



Speech by

JAN JARRATT

MEMBER FOR WHITSUNDAY

Hansard 4 December 2002

RULINGS, MOTIONS OF DISSENT

Ms JARRATT (Whitsunday—ALP) (6.15 p.m.): Although I am sure that the member for Nicklin has moved this motion with the very best of intentions, I find that tonight I cannot support it. Although I believe the honourable member for Nicklin bases his actions on the operations of standing orders in various community groups—I am sure he is part of many such groups—it goes without saying that this place is simply not like just any community group.

Today I reflected on my very first visit to the parliament. It came not as a school student, nor a university student and nor as a tourist, as it does for many of our visitors to the public gallery and the whole parliamentary precinct. Rather, the first time I entered this building was after I had been elected to represent the people of Whitsunday. I recall at the time a very strange sensation—a coldness up the back of my neck—that was probably born partly of the realisation of the enormity of the position to which I had just been elected and also, largely, because I felt very strongly at the time that it was because of the dignity and tradition that is so apparent in the very atmosphere of this building. As I quickly came to realise, it is that very tradition and ceremony that underlies the delivery of stability and governance in this state. Unlike some parliaments in other parts of the world, our parliament is characterised by order in process that allows vigorous debate, genuine representation and, at the end of the day, a legislative program that is after all at the very heart of our purpose.

The Speaker's role in the running of parliament is paramount. He or she is elected by secret ballot and is charged with the duty of impartiality in the keeping of order and protection of the integrity of the House. Importantly, the Speaker is not permitted to take part in debate during a motion of dissent. The motion before the House tonight would take the Speaker out of the chair during the debate on the motion. The problem is that the Speaker, as a previous member mentioned, is the chair in all debates of the House. His deputies, myself included, merely act for him at his request. The Speaker is the umpire of the House and, while this places certain implied onuses on him, it conversely has implications for honourable members. Just as in a game of cricket the umpire's decision is final, so it is in this place. This does not mean that the umpire is infallible, but we put our faith in an umpire and believe that he or she will know the rules and apply them with impartiality to the best of their ability. So it is with the Speaker. In the game of cricket there are huge fines for players who dissent from the umpire's rulings or decisions. That does not happen in this place, but it is worth reflecting on that the Speaker's ruling on issues such as dissent from rulings should be more greatly respected in line with the authority of the position.

I know, as do you, Mr Deputy Speaker, that taking on the role of temporary chair of committees was a great honour. Our instructions have always been to make rulings with impartiality and integrity in line with the example set by the Speaker for whom we deputise. It is true to say that we have always done that to the best of our ability.

I wish to return to a point I made a little earlier, and that is that the Speaker of the parliament does not enter the debate on a motion of dissent from a ruling, and that is as it should be. But given this situation—no part in debate—what would the honourable member for Nicklin have the Speaker do during such debates? Clearly the Speaker's role is in the chair, acting as umpire to the debate. He plays no role in that debate and therefore cannot influence the members in their deliberations. The Speaker does not adjudicate on the debate except on procedural matters. The members make the decision on the question. In most cases the Speaker does not even cast a vote. How, then, would the motion before the House improve the existing situation? Simply, it would not.

The suggested alterations to the standing orders would add nothing to the integrity of proceedings and would in fact place the Speaker in an impossible situation of not being in the chair, nor able to participate in the debate. Our standing orders, together with accepted conventions arising from them, are based on procedures and operations which have developed over many hundreds of years and have stood the test of time. I have great faith in both the institutions of this parliament as they stand and in the capacity of the Speaker to discharge the duties of the office he was elected to. For those reasons, I must oppose the motion.