislation. For me, this inquiry reflected the strength of the*

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<sup>1737</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Terry Redman.

<sup>1738</sup> Deputy Chairman of Committees (11 March 1999–7 September 1999); member, Joint House Committee (20 March 1997–11 June 1998); member, Joint Parliamentary Services Committee (11 June 1998–10 January 2001); member, Joint Standing Committee on Delegated Legislation (11 May 2000–10 January 2001); member, Procedures and Privileges Committee (30 May 2001–23 January 2005); member and deputy chair for a time, Standing Committee on Community Development and Justice (22 June 2005–7 August 2008); member, Select Committee on Human Reproductive Technology Act 1991 (15 May 1997–22 April 1999); and member, Select Committee on the Misuse of Drugs Act 1981 (26 June 1997–20 August 1998).

<sup>1739</sup> David Black & Harry (C.J.) Phillips (2012), *Making a difference: A frontier of firsts: Women in the Western Australian Parliament 1921–2012*. Perth: Parliament of Western Australia, pp. 274–80, at p. 280.

*committee system in effecting change on a local issue, and more broadly, a state-wide level through legislative amendments, limiting these circumstances from arising in the future.*<sup>1740</sup>

This was also a perspective shared by former President Hon Barry House MLC (Lib) who made the observation that in his experience:

*Parliamentary committees are one of the most important, and understated, functions of our representative parliamentary democratic system.*<sup>1741</sup>

Elected at a by-election on 24 October 1987 to fill the vacancy resulting from the resignation of Hon Victor Jasper Ferry MLC (Lib), Hon Barry House was elected to the thirty-second Parliament for the South–West Province. He was re-elected as a member of the Legislative Council for the South West Region from 22 May 1989 until his retirement on 21 May 2017. His parliamentary committee resume is long and distinguished, and he served on a swathe of controversial, and technically and legally complex committees. Hon Barry House rose through the ranks to chair a number of committees, be appointed Chair of Committees and serve two terms as President of the Legislative Council. Drawing on his wealth of experience in parliamentary committees, Hon Barry House shared:

*In the Legislative Council, in particular, which has more diversity of representation where no one political party normally dominates the numbers, they have become a core function for members and mostly conducted in a bi-partisan way. In recent years committee reports have become very comprehensive, professional documents as resourcing has improved. Parliamentary committees have far-reaching powers, if needed, to research and investigate a wide variety of issues. Many important legislative and administrative changes have stemmed from Legislative Council committee reports in social, health, law and order, economic and other areas.*<sup>1742</sup>

Another former member to share a similar sentiment was Hon Derrick Tomlinson MLC (Lib). Elected to the thirty-third Parliament for the East Metropolitan Region from 22 May 1989, he served diligently until his retirement on 21 May 2005. Over this long career, his contribution to parliamentary committees was formidable. He was the Deputy Chairman of Committees in the Legislative Council and also served as chair on a number of select and standing committees, including the inaugural Joint Standing Committee on the Corruption and Crime Commission, and its predecessor, the Joint Standing Committee on the Anti-Corruption Commission. Remarking on the composition of the Legislative Council and its role as the house of review, Hon Derrick Tomlinson noted that he had:

*... found that the committee system operates in a bipartisan way. All of the members who participate in the committees of this place would recognise that in the process of information gathering, of evaluating Bills and of gathering community opinion and knowledge, committees operate in a bipartisan way. I acknowledge that they do not always operate in a bipartisan way when it comes to deliberations and making recommendations. However, the operation of those committees is an embodiment of this place as a House of Review.*<sup>1743</sup>

Hon Rick Mazza MLC (SFF) was elected to the thirty-ninth Parliament for the non-metropolitan Agricultural region on 5 April 2013 for a term commencing 22 May 2013. He represented the Shooters and Fishers Party, later renamed the Shooters, Fishers and Farmers Party until the 2021 election. Over this period, Hon Rick Mazza served on a number of committees, including being appointed chair of the

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<sup>1740</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Katie Hodson-Thomas.

<sup>1741</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Hon Barry House.

<sup>1742</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Hon Barry House.

<sup>1743</sup> Western Australia, Legislative Assembly. *Parliamentary Debates*, 23 May 2001, pp. 351–2.

