



# En garde!

Some write it off as theatre, others believe it really matters. Question Time in the House of Representatives is the most popular part of any parliamentary sitting day, but do MPs take it seriously?

STORY: **GEORGIE OAKESHOTT**

**T**wo red lines on the floor of the British House of Commons reveal something of the bloody origins of our modern-day, much maligned Question Time.

Running the length of the chamber parallel to the two front benches, these red lines mark the distance two members had to stand to ensure they were two-and-a-half sword lengths apart.

When tempers flared, the Speaker of the day would call on members to “toe the line”, an expression still in use today, as a means of restoring order and avoiding bloodshed.

Centuries later in the modern surrounds of the Australian parliament—proudly based on the Westminster system—the swords have gone but the tempers remain.

Question Time in the House of Representatives is a battle of ideas, ideologies and egos. It’s a contest of skills and talent, and an opportunity to get the upper-hand over those sitting opposite.

It’s a time when political opportunism leads opposition members to ask questions deigned to embarrass the government, while government ministers use their answers to attack or embarrass in return.

Political impact aside, *House of Representatives Practice*—a hefty book of guidelines for all House proceedings—describes the opportunity for members to raise topical or urgent issues as invaluable.

Question Time demonstrates clearly and publicly the accountability of the government. It’s the place a minister under pressure will be targeted, and for that reason the

preparation is intense. Tactics meetings and Question Time briefings are a fixture of parliamentary sitting days, with many of those briefings lasting as long as Question Time itself.

Ian Harris, Clerk of the House of Representatives, describes it as responsible government in action.

“I think it’s a vital time, it’s the one time when the executive fronts up to be accountable to the Australian people through the parliament. It’s the time when the various talents of the Prime Minister and the Prime Minister’s team, and the alternative Prime Minister and alternative ministers are on show,” he said.

“Parliamentary behaviour is something which could always be improved, but we’re a pretty robust society in Australia. I’ve heard members say that, if you think Question Time is pretty aggressive, you should come to a meeting of pork producers in my electorate where they exchange some pretty heart-felt views.

“Our Question Time is the ultimate throwing together of the ministers of the day and their alternatives, and it gives us a real chance to judge them both.”

With television, radio and the internet making Question Time more accessible to a wider audience than ever, members often comment on how much feedback they get—sometimes positive, but mostly negative—from a wide variety of constituents.

Glen Marshall from Culgoa in Victoria wrote a letter to *About the House* asking if members take Question Time seriously.



Cartoon: Pat Campbell

Former Speaker and Member for Wannon (Vic) David Hawker said they do, adding that it's important to remember "it is called the House of Representatives, and it is representative".

"If you go to a football game, most people watching the game are well behaved, a few aren't. Most people playing the game play well, but there is always one or two who try to stretch the rules," he said.

"People feel quite passionate about their point of view, which is why they got elected in the first place. I don't think we're ever going to see an Australian parliament sit in silence."

David Hawker is a member of the House's Procedure Committee, chaired by Julie Owens (Member for Parramatta, NSW).

She said behaviour varies greatly depending on the issues of the day; some days it's civilised, other days it's wild, aggressive and "an awful place to be".

"When we were talking about the economic crisis after we'd released the stimulus package, Question Time was civilised," she said. "It's very civilised when there's a disaster around the world that requires us to demonstrate that we take it seriously—you'll find Question Time settles on those days."

She said often it's the competition for media headlines that drives members to behave in a way that is silly, uncivilised or unparliamentary.

"The media like the cut and thrust, the barbed comment, the sharp retort and the theatre of Question Time. We're all competing over this eight to ten second bit," she said, adding that it's often the lowlights not the highlights which make the nightly news.

"Sometimes you're in parliament and there's a lot of really good stuff happening and then someone on the

**"When there's really bad behaviour in the chamber it's because people are finding ways around the rules, or stretching or exploiting the rules."**

backbench says something silly, and you know that's it, that will be the coverage.

"There might have been fantastic bills, there might have been extraordinary work, you might have made profound positive changes, but it's that one statement from a backbencher, who was being a little bit naughty, that will end up in the media."

With the Procedure Committee currently investigating the conduct of business in the House, several submissions to the inquiry have already singled out Question Time for improvement.

