

# Is the Traditional role of Parliament still valid in our society?

## Introduction

I thank you for your generous introduction. I'm delighted to be delivering this paper today. I intend to present:

- An outline of our current structures of governance in Australia because it has been valid for 110 years.
- I will touch on the history of how these structures have been created because it has been a unique process tailored for our society.
- I will discuss whether the present structure of governance in Australia is equipped for flexibility to serve contemporary Australian society in order to remain valid. Then I will give an example of how the current governance process in Australia is working for society and an example of where it is not.

## Current structures of governance

The definition of a parliament, according to Claude Forell in *How We Are Governed*, is 'a representative body having supreme legislative powers within the defined state, territory or area.'

He goes on to say, 'The purpose of government is to provide a system of order in which people can live.' As a serving Member of Parliament, I've witnessed and participated in how government, under the auspices of parliament, can seek to maintain the health and well-being of our citizens.

How? Through the structure of the three spheres of government in Australia – Federal, State and Local – a number of processes have been formed.

Therefore each sphere, in its own idiosyncratic way has progressed with society, be it with the times or lagging behind them to bring Australian politics to where it is now.

## History of government structures

Let's look at the many variables that have both hindered and helped our political system. Firstly, it's important to note that within the Australasian

region, we have a variety of Parliamentary systems, though the countries within the Commonwealth have more similarities with each other than with others. These similarities certainly have fostered many commonalities, creating a sense of understanding.

Secondly, the Australian parliamentary system followed that of the United Kingdom [UK], when our nation originated. It followed the UK customs of an Upper House, a Lower House and parliamentary democracy, thus providing a good model for Australia.

Thirdly, the Australian Parliament blended the United Kingdom and United States models, taking the best aspects from each when crafting the Federation in the 1890s.

Finally, the Australian Parliament is a bicameral system; therefore it has two houses, a House of Representatives – or Lower House and the Senate or Upper House. The bicameral system ensures the review of legislation in order to satisfy the needs of many diverse groups in society.

The function of the Lower House, whose members are popularly elected by their electorates is similar to the UK model, in that it

- a. It represents constituents
- b. Its members represent political parties and uphold party policies; and
- c. it creates and passes legislation

The Senate is a 'House of review', where Senators are elected via proportional representation, and their role is to review legislation. That's also how we tailor our political system for our society.

For example, each state in Australia varies slightly in its formation. In Queensland, there is no Senate – no House of Review. In NSW, where I currently sit on the opposition benches in the Legislative Assembly, we also have a House of Review, titled the Legislative Council. Therefore, NSW has some similarities to our Federal counterparts.

Thus, the unique processes that have been tailored for our society are:

1. Enabling legislative proposals which may become law
2. Passing amendments to alter existing law

3. Maintaining close links to our electorates by members of parliament allows their voices to be heard
4. Passing budgets to enable essential services to function
5. Compulsory attendance for Parliament sitting dates ensures that decisions about the running of the state are made
6. To debate issues when parliament is sitting allows various perspectives to be considered before a decision is made.
7. Representation of our electorate via the Member allows all electorates, within cities, urban and country areas to have a voice
8. Uniting the voices of each member, coming together in parliament, acting together, build the state.

### **The present structure vs. serving contemporary Australian Society**

So far I have established that governments are a constitutional process for governance and the process of well drafted legislation is integral to the continuing growth of our society. At the same time, much of the visionary work that informs solid legislation is laboured over by committees [made up of elected representatives and assisted by parliamentary officers], doesn't always guarantee the desired outcome for society.

The difficulty for Parliaments is to keep ahead of the pace of social change. The speed of social change in a contemporary democracy like Australia is rapidly increasing. Governments are frequently brought down because of their remoteness to the changed values of the people 'on the streets', dubbing them inflexible.

The first example, in my electorate of Wallsend, in the Hunter region of NSW, is the story of the Wallsend Aged Care Facility.

It is a heartening illustration of the will of the people triumphing over bureaucracy and Government decision-making.

In November 2009, the then Premier announced the sell-off of 12 aged care facility beds owned by the state government, i.e., Wallsend Aged Care Facility was to be privatised.

The community rallied as one in its support of their beloved facility remaining in government hands and together we stopped the injustice. It came at a personal price-I was punished for my stance in standing up for the community, by being demoted as Parliamentary Secretary for Roads. It was a small price to pay. That the community and the Member of Parliament were able to convince the government to save the facility, demonstrates that the present structure of governance can be sufficiently flexible to serve society, and support community needs.

A second example, also in my electorate, is the proposal to build a Mosque in the suburb of Elernore Vale.

At Newcastle University, although this education institution has a less culturally diverse population than universities in other cities in Australia, students living and studying in the area are highly visible in the wider community.

Thus, their difference seems to make them targets for social division. Social change, in the past decade is due to 1,000 Muslims from a variety of countries studying on the campus and living in and around the university campus.

Yet, in Australia – freedom of religious worship is part of our democracy. So when the Newcastle Muslim Association decided to search for land to build a mosque to enable them to practice their faith, they weren't greeted with an egalitarian attitude from society.

They did find land, centrally located at Elernore Vale, and lodged a development application [DA] with the Local Government Authority – Newcastle City Council.

But once the community was notified of the proposed Development Application, an opposition group quickly formed, titled 'Elernore Vale [EV] Cares in order to block the development on traffic and parking grounds.

Newcastle City Council assessed the DA and made recommendations to a group called the Joint Regional Planning Panel [JRPP]. Submissions were invited to the Panel. As local MP, I received a small number of submissions. My office summarised the information, and submitted an account of the summary to the JRPP.

The 'EV Cares' group also made submission opposing the approval of the DA. Interestingly, in the first instance, NCC supported the recommendation to approve the DA. However, NCC then requested to the JRPP to undertake more investigations into traffic and parking matters, and in the second instance, rejected the recommendation. The outcome of JRPPs deliberations, was a rejection of the DA. This tried and true process hasn't worked for this application.

You may pose the question, was the process valid? Did the Joint Regional Planning Panel bow to pressure? Why are there not consistent statewide guidelines for the building of places of worship? Unless these guidelines are clear, consistent and fair, applications of this nature, may continue to cause judgement based on emotion and fear, producing adverse effects on certain sectors or our society.

**Thus in such situations governments need to become more flexible in order to remain valid.**

So, to answer that question, let's look at population and how it's expanding and diversifying. My question to you is, how do the elected representatives keep an ear tuned into what the millions of people in the community think? How do parliaments embrace changes in social values, attitudes and beliefs?

How do we as a government hear the voice of the people?

And how do governments embrace technology and communicate with people? Technology and the speed of social media is so instant it is having a powerful impact on transparency of messages and the credibility of elected representatives.

The ingenuity of technology ensures that in the twenty first century – we live in rapidly changing times. Keeping abreast of social change in contemporary society is a sublime challenge for governments that must be embraced at all levels.

I would argue that parliaments are necessary and valid social institutions in the developed and developing states across the world. However, parliaments and members who are elected as representatives to form parliament must

consider the greater long term good and not be swayed by a vocal minority or driven by the media.

The challenge for all of us is the ability to embrace communications technology and apply it competently to continue to allow the voices of the people to be heard – and to be flexible and acquire ‘the gift of prophecy for the future.’

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