Select Committee into the Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc).<sup>1744</sup> He recounted that his:

*... experience of the Committee system within the Western Australian Parliament is that it provides an invaluable safety net for parliamentarians who despite being inclined to either support or reject proposed legislation or consideration of a matter, require further information on which to base their decision. The committee process provides for public hearings which enables parliamentarians to directly engage with community stake holders which enables parliamentarians to directly engage with community stakeholders gathering first hand information and attitudes to a particular issue.*

*I have found that the committee officers' methods of gathering and guiding the examination and evaluation of submissions, materials and other pertinent information through a bipartisan systematic and academic approach can provide a clear and transparent pathway to decision making.*

*The value of the committee process became obvious to me when commencing an inquiry with a preconceived notion of what the outcome might be then ending the inquiry with a different view on firm evidence, thorough search and expert testimony. Although I have on occasion experienced enquiries into politically charged issues where party positions are at play and observed firsthand members who asserted that position despite the evidence put before them: in the vast majority of cases members of a committee take a bi-partisan approach to a matter leaving party politics aside as it should be. In addition to committees' final reports assisting with the matter before Parliament at the time, they continue to provide valuable reference material to subsequent parliaments and parliamentarians, in the years to follow.*<sup>1745</sup>

Another reflection shared with Dr Harry Phillips came from Hon Helen Hodgson MLC (Dem), who was elected to the thirty-fifth Parliament for the North Metropolitan Region on 14 December 1996 and served until 21 May 2001. One of the first two members of the Australian Democrats to be elected to the Western Australian Parliament, she took her seat on 22 May 1997 for a single term. As a new member, she faced the immediate challenge of leading her fledgling party which, along with the three members of the Western Australian Greens, held the balance of power in the Legislative Council.<sup>1746</sup> Hon Helen Hodgson served as a member of the Public Administration Committee, the Select Committee to Review the Legislative Council Committee System, and the Select Committee on Native Title Legislation.<sup>1747</sup> As she recalled:

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<sup>1744</sup> Member, Standing Committee on Estimates and Financial Operations (22 May 2013–21 May 2017), chair from 19 September 2016; member, Joint Standing Committee on Audit (13 June 2013–19 September 2016); co-opted member, Standing Committee on Public Administration's inquiry into the potential environmental contribution of recreational hunting systems (27 November 2013–10 March 2015); chair, Select Committee into the Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc) (14 May 2015–19 May 2016); chair, Joint Standing Committee on Audit (19 September 2016–30 January 2017); member, Standing Committee on Procedure and Privileges (23 May 2017–5 November 2020); member, Select Committee on Personal Choice and Community Safety (29 August 2018–12 May 2020); and substitute member, Standing Committee on Legislation's inquiry into the *Residential Tenancies Legislation Amendment (Family Violence) Bill 2018* (23 October 2018–22 November 2018).

<sup>1745</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Hon Rick Mazza.

<sup>1746</sup> David Black & Harry (C.J.) Phillips (2012), *Making a difference: A frontier of firsts: Women in the Western Australian Parliament 1921–2012*. Perth: Parliament of Western Australia, pp. 294–9, at p. 294.

<sup>1747</sup> Member, Public Administration Committee (26 June 1997–10 January 2001); member, Select Committee to Review the Legislative Council Committee System (26 June 1997–27 August 1997); and member, Select Committee on Native Title Legislation (1 December 1998–10 December 1998).

*When I was a Member of the Legislative Council, the committee system was an important tool in information gathering. The Australian Democrats had developed a model for using the committee system effectively in the Federal Parliament, so we had the potential for the committees to help the minor parties, which had limited resources, to make informed decisions. I was appointed to the Public Administration Committee when I took up my seat. The terms of reference for this Committee enabled us to inquire into the business of State Government Agencies. During my term in Parliament the School Education Act was substantially rewritten. This Bill was referred to the Public Administration Committee, which ensured that we were able to examine the fine detail of the changes that were proposed. I was also a participating member in the Select Committee into Native Title, which enabled me to join the Committee on its deliberations and hear from the stakeholders who would be affected by the WA legislation.*

*At the time that I was in the Legislation Council there it was the practice to refer to all petitions to the Constitution Affairs Committee, this was an extremely useful mechanism to engage with the community of the issues of particular concern: if we were not able to attend the meetings, we had full access to the evidence. For example, I participated in the inquiry into the Dairy Industry and Herd Improvement Legislation Repeal Bill 2000. We expressed our concerns about the effect of the deregulation but given the changes that were not able to protect the WA dairy industry from the consequences of deregulation. In most enquiries the Committee maintained political impartiality, and we worked together despite our differences. There was a notable exception to this however, in the Public Administration Committee when it launched an inquiry into the 1999 Labor Relations package. The Legislative Council was able to refer the Bills to the PASC against the will of the Government. This inquiry was one of the few reports where there was a dissenting report, with the Committee of six members evenly divided over the Bills. Overall, the Committee system proved its value, ensuring that the minor parties were better informed in respect of the issues referred to committees.<sup>1748</sup>*

Former member of the Legislative Council Hon Liz Behjat MLC (Lib) also shared reflections of her parliamentary committee experience. Elected to the thirty-eighth Parliament on 6 September 2008 for a term commencing 22 May 2009, she served as a representative for the North Metropolitan Region until her retirement in 2017. During this period, Hon Liz Behjat served on a number of committees, and was chair of the Standing Committee on Public Administration and a Deputy Chair of Committees.<sup>1749</sup> She also holds the honour of being the first Liberal parliamentarian in Western Australia, if not Australia, to represent the same party and a constituency covering a similar geographic area to that of her father, Richard John Lloyd Williams MLC (Lib). Known as John Williams, he had played a key role in creating and developing the Legislative Council's standing committee system during his eighteen-year service as a member for the Metropolitan Province between May 1971 and May 1989.<sup>1750</sup> Of parliamentary committees, Hon Liz Behjat reflected that:

*At a recent function of the Australian Study of Parliament Group, His Excellency the Governor of Western Australia, Hon Kim Beazley AC, in his keynote speech, made the observation 'that Parliamentary Committee Enquiries are the cheapest Royal Commissions available to Governments'*

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<sup>1748</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Hon Helen Hodgson.

