



PARLIAMENT OF WESTERN AUSTRALIA

VALEDICTORY SPEECH



MR WILLIAM THOMAS, MLA
(Member for Cockburn)

Legislative Assembly

Thursday, 23 November 2000

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MEMBERS OF PARLIAMENT — VALEDICTORY SPEECHES

Motion

MR THOMAS (Cockburn) [11.36 am]: I am very pleased to have the opportunity to speak today and to reflect on the occasion of what will be my last speech as a member of this House. Being a member of this place has been the greatest honour I have achieved in my life. It is a wonderful institution and it is worth nurturing. It can make great contributions to the governance of the State. I will make some observations about how it operated in the past, how it operates today and how that can be improved.

The essential nature of the Legislative Assembly is that its members are elected from single-member constituencies. That is the difference between this place and the Legislative Council, and it is the defining aspect of our role in the Parliament and in the governance of this State. Sometimes members are described as “members of Parliament”. There is no such thing as a member of Parliament - one is either a member of the Legislative Council or a member of the Legislative Assembly. Members of the Legislative Assembly are elected by territorial constituencies and require a majority vote of 50 per cent plus one. That means we must be answerable to and represent a broad cross-section of the public. It is not possible to be a zealot and continue to be a successful member of this House; one must be balanced and able to look at a broad range of issues from a wide range of perspectives. That is a very desirable quality for a House in which the Government is formed.

One of the primary functions of this House is to be an electoral college. After the election is held, the most important task confronting this House is the formation of the Government. Once that is done, unless the numbers are very close, government legislation is unlikely to be amended in this place. That role of forming the Government is very important and it should be undertaken by a House that comprises members elected from single-member constituencies, not through proportional representation.

I will make a few comments about the Legislative Council and the way it operates. Since I was elected, the Parliament has been transformed by the introduction of electoral reform involving proportional representation in the Legislative Council. When upper Houses were created, the notion was that they would bring a different perspective to bear on legislation from that of the popularly elected Houses. They were designed to represent wealth and privilege and to ensure that the popularly elected Houses did not do too much to dismantle the privileges and wealth of those who enjoyed them. As years went by, that became unacceptable. The upper House in this State moved to adult franchise and it effectively became a duplicate of the lower House. Members were elected from single-member constituencies and, for the most part, the votes reflected those in the lower House. Except for the fact that the gerrymander was more enhanced in the upper House, it was very much a mirror of the lower House. There was no point to its existence because it offered no different perspective on legislation.

The introduction of proportional representation has changed that remarkably. It transformed not only the Legislative Council but also the Parliament as a whole. It is now possible, and likely in some cases, that government legislation will be defeated in the upper House. That is desirable. If the distribution of political sentiment in the community remains as it is now, or similar, in the years to come no major party will have a majority in the upper House. Upper Houses accommodate not only members of the major parties but also members of groups such as the Australian Democrats, the Greens (WA) and so on. Various groups take advantage of the electoral opportunities that now exist as a result of the introduction of proportional representation. As a result, the upper House becomes the House of ideas. Legislation should be subjected to scrutiny in an environment that allows those ideas to be canvassed and given greater attention. Single-issue parties will be elected to such a House to represent a proportion of the population. However, members of those groups will not be elected to this House. That is also appropriate, because the House that forms the Government should have that breadth of perspective that is likely to be conducive to good government. Members of those groups do represent a certain proportion of the population and they will not be elected here. It is desirable that they not be elected here, because what we want in a House in which the Government is formed is that breadth of perspective that is likely to be conducive to good government. Houses that are elected from proportional representation, such as the Legislative Council, are a desirable part of politics, because not only can minority parties be elected but also major parties can put people there whom they would not want in an electorate because they might have ideas that may not be sufficiently popular to allow them to be elected in lower House electorates. Nonetheless, they can make a very important contribution to politics and to governance in general.

