

FROM YOUR EDITOR

Jennifer Aldred

Sincere thanks to all contributors to this issue of the *Australasian Parliamentary Review*.

In a polished and accomplished work, Professor Bryan Horrigan examines the nature and scope of scrutiny and interpretation of legislation across a number of jurisdictions. While concentrating on the Trans-Tasman area, comparisons are made beyond the region. Of particular interest in this piece is statutory interpretation within the human rights scrutiny regime; both the parliamentary and legal aspects are considered.

Gareth Griffith's article deals with the NSW *Constitution Amendment (Restoration of Oaths Allegiance) Act 2012*. It distills and brings considerable clarity to a discrete topic. The particular strengths of this piece are in the historical background, its state/federal comparative analysis and, connections made between some quite vast bodies of parliamentary practice and doctrine over time in a number of Australian and other jurisdictions.

Teresa McMichael examines the extent to which reference committees exercise delegated powers outside of inquiries. While looking specifically at the NSW Legislative Council, Teresa also draws on her research into the practices of a number of other parliaments, local and international. The result is that considerable variation is shown to exist between different jurisdictions and, in some cases, between houses in the same jurisdiction. As a result of this work by Teresa, the NSW Legislative Council has changed its approach.

Teresa's paper was originally prepared for the 2010 Graduate Certificate in Parliamentary Law, Procedure and Practice offered through the University of Tasmania. The course is a professional program, designed for parliamentary clerks but open to any person with undergraduate or postgraduate qualifications in law or government. It examines common-law westminster systems and their incorporation into the governments of Australia, New Zealand and the South Pacific. Thanks to the University and to the Australian and New Zealand Association of Clerks at the Table (ANZACATT) for their assistance in providing certain distinguished papers for consideration for publication in the *APR*. Thanks also to authors for sharing their work and for putting in the extra yards required to adapt it for the journal.

Other prominent papers from each year's course are posted on the ASPG website — www.aspg.org.au.

As advised in the Autumn 2012 issue, we have two research papers appearing in this issue which grew out of the 2011 ASPG annual conference titled 'The executive versus the parliament: who wins?'. These two papers were developed further in light of their airing at the conference and thanks to *APR* referees. Ken Coghill and his colleagues draw on their significant research to pose questions of whether traditional views on how parliaments function match the reality. Suman Ohja assesses the effectiveness of committee scrutiny of the executive in Queensland from 1966 to 2001. Both are major contributions to valuable research on the operation of our parliaments.

Suman's piece is also drawn upon by both Roger Scott and Ken Coghill who look in detail at the impact of the March 2012 Queensland state election. That election saw a parliament composed of 89 members — of which 78 belonged to the new government — and with 50 of the 89 members being new to parliament. Roger's work considers the peculiarities of this election, including the unprecedented situation where the leader of the LNP opposition contested the election without being a member of the state's legislature. An assessment of the result is made on the party system — especially for the Labor Party which received an electoral punishing — as well as the impact on the parliamentary system given the government's overwhelming majority. The companion piece by Ken Coghill is based on a paper he presented to an ASPG Queensland Chapter forum in August 2012. Ken considers the functioning of parliamentary committees in delivering good government in Queensland under the new arrangements. Comparisons are made with the landslide result in Victoria in 1992. For those interested in reading the full proceedings of the ASPG-Q forum, email on ASPG-Q@parliament.qld.gov.au

Robyn Smith's 'From the Tables' summarises administrative and procedural developments in the Australasian Parliaments for the six month period. It is compiled from material supplied by each House/jurisdiction for *Parliament Matters*, the biannual newsletter of ANZACATT. 'From the Tables' is a valuable resource for those interested in our parliaments and I acknowledge the journal's beneficial partnership with ANZACATT in providing this material to our readership.

Robyn Smith has also had primary carriage for the ASPG 2012 Conference, to be held in Darwin in October, and dealing with Constitutional construction and reform and the statehood issue for the Northern Territory. Selected papers will be published in 2013 issues of *APR* and all papers appear on the ASPG website www.aspg.org.au.

This issue is rich with reviews of books on an array of interesting subject areas. My thanks go to all reviewers for their efforts. All reviews published in the *APR* appear also on the ASPG website and, again, I remind readers to check the website regularly for a range of useful information on research into and writings on our parliaments.

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