One question Julie Owens is often asked as chair of the Procedure Committee is whether a new set of rules could be introduced to improve behaviour of members in Question Time, but she doesn't think so.

"I don't believe changing the rules would fix anything, because you can't stop rule-breaking with rules," she said. "When there's really bad behaviour in the chamber it's because people are finding ways around the rules, or stretching or exploiting the rules."



DAILY DUEL: *Prime Minister Kevin Rudd (left) and Opposition Leader Malcolm Turnbull (right) face each other at Question Time each parliamentary sitting day.*  
Photos: AUSPIC

“The rules that govern behaviour in Question Time are the same rules that govern behaviour at all other times—that is, we’re not supposed to behave in an unparliamentary manner or in a way that brings parliament into disrepute.

“I think behaviour is something we should always look at in all areas. It’s also worth pointing out that parliaments around the world have Question Times like ours or worse. Ours is not unusual in that regard in any way.”

It is unusual in other ways though, including the expectation that the Prime Minister will be present every Question Time ready to answer the majority of questions. In comparison, the British Prime Minister only answers questions on Wednesdays, while in some other European parliaments prime ministers only answer questions which have been submitted in writing, several days beforehand.

According to *House of Representatives Practice*, there is actually no rule requiring the Prime Minister and ministers to be present, or any rule requiring them to answer questions. Tradition and expectation, however, dictate that all ministers will be present in Question Time unless sick, overseas or otherwise engaged on urgent public business.

In 1994 the government experimented with a roster system for ministers and the Prime Minister, only requiring attendance at Question Time two days a week instead of four. Considered to have been widely unpopular, the roster system was not renewed in the following parliament. Some have even suggested it contributed to the downfall of the Keating government.

“We have to be very careful interfering with something that might have its deficiencies but by and large seems to be working fairly well,” said Ian Harris.

“There are a number of grounds for criticism. One is that information isn’t being given, that it’s just political positioning. Ministers are sometimes criticised for making ministerial statements in an answer to a question (these are provided for elsewhere in the standing orders), but even then they are still providing information,” he said.

Over the years there have been many suggestions for improvements, including the introduction of time limits for questions and answers. The Australian Senate and many other parliaments, including the Canadian parliament, use time limits, although one Canadian parliamentarian described it as “40 grabs for the nightly news”.

The renewed calls for the introduction of time limits come at a time when statistics show that answers to questions are getting longer. In fact, some are blowing out to seven minutes or more.

In addition to longer answers to questions, Question Time itself is also running longer. Since the number of questions was increased to 20 in the last parliament, Question Time now tends to go for an hour and a half, sometimes two hours.

This could be trouble, according to David Hawker, who believes long-winded answers will lead to a public backlash.

“I see what appears to be a deliberate attempt to dumb-down Question Time. The fact that we are now

seeing it run for two hours is taking away the edge that it had,” he said.

“The fact you’re repeatedly getting ministers and the Prime Minister giving answers that are seven, eight or nine minutes long, repeatedly—and a lot of the material in the answers is repetitious—people will stop watching, and that will be our loss.”

In a submission to the Procedure Committee inquiry, the Manager of Opposition Business, Joe Hockey supports the introduction of time limits, as in the Senate, which limits questions to one minute and answers to four minutes.

He said the average length of time to answer questions has increased to three minutes and ten seconds, with the government spending a disproportionate amount of time answering its own questions and some ministers delivering extended, scripted answers.

“In fact, of the total time spent by the government answering questions in 2008, only 28 per cent of that time has been spent answering opposition and independent questions,” he said.

Leader of the House Anthony Albanese has another point of view. He said the Rudd government has taken an active



## With and without notice

In the House of Representatives the practice of members asking oral questions developed in a rather ad hoc manner. The original rule (standing order) relating to the routine of business referred only to 'Questions on notice', a period during which ministers read to the House answers to questions, the terms of which had been printed on the Notice Paper. However, from early in the first parliament questions without notice were also asked during this item of business. In response to a query on the matter the first Speaker made a statement to the effect that although there was no provision in the standing orders for questions without notice, there was no prohibition on them, and if a minister chose to answer, the chair would not object.

From the outset it was held that ministers could not be compelled to answer oral questions. Rulings were given to the effect that questions without notice should be on important or urgent matters, the implication being that otherwise they should be placed on the Notice Paper.