<sup>1749</sup> Deputy Chair of Committees (22 May 2013–21 May 2017); member, Standing Committee on Estimates and Financial Operations (4 June 2009–21 May 2013); member, Standing Committee on Uniform Legislation and Statutes Review (4 June 2009–21 March 2012); member, Joint Standing Committee on Audit (13 November 2012–14 December 2012); chair, Standing Committee on Public Administration (22 May 2013–21 May 2017); member, Standing Committee on Estimates and Financial Operations (18 August 2015–9 May 2016); member, Joint Standing Committee on Audit (18 August 2015–9 May 2016); and member, Parliamentary Services Committee (22 May 2013–21 May 2017).

<sup>1750</sup> David Black & Harry (C.J.) Phillips (2012), *Making a difference: A frontier of firsts: Women in the Western Australian Parliament 1921–2012*. Perth: Parliament of Western Australia, pp. 500–5, at p. 500.

*and I agree with that statement wholeheartedly. During my tenure as a Member of the Legislative Council between 2009 and 2017, I was fortunate enough to sit on a number of Standing Committees of the Legislative Council including, the Estimates and Financial Operations Committee, the Uniform Legislation and Statutes Review Committee and I chaired the Public Administration Committee for a four-year period.*

*The multi-party structure of Committees and the requirement for non-disclosure of deliberations under the Standing Orders ensures that whilst any hearings and submissions made to a Committee may be public, the in depth discussions amongst the Members that results in their findings and recommendations forming the Report of the Committee are not. This ensures that all ideas and opinions are fully canvassed in a safe environment and gives Members the ability to reach consensus conclusions in most cases, although there is a capacity for an individual or a minority of Members to release a minority report in rare cases where consensus on some issues cannot be reached. Second reading debates on legislation quite often do not uncover issues that may become unintended consequences with detrimental effects to those affected by the Legislation but the findings and recommendations of a Committee may uncover those issues before they become a problem and can recommend amendments to Legislation if the Committee inquiry is conducted prior to the passage of the Legislation.*

*I recall being involved in one enquiry whilst I was a Member of the Uniform Legislation and Statutes Review Committee where we were examining proposed changes to a national building scheme which was described as skeletal legislation with the bulk of amendment to be undertaken by way of delegated legislation, which in my opinion undermines the oversight and scrutiny of legislation in many circumstances. The recommendations of the Committee were that the Minister should withdraw the legislation until such time (and I paraphrase the report) as the skeleton had more flesh on its bones.*

*At the time of debate of the Committee Report I described it as being a skeleton that lacked an arm and leg and half its skull. The withdrawal of the legislation by the then Commerce Minister, Hon Simon O'Brien, was a great demonstration of the value of a well-functioning Committee system. Committee Enquiries can also be useful tools for examining a range of issues such as Government expenditure, bureaucratic processes and other more topical issues such as voluntary assisted dying, recreational hunting and the transport of persons in custody. If Committees are used appropriately and Governments allow scrutiny of legislation through a well-developed committee system, the long term benefits of good legislation being made better are enormous. I am proud of the contribution I made on a number of Committees throughout my tenure and I hope that future governments of all political persuasion will continue to utilise the cheapest form of Royal Commission for a very long time to come.<sup>1751</sup>*

Hon Alannah MacTiernan's decision to resign from the seat of Armadale on 20 July 2010 created a vacancy in the Legislative Assembly, which was filled by Labor Party member Dr Tony Buti at a by-election on 2 October 2010. Since being elected to the thirty-eighth Parliament, Dr Tony Buti MLA (ALP) has served on a number of committees, including as chair of the Public Accounts Committee.<sup>1752</sup> Dr Tony Buti contended:

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<sup>1751</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Hon Liz Behjat.

<sup>1752</sup> Member, Community Development and Justice Standing Committee (9 May 2013–30 January 2017, deputy chair (12 November 2014–30 January 2017); member, Public Accounts Committee (23 May 2017–29 January 2021, chair (24 May 2017–29 January 2021); member, Joint Standing Committee on Audit (13 June 2017–29 January 2021, deputy chair (16 August 2017–29 January 2021).