I will quote two examples, one of which was mentioned earlier by the member for Eyre during his speech. The two examples to which I refer involve two people whom the Labor Party in Western Australia sent to the Senate, John Wheeldon and Peter Walsh. When I first became involved in politics, John Wheeldon was a senator from Western Australia. He was prepared at that time to campaign in opposition to the Vietnam War. That was not a popular position then. Had he been representing a seat in the House of Representatives - a lower House seat - it is unlikely that he would have been able to adopt that position and campaign as he did, or, if he did, he would have lost his seat, and that would have been counterproductive. Who could say now that it would not be desirable for someone like Wheeldon to be around to advance that point of view? The point of view that he was advancing then is now accepted as having been the truth; yet it would not have been possible had it not been for a House with proportional representation.

Peter Walsh was mentioned by the member for Eyre. I have an enormous degree of admiration for Peter. When the Labor Party was in power federally, he brought to government a degree of stringency, which, everyone would agree, was highly desirable in financial matters. Peter Walsh probably would not have been elected in a lower House constituency. If a deputation of constituents wanted a covered assembly area at a primary school, he was the sort of person who would give them a lecture on why they should not want it and send them away. If he did not do that, he would adopt a different attitude from the one which contributed so much to the Government. There are other examples I can think of.

It is very helpful to have a bicameral Parliament, of which one House is elected by proportional representation. It is also very desirable to have a House like this, which represents the broader perspectives of the community, rather than the narrow-interest groups, which form the Government.

There should be some constitutional reform in this State. During the early times when I was in Parliament, a committee, chaired by the Leader of the Opposition, was set up to review the Constitution in this State. Putting aside the major issue of one vote, one value - we could talk about that for a long time and not get anywhere - a number of areas of constitutional reform should be undertaken. Possibly the easiest, but one of the most necessary, is to have a Constitution that people can read and understand. If one wants to know what is the Constitution of this State, one will find that there are two Acts of Parliament and numerous amending Acts, and a lot of them contain what are known as the constitutional fictions; they say things but do not really mean them. If one picks up the Constitution of Western Australia and asks what is the Parliament of Western Australia, one would see that the Parliament comprises the Legislative Assembly, the Legislative Council and the Queen. We all know that it does not mean that; the role of the monarch is notional and her representative should act upon the advice of her ministers. Whole areas of the Constitution are simply fictitious. For example, there is no mention in the Constitution of the office of the Premier. If schoolchildren or people who are interested in politics were to ask where they could read the rules on how the Government of Western Australia operates, they would find that it does not exist; no document sets that out. That is most undesirable and is relatively easy to fix. The United States and most places in the world have Constitutions that people can read and understand, and we should have that too.

I mentioned the issue of one vote, one value. I will not speak at any length on that, other than to say that it is constitutional reform that is unanswerable; everybody's votes should have equal value. We have put up with the converse of that. One vote, one value went against the interests of the Labor Party for a long time and is against the interests of the Liberal Party; indeed, the only party that benefits from it is the National Party. Only a relatively small group in Parliament benefits from it. The reason that situation has been tolerated is that it has not made a difference to the outcome of the election. One of the major functions of this House is to be an electoral college from which the Government can be derived. When the election is held, and if the results of the electoral college are different from what would have been the case had there been one vote, one value, I predict there will be overwhelming public pressure for reform and one vote, one value will be introduced. That is what happened in South Australia in the late 1960s, when Dunstan should have been, but was not, elected because of the system that prevailed then. The public pressure was such that the State had to amend its Constitution to realise the will of the people. That will happen here should the will of the people be frustrated by the lack of one vote, one value in the choice of which Government should be formed.

Another reform that should be introduced to the operation of the Parliament generally and its relationship with the Government is a reduction in the size of the Cabinet. The Leader of the Opposition has indicated that the incoming Labor Government will have a Cabinet of 12. That is a vast improvement on the current situation and a vast improvement on the situation that prevailed earlier. I was cabinet secretary for four years, and it is my view that Cabinet was probably twice as big as it needed to be. We could easily have micro-economic reform and reduce the size of Cabinet substantially, although there would have to be corollaries to that to make public administration practicable. The United States is governed by a Cabinet of fewer than 10 people, and there are 250 million Americans!

Mr Riebeling interjected.

Mr THOMAS: Possibly so; in that case, we could probably get by with even fewer. The point I am making is that for this Parliament to operate as a Parliament and for this House to operate as a House of Parliament, there should be a change in the ratio of ministers to members. While Cabinets have numbers of 15 or 17, the number of people who are not in Cabinet becomes an absurd imbalance in having Parliament exercise some sort of oversight over government. Most people on the government side who are not ministers want to be, so there is a tendency for the Government to want to transform the House into a cheer squad for the Government. Consequently, the proper scrutiny or supervision of the Government that the House should exercise is absent.

