21 The Clerk and other officials

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This infosheet outlines the roles of the parliamentary staff who visitors to the House of Representatives and observers of proceedings can see at work in the Chamber when the House is sitting. It also gives a brief introduction to the Department of the House of Representatives, and to the Parliamentary Service.

The Clerk of the House

There are two Clerks at the head of the Table of the House, immediately in front of the Speaker's Chair. The Clerk of the House sits on the Speaker's right. The Clerks can be distinguished from Members by their black gowns (until 1995 they also wore wigs, similar to those worn by barristers).

Clerks at the Table

The Clerk of the House is the only non-Member to have a speaking role in the proceedings of the House. The Clerk announces each item of business. His or her other routine speaking role is that of 'reading' bills at each stage of their progress through the House—that is, when the bill is introduced (first reading) or when the House orders that the bill be read a second or third time. At each stage the Clerk in fact reads out only the title of the bill—see Infosheet No. 7 *Making laws*. This procedure originated in the distant past, before printing and widespread literacy, when the complete text of proposed laws had to be read out to the Members, as many times as required.

At the beginning of each Parliament the Clerk chairs the House until a Speaker has been elected.

As each item of business is dealt with by the House the Clerk records the decisions the House has made.

The Clerk also certifies all action taken by the House in the legislative process—that is, when a bill has been passed or amended, and when a bill originating in the House has been passed by both Houses.

When the House takes a formal vote—a division—or if a Member calls for a quorum to be formed, the Clerk operates the bells that summon Members to the Chamber. During a division the Clerk counts the Members voting for the 'Ayes'. (See Infosheet No. 14 *Making decisions—debate and division*).

One of the most important functions of the Clerk is to provide advice to the Chair and to Members on the operation of proceedings. Each day before the House meets the Clerk examines the business scheduled for the sitting and briefs the Speaker on any procedural issues which may occur. While sitting at the Table the Clerk must always keep an ear to the debate as he or she may be called upon to give immediate advice to the Chair or others in relation to a procedural or technical matter suddenly arising. Any Member can ask the Clerk for advice during proceedings—perhaps in relation to a point of order they wish to make, or a motion they wish to move. The Leader of the House (the Minister responsible for the programming of government business) can often be seen consulting the Clerk in relation to the progress of business.

Outside the Chamber the Clerk is available to advise the Speaker and Members on the interpretation of the standing orders, parliamentary practice and precedent, and the requirements of the Constitution and the law affecting the Parliament and the House. The Clerk must have extensive knowledge and experience in these areas. Without exception, an officer who is appointed as Clerk has been in the service of the House and has served at the Table for a long period.

As well as being a specialist in the rules of parliamentary procedure and practice, the Clerk has an administrative role as head of the Department of the House of Representatives. This department has about 170 staff members responsible for providing services to the Speaker and Members of the House. The Clerk administers this parliamentary department under the oversight of the Speaker in the same way as the secretaries (chief executives) of government departments administer their department under a Minister.

The office of the Clerk of the House has its origins in the early English Parliament. The title 'clerk' then signified a

person who could read and write, which were not common skills at that time. The first record of the appointment of a clerk to the House of Commons was in 1363. There have been 16 Clerks of the House of Representatives since 1901, the longest-serving holding the office for 18 years.

Deputy Clerk and other clerks

In the Chamber the Deputy Clerk sits at the Table of the House on the Speaker's left. Like the Clerk, the Deputy Clerk provides advice to Members on the operation of proceedings. The Deputy Clerk also keeps a detailed record of proceedings, which, along with the record kept by the Clerk, form the basis of the official minutes of the House—the Votes and Proceedings. It is the job of the Deputy Clerk to operate the clocks which time Members' speeches, and to turn the sandglasses which measure the length of time for which the bells are rung for divisions and quorums. During a division the Deputy Clerk counts the Members voting for the 'Noes'.

The Deputy Clerk is the second most senior official of the Department of the House of Representatives. He or she is responsible for advising and assisting Members, their staff and officers on matters of parliamentary practice and law, and drafting private Members' bills and amendments. The Deputy Clerk assists the Clerk in the management of the department and during the Clerk's absence performs the duties of Clerk. The Deputy Clerk is also the Clerk of the Federation Chamber (the House's second debating chamber, see Infosheet No. 16 *The Federation Chamber*) and holds the position of Registrar of Members' Interests.

The Clerks at the next level of seniority have the title 'Clerk Assistant'. There are three Clerk Assistants and the Serjeant-at-Arms, each responsible for the administration of one of the department's three major work areas (Chamber Services, Procedure, Committees and Corporate Services).

The Clerks at the Table, like the occupants of the Chair, work to a roster. The Clerk and Deputy Clerk are both at the Table on important occasions and usually at Question Time. At other times the Deputy Clerk or one of the Clerk Assistants may be found in the Clerk's position, performing the role of the Clerk, and a Clerk Assistant or another senior staff member in the Deputy Clerk's position.