*Most members of parliament, with the exception of ministers, the leader of the opposition, and usually the deputy leader of the opposition, serve on standing committees. These committees operate continually and undertake inquiries of particular issues or subjects within the jurisdictional remit of the relevant committee. For example, the Public Accounts Committee, of which I am the chair, is charged with inquiring into and reporting 'to the Assembly on any proposal, matter or thing it considers necessary, connected with the receipt and expenditure of public moneys, including moneys allocated under the annual Appropriation Bills and Loan Fund'.*

*Standing Committees of the Western Australian Legislative Assembly usually have five members made up of government and non-government members.*

*Committees of Parliament provide great avenues and opportunity for contact between the public and members of parliament. Committee inquiries enable members to be better informed about community views and often committee inquiries foster much needed public debate over important public policy issues.*

*As a member of a standing committee since 2013, I have found the experience of immense educational value. It is through my work as a committee member that I have been able to delve into the intricacies of how governments work, and the interaction between government agencies and the executive, and the private sector and the public at large.*

*Being able to hold formal and informal hearings with senior bureaucrats, professional experts and representatives from companies, unions and non-government organisations, not only serves the purpose of informing committee members on the inquiry in question at the time but assists us as legislators. By better understanding how the machinery of government operates. It makes us better equipped to deal with legislation before the parliament, as we have a deeper insight into the possible consequences of legislation to the operation to the operation of government and the impact on the public.*

*One of the other significant benefits of committee work is that it allows members to work in a bi-partisan manner that is often absent in the cut and thrust of parliamentary debate. This is not to deny that any party and philosophical tensions are sometimes present on committees but in my experience members do seek to work collaboratively in order to advance the inquiry and produce reports that will improve the workings of government, which can only be of benefit to the wider public.*

*In my view, every member of parliament should have some experience as a committee member. I think it is of great educational value, not only for legislators but also potential ministers of the crown. Conversely, it is also beneficial for the workings of the committee to have former ministers as committee members as they bring an insight into the workings and challenges of government only experienced as a minister.*

*I strongly endorse the significance and value of committee work for members of parliament to assist in improving the quality of parliamentary debate and development of public policy.<sup>1753</sup>*

During debate in the Legislative Assembly in 2016, Dr Tony Buti observed that from his perspective:

*Committee work is very, very important. It is a very important educational experience for members of Parliament to be a committee member, because they work in a very different environment from that of the chamber, which is often adversarial. Although committees can be adversarial as well,*

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<sup>1753</sup> Personal correspondence between Dr Harry (C.J.) Phillips and Hon Dr Tony Buti.



*there is an aim and purpose of trying to reach some form of consensus and agreement and to produce a report that will seek to assist government in making policy decisions that hopefully will benefit the whole community, as was outlined by the member for Balcatta in his speech not so long ago. Committee work is very important and committee reports are very important and, as the chair has mentioned, we have been disappointed in the government's responses to all our reports. It is important that government takes these reports seriously and responds accordingly to the recommendations and findings contained within them.*<sup>1754</sup>

Another observation of committee work was proffered by a stalwart of the committee system in the Legislative Council, Hon Giz Watson who was elected to the thirty-fifth Parliament for the North Metropolitan Region on 14 December 1996. Hon Giz Watson took her seat as the Greens WA member for the term commencing 22 May 1997. Re-elected three times, in 2001, 2005 and 2008, she secured preselection for the South West Region before the 2013 election, the region she intended to make her home. However, she was defeated, and her term as a member of the Legislative Council concluded on 21 May 2013. Hon Giz Watson served on a number of parliamentary committees,<sup>1755</sup> and her committee work has been described as 'substantial and probably second to none'.<sup>1756</sup> Sharing her views on parliamentary committees, with Anne Yardley as part of the WA Parliament's oral history program, she stated:

*I suppose I think in some way that the work that the Parliament does for the community is best reflected in the work that is done in committees. It is interesting, most people even wouldn't even know that this is what we do, and all that work goes on behind the scenes. That is why I'm interested to ... know, the processes, to enlarge on the processes and how the committees work, because it is, in a way, a little-known function of the Parliament.*<sup>1757</sup>

On another occasion Hon Giz Watson stated that the work done in committees is some of the most 'constructive and satisfying work that members engage in', she went on to explain that:

*... because we are generally looking for positive outcomes rather than the politics of particular issues. It is very much the backbone of why the Legislative Council is a good House of Review. We continue to look at improving our efficiency and effectiveness in reviewing legislation for the good of the state. Even over the eight years that I have been a member of this place, the committee process has been greatly enhanced and refined.*<sup>1758</sup>

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<sup>1754</sup> Western Australia, Legislative Assembly. *Parliamentary Debates*, 18 August 2016, p. 4889.

