



AUSTRALASIAN STUDY OF PARLIAMENT GROUP

NEWSLETTER – SEPTEMBER 2012

Editorial

The Australasian Study of Parliament Group (ASPG) is a politically non-partisan body established to encourage and stimulate research, writing, teaching and discussion about parliamentary institutions, particularly those in Australasia and the South Pacific.

The ASPG has Chapters in all States and Territories of Australia and in New Zealand. Its membership consists of parliamentarians, parliamentary officers, academics, teachers, journalists, students and other interested individuals. For further information refer to the ASPG website www.aspg.org.au.

Welcome

Welcome to the latest issue of the ASPG Newsletter. This is a twice-yearly publication in which the Chapters are urged to tell all ASPG members of the activities of their Chapters and submit items of particular interest to current and prospective members. You can also make use of the Membership Application form at the back of the Newsletter which allows new members to join and existing members to renew their membership.

In this issue

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- Report of the 2011 Conference – ‘The Executive vs. Parliament – who wins?’
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There seems to be a subtle divide between political science and parliamentary study. We in the Australasian Study of Parliament Group might well assert that the former produces heat, the latter light. The growing importance of our organization indicates the value that flows from astute examination of parliamentary practice and procedure. An analysis of campaigning in the US Presidential election, at massive cost, highlights the science of political campaigning in which the emphasis is on the adversary nature of the party political machines and the strategic public relations posturing in key states. This however obscures the opportunity for informed comment on policies and visionary thinking beyond the post election period. Australia is certainly following this trend with our leading politicians doggedly sticking to their one line mantra while the electorate craves information. Social media has much to answer for in accelerating this trend. Its trivialization of events and argument has taken the focus off constructive debate. Parliamentarians have been seduced by the 30 second grab and the tweet. They have become addicted to its superficial appeal depleting them of the strength to mount a patient and thoughtful case for the policy issue they wish to argue. And they do not seem to realize the harm they do themselves in the process. Parliamentarians might well take much more heed of the work of the ASPG and the small band of people who argue not for a better system but a better application of a system that can and does work if intelligently applied. The ASPG has probed at the issues through its conferences and its journal. There is growing evidence that this work is being picked up nationally and internationally and bodies such as the Commonwealth Parliamentary Library are using our website to promote appropriate research. This is a tribute to an organization which is a politically non-partisan body, established thirty three years ago to encourage and stimulate research, writing, teaching and discussion about parliamentary institutions, particularly those in Australasia and the South Pacific.

PARLIAMENTS OF THE ASPG REGION

Parliament Houses are amongst our most historic and important buildings in our community and yet they are so much taken for granted. This is the fourth in our series. In this edition we feature the New Zealand Parliamentary complex. The material has been obtained from the official parliamentary website. The Parliament is unusual in that it comprises four buildings.



Parliament House

This Edwardian neo-classical building was designed by architects, John Campbell and Claude Paton, to replace the previous building destroyed by fire in 1907.

The Chamber where the House of Representatives sits is at the heart of Parliament House. It has a raised roof above galleries that circle the debating floor below and is grandly furnished with historically significant artefacts, rimu timbers, thick green carpets and green leather seats. It also features a series of backlit stained glass panels.

Other significant features include: the Galleria which provides an important and attractive thoroughfare through Parliament House. It is four storeys high, 30 metres long, and five metres wide;

The Grand Hall, 27-metre long on the first floor of Parliament House it was carefully restored during the 1992-1995 Parliament House refurbishments. The arched stained glass windows and stained glass ceiling domes are designed so that lighting behind them enhances the decor of the room; and the Legislative Council Chamber where the Upper House (called the Legislative Council) met until January 1951 when it was abolished.



Parliamentary Library

The Parliamentary Library is a working library that provides research services for members of Parliament and parliamentary staff. There is also a public reading room for customers of the Library's International Documents Service and the Parliamentary Information Service.

The building was designed by Thomas Turnbull in the Victorian Gothic style and built in two stages, the west wing (now at the back of the Parliamentary Library) built in 1883 and the main front section of the building completed in 1899.