Serjeant-at-Arms

The Serjeant-at-Arms (or a deputy) is present in the Chamber at all times the House is sitting. They can be seen sitting at the rear of the Chamber, to the left of the centre aisle (looking from the Speaker's Chair).

The Serjeant's dress is highly distinctive. The outfit for a male Serjeant consists of a black cut-away coat with a large rosette on the back, waistcoat, white shirt and bow tie, and black trousers. Female Serjeants wear a similar coat, waistcoat, white blouse with lace jabot and black trousers or skirt. On ceremonial occasions the Serjeant wears a lace jabot, lace cuffs, silver-buckled shoes, stockings, knee-breeches (men), white kid gloves, cocked hat (carried under left arm), and a ceremonial sword. This outfit is based on that worn in the royal court of previous centuries in the United Kingdom.

The Serjeant-at-Arms

The Serjeant is responsible for the security of the House of Representatives Chamber and for controlling admission to the galleries. Security staff in the Chamber and galleries are employees of the Department of Parliamentary Services who work under the direction of the Serjeant. The main formal Chamber responsibility of the Serjeant during the sittings of the House is to assist the Speaker maintain order by removing disorderly people from the House or galleries. The Serjeant's other duties in the Chamber include recording Members' attendance and delivering messages (formal communications) from the House of Representatives to the Senate. The Serjeant also has a ceremonial role—they are the custodian of the Mace, the symbol of the Speaker's and the House's authority, which is placed on the Table of the House when the House is sitting. Carrying the Mace on the right shoulder, the Serjeant-at-Arms precedes the Speaker when the Speaker

enters and leaves the Chamber at the beginning and the end of a sitting. The Serjeant also has ceremonial duties at the opening of each session of the Parliament.

Outside the Chamber the Serjeant has administrative responsibilities as the manager of Members' and corporate services, and has special responsibility for the security of the part of the parliamentary precincts occupied by the House of Representatives. The Serjeant is a member of the Security Management Board which has responsibility for the overall security of the parliamentary precincts.

The Serjeant also advises the Speaker on issues to do with the radio broadcasting and televising of the House of Representatives, and media policy in general.

The Serjeant-at-Arms also has origins in early English parliamentary history. The Serjeants-at-Arms were originally members of the King's bodyguard. In the 14th century royal Serjeants-at-Arms were assigned to duties in the House of Commons. Today the Serjeant of the House of Commons is appointed by the Queen, and is warranted 'to attend upon Her Majesty's person when there is no Parliament; and at the time of every Parliament to attend upon the Speaker of the House of Commons'. In the Australian Parliament the Serjeant-at Arms is a staff member of the Department of the House of Representatives.

Chamber attendants

Attendants in green and beige uniforms may be seen seated around the outside of the Chamber or moving around the Chamber. They are responsible for the distribution of bills, amendments and other documents to Members in the Chamber. They also assist Members by providing lecterns, stationery and drinking water, and carrying messages. Members may call an attendant by pressing a button on their desks.

Hansard staff

Hansard reporters sit at a small table in the middle of the Chamber, near the end of the Table of the House. They are responsible for producing a written record of the proceedings. These days computer-assisted transcription and voice recognition technology are used, rather than shorthand. Reporters are usually present only for a short period at a time in the Chamber and then return to the Hansard office to prepare the transcript. Outside the Chamber, Hansard reporters' other duties include transcribing proceedings of parliamentary committees and ministerial conferences, both in Canberra and at venues around Australia.

The Department of the House of Representatives

The Department of the House of Representatives provides the administrative support for the House of Representatives and its committees and a range of services and facilities for Members in Parliament House. The department also administers some shared functions on behalf of the House and the Senate. The work of the department encompasses five main areas:

Chamber and Federation Chamber provides programming, procedural and administrative support necessary for the conduct of the business of the House and the Federation Chamber; undertakes research on parliamentary matters; produces publications and provides information about the House and its proceedings; and provides administrative and research services for some domestic committees.

Community awareness provides services to increase public knowledge and awareness of, and interaction with, the work of the House of Representatives and the Parliament.

Committee support provides procedural, research, analytical, drafting and administrative support for House of Representatives committees and some joint committees in fulfilling their role in the parliamentary consideration of policy and legislation and the scrutiny of government (other joint committees are supported by the Department of the Senate).

Inter-parliamentary relations and capacity-building provides advice and support to facilitate and maintain the Parliament's relationships with international and regional parliaments, parliamentary bodies and organisations.

Members' services and corporate support provides advice, services and support to Members in Parliament House and the department. This includes advice and services:

- relating to Members' salaries and allowances
- to Members relating to accommodation and office services
- to the department relating to financial and human resource management, and office services.