<sup>1755</sup> Member, Standing Committee on Legislation (26 June 1997–4 June 2009), deputy chair (from 27 June 2001); member, Parliamentary Services Committee (11 August 1999–11 April 2002); member, Standing Committee on Estimates and Financial Operations, (30 June 2005–21 May 2013), chair (from 15 August 2005); member, Select Committee on Native Title Rights in WA (17 September 1997–10 November 1998); member, Select Committee on Native Title Legislation (1–10 December 1998); member, Select Committee on Advocacy for Children (11 June 2003–2 July 2004); member, Select Committee on Adequacy of Foster Care Assessment Procedures by the Department for Community Development (21 September 2005–24 August 2006); chair, Select Committee on the Department of Education and Training (15 November 2006–7 December 2006); member, Select Committee on Police Raid on the Sunday Times (14 May 2008–7 August 2008 and 12 November 2008–7 May 2009); member, Select Committee on Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament (5 June 2008–7 August 2008 and 12 November 2008–7 May 2009).

<sup>1756</sup> David Black & Harry (C.J.) Phillips (2012), *Making a difference: A frontier of firsts: Women in the Western Australian Parliament 1921–2012*. Perth: Parliament of Western Australia, pp. 315–21, at p. 316.

<sup>1757</sup> Anne Yardley, *Transcript of an interview with Hon Giz Watson*, Oral History Collection (OH 4275), 2016, pp. 148–9.

<sup>1758</sup> Western Australia, Legislative Council. *Parliamentary Debates*, 17 August 2005, p. 4094.

Hon Paddy Embry MLC (ON/Ind) said that that ‘he was a great fan of committees’.<sup>1759</sup> Elected to the thirty-sixth Parliament for the South West Region on 10 February 2001, for the term commencing 22 May 2001, Hon Paddy Embry resigned from the One Nation Party on 15 May 2003 to become an independent. He became a member of the New Country Party (WA Branch) from 30 November 2004 and was defeated at the 2005 election, concluding his term on 21 May 2005. Hon Paddy Embry served on the Standing Committee on Legislation and the Standing Committee on Uniform Legislation and General Purposes.<sup>1760</sup> About his experience with committees, he stated:

*Yes, I am a great fan of committees, I mean talking obviously in the Parliamentary system. This is because they have people from different parties on it, I am a great supporter of that; in fact I was defending it the other day—because it is costly for some—not this one—committees to go overseas and have hearings and whatever. I think it is an important one for safeguarding state rights, because the uniform legislation is really marrying federal and state. Whereas I am a great believer in state rights, the balancing side, I think, is that I’m a believer that we are reasonable, we need to work together to have the same legislation. It is ridiculous to have driving licences for example that you can get at different ages for the same vehicle. Surely when you cross the border into South Australia, you should be legal and vice versa. I am simplifying it a bit but I found that the second committee was chaired by Adele Farina. She was an excellent chairman. Simon O’Brien was the other member [as Chair]. I think we worked together quite well. It was a new committee, because there was far too much work with the first one and so it was split really.*<sup>1761</sup>

Former member Larry Graham MLA (ALP/Ind) also had valuable insights into the parliamentary committee system. He successfully contested the seat of Pilbara in the 2001 election as an independent, and he had previously been elected to the thirty-third Parliament for Pilbara on 4 February 1989 representing the Labor Party. Re-elected in 1993, 1996 and 2001, Larry Graham did not contest the general election of 2005. During his parliamentary career, Larry Graham served on a number of parliamentary committees and held various chair and deputy chair positions.<sup>1762</sup> His period of service covered the ‘before’ and ‘after’ of the new parliamentary committee system. According to Larry Graham:

*Committee work in Parliament is not something that members do as an add-on to their roles as members of Parliament; it is one of the fundamental reasons for being in this place. Committee work is not a secondary duty, although it may look that way when members first come into Parliament. I was lucky when I entered Parliament because I was quickly put on committees under the tutorage of some very experienced and competent members. I had the benefit of working with people such as Ian Thompson when he was a committee chair, and also Monty House and Hendy Cowan who were then in Opposition. I learned from them the extraordinary benefits members can gain from committee work. Members of Parliament should not treat parliamentary committees as they sometimes do—as somewhere to go to make up the numbers on behalf of their political party.*

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<sup>1759</sup> Patrick Embry, *Transcript of an interview with Ron Chapman*, Oral History Collection, 23 July 2006, p. 60.

<sup>1760</sup> Member, Standing Committee on Legislation (31 May 2001–10 April 2002); and member, Standing Committee on Uniform Legislation and General Purposes (11 April 2002–23 January 2005).

<sup>1761</sup> Patrick Embry, *Transcript of an interview with Ron Chapman*, Oral History Collection, 23 July 2006, p. 60. Embry was referring to the Legislative Council committee restructuring.

<sup>1762</sup> Member and deputy chair, Public Accounts and Expenditure Review Committee (5 April 1994–10 January 2001); member, Joint Standing Committee on the Commission on Government (17 August 1994–14 November 1996); deputy chair, Standing Committee on Community Development and Justice (30 May 2001–21 September 2004); chair, Select Committee on Wittenoom (22 September 1993–3 August 1994); deputy chair, Select Committee on Land Conservation (27 September 1989–5 December 1991); deputy chair, Select Committee on Energy and the Processing of Resources (25 October 1989–12 November 1991); deputy chair, Select Committee on Pricing of Petroleum Products in WA (6 April 2000–12 October 2000); member, Select Committee on Heritage Laws (22 September 1993–24 March 1994); and member, Select Committee on Procedure (16 November 1994–27 June 1996).

