

Giving Authority Back to Parliament

John Hyde

Whoever wins today's Western Australian election will be faced not only with cleaning up the WA Inc. affair but with ensuring that breaches of the public's trust do not recur. I am totally unconvinced that a majority of either major party understands that the underlying problem is a government that can do more or less what it likes in secrecy---Cabinet must have its wings clipped.

It is too easy to observe that what should be learned at one's mother's knee is sufficient to prevent one using public monies for private ends or passing \$6 million cheques around in the dead of night. Contrary to the belief of many Liberals, the election of a better class of politician, though always good in itself, will not permanently fix the problem. This is because, as Lord Acton observed, power tends to corrupt and absolute power tends to corrupt absolutely---power itself must be checked.

If the Liberals win today but then imagine that they are immune from the temptation to betray the public interest for political or personal gain, they are fools. While the need for reform is still apparent to everyone, they should quickly amend political procedures so as to remove themselves from temptation. But, hubris attends newly-won office, and I doubt the new Cabinet will want to reduce its own excessive power.

The Dowding Government has already received the Burt Commission's report on means by which the non-accountable authorities, which featured so largely in WA Inc., might be made more accountable. Sir Francis Burt's committee recommends that the relevant authorities be made accountable to Parliament. That procedure can work only if Parliament were to become capable of, and interested in, fulfilling its nominal responsibility to keep a rein on the executive.

Parliament is not effective because, in Parliament numbers are nearly everything, and because MPs---even on occasion the Speaker---give their loyalty to their party rather than to the institution of Parliament. Since the majority of MPs is always of the same colour as the Premier

and Cabinet, Parliament conducts a very poor audit of the Government. There is one way only that Parliament can be encouraged to do better: that is to restore the traditional rights (and, grant new rights) to Parliamentary minorities. The way to do that is to raise the political price majorities suffer when they ignore or repress the rights of Parliamentary minorities.

The essential features of accountability through Parliament are adequate opportunity for an Opposition to probe the government and publicise what it discovers, and strict adherence to the principle that ministers who mislead must resign or be sacked. There are, moreover, important procedural changes which, if observed, would do much to protect Parliament's ability to audit the Cabinet.

* An independent Speaker, such as the House of Commons enjoys, would do much to assist Oppositions in their task. This is, however, not as easy in relatively small chambers, where majorities are also small. Nevertheless, the Westminster tradition, authoritatively laid down by Erskine May, ought to guide speakers, even if it means that they put their jobs on the line---remember when Whitlam forced the resignation of Speaker Cope? To help maintain his independence, Speaker Snedden refused to attend normal party meetings.

* Question time should be lengthened and reapportioned to allow an Opposition more questions than government backbenchers. Several supplementary questions ought to be allowed after each principal question---as at Westminster---and it should be possible to ask questions which really are without notice---as in Canberra. As the Burt Commission has already made plain, only in the most exceptional circumstances can 'commercial confidentiality' be a reason not to answer a question.

* Questions on notice---Ministers should be required to respond to questions placed on the notice paper within fourteen days. Some trivial questions waste hours of civil servants' time, therefore substantive replies should not be required. The purpose is to identify ministers who avoid important questions.

* Ministerial Statements on matters of public moment are an important Westminster tradition which, in Australia, have become a tool for government propaganda. Statements to Parliament should be made whenever there is a clear and substantial demand for them and they should be followed immediately by questions on the statement.

* Parliamentary Committees---The Western Australian Parliament should establish Committees which have much the same standing and independence as the Federal Parliament's Public Accounts and Public Works Committees. Chairmanship should rotate between Opposition and Government Members.

* Sitting time---This is not a Westminster tradition, but Parliament should rise only with the concurrence of the Leader

of the Opposition. The procedure is not subject to abuse because an Opposition which kept Parliament sitting needlessly would pay a political price for its intransigence.

* Parliamentary resources---Opposition resources should be increased---it is poor economy to skimp an audit. Research facilities should be improved and the Opposition's media-related personnel ought to be no less numerous than the Government itself employs but they need cutting. At last count the Western Australian Government's 'Media Machine' numbered 72 journalists. That is an outrage---propaganda units have no place in liberal democracies.

None of the above, except for the balancing of the media personnel, will do much to make Government accountable unless there is:

- 1) a Government, and to a lesser extent an Opposition, that is willing to honour the spirit of the Westminster tradition and see it adopted in practice, and
- 2) an independent press, which also understands open, liberal democracy and the Westminster system of achieving it. If only that justice may be seen to be done, the WA Government should sell its share of the West Australian newspaper.

Every Minister I have ever met would disparage these reforms, because they make his genius and knowledge subject to public scrutiny and effective veto. Nevertheless, the Premier who gives back to Parliament the power to check his power will ensure himself of at least one honourable mention in the history of the State. Besides, he never knows when he may next be in Opposition.

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