The Parliamentary Service

Staff supporting the Parliament work for the Australian Parliamentary Service, which provides services to each House of the Parliament, to committees of each House, to joint committees and to Senators and Members. There are four parliamentary departments. The Department of the House of Representatives and the Department of the Senate support the House and Senate, respectively. The Department of Parliamentary Services provides shared services to the Parliament as a whole. The Parliamentary Budget Office, established in 2012, provides independent and non-partisan analysis of the budget cycle, fiscal policy and the financial implications of proposals.

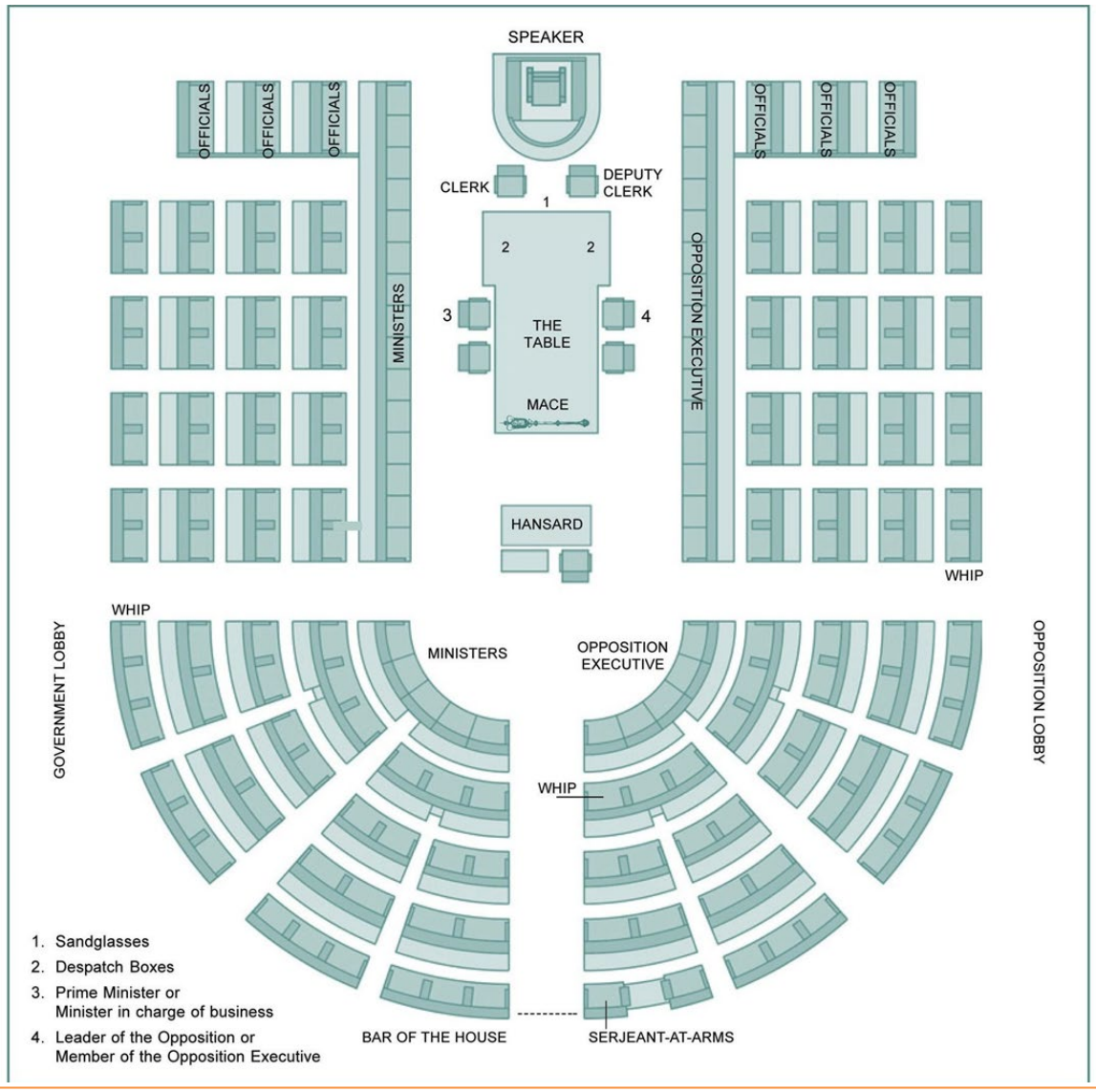
The Australian Parliamentary Service is separate from the Australian Public Service. Public Service departments (also called government departments) serve the Executive Government. The parliamentary departments provide professional advice and support to the Parliament and its members independently of the Executive Government.

Parliamentary staff provide the same services for opposition or other non-government Members and Senators as they do for government Members and Senators. They must at all times be non-partisan and impartial.

For more information

House of Representatives Practice, 7th edn, Department of the House of Representatives, Canberra, 2018, pp. 208–16.

House of Representatives website: www.aph.gov.au/house.

Images courtesy of AUSPIC.

The Chamber of the House of Representatives