

PARLIAMENTARY CHRONICLES

Polls, pundits and parliamentarians

Harry Phillips*

The pervasive influence of public opinion polling in contemporary Australian politics, and the wider ‘Western’ world, has become a topic of keen debate. Relevant historic literature has focussed on major electoral prediction errors, particularly the 1936 and 1948 Presidential contests in the United State and the 1945 defeat of Winston Churchill in the United Kingdom. With far smaller scientifically based demographic samples Gallup Poll founder George Gallup achieved better results. In Australia, with the advantage of compulsory registration and voting, polling agencies have regularly achieved reliable results within certain confidence levels. How then do such results colour judgements of the performance of governments and oppositions and their respective leaders? How do polls help determine the campaign strategies for political parties? More broadly, has the pervasiveness of polling had a negative impact on politics, particularly policy formulation?

The Western Australia Chapter of the Australasian Study of Parliament Group decided to focus its annual seminar on ‘Polls, Pundits and Parliamentarians’. Two keynote speakers with relevant expertise addressed the seminar, notably Keith Patterson of Patterson Market Research and William Bowe, the author of ‘The Poll Bludger’ electoral blog. This was followed by a panel presentation with Liberal Party MLA, Joe Francis; Labor MLA, Bill Johnston; and the Greens(WA) MLC Hon Alison Xamon.

In 1988 Keith Patterson arrived in Western Australia to establish a research agency and for over twenty years has conducted *Westpoll* for the *West Australian* newspaper. After graduating with a commerce degree Patterson was recruited by the *Melbourne Age* to be its research manager. His long links with the *West Australian* began when, on the basis of a sample of 200 electors in each district, he

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was able to predict a slide in the Labor Party vote in two 1988 simultaneous by-election results, Balga and Ascot, when then Premier Brian Burke and his Deputy Premier Mal Bryce retired from Parliament.

Patterson demonstrated to the seminar that *Westpoll* made accurate estimates in the Federal Elections of 2007 and 2010 as well as the 2008 State Election. In the latter contest the actual Labor primary vote was 35.8 per cent compared to *Westpoll's* estimated 36.8 per cent, while the Coalition 43.26 per cent estimate was also close to the final result of 42.2 per cent. Single federal electorates appear more difficult to predict. In 2010, the vote for Liberal Luke Simkins in Cowan was under-estimated as was Don Randall's vote against Labor's Alannah MacTiernan in Canning.

Over time Keith Patterson has developed a methodology based on a sample of 400 voting age people, with 300 from metropolitan Perth and 100 from regional Western Australia. The theoretical survey error is said to be plus or minus 4.9 per cent at a 95 per cent confidence level. Sample error, said Patterson 'must be recognised'. The 400 adults surveyed are stratified by age, gender and region with the profile for weighting being the 2006 census. However, Patterson revealed that the response rate for telephone interviews was typically around 15 per cent for quota controlled random dial interviews. This means that virtually hundreds of calls are necessarily to secure the sample of 400 voters, with women over 55 years the most common demographic to contact by landline telephone.

The suggestion that about 12 per cent of households now do not have fixed telephone connections presents pollsters with a sampling dilemma, with only around 12 per cent of Perth households listing mobile phones in the white pages and about 25 per cent of young people with no fixed line telephone. Voting registration rates for younger voters are also well below other age groupings and in an effort to address the dwindling sample pool, a hybrid research mix of online, mobile and internet responses is being attempted. Of course marginal seat polling remains a real challenge and in Paterson's view, the actual reporting of polls probably influences voting intent.