*Committees are one of the few places in this Parliament in which members can take off their political hats and make a serious difference about how this State operates.*<sup>1763</sup>

This view was also posited by Hon Eric Ripper MLA (ALP), another member to participate in parliamentary committees before (and after) the introduction of the new committee system in the Legislative Assembly. Eric Ripper was first elected as the member for Ascot in the thirty-second Parliament in a by-election held on 19 March 1988. He filled the vacancy left by the resignation of Mal Bryce MLA (ALP). Hon Eric Ripper's electorate was abolished in the 1988 redistribution, and he was then elected on 4 February 1989 to the new seat of Belmont for the thirty-third Parliament. He was re-elected in 1993, 1996, 2001, 2005 and 2008. He was appointed to a number of parliamentary committees and was a Deputy Chair of Committees for a time.<sup>1764</sup> He asserted:

*Members of Parliament on both sides of the House should be aware that there are many rivals for influence in the policy-making process. Ministerial advisers and officers are rivals to members of Parliament for influence on the details of policy. Senior public servants, lobbyists and members of the media are also rivals. That which distinguishes members of Parliament from all the other players in the system is that members must be elected and are, therefore, accountable to the people of Western Australia. Although we have a vested interest in enhancing our influence in the system, a broader concern is that our influence in the system represents the outcome of democratic processes. Democracy is strengthened if the influence of elected people is placed above the influence of people who reach their positions of influence by other means. Information and expertise is power. Members of Parliament without a standing committee system are less equipped to obtain the information and to obtain the expertise that will give them the ability to have proper influence in the policy-making system.*<sup>1765</sup>

A 'baptism of fire' was one way to describe the experience of David Templeman MLA (ALP), when in 2001, as the new member for Mandurah, he was appointed chair of the newly established Community Development and Justice Standing Committee.<sup>1766</sup> Elected to the thirty-sixth Parliament on 10 February 2001, defeating Roger Nicholls MLA (Lib), David Templeman was re-elected in 2005, 2008, 2013, 2017 and 2021. In 2002, he first reflected on the new parliamentary committee system, stating:

*The standing committees have a critical role to play in highlighting issues that need to be addressed by government. This committee and other committees should continue to play a crucial role in Parliament's business. It certainly allows us to get to know better our colleagues from all sides of the House, to understand their motives and to appreciate their points of view.*<sup>1767</sup>

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<sup>1763</sup> Western Australia, Legislative Assembly. *Parliamentary debates*, 26 September 2002, p. 1690.

<sup>1764</sup> Deputy Chairman of Committees (April 1989–March 1991); member, Public Accounts and Expenditure Review Committee (April 1989–March 1991), chair (from April 1990); member, Joint Standing Committee on Delegated Legislation (April 1989–19 March 1991); joint chair, Estimates Committee (1990); member, Standing Orders and Procedure Committee (22 June 1993–7 September 2000); member, Procedure and Privileges Committee (8 September 2000–10 January 2001); member, Select Committee on the Reproductive Technology Working Party's Report (15 November 1988–15 December 1998); member, Select Committee on Energy and Processing of Resources (27 September 1989–12 November 1991); member, Select Committee on Science and Technology (24 March 1994–24 November 1994); member, Select Committee on Procedure (12 October 1994–27 June 1996); member, Select Committee on Crime Prevention (15 October 1997–23 September 1999).

<sup>1765</sup> Western Australia, Legislative Assembly. *Parliamentary Debates*, 6 April 2000, p. 6114.

<sup>1766</sup> Chair, Community Development and Justice Standing Committee (30 May 2001–23 January 2005); and member, Economics and Industry Standing Committee (7 April 2005–8 March 2006).

<sup>1767</sup> Western Australia, Legislative Assembly. *Parliamentary Debates*, 26 September 2002, p. 1685.



**Members of the Former Members Association share their experiences of committee life. Photo: PoWA**

Drawing on his experience of serving on a number of committees over the years, Hon Colin Holt MLC (Nats) was of the view that committees were a valuable tool.<sup>1768</sup> During his parliamentary career, he had been appointed as a Deputy Chair of Committees in the Legislative Council (21 June 2011 – 21 May 2013). He recalled:

*I have been on quite a few committees. I have been on joint select committees, select committees and standing committees, and they do a lot of very important work on behalf of the house. There is a longstanding understanding and tradition about how committees operate. I have to say in my experience that they have almost exclusively, on almost every issue, operated in a bipartisan sense. I have been on the Standing Committee on Environment and Public Affairs a couple of times, and members can imagine the wide-ranging issues that are referred to that committee through petitions, often very political petitions, as well as some self-instigated reviews and inquiries. My experience has always been that a strong approach is taken by all members to tackle the issue in a non-political sense. Sometimes it creeps over, but, generally, 99 per cent of the time, it is treated in a non-political sense to get to the nut of the issue to try to respond to the concerns of the community. I would say that most of my committee work has been in the same sense. Maybe new members, who have been on a committee for only a year and a half since we were appointed to committees, have a different view, but I find that committees are a really valuable tool for this Parliament, this house and the community at large. One of the strengths of committees is that members come together from different parts of the political divide and there is a full and frank discussion in those committee proceedings of the issues.*<sup>1769</sup>

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<sup>1768</sup> Member, Standing Committee on Environment and Public Affairs (4 June 2009–21 May 2013); member, Standing Committee on Procedure and Privileges (4 June 2009–6 March 2012); member, Standing Committee on Procedure and Privileges (22 May 2013–16 December 2014); deputy chair, Standing Committee on Environment and Public Affairs (23 May 2017–21 May 2021); and member, Joint Select Committee on End-of-Life Choices (23 August 2017–23 August 2018).

<sup>1769</sup> Western Australia, Legislative Assembly. *Parliamentary Debates*, 21 November 2018, p. 8316.

On another occasion, Hon Colin Holt spoke of his experience of being a member of the Legislative Council, serving a joint select committee governed by the standing orders of the Legislative Assembly:

*This is the first time I have been a member of a joint select committee, which consists of members of both houses. I found that to be an interesting experience considering that we operated under Assembly standing orders, which we have no recognition or knowledge of in this house until we have to work with them. Even going through the process of how different houses of Parliament deal with the issues of the day or how they work in committees was an interesting experience. Beyond that, every committee member who devoted many hundreds of hours to read submissions, listen to evidence during hearings and deliberate on the report did so with the right aim in mind.*

...

*My thoughts are directed to a lot of the new members here, who potentially have a long parliamentary career ahead of them. I encourage them to take up the opportunities to work on either a standing committee or a select committee, especially those that inquire into subjects that they are passionate about and interested in. If they have that interest, they will go onto a committee mindful of how they can work on that issue to make Western Australia a better place. From my experience, every committee that I have been on has been that way. I assume that those members who have had the privilege of being on a committee would agree. There is a large work commitment when working on committees. This committee [the Joint Select Committee on End-of-Life Choices] has probably been the largest that I have been involved in. If we are going to be fair dinkum, we have to go to the hearings, read the evidence and think deeply about the issue and how we treat witnesses and not interrogate witnesses but take evidence from witnesses. We all approach it in that way and I think the Parliament wants us to approach it in that way. I am very pleased that members have that attitude.<sup>1770</sup>*

Another with expertise in this field was Hon Tom Stephens (ALP), who was first elected to the thirtieth Parliament for the North Province at the by-election on 31 July 1982. Hon Tom Stephens made an enormous contribution to committees during his long parliamentary career.<sup>1771</sup> He served as a member of the Legislative Council and the Legislative Assembly, and his service to parliamentary committees in both houses was significant, including the Standing Committee on Government Agencies.<sup>1772</sup>

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<sup>1770</sup> Western Australia, Legislative Council. *Parliamentary Debates*, 19 September 2018, p. 6224.

<sup>1771</sup> Elected to the thirtieth Parliament for the North Province at the by-election on 31 July 1982 to fill a vacancy after the resignation of William Robert Withers MLC (Lib); re-elected 1983. MLC for the Mining and Pastoral Region (22 May 1989–16 September 2004). Resigned from Legislative Council on 16 September 2004 to unsuccessfully contest the federal seat of Kalgoorlie. Elected to the Legislative Assembly for the new seat of Central Kimberley–Pilbara on 26 February 2005. Seat abolished in the 2007 electoral redistribution. Elected to the thirty-eighth Parliament for the new seat of Pilbara on 6 September 2008. Did not contest the general election of 9 March 2013.

<sup>1772</sup> Chair (until May 1990) and member, Standing Committee on Government Agencies (7 September 1989–June 1990); member, Library Committee (1986–1987); additional member, Estimates and Financial Operations Committee (September 1990–October 1990); member, Joint House Committee (23 June 1993–10 June 1998); member, Legislation Committee (18 March 1999–27 October 1999); member, Select Committee on Aboriginal Poverty in Western Australia (29 May 1984–26 November 1985); member, Select Committee on the Allocation of Funds by the Aboriginal Liaison Committee (15 July 1986–19 November 1986); member, Select Committee on State Funding of Aboriginal Programs (14 June–15 December 1988); member, Select Committee on Burswood Management Limited (31 May–23 August 1988); member, Select Committee on a Matter of Privilege relating to the Burswood Management Limited Select Committee (16–24 June 1988); member, Select Committee on the SEC of WA Advanced Coal Purchase from Western Collieries Ltd (29 November 1988–15 December 1988); member, Select Committee on a Matter of Privilege on the Easton Petition presented by Hon John Halden (11 November 1992–14 December 1992); member, Select Committee on Cape Range National Park and Ningaloo Marine Park (1 December 1994–15 December 1995); member, Select Committee to Review the Legislative Council Standing Committee System (26 June 1997–27 August 1997); chair, Select Committee on Native Title