The parliamentary library has occupied the building since 1901, when it was known as the General Assembly Library. Other occupants have included government departments, Bellamy's, and members of Parliament. The library building was damaged by fire in 1907. The ornate main foyer was again damaged by fire in 1992. It has since been completely restored and refurbished.



The Executive Wing

Popularly known as the 'Beehive' because of the building's shape it is where the Prime Minister and Cabinet Ministers have offices, and where the Cabinet meets.

Sir Basil Spence, a British architect, designed a concept for the Beehive during a visit to Wellington in 1964. In his concept, rooms and offices radiated from a central core. This concept was developed by the Government Architect of the Ministry of Works.

The Beehive was built in stages between 1969 and 1979, when the first parliamentary offices moved in. It is 72 metres tall with 10 floors above ground and four floors below. It is connected to Bowen House, where many members of Parliament and Ministers have offices, by an underground walkway that runs underneath Bowen Street.

Architectural features are the Entrance foyer and the Banquet Hall. The Entrance Foyer is where Parliament's Visitor Centre is based. This airy double-storey space features wall panels of New Zealand grown macrocarpa, Takaka marble clad columns, a backlit translucent onyx wall at one end, and opaque glazed walls at the opposite end. The core of the building is decorated with marble floors, stainless steel mesh wall panels, and a translucent glass ceiling. Banquet Hall is on the first floor of the Beehive and is the largest function room, capable of hosting up to 300 guests, in the parliamentary complex. Guests reach the Banquet Hall entrance from an open marble staircase with bronze balustrades that leads from the ground floor foyer. On the inner wall there is a large three-dimensional mural by John Boys Drawbridge (1930–2005). The mural portrays the atmosphere and sky of New Zealand using enamel gloss paint on aluminium angles. It is one of the artist's most significant works is dominated by Takaka marble on the lower walls and columns. The tongue and groove floor is made from tawa, a New Zealand native timber, laid in segments radiating from the core of the building.



Bowen House

Bowen House is a modern, 22-storey office building on the corner of Lambton Quay and Bowen Street in Wellington. It was the temporary home of Parliament from 1991 to 1996 while Parliament House and the Parliamentary Library were refurbished. Today it provides office space for many members of Parliament and parliamentary support staff.

SPECIAL FEATURE

PACIFIC PARLIAMENTARY PARTNERSHIPS – Twinning Project

Previous editions of the ASPG newsletter have given details of the New South Wales Parliament's Twinning arrangements with the parliaments of Solomon Islands and the Autonomous Region of Bougainville.

From 24-26 July 2012 the National Parliament of Solomon Islands hosted the 43rd Annual Presiding Officers and Clerks Conference. Following that conference there were two Twinning events. The first was a half-day Twinning conference involving representatives of most of the Pacific and Australian State and Territory parliaments that are twinned under the auspices of the Commonwealth Parliamentary Association. The second was a Twinning workshop, involving those staff of the parliaments of NSW, Solomon Islands and Bougainville who have been actively involved in Twinning activities since the AusAID funded project started in 2010.

The Twinning conference provided an opportunity for parliaments to share their experiences of Twinning activities undertaken, and to hear in detail the framework developed by the three parliaments of NSW, Solomon Islands and Bougainville over the last two years. The conference was particularly timely as the Australian Parliament has secured funding from AusAID for six Pacific parliaments (Cook Islands, Kiribati, Samoa, Tonga, Tuvalu and Vanuatu) which will enable those parliaments to work closely with their twinned parliaments. These Pacific Parliamentary Partnerships are improving the relationship between Australian and Pacific parliaments.

The Twinning workshop was a mix of presentations and practical sessions. It was particularly valuable as an opportunity to bring staff from the two Pacific parliaments together, to benefit from their similar experiences addressing similar challenges.

The workshop was a time for reflection, for consolidation of achievements, and for future planning. The outcomes of the workshop will build the foundations for continuing work to strengthen the two Pacific parliaments.