William Bowe, a doctoral candidate in Political Science and International Relations and university lecturer on Australian Government, focussed on the predictions of the main polling agencies in recent elections when compared to the final figures. Bowe began running the independent electoral studies blog 'The Poll Bludger' in 2004 and has, since September 2008, worked in conjunction with Crickey. William Bowe tabled the 2005 findings of prominent political scientist Murray Goot, who recently found AC Nielson was accurate within 1.6 per cent, *Newspoll* 1.7 per cent, and 2.9 per cent for Morgan. The latter employed a face to face interview strategy that frequently resulted in an over-estimate of the Labor vote. Bowe contended that *Newspoll's* recent performance, with nationwide samples of about 1200 persons, has been stronger and is broadly matched by 'phone call newcomer' Galaxy. In Bowe's view the on-line panel methodology employed by *Essential Research* is promising 'but the jury is out'.

Bill Johnston, the Labor MLA for Cannington opened with a quote, read from his Ipad, that the famous conservative thinker Edmund Burke had written to the Sheriffs of Bristol in 1774:

Your representative owes you not his interest only, but his judgement; and he betrays, instead of serving you, if he sacrifices it to your opinion....Parliament is not a congress of ambassadors from different hostile interests...but...a deliberative assembly of one nation, with one interest, that of the whole....You choose a member indeed; but when you have chosen him, he is not a member of Bristol, but he is a member of parliament.¹

In other words, despite the pervasive influence of contemporary political opinion polls, MPs have an overriding responsibility to their nation and state. Johnston, the State Labor Party Secretary at the time of the 2005 and 2008 State Election campaigns, was keenly aware of the use of polls by political parties. For him, polls only register voting intentions *on the day* of a survey, and too much emphasis is often given to a particular poll without sound analysis from the 'fourth estate'. In 2005 Labor was confident their party would win and retain Dr Geoff Gallop as Premier, largely given that Colin Barnett as Leader of the Opposition, presented a budget document that contained a significant error a few days before the election on 5 February.

Johnston conceded that substantial Labor Party funds are devoted to internal polls and that party polling is usually more extensive and reveals more information than commercial polling. The party's budget for polling during election campaigns is second only to that allocated to television advertising and moreover, polls assist to devote resources to specific seats. Johnston opined that political parties make decisions to release internal polling results if that is deemed electorally advantageous, while candidate and members' personal contacts in particular districts is also considered important.

Joe Francis, the Jandakot Liberal MLA, also a first term member, recognised the history of polls and their contemporary significance. Polls were to be used as a 'political tool' and although readings can create a bandwagon effect, parties had to create the setting for these trends to develop. Francis cited New South Wales prior to the 2011 State election and the current (September 2011) support for Tony Abbott's Coalition. Another phenomenon Francis linked to polls was the 'underdog effect', or the sentiment for opposition parties being converted into a protest vote. Long before the Victorian 1999 State Election the *Herald Sun* was printing headlines predicting the comfortable return of the Kennett Coalition Government. On the day of the election the Melbourne *Age* forecast a resounding victory to the incumbent, but the Kennett Government was unable to stall a protest vote. Perhaps only a few electors consulted *Newspoll* in *The Australian*, which incidentally indicated a narrow Bracks Labor victory. According to Joe Francis, political parties should not be 'spooked' by polls, such as when the Rudd Federal Labor

¹ Cited in Dorothy Pickles (1970), *Democracy*, London: Batsford, p. 49.

Government lost popularity during 2010. Francis agreed with former Prime Minister John Howard's contention that Labor would have won the 2010 federal election if Rudd had been retained as Prime Minister. John Howard for his part had been able to recover from far less favourable polls than Rudd and Federal Labor had received.

A key factor in the case of Kevin Rudd, which Francis suggested should have been given consideration by Labor, was the rarity of first term governments being defeated. Since 1945 only John Tonkin's Labor government in Western Australia (1974), David Tonkin's Liberal government in South Australia (1982), and the Robert Borbidge National government in Queensland (1998) lost government after only one term. Francis concluded by making reference to the effectiveness of media coverage such as the 2011 ABC *Four Corners* expose of cattle export cruelty in bringing on policy change. Focus groups, although expensive, had also to be taken into account in conjunction with polls and petitions, and the range of new social media avenues. Francis noted that while opinion polls are open to interpretation, they are a facet of modern politics, and any politician who claims to ignore the authoritative polls is 'lying'.