I applaud the decision of the Leader of the Opposition, whom I am confident will be Premier in a few months, to reduce the size of Cabinet, and I suggest that he could take it further. That means that fewer members of the House will be ministers. They will be people who have been elected and who have an interest in the Government of the State, and ways must be found for them to make a creative contribution. That requires leadership on the part of the Premier. I have no doubt - in fact, I know from conversations I have had with members opposite - that there is an almost invariable tendency for ministers to want to hold matters close to them and not delegate and not allow other members to share in the decision making and the parliamentary oversight of the public sector.

A member came to see me when I was cabinet secretary and asked whether he or she - I will not give any identifying information - could take responsibility, through a parliamentary secretary role, for a body that was responsible for film in Western Australia, in which the member had an interest. I put the proposition to the minister, but he said no, because he did not want to share that responsibility with someone else in Parliament. I suppose the minister felt threatened that somebody, who was not directly answerable to the minister as would be a public servant, would get in the way. That is wrong and that tendency must be overcome, if necessary, by leadership from the Premier. There are heaps of opportunities through parliamentary secretary positions, the operation of the committee system and so on for members to make a contribution to administration without necessarily having to be a minister.

The size of Cabinet should be reduced. I also agree with Laurie Marquet that there should not be any ministers in the Legislative Council. If the Legislative Council is the House of Review, members should not have that role. Career opportunities for members of the Legislative Council should be in parliamentary rather than executive positions. That would be encouraged if there were no ministers in the upper House. Those are the observations that I wished to make on the manner in which Parliament should be improved. I hope that the incoming Government will take the opportunity to review the Constitution. I note the member for Nollamara is here now - he too had a role in that process. That is a job that should be undertaken. Possibly the House could overcome politically controversial matters such as one vote, one value by putting those matters to one side and doing a sensible review of other parts of the Constitution.

I pay honour to some of the members of this House with whom I have served and who have contributed to the Parliament and Government in this State. I will mention one or two who are, or were, in this House and who played an important role. The first, who unfortunately is not present, is the Deputy Premier, Mr Hendy Cowan. He is one of the most distinguished parliamentarians of this State. I cite his role in the electoral amendment debate of the late 1970s. The only members of the House who were here then, and who are here now, are the member for Eyre and the Deputy Premier. Members will be aware that following the election in which the current member for Kimberley was almost elected, the then Government introduced an electoral amendment Bill which sought to disenfranchise Aboriginal people. I was active in politics at that time, but was not a member of Parliament. I was in the gallery when the matter was debated. That State Government actually introduced legislation that was deliberately designed to disenfranchise Aboriginal people. That is as bad as it gets. It was Deep South of the United States type of stuff - the stuff that one believes happens in other places. The legislation was defeated because of people like Hendy Cowan, Matt Stephens, Tom Dadour and the then Speaker, Ian Thompson, who exercised his casting vote from the Chair to defeat that legislation. That was one of the great moments of this Parliament. Normally, because this House is elected by single-member constituencies, the Government has a majority and it is expected that legislation will be passed. It is an unusual event for government legislation to be defeated in the Legislative Assembly. However, on that occasion, community outrage was great and some principled people on the conservative side of Parliament did not support the Government as expected. That event is to the credit of those members and to the institution in general. I named those members from the conservative side of politics who played such an important role in defeating that legislation, but, of course, they only defeated it because the Labor Party was already voting against it. Credit should go to the member for Eyre and the other opposition members who were here at that time, who voted against that legislation. In my view, it was the finest hour in the history of this Parliament - at least of the times of which I am aware.

