

#### ***4. Prayers – practices in other legislatures (Senator McKenzie)***

Prayers are a feature of the routine of business of most Australian Houses of Parliament at state and territory level, as well as of the Senate and the House of Representatives.

The exception is the Legislative Assembly for the Australian Capital Territory where the day begins with an invitation from the Speaker for members to stand in silence and pray or reflect on their responsibilities to the people of the ACT (ACT Legislative Assembly standing order 30). The *Companion to the Standing Orders of the Legislative Assembly for the Australian Capital Territory* (M. McRae, D. Abbott, T. Duncan eds, 2009) notes (at 8.9, p. 114):

As a new legislature, the Assembly has found itself less constrained by the inertia imposed by established practice or tradition in responding to contemporary demands. For example, the adoption of a “prayer or reflection” was possibly unique in legislatures derived from Westminster when adopted by the Assembly in 1995.

A form of the parliamentary prayer, followed by the Lord’s Prayer, is read in the Senate, the House of Representatives, the NSW Legislative Council, the Northern Territory Legislative Assembly, the South Australian House of Assembly and Legislative Council, and the Tasmanian House of Assembly and Legislative Council. The Lord’s Prayer alone is read in the Victorian Legislative Assembly and Legislative Council, the Western Australian Legislative Assembly and Legislative Council and the Queensland Parliament. In the NSW Legislative Assembly, only the parliamentary prayer is read.

Prayers are also read in comparable parliaments internationally. In the United Kingdom House of Commons, prayers are read by the Speaker’s chaplain while a senior Bishop reads them in the House of Lords. Members of the public are not admitted to the public galleries during prayers. In the Canadian House of Commons and Senate prayers are read before the doors are opened to the public. In the House of Commons, the prayer is followed by a moment of silence for private reflection and meditation. Prayers are read both in English and French, sometimes on alternate days. Likewise, in the New Zealand House of Representatives, the day starts with a prayer although it is not written into the standing orders and is not regarded as binding on the Speaker. The current form of the prayer was adopted by resolution in 1962 and the Speaker has also used a Maori version of it.

#### *Attempts to abolish prayers (Senators Bernardi and McKenzie)*

There are few recorded attempts in other jurisdictions to abolish the practice of starting the parliamentary day with prayers although prayers have frequently been modernised or added to, for example, by an acknowledgement of Indigenous custodians.

In the Senate, the question of whether the prayer should be replaced by an invitation to prayer or reflection (along similar lines to the ACT Legislative Assembly) was the subject of a reference to the Procedure Committee in 1997 on the motion of Senator Bob Brown. The committee, after consulting senators, did not recommend any change to the relevant standing order. It concluded:

It is clear that many senators who join in the prayer regard its retention as important, but among those who do not join in the prayer there does not appear to be a strong view that its proposed abolition is a significant question which should occupy the time of the Senate (*Second report of 1997*, p. 5).

A similar reference, proposed by Senator Di Natale earlier this year, was negated on the voices.

On two occasions, the NSW Legislative Council has debated motions to amend standing or sessional orders to replace the prayer with an invitation to members “to stand in silence and pray or reflect on your responsibilities to the people of NSW”. On both occasions, the motion was defeated by a large margin (see *New South Wales Legislative Council Practice*, L. Lovelock, J. Evans, eds, 2008, p. 234).