

## **Abstract**

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### **The art of persuasive discourse in parliament—a comparative analysis of Australian parliaments with those of the United Kingdom**

The practice of speaking in a parliamentary sense—within the chamber and its committees—represents a continuum of influences that culminate in the delivery of spoken word.

The final act of delivering a speech, engaging in debate, asking a question—the art of speaking—is a medium subject to various constraints and opportunities that have the potential to either impede or assist with the delivery of spoken word and ultimately its persuasiveness.

These constraints and opportunities can be organised under six categories: (i) institutional attributes—such as age of the legislature, its history, its culture; (ii) institutional arrangements—such as physical layout, size, debate rules, debate courtesies; precedence to business items; (iii) speaker demographics/attributes—such as gender, experience, length of time as an MP; (iv) attributes of speaking preparation and delivery; (v) influences of multimodal communication; and (vi) influences of media coverage, IT and the 24 hour media cycle.

Using methodological inquiry this paper will present the results of a survey design that sought the views of current and former Members of Australian parliaments—federal, state and territory—as to the extent to which various factors have the potential to influence the art of persuasive discourse in parliament as constraints and/or opportunities.

The design and development of the survey was informed by research findings and selected parliamentary practices and procedures from the UK House of Commons and the UK's devolved parliaments. Analysis of the findings and related discussion also considers comparative research from these parliamentary jurisdictions on the subject matter.



# The art of persuasive discourse in parliament—a comparative analysis of Australian parliaments with those of the United Kingdom

## Introduction

Without speech the various forms and institutions of parliamentary machinery are destitute of importance and meaning. Speech unites them into an organic whole and gives to parliamentary action self-consciousness and purpose. By speech and reply expression and reality are given to all the individualities and political forces brought by popular election into the representative assembly. Speaking alone can interpret and bring out the constitutional aims for which the activity of parliament is set in motion, whether they are those of the Government or those which are formed in the midst of the representative assembly. It is in the clash of speech upon speech that national aspirations and public opinion influence these aims, reinforce or counteract their strength. Whatever may be the constitutional and political powers of a parliament, government by means of a parliament is bound to trust to speech for its driving power, to use it as the main form of its action.<sup>1</sup>

Parliaments across the world all share a common and unifying element—the act of speaking—an act upon which the fundamental purpose of Parliament, that being to discuss, debate and legislate, is premised and shaped.

However, the practice of speaking in a parliamentary sense—within the chamber and its committees—is much more than what one says or how one says it (tone, pitch, pace etc.) because it is also subject to a continuum of environmental influences.

The final act of delivering a speech, engaging in debate, asking or answering a question—the art of speaking—is a medium subject to various constraints and opportunities that have the potential to either impede or assist with the delivery of spoken word and ultimately its persuasiveness.

The notion that the art of speaking is so much more than the spoken word itself was captured by Winston Churchill in 1943 during the course of debate about the rebuilding of the House of Commons chamber after it was destroyed by enemy bombs in 1941. During that debate, some views were advanced by other MPs<sup>2</sup> that this was an opportunity to make changes to the chamber—such as increasing its size and seating capacity. Churchill, however, was of the view that the chamber should be rebuilt to its original footprint or specifications:

...if the House is big enough to contain all Members, nine-tenths of the debates will be conducted in a depressing atmosphere of an almost empty or half-empty chamber...We wish to see our Parliament as a strong, easy, flexible instrument of free debate. For this purpose a small chamber and a sense of intimacy are indispensable...The conversational style requires a fairly small space, and there should be on great occasions a sense of crowd and urgency...We shape our buildings, and afterwards our buildings shape us.<sup>3</sup>

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<sup>1</sup> Redlich, J. (1908) *The Procedure of the House of Commons*, Archibald Constable, London, Vol. III, pp. 42–43.

<sup>2</sup> Members of Parliament

<sup>3</sup> Winston Churchill, *Hansard*, Commons, 28 October 1943; also quoted in: Rogers, R. & Walters, R. (2015) *How Parliament Works* (7<sup>th</sup> edn.), Routledge, Oxon, p. 160.

Effectively, Churchill understood that the art of speaking is so much more than the spoken word itself as it also extends to the environment (for better or worse) in which the spoken word is taking place.

These environmental influences can be either constraints or opportunities, and for the purpose of this paper are organised under six categories: (i) institutional attributes—such as age of the legislature, its history, its culture; (ii) institutional arrangements—such as physical layout, size, debate rules, debate courtesies; precedence to business items; (iii) speaker demographics/attributes—such as gender, experience, length of time as an MP; (iv) attributes of speaking preparation and delivery; (v) influences of multimodal communication; and (vi) influences of media coverage, IT and the 24 hour media cycle.

## **Methodology**

Using methodological inquiry, this paper presents the results of a survey design seeking the views of current and former Members of Australian parliaments—federal, state and territory—as to the extent to which various factors have the potential to influence the art of persuasive discourse in parliament as constraints and/or opportunities.

By way of background, Australia comprises nine parliamentary jurisdictions—the Federal parliament, six state parliaments and two territory parliaments. Of these, three jurisdictions—the Northern Territory, the Australian Capital Territory and Queensland parliaments—are unicameral.

Of the nine, Australia's oldest parliament is the Parliament of New South Wales (NSW) established in 1823.<sup>4</sup> The Federal Parliament was established in 1901, following Federation of the States.<sup>5</sup> Interestingly, the Queensland Parliament is unique among state parliaments, as it was the only colonial parliament (pre-1901) to commence with two chambers—a lower and upper house. However, its upper house was abolished in 1922, making it the only unicameral state parliament.<sup>6</sup>

When considering establishment dates for each of the nine jurisdictions, Australia's parliaments, as compared, for example, with Westminster, are relatively youthful.

### **Survey design, development and administration**

The data collection instrument was a self-administered anonymous online survey. The design and development of the survey questions was informed by research findings<sup>7</sup> and selected parliamentary practices and procedures from the UK House of Commons and the UK's devolved parliaments.

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<sup>4</sup> Parliament of NSW. (2016) 'The history of the Council', retrieved 23 March 2016 from: [www.parliament.nsw.gov.au/lc/roleandhistory/Pages/The-history-of-the-Council.aspx](http://www.parliament.nsw.gov.au/lc/roleandhistory/Pages/The-history-of-the-Council.aspx)

<sup>5</sup> Australian Electoral Commission. (2001) *The First Commonwealth Parