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**TITLE: Giving the houses a timely democratic makeover**

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The first week of the 42nd Parliament will be dominated by the apology to the stolen generations. That is as it should be, and I hope to be among the throng of Australians to witness the event on Wednesday morning, no doubt bawling like a newborn.

But the dawn of the new Parliament will also be crucial in another respect. It is a rare chance to draw a line under certain practices of the previous decade of Parliament, practices that had undermined some of the basic tenets of parliamentary democracy. The new tone has to be set from the outset.

What precisely was wrong with our old Parliament? In essence, it has not been a place where ideas or legislation have been open for robust debate. Decisions were made by the Executive in private and Parliament served as a piece of hollow theatre to progress party political concerns in public, instead of serving as the accountability mechanism it was intended to be. The only sessions worth watching for the non-partisan observer in the 41st Parliament were the conscience votes.

Harry Evans, our indomitable Clerk of the Senate, set out the most pressing Parliamentary accountability crises in the 2007 book *Silencing Dissent*, which frankly should be stapled to every new MP. The Rudd Government has already shown promising signs of rectifying those excesses in measures including the Ministerial Code of Conduct, the Register of Lobbyists and the role of ministerial staffers. Here are two further suggestions for a democracy makeover.

1. The Senate will need new champions. The light on the hill over the last decade has for most Parliament-watchers been the glint from the "Glasses of Democracy", Senator John Faulkner. You could practically feel the Parliamentary Triangle quiver during Estimates sessions, while Faulkner and Penny Wong rumpoled their way through the tangle of obfuscating SES. Certainly Faulkner could score any political points he wanted, but what made him feared was his genuine commitment to probity in public expenditure.

The Opposition, and Parliament itself, now needs an outstanding candidate to lead their Estimates campaigns. One Coalition senator has repeatedly put their commitment to the Senate as a house of review above their career prospects in their party, and also has the appropriate public servant quivering skill set, and that is Senator Marise Payne. Give that woman a gavel, Dr Nelson.

All senators must consider stepping up into the unglamorous, difficult but crucial roles of legislative scrutiny, procedures, appropriations and privileges, much of which used to be done by the Democrats. History will thank them.

2. The chambers should be used to make Bills better. It sounds an unremarkable proposition. To begin with, the Rudd Government should make only judicious and rare use of "T" Bills. A "T" Bill is the term drafters' use for Bills which are so time-critical they have to pass through both houses of Parliament in a single session.

WorkChoices, counter-terrorism, migration bills and the Northern Territory intervention have all been in the form of "T" Bills. The only "T" Bill which was blocked was the Bill designed to stop West Papuan refugees, due to the truly heroic stand of a few Coalition senators.

No matter what the emergency, it is very rare that a Bill the size of the Yellow Pages actually needs to pass through Parliament in a few hours. Most of these Bills needed amendments, passed in yet another "T" Bill the very next session.

I can see the temptation for Labor to hurl one of these behemoth Bills at the crossbenches in response to Opposition calls not to "rush through" Labor's new IR changes and allow a proper committee process. But the point, whilst breathtakingly hypocritical, is valid.

Let us also see the backbenchers off the leash on both sides. The House of Representatives seemed to lose its role in the scrutiny and amendment of Bills, most of the hard work being done by Coalition "rebels" in legislation committee before Bills were even introduced.

There is some great talent and dedication among Members of Parliament of all persuasions, but hardly any of their names would be known to the general public. One name that was known and deeply mourned was Peter Andren. Let us hope, as an opening prayer from the Public Gallery, that his spirit of dedication to Parliament as an expression of democracy will inspire the MPs of the 42nd Parliament.

It must be so tempting for Labor to treat the Opposition the way they have been treated for many long, frustrating years. It will require statesmanship and a finely honed sense of judgment as to what are the justifiable prerogatives of holding the majority mandate in the lower house, and what is contrary to the best interests of the Parliament as an institution.

But Labor has also had a long time to think about it, to reflect on what was genuinely unfair and to get their judgments right in their new leadership role. Thousands of schoolchildren troop through the House every year. Let us finally give them something to watch worthy of emulation.

*Susan Harris Rimmer is the newly appointed deputy director of the Australia Institute.*