*I have had the opportunity of doing work on a large number of parliamentary committees in the years I have been in the Parliament, and I appreciate that committee reports and the committee work are some of the most significant legacy that we contribute to Western Australia as part of our parliamentary work.*<sup>1773</sup>

As can be seen from the statements above, members who have served on parliamentary committees show an awareness of the educational value of committee participation. A better understanding of how government works is a benefit of committee service. Members also recognise that committee roles are invariably more cooperative and constructive than other forums, including the sometimes adversarial chambers. The committee process, based on firm evidence, thorough research and expert testimony, can sometimes result in preconceived notions being overcome.

More experienced members tend to speak of achieving better understanding and rapport with members of other parties. Members of minor parties believe that parliamentary committees can provide them with more opportunities to investigate matters of substance and to formulate their recommendations in the current political context. Those experienced in the committee system are invariably able to list a range of positive legislative outcomes. Members recognised that even if recommendations were not adopted by the government, there was often an opportunity for the research and findings to be reconsidered for future governmental action. Some members believe that even more resources should be devoted to the operation of the committee system in the Western Australian Parliament.



***The 'Peoples House': Everyone is welcome in the Parliament. Photo: PoWA***

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Rights (17 September 1997–10 November 1998); chair, Select Committee on Native Title Legislation (1–10 December 1998); chair, Standing Committee on Education and Health (7 April 2005–7 August 2000); and member, Community Development and Justice Standing Committee (13 November 2008–30 January 2013).

<sup>1773</sup> Western Australia, Legislative Assembly. *Parliamentary Debates*, 27 September 2012, p. 6712.



## Afterword

In sampling a selection of the considerable output of the committees in the Parliament of Western Australia across two decades, this book has attempted to illustrate the breadth and depth of matters scrutinised by the Legislative Council and the Legislative Assembly. The body of committee work is formidable. In truth, the role of committees in the Western Australian Parliament is substantial, but is not widely recognised. It is now over thirty years since Peter O’Keefe noted that parliamentary committees:

*Through their mobility, specialisation, power, immunity, status, political skill and media attention, committees can draw to themselves information and confidences which others will not obtain ... they can help truth speak to power and give voice to those who otherwise remain unheard by power.*<sup>1774</sup>

It is hoped that this book will help demystify the parliamentary committee system, reveal the voices contained in the reports and make the reports more available and accessible. For the curious, what follows in the appendices—a comprehensive listing of all parliamentary committee reports between 2001 and 2021—may act as a conduit to further exploration of this important informational asset of the Western Australian Parliament. The year 2021 marked the sesquicentennial of committees in the Legislative Assembly, so it seemed a good departure point for this volume, just as the start of the new millennium, in 2001, served as a good starting point. A list of reports between 1870 and 2000 appears in the previous volume of this series, *Parliamentary committees in the Western Australian Parliament : an overview of their evolution, functions and features. Volume 1, 1870–2000*. We hope both volumes will be a veritable treasure trove of leads and references for those eager to explore committees, an academically underdeveloped parliamentary resource. We have included tabled paper numbers in the appendix to aid retrieval by researchers, librarians, and parliamentary officers. Extensive footnotes to the parliamentary debates about the committees have also been included to assist.

In a draft report submitted to the Joint Committee of the British Parliament on Debates and Proceedings in 1888, Lord Cadogan, the Lord Privy Seal is quoted as saying:

*The history of parliamentary debates is similar to the description given of the history of a newspaper. The first day it is read with eagerness, the next day it is thrown away; after the lapse of some years it is worth its weight in gold. The ancient volumes of Hansard, imperfect as they are, are often intensely interesting reading for the light they throw on dead statesmen, or past conditions of society, legislation and controversies.*<sup>1775</sup>

The same can be said for committee reports; the ebbs and flows, highs and lows of parliamentary committees are also interwoven into the parliamentary debates. As this book has attempted to demonstrate, committee reports form an important—and often overlooked and undervalued—reference series about Western Australia. They provide an interesting snapshot of Western Australian society over the years. The reports and the publicly available inquiry evidence await further exploration by the academic community and anyone with an interest in the intricate, nuanced and extensive work of the committees of the Parliament of Western Australia.

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April 2023

<sup>1774</sup> Peter O’Keefe (1992) ‘The scope and function of parliamentary committees’, *The Parliamentarian*, October, p. 272.

<sup>1775</sup> Lord Cadogan, Lord Privy Seal, in a draft report submitted to the Joint Committee of the British Parliament on Debates and Proceedings in Parliament. *House of Lords Sessional Papers*, XV, 1888.