Procedural support for Members, and greater capacity within the Committee secretariat will continue to be key priorities, but attention will be focussed on administrative, financial and strategic capabilities. Greater attention to the professional development requirements of Members will also be an element of future Twinning activities.



Staff of the National Parliament of Solomon Islands, Bougainville House of Representatives and New South Wales Parliament in the National Parliament of Solomon Islands, August 2012.

Meet a couple of our ASPG personalities

John Mandy – ASPG Vice President and member of the West Australia Chapter



John was elected as Vice-President at the 2011 Annual General Meeting and will serve in this position before assuming the office of President at 2013 Annual General Meeting.

He joined the Legislative Council of the West Australia Parliament in 1983, transferring to the Legislative assembly a year later serving as Sergeant-at-Arms, Clerk Assistant, Deputy Clerk (Procedure) and finally Deputy Clerk in 2003 until his retirement in March this year. He was the secretary of the WA Chapter for more than ten years in which time he built the membership to record levels and made it one of our most active chambers.

Speeches in the Parliament on the occasion of his retirement testify to the high regard in which he was held by all members, for his knowledge, diplomacy, good humour and humanity. He has been a stalwart

on the ASPG executive for many years also the voice of reason and always supportive of any endeavour to grow the value of our organization. He was particularly instrumental in organizing the publication of ANZACATT research papers on the ASPG website.

He was a Member of Australian and New Zealand Association of Clerks At The Table Education Committee from its inception until January 2010 and Chairman of the Education Committee for the year 2010 (ANZACATT). Since his retirement he has made several trips overseas, indeed he lists overseas travel as one of his hobbies. His other hobby is woodwork/antique restoration. He has also taken on the role of Hon. Secretary of the WA Parliamentary Former Members Association. He has one son and four daughters.

Elaine Schofield – Secretary/Treasurer NSW Chapter and ASPG Central Executive



Elaine has been the Secretary/Treasurer of the New South Wales chapter of the ASPG since November 2011.

Together with the two new Clerks of the NSW Parliament, who are the co-chairs of the NSW chapter, Elaine is working to implement an annual calendar of events for the chapter's activities, including seminars for members and greater engagement with university students.

Since April 2011 she has been the Director, Table and Chamber Services in the Legislative Assembly of New South Wales. She manages the day to day operations of the Table Office and its production of the business papers of the House and its support to the Speaker, the Clerk and the Leader of the House during the sittings of the Legislative Assembly.

Elaine has previously worked for 18 years in various corporate service positions across the Parliament of New South Wales, including 12 years when she was responsible for the employment of over 200 members' staff throughout the state, a position in which she earned the respect and trust of members and their staff and which provided her with an understanding of the work of members of parliament in their local electorates.

Elaine holds qualifications in economics and employee relations. Outside work Elaine enjoys attending performances by the Australian Chamber Orchestra and following a number of sports including hockey, netball, athletics and various football codes.

Around the Chapters

VICTORIAN CHAPTER

The Victorian Chapter conducted its annual general meeting on 11 September 2012. The date was chosen to allow the first ever report of a financial audit of the Chapter for the period from 25 May 2011 to 30 June 2012. The Chapter's new constitution requires an annual audit to be reported to the AGM.

The AGM noted both the Treasurer's and the Auditor's reports and elected the Executive for 2012-13. All Executive members from 2011-12 renominated and were elected by the meeting. All parties (acknowledging the Nationals and Liberals as a coalition) in the Victorian Parliament are now represented on the Executive Committee.

Other agenda items considered were an increase in membership fees and a motion involving the financial arrangements between the various chapters and the parent body of ASPG.