I reflected on the member for Eyre and the Deputy Premier who are the longest-serving members of this House. The Deputy Premier will continue to serve following the next election, subject to his electorate, while the member for Eyre is retiring. There is a good crop of members coming in. At the last election a good crop of new members was elected, in particular the members for Rockingham, Willagee and Thornlie. They are part of the infusion of talent that the Labor Party received at the last election. If it is to form Government, the Labor Party will have another 10 or so members coming into this House. It will be a different, but talented, team. In the past the Labor Party has had people like the member for Eyre here. He will be an enormous loss to this Parliament. He has areas of expertise and

knowledge that no-one else in this House has - or indeed anyone in this Parliament. He will be a difficult act to replace. However, no-one is irreplaceable and I am sure that from within the group of people who are already here, and the group that will come after the next election, the Labor Party will put forward a good team.

This House can operate only with the consent of electors. I was elected in 1986 as the member for Welshpool, succeeding Colin Jamieson who was the member for 32 years. When I made my maiden speech I looked up the maiden speech that Colin Jamieson made 32 years before to find out what he had talked about. In his speech he said that there was a need to widen Albany Highway. He was a member of Parliament for 32 years, including a period as minister for roads, but Albany Highway was not widened during his time as a member. In my maiden speech I also mentioned the need to widen Albany Highway - of course, over the 32 years since Colin Jamieson first made the comment in the early 1950s, that need had become much greater. But I ceased to be the member for Welshpool and moved to Cockburn, and Albany Highway still had not been widened. I am pleased to note that it has since been widened, but the Labor Party cannot claim credit for that. I served as member for Welshpool for three years, but most of my time in Parliament has been as the member for Cockburn. I pay tribute to my predecessor, the member for Peel Norm Marlborough, who is here today, and his predecessors Clive Hughes and Don Taylor, who represented that area well for many years.

The redistribution that saw me go to the electorate of Cockburn separated Cockburn from Kwinana. It should have been done earlier in the communities' interests as they are, in some respects, distinct communities. Cockburn is an area where, for most of the time that I have been the member, there have not been any local issues. It is an area that has tended to vote Labor. People have not given it a lot of attention. Only in the past three or four years, with the proposed industrial developments, has it had controversial local issues. It is rare for the area to have a local issue, but it has issues there now. The matters are being debated and are the subject of legislation in this Parliament. I am sure that the Labor Party will continue to hold the area in the future, but it will have to address issues in a way that is quite different from what has been done in the past. I am sure it will. I am sure that a breadth of view will be achieved - it is something members of the Parliament should strive for, as opposed to the viewpoints of single-issue zealots. I believe the people of Cockburn will be well served.

The City of Cockburn includes all the electorate of Cockburn. During my time as the local member I have enjoyed good relations with the City of Cockburn. I want to pay tribute to the three mayors during my time as the local member. They were all good. They may not agree with that assessment of each other. Because of the nature of politics, they have been opponents and rivals at different times. I want to pay tribute to Don Miguel, Ray Lees and John Grljusich as mayors of Cockburn. In their own ways, they have all done a good job. I believe John Grljusich was very unfairly dealt with in an inquiry earlier this year. It is a tragedy. John had transformed the City of Cockburn in many ways. He modernised its image, management and operations. The way he has been treated is most unfortunate. I hope he is successfully able to re-enter local government.

I want to thank the people who have worked with me over the years. I say with, rather than for, as that is the nature of the relationship. Whatever members of Parliament do is, for the most part, a result of the fact that we have staff who are able to do the many things we do not have time to do. I have been very well served by my electorate staff and the staff I had when I was Parliamentary Secretary to the Cabinet. I would like to thank Carol Burns, whom I inherited from Colin Jamieson. She worked for me for a year before going to the staff of Ian Taylor. Other staff include Marcelle George, Ruth Kerr, Helena Ball and Pauline O'Connor. Helena and Pauline have served longest; about 12 years between them. I would not have been able to achieve what I have without their help. I am extremely grateful to them. As Parliamentary Secretary to the Cabinet I was well served by the political staff and the public servants attached to the office. I believe some of them, including Leslie Finch, are still there. Public servants and people who work in government generally are, for the most part, very competent. Members of Parliament owe them a debt of gratitude. I echo the sentiments of other speakers earlier today that the people who work for Parliament and those who work for the Assembly give a high standard of service. Without them the Parliament would not be able to work and function as well as it does.

I also want to thank my wife. It has been said that none of us could do what we do in this job without support from home. The support I have received from my wife over the past 15 years has made it possible to do what I have done.

[Applause]