Greens MLC, Alison Xamon contended that her party mostly took a different perspective on the polls (which it was noted are invariably focussed on lower houses for party voting intentions). Polls, of course are expensive, a fact that militates against their use by the Greens. Xamon suggested polls had a negative impact on other forms of political expression and cause parliamentarians to pander to popular opinions and can stand in the way of good policy as pertinent issues are not fully discussed. She expressed support for the arguments presented by Lindsay Tanner, a former federal Labor Cabinet minister, in his book *Sideshow: Dumbing Down Democracy* (2011) in which he expressed concern that the media, driven by polls and under siege from commercial pressures and technological innovation, often fail to explain complex social and economic issues. Moreover, Xamon suggested the margin of error for many polls can be significant, and that on-line polls can be problematic. As to polling Greens' votes, William Bowe mentioned a tendency for the agencies to overestimate the vote, although not to a large extent. Greens' supporters are thought to be keener to tell people what they think, partly because they often have a sound ideological base.

Professor David Black referenced a recent article in *The Australian* and the views of former Legislative Council President Hon. Clive Griffiths, that Council members and Senators do not have a constituency in the same sense as a lower house member. This was not accepted or rejected by Xamon, although she contended upper house members have important representative functions. At this point President of the Legislative Council, Hon Barry House, was invited to speak and was emphatic about the representational role of MLCs. Initially House had established an electorate office in Bunbury to provide the area (which had elected a Labor Legislative Assembly member) with some Liberal Party representation. Later he moved his office to Margaret River and suggested this contributed to the

personal votes that he achieved ‘below the line’, and resulted in his re-election to the Legislative Council. In addition he expressed concerns about ‘the self fulfilling prophecies’ of polling results and wondered whether the industry itself should have its own principles of best practice. Policy question polls in his view ‘create their own agenda’.

The Q&A session raised several interesting questions. Legislative Assembly Clerk, Peter McHugh, queried whether, in this ‘era of uncertainty’ for traditional methods of sampling (particularly the decline in use of land-line telephones), polls remain reliable. The responses were open, but not entirely convincing. William Bowe spoke of ‘human ingenuity’, while Keith Patterson thought the methodology had to date proven satisfactory, but the diminution of the percentage of electors in the white pages was a ‘scary’ prospect.

Former ABC journalist, Peter Kennedy, asked the parliamentarians if there was still room in politics for ‘seat of the pants’ politicians who read their electorates without necessarily being guided by opinion polls? Such an approach was considered ‘probably possible’ in local government, while in state and federal politics, with electorates of around 25,000 and 100,000 registered electors respectively, that could be more difficult. Direct contact with such numbers of constituents is generally not feasible. Another participant, David Worth, was keen to understand why Labor, with an obvious reliance on opinion polls, was more likely to dismiss party leaders than their Liberal Party opponents. There was no convincing explanation but it was suggested that Labor may generally have more faith in the reliability of opinion poll findings, particularly the preferred Prime Minister or Premier statistics.

During the discussion Alun Thomas, a keen observer of contemporary politics and electoral systems, returned to concerns about the impact of polls on public policy, a theme Alison Xamon had articulated. In response Keith Patterson suggested it was his agency’s task to hold up a ‘mirror’ to the community, rather than to educate the public, and it is the role of political parties to formulate policies. Clearly polls are significant but their impacts can add to the aforementioned view that they contribute to the ‘dumbing down’ of the polity.