The highlights of the Chapter's activities for the year were the continued staging of seminars and the hosting of the annual conference of the ASPG. During the year the following seminars were held:

- Trends in Public Sector Audit Legislation – from Federation to Follow the Dollar
Guest speaker: Des Pearson, Auditor-General of Victoria
- From Stranger to Member
Guest speakers: Craig Ondarchie, Member for Northern Metropolitan Region, and Frank McGuire, Member for Broadmeadows

- The IBAC
Guest speakers: Gail Archer, Senior Counsel and former Acting Commissioner of the Corruption and Crime Commission of Western Australia, and Paul Pearce, former Vice Chair of the NSW Parliamentary Independent Commission Against Corruption Committee and former Chair of the NSW Legislative Assembly Privileges and Ethics Committee
- Social Media and the Parliament
Guest speakers: Dr Peter Chen, Department of Government and International relations, Sydney University, and Ryan Sheales, Melbourne University and former political journalist.

NEW SOUTH WALES CHAPTER

After a relatively quiet period the New South Wales Chapter has sprung to life with a Q and A event in the parliamentary theatre. Billed as a 'Politics and Policy, event with ASPG President Kevin Rozzoli as moderator a lively panel discussed the policy making role of parliamentary committees taking as a case study the recent inquiry by the Legislative Council's Standing Committee No. 5, into coal seam gas mining in New South Wales. It was well attended and proved to be an informative evening.

The panel comprised the Hon. Brad Hazzard, Minister for Planning and Infrastructure, The Hon. Robert Brown (Shooters and Fishers Party), Chair of Standing Committee No. 5, The Hon. Jeremy Buckingham (Greens), Deputy Chair of Standing Committee No. 5, The Hon. Richard Colless (National Party), The Hon. Peter Primrose (ALP), both members of Standing Committee No. 5, Mr. Sam Crafter, and President NSW Farmers Association.

The inquiry which reported on 1 March 2012 was established to inquire into and report on the environmental, health, economic and social impacts of coal seam gas activities. The role of coal seam gas in meeting the future energy needs of NSW was also examined. The thrust of the Q & A was not to discuss the issue of coal seam gas extraction as this had been extensively examined in other forums but to explore the policy making capacity of the committee process in relation to an issue that was under active consideration by the New South Wales Government.

Under the benevolent discipline of the Chair the panel canvassed the origin of the committee and the development of its terms of reference, the manner of gathering evidence, deliberations it framing the report and the impact of the report on the Government's policy making. A complicating factor in the

committee's deliberation was the fact that as well as the NSW Government and the Legislative Council Committee carrying out their investigations the Australian Government and the Murray Darling Basin Inquiry were also carrying out inquiries into coal seam gas.

As well as the contribution of panel members questions were also taken from the floor which added much to the interest and enjoyment of the evening.

The Chapter will hold a further event on 24 October 2012 on the US Presidential Elections.

WESTERN AUSTRALIAN CHAPTER

2012 ASPG WA Branch Dinner Seminar: 'Electoral Law and the Campaign Trail'

Dr Harry Phillips, Parliamentary Fellow—Western Australia

On Thursday, 13 September 2012, the Western Australian ASPG Chapter held a dinner seminar entitled 'Electoral Law and the Campaign Trail'. Keynote speaker Professor Peter van Onselen, a political analyst and contributing editor to *The Australian* newspaper, focussed mainly on the apparent consequences of fixed-term governments in the Australian states and territories, and to a lesser extent on the impact of compulsory voting. Whilst currently a resident of Sydney, van Onselen made the significant point that state politics in the West was given a more concentrated focus in the media. In his view, coverage of federal politics in the 'eastern states' is dominant.

Four members of parliament responded to the address and added their own observations and experiences of electoral campaigning. First was Vince Catania, who in a short career has served a term in the Legislative Council as a Labor representative, and then a term in the Legislative Assembly, first for Labor, then as an Independent, until finally settling with the National Party. Greens (WA) MLC Lynn MacLaren said 'she loved elections' and recounted simultaneously conducting a campaign for both Houses under very different voting systems. McLaren mentioned the importance of public funding for votes in each chamber, whilst another MLC, Michael Mischin, the newly appointed Attorney General, provided a perspective of the election picture as an incumbent government member. Finally, current Father of the House Eric Ripper MLA, reflected upon many state and federal elections and considered the planning and delivery of successive campaigns had

been conducted in the context of a 'settled policy' of electoral law. Ironically, his own entry to Parliament in a March 1988 by-election was facilitated by a temporary trial of 'above the line' preference voting in the Legislative Assembly, to help overcome the problem of informal voting.

Most Australian states and territories have adopted four year fixed-term Parliaments. The traditional 'Westminster' practice of providing the government the opportunity to recommend the general election date still resides by convention with the Federal, South Australian and Tasmanian parliaments. Nevertheless, as van Onselen pointed out, when former Premier Alan Carpenter nominated a date for an election six months ahead of the expected time, it rebounded with a predicted electoral victory being converted to narrowly losing office. It was widely believed that the Premier had sought an undue advantage by calling the election so early. In Western Australia, the rarely broken tradition had been for governments to serve their full terms. According to van Onselen, Carpenter was 'the non-politician' who 'politically' called an early election to supposedly catch off-balance the newly restored Opposition leader Colin Barnett. In fact, most of Carpenter's leadership team was not informed about the decision and while no electoral momentum could be gained by the Government, an effective Opposition advertisement campaign asking electors to name three major things Labor had achieved in office contributed to the surprise result.

The discussion that followed was both insightful and curious. The Clerk of the Legislative Assembly, Peter McHugh, sought elaboration about the advantages and disadvantages of fixed terms, and although van Onselen hypothesised that they tend to lead to near permanent election campaigns, he conceded they do provide the organisational wing of parties the capacity to plan, placing the Opposition on a more equal footing. Whilst a supporter of fixed terms, van Onselen said he would prefer the duration to be three years and spoke of the danger of Opposition 'complacency' in the interim, particularly if a change of government (such as in New South Wales) was accompanied by the likelihood of two consecutive fixed four-year terms in Opposition.

Observations were made about the lead-up to the 2013 State election, including that it was 'a little scary' that Mark McGowan would be leading his Labor Party to the next election before Tony Abbott's likely ascension to the Prime Ministership. The risky decision by Nationals Leader Brendan Grylls to contest the safe Labor held seat of Pilbara, was

described by one person as 'courageous', a view widely agreed with in political circles. Professor van Onselen's comments about compulsory voting, invariably supported in public opinion polls, were more limited. He queried the often voiced view that the removal of compulsory voting would tend to favour the Liberal Party, as in his view Labor, with union support, may be better able to mobilise its vote. Voluntary voting would exacerbate the 'large chunk of the community' who were disengaged. This led to another consideration in his address whereby he considered that ministers in the Legislative Council could more tellingly be used as 'shock troopers' to assist in the campaigns of Legislative Assembly members, particularly those in marginal seats. The Ministers, with virtual guarantee of their own re-election in a region, had access to resources that could be targeted at marginal district seats.

During the discussion, Greg Boland expressed concern that the 'quasi' fixed-term meant that with Parliament rising in November the people's voice would not be heard at least until the following April. What will happen in the hiatus between the election and the next Legislative Council taking office on 22 May 2013? Interestingly, Notre Dame politics lecturer Martin Drum queried whether the unusually long term of the Alliance Government, some four and a half years, would mean the electorate may judge that the government has had an opportunity to implement its program and be denied the normal 'fair-go' of a second term. In response Michael Mischin, who felt the demands of being an MLC and Minister were exacting, regarded the 2013 election as another opportunity to test the theory that 'oppositions don't win elections, but governments lose them'.

Your contribution

We would like to introduce 'Letters to the Editor' in subsequent edition so if you wish to raise a matter or make a comment please forward your letter to the editor at gavelr@bigpond.com. Name and address must be provided although on request may be withheld. Letters should be no more than 300 words.

The deadline for submissions for the next issue is 24th February 2013. Contributions and comments should be forwarded to the editor at gavelr@bigpond.com

Exploring the website – the ASPG in cyberspace

New additions to the website include papers from ASPG conferences, book reviews and High Distinction papers from the ANZACATT course. The most recent additions are:

Parliamentary remuneration and entitlements
by Cathy Madden and Deirdre McKeown Politics and Public Administration Section, Parliamentary Library, Parliament of Australia.

The base salary for senators and members
by Leanne Manthorpe; updated by Cathy Madden and Deirdre McKeown Politics and Public Administration Section, and Guy Woods, Statistics and Mapping Section, Parliamentary Library, Parliament of Australia.

A productive anomaly: New Zealand's Parliamentary Commissioner for the Environment
by Pavan Sharma, University of Tasmania, School of Law

Who else can judge the judges?: The role of Parliament in the removal of judicial officers from judicial office.
by Cathryn Cummins, Parliamentary Law, Practice and Procedure Course Winter 2011

Independent Officers of Parliament - Fact or fiction?
The role of Parliaments in safeguarding the independence of Officers of Parliament by Andréa Cullen

Do Uniform Schemes of Legislation Undermine State Sovereignty?
by Annemieke Jongsma

Recently published books that have been reviewed for the Australasian Parliamentary Review are

Inside the Canberra Press Gallery: Life in the wedding cake of old parliament house
Rob Chalmers, edited by Sam Vincent and John Wanna, ANU Press 2011. ISBN 9781921862366 (pbk), includes bibliographical references (p. 241–2) and index. Also issued in electronic version via the Internet. Reviewer: Dr June R Verrier, former head of the Parliamentary Information and Research Service.

Come the Revolution: A memoir

Alex Mitchell. New South Publishing, 2011, xv + 536 pp, RRP \$39.95 Reviewer: David Clune, an Honorary Associate in the Department of Government and International Relations, University of Sydney.

From Carr to Keneally. Labor in office in NSW 1995–2011.

Edited by David Clune and Rodney Smith. Allen & Unwin, 2012. Reviewer: Jennifer Aldred, editor of the Australasian Parliamentary Review.

The Ayes Have It; The History of the Queensland Parliament 1957–1989, John Wanna and Tracey Arklay, ANU Press, 2010. pp x + 744, paperback, \$39.95 print version Reviewer: Emeritus Professor Roger Scott, Centre for the Government of Queensland, University of Queensland.

We want to make our website as interesting and informative as possible so please take a few minutes to look at it on www.aspg.org.au and email any suggestions to gavelr@bigpond.com.

STOP PRESS DARWIN CONFERENCE OUTSTANDING SUCCESS

The 33rd ASPG Conference held in Darwin on 4th and 5th October was voted a great success by all delegates.

The theme was 'Constitutions – reviewed, revised and adapted' and attracted excellent papers with wide ranging discussion. It was of particular value to have two of Australia's leading constitutional lawyers, Anne Twomey and George Williams, attending. Their vast knowledge of the subject added much, both through their papers and during discussion.

As usual the Northern Territory Parliament was a wonderful hospitality host, excellent arrangements, a very enjoyable conference dinner with an excellent speaker, Sid Stirling a former MP. Proceedings concluded with a luncheon cruise on Darwin Harbour. Further details of the conference will appear in the next issue.

Help build our membership – sign up a new member. The greater the membership, the more we can do for you. If every member signed up one new colleague we would double our membership. Take the challenge!

Membership

The ASPG provides an outstanding opportunity to establish links with others in the parliamentary community. Membership includes:

- Subscription to the ASPG Journal *Australasian Parliamentary Review*;
- Concessional rates for the ASPG Conference; and
- Participation in local Chapter events.

Rates

- Individual Membership A\$45
- Corporate Membership A\$450
- Journal Subscriptions A\$70

These rates keep ASPG membership among the least expensive professional bodies in the political science/law field.

Membership Application/Renewal

Title: Mr ☐ Mrs ☐ Ms ☐ Miss ☐ Dr ☐ Prof. ☐ Senator ☐ Hon. ☐

Name:

Address:

Chapter: ACT/Cth ☐ NSW ☐ NT ☐ NZ ☐ QLD ☐ TAS ☐ SA ☐ VIC ☐ WA ☐

I wish to pay an annual subscription to the Australasian Study of Parliament Group for 2011/12

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