Over the years more and more time was taken up with questions without notice but it was not until 1950 that 'Questions without notice' replaced 'Questions on notice' in the routine of business under the standing orders.

Over the decades since then the nature of Question Time has changed to focus less on seeking information and more on calling the government to account for its actions and probing the political skills of ministers. This change has gone hand in hand with changes in the reporting of the House, the televising of Question Time and an increasing use of Question Time footage in television news bulletins.

role in increasing the accountability of the executive and is answering more questions per Question Time despite the "unruly behaviour" of the opposition.

"The opposition have moved 360 points of order, more than double the 178 moved by the opposition in the entirety of 2007," Mr Albanese said.

He said Joe Hockey is the first MP to "hit a century", moving 100 of those 360 points of order in less than a year.

In her submission to the inquiry, Melissa Parke (Member for Fremantle, WA) suggests removing so-called 'dorothy dixers' from Question Time. These are questions government members ask government ministers. They were named after a 20th century newspaper columnist who, it's suspected, wrote not only the answers to her readers' questions but many of the questions as well.

In the parliamentary context, 'dorothy-dixer' is the label applied to questions and answers suspected to have been written in ministers' offices and planted with willing backbenchers to ask. They are definitely not 'questions without notice' and are often criticised for being pre-arranged and packaged.

"The purpose of Question Time may be better served, and the community's view of politics might be improved, if the process and conduct of Question Time was less 'confected biff' as my predecessor in the seat of Fremantle, Dr Carmen Lawrence has described it, and more substantive probing and response," Ms Parke wrote to the Procedure Committee.

Ms Parke also supports the introduction of time limits for questions and answers, as well as the introduction of supplementary questions, as in the Senate. She told the inquiry the introduction of time limits would allow more time for more questions and answers, and constrain the tendency for them to be used for point-scoring.

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“The community’s view of politics might be improved if the process and conduct of Question Time was less ‘confected biff’ and more substantive probing and response.”

But Ian Harris isn’t convinced, suggesting that questions sometimes need a longer answer, as some topics can’t be dealt with in a short period of time.

On the other hand, there’s a danger that appropriately short answers will become longer because “once you bring in time limits, people tend to blow out to fill the allocated time”. “Self-discipline is probably a better approach,” he said.

He also believes there’s a case to be made for a higher proportion of questions being allocated to the opposition and independents, and for more genuine ‘questions without notice’.

He also suggests looking at the relevance rule, which is the only standing order for answers, and can be difficult to apply because its interpretation is so wide.

*House of Representatives Practice* recalls the 1993 Procedure Committee reaching the conclusion that, however much the

requirements of the standing orders were to be tightened up, relevance would continue to be a matter of opinion. Significant change in the nature of answers would depend more on changes of attitudes than on changes to rules.

“Regrettably there are bigger headlines in ‘unruly house today, member kicked out’ than member x asked a question about y,” Ian Harris said.

“The most vital thing in our democratic system is when people like *About the House* reader Glen Marshall take an interest in parliamentary proceedings and care enough to make a comment on it. That sort of perception coming through does have the potential to change the way things are going.

“As Oliver Cromwell said when he was having his portrait painted: ‘Do it warts and all’.

“Yes, our system does have some warts but I think the total picture is probably preferable to any alternative.” •

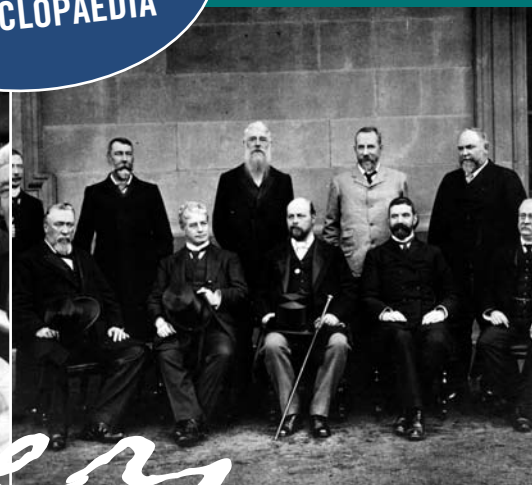
Replays of Question Time are now available at: [www.aph.gov.au/ath](http://www.aph.gov.au/ath)



Cartoon: Pat Campbell

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