Professor Black formally thanked the speakers, participants and parliamentary staff. Added to this list should be Deputy Clerk of the Legislative Assembly and ASPG honorary secretary, Kirsten Robinson; Anne Day, the Executive Assistant to the Clerk of the Legislative Assembly; John Seal-Pollard from the Legislative Assembly Office, and David Embry, who organised a DVD of the proceedings. ▲

‘FROM THE TABLES’

A round-up of administrative and procedural developments in the Australasian Parliaments

— August 2011

Robyn Smith*

Australian Parliament

Arising from *The Agreement for a Better Parliament* between the government and some Independent Members, time devoted to Private Members’ Business in the House of Representatives has increased. From January to July 2011, Private Members’ business accounted for 16 per cent of House time (including time given to debate and voting on Private Members’ Business during Government Business time on Thursday mornings) compared with nine per cent in the equivalent period in 2010, seven per cent in 2009 and nine per cent in 2008. To date, two Private Members’ bills have been passed by the House and forwarded to the Senate for consideration; one passed into law.

Three more Joint Select Committees were established: one on the Christmas Island Tragedy of 15 December 2010; one of the National Broadband Network; and one on Australia’s Immigration Detention Network. The NBN Committee currently has 69 Members and this arises from a recent provision for the appointment of ‘participating members’ of Joint Committees from the House of Representatives (hitherto, this was available only for Senators).

The Government has responded to a March report of the Joint Select Committee on a Parliamentary Budget Office. The report recommended appointing a Parliamentary Budget Officer as an independent officer of the parliament; the Government has agreed.

The House of Representatives Standing Committee on Procedure presented two interim reports: one detailing Members’ views and experiences in relation to changes to procedure arising from *The Agreement for a Better Parliament*; and the second on referral of bills to Committees by the House Selection Committee. What is most interesting about the latter report is the vast increase in referrals. For

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example, the report noted that as at 3 June 2011, 26 bills had been referred by the Selection Committee yielding 15 bill inquiries. This compared with 16 bills referred to committees between 1994 and July 2010, giving rise to 14 inquiries. The increased number of referrals has placed a great deal of pressure on Committee resources.

Frustration and concern has been expressed in a number of jurisdictions, and most recently, it seems, in the Senate with 'national uniform' legislation binding both the Commonwealth and the states. In short, amendments appear to be impossible because they will undermine or otherwise be contrary to agreements reached by the executive, which imposes enormous limitations on parliaments. An ideal solution has not been identified, but the matter is attracting a great deal of attention from parliaments generally and scrutiny Committees in particular.

Twelve new Senators were sworn on 4 July 2011.

Australian Capital Territory

Arising from a report by the Standing Committee on Public Accounts, the Standing Committee on Administration and Procedure will inquire into and report upon the feasibility of establishing the [or several] position[s] of 'Officer of the Parliament', which would create a clear delineation of responsibility for the Auditor-General, Ombudsman, Electoral Commissioner and other statutory office holders. Whilst the Clerks are considered officers of the Parliament, they will not be considered for the purposes of this investigation.

Chief Minister Jon Stanhope resigned to the Speaker pursuant to the *Australian Capital Territory (Self-Government) Act*. Katy Gallagher MLA was subsequently elected Chief Minister at a special meeting of the Assembly on 16 May and is the third woman to be Chief Minister in the ACT. There have been six Chief Ministers since the commencement of self-government in 1989.

New South Wales

The Keneally government was voted from power at the state election on 26 March. Of the 93 Members in the Legislative Assembly, 46 were newly elected. The O'Farrell coalition secured a large majority of 69 seats; the former Labor government was reduced from 50 to 20 Members. Independents were reduced from six to three and the first Member of the Greens was elected. In the Legislative Council, 13 Members were returned and eight new Members elected. No party has an absolute majority in the Council. The number of women in the Parliament was reduced from 24 to 20. Shelly Hancock was elected the first female Speaker of the House and Don Harwin elected President of the Council.

Following the controversial prorogation of the NSW parliament by then Premier Kristina Keneally, the parliament passed the O'Farrell government's *Constitution*

Amendment (Prorogation of Parliament) Act in May. The Act precludes the Premier and/or Executive Council from advising the Governor to prorogue the Houses in the six months prior to 26 January in the year in which an election will be held, New South Wales having fixed terms.

The Parliament also established a Joint Select Committee on the Parliamentary Budget Office, an office established by statute in October 2010. Serving on that Committee is the former Premier, the former Treasurer and the former President of the Legislative Council. The Committee's brief is to examine the purpose and role of the office, including its functions and powers, structure, staffing and resources and its accountability and oversight mechanisms.

The Legislative Assembly adopted new Sessional Orders in respect of the days and times the Assembly sits and adjourns, and the introduction of Question Time on the final sitting day of the week. Further, a new procedure was adopted which facilitates discussion on the subject matter of a petition which has attracted 10,000 or more signatures. In the period May-June, six petitions bearing more than 10,000 signatures were presented. Four were discussed in the House and two remain on the Business Paper. A further Sessional Order was adopted in June to allow for substitute Members on new Committees (see below).

A new Committee structure was adopted by the Assembly for the 55th Parliament. The incoming Government determined that in addition to the statutory and subject-specific committees previously established in each Parliament, the committee system should more broadly reflect the areas of responsibility of the State Government and mirror the committees of the Legislative Council. The change was also effected to accommodate the increased number of Government backbench Members.

Like the Legislative Assembly, the Council adopted Sessional Orders in respect of the days and times it sits and adjourns and varied the days and times on which Government Business, General Business and debate on Committee reports have precedence. Further Sessional Orders were adopted in respect of the motion for adjournment, formal motions, the suspension of standing orders, lapsed questions, tabling of reports and documents when the Council is not sitting, pecuniary interests and quorums. The Council has also provided for electronic participation of Members during Committee deliberative meetings and this provision was used by a Member who was stranded interstate during the volcanic ash episode which grounded aircraft earlier in the year.

New Zealand

The dominant matter for the New Zealand House of Representatives has been dealing with the second Canterbury earthquake. Parliament passed the Canterbury Earthquake Recovery Bill, which replaced the earlier Canterbury Earthquake Response and Recovery Act 2010. The latter Act is controversial because the

jurisdiction of the courts is excluded from ministerial decision-making, which has attracted criticism from the Law Society and other quarters. The Clerk of the House has raised with the Standing Orders Committee the idea of an inquiry to consider Parliament's role in authorising response and recovery powers.

Northern Territory

No changes to Standing or Sessional Orders.

Queensland

The Queensland Parliament, by resolution on 10 March, established the Committee of the Legislative Assembly (CLA) to consider issues arising from the Committee System Review Report, debate on the report, the Government response to the report and issues relating to reforms contained in the report (with capacity for the Premier to refer incidental matters to the Committee). The CLA comprises six Members (Leader of the House as Chair, Premier, Deputy Premier, Leader of the Opposition, Deputy Leader of the Opposition and Leader of Opposition Business). For Standing Orders matters, the Speaker has been included as a member of the committee.

The controversial exclusion of the Speaker from the general membership of the Committee has drawn criticism from a range of quarters including academics. Indeed, the Presiding Officers, whose annual conference was held in Brisbane, issued this communiqué on 14 July:

Speakers and Presidents attending the 42nd conference of the Presiding Officers and Clerks of the Australia-Pacific region are greatly concerned to learn of a major change proposed to the role of Speaker in the Queensland Parliament.

Conference delegates have discussed the matter and are strongly of the view that the Westminster convention of the Speaker being centrally involved in the administration of Parliament must be upheld.

Conference views the exclusion of the Speaker from the new management committee of the Parliament as a substantial diminution of the role and office of Speaker, and a serious breach of the Westminster convention.

Further, conference believes that the level of representation of the executive on the committee represents a further dilution of the Westminster system by weakening the existing separation of powers which provides a check and balance on executive power and which is even more important in a unicameral legislature such as Queensland.

Accordingly, conference urges the Queensland Legislative Assembly to support an amendment to the Parliament Service and Other Acts Amendment Bill 2011 currently before the House to include the position of Speaker as a member of the Committee of the Legislative Assembly, and for the Speaker to occupy the position of chair of the committee (except when the committee considers matters relating to the business of the House).

Further, conference believes it would be more appropriate for the executive's representation on a management committee of the Parliament not to include Ministers of the Crown.

On 5 April, the Parliament of Queensland (Reform and Modernisation) Amendment Bill was introduced and passed on 12 May. That Bill entrenches the CLA. An amendment which proposed to include the Speaker or alternate to be the chair of the Committee for all of its functions failed. An amendment to remove the casting vote of the Leader of the House, as Chair of Committee, was successful.

The Bill attracted diverse views. For example, Professor Gerard Carney of Bond University said:

The Executive should not be allowed to intrude on the control of the House or its management.

Yet this Bill appears to do [so] in so far as it purports to stack with executive members what is likely to become the key parliamentary committee.

The Solicitor-General was of the curious view that:

...the reintroduction of a multi-party committee (the CLA) increases the role of the opposition of a multi-party parliament, and is a move back toward Westminster convention that tends to lessen the grip of the Executive.

This is difficult to rationalise when three of the six members of the Committee are the Premier, Deputy Premier and Leader of the House as its chair and none of the six members are the person who hitherto had responsibility for matters relating to the House - the Speaker.

The Committee System Review Committee (CSRC) also recommended a review of the *Parliamentary Service Act* and this job, unsurprisingly, fell to the Committee of the Legislative Assembly. Part 2 of the Act dealt with the administrative functions of the Speaker. The Parliamentary Service and Other Acts Amendment Bill was introduced on 17 June (at the end of Budget week and the last day of sittings before a six-week break). The Bill transferred the Speaker's administrative function of managing the Parliamentary Service to the CLA and the Clerk of the Parliament. Again, there was opposition from Gerard Carney and other quarters, however the bill was debated and passed without amendment on 2 August 2011.

The CLA has management functions under the amended *Parliamentary Service Act* in addition to responsibilities under the *Parliament of Queensland Act*, which include:

- the ethical conduct of members (but complaints about a particular member not complying with the code of ethical conduct for members may only be considered by the Assembly or the Ethics Committee);
- parliamentary powers, rights and immunities;

- standing rules and orders about the conduct of business by, and the practices and the procedures of, the Assembly and its committees; and
- any other matters for which the committee is given responsibility under the standing rules and orders.

For the sake of clarity, the Speaker has been removed from each of those roles with the exception of Standing Orders and the conduct of business.

Queensland's Standing and Sessional Orders were amended on 16 June 2011 to accommodate the new committee system and legislative process. In summary, the key changes were:

- all Bills introduced to the Parliament will now be referred to the relevant portfolio committee to examine and report on, the exception being Bills declared urgent;
- the default reporting period is six months, however this may be varied by the House or the Committee of the Legislative Assembly;
- reduction of speaking times during second reading debate and consideration in detail if a Bill has been reported on by a committee;
- portfolio committees will conduct Estimates hearings (previously this was done by select committees);
- committees may directly question chief executives at Estimates;
- removal of time limits on questions and answers at Estimates hearings;
- committee reports (with some exclusions such as reports on Bills and Ethics Committee reports) are automatically set down on the Notice Paper for debate;
- the House meets at 2pm on Wednesdays (previously 9.30am) with mornings dedicated to committee meetings and hearings.

Seven statutory committees, each with six Members, have been established under the Standing Orders:

- Finance and Administration Committee;
- Legal Affairs, Police, Corrective Services and Emergency Services Committee;
- Industry, Education, Training and Industrial Relations Committee;
- Environment, Agriculture, Resources and Energy Committee;
- Community Affairs Committee;
- Health and Disabilities Committee; and
- Transport, Local Government and Infrastructure Committee.

The role of each of these portfolio committees is to:

- consider Appropriation Bills, proposed legislation and subordinate legislation;
- perform a public accounts and public works role for matters falling within its portfolio; and
- deal with any issues referred by the Assembly.

In other Queensland Parliamentary news, the case of former Minister Gordon Nuttall has been well documented elsewhere. For the sake of completeness, Mr Nuttall was called before the Bar of the Parliament on 12 May 2011 and was found guilty of 41 instances of Contempt of Parliament for failing to disclose payments in the Register of Members' Interests. He was fined \$2000 on each count and ordered to make payment in full within 12 months.

South Australia

No changes to Standing or Sessional Orders.

Tasmania

No changes to Standing or Sessional Orders.

Victoria

In February, there were two changes to the Legislative Assembly Sessional Orders, which were carried over from the previous Parliament. These changes related to sitting days and times and arrangements for tabling statements of compatibility required by the *Charter of Human Rights and Responsibilities Act 2006*. Other changes included:

- Ministers must respond to matters raised during Adjournment Debate within 30 days if they are not able to deal with the matter(s) in the House at the time;
- a one-hour adjournment as a mark of respect following Condolence Motions (with a discretion to adjourn for a longer period if required);
- a maximum of four minutes for a Minister to answer a question during Question Time and a requirement for answers to be relevant as well as direct, factual and succinct;
- a global daily total of 10 General Business Notices, five from each side, with no limit on the number of written notices given and special provision for motions of No Confidence and motions to disallow statutory rules;
- refining and rephrasing the Standing Order in relation to the role of the Whips in voting. The Order had provided that the Whips *cast* votes on behalf of their party whereas it now clarifies that the Whips *report* on votes cast by party members.

In April, the Sessional Order relating to the automatic adjournment of the House was changed to reflect the practice of the House on Thursdays. On most days, the automatic adjournment occurs at 10pm; on Thursdays, the practice has been 4pm. The Sessional Order was changed to provide for an automatic adjournment at 4pm on Thursdays, although this is subject to the will of the House and subject to completion of programmed items before business may be interrupted for the Adjournment Debate.

In the Legislative Council, under arrangements whereby the Nationals entered into a coalition arrangement with the Liberal Party and thus became part of ‘the government’ or the ‘first party’ (the Opposition being the ‘second party’), it was argued that the Greens constituted the ‘third party’ in the Chamber for the purpose of speech time limits under Standing Order 5.03. The President referred the matter to the Procedure Committee but, in the interim, ruled that the Greens will be considered the ‘third party’ in the Chamber until such time as the Procedure Committee reports.

Also in the Council, six new Standing Committees have been appointed and closely mirror the Senate system. Three are legislation committees and three are reference committees and they fall under the broad areas of: Economy and Infrastructure; Environment and Planning; and Legal and Social Issues. The eight-Member reference committees are chaired by an Opposition Member who has a deliberative and casting vote. The eight-Member legislation committees are chaired by a Government Member who similarly has a deliberative and casting vote.

Western Australia

The Procedure and Privileges Committee of the Legislative Council is continuing its review of Standing Orders and is due to report by the end of the year.

Footnote — technology

The ACT Legislative Assembly has introduced a *Daily on Demand* service and, more recently, a *Committees on Demand* service whereby people can access from the web site both audio and visual recording of a Member’s speech or a specific debate and, in respect of Committee hearings, the evidence of witnesses and public proceedings. The Queensland Parliament has this facility available through camera icons appearing at various points in the Hansard transcript.

The Senate and the ACT Legislative Assembly have joined the world of Twitter and now tweet about the business of their respective houses.

In the WA Legislative Assembly, the Speaker advised that conversations on mobile telephones were forbidden in the Chamber, but Members were at liberty to send and receive text messages whilst in the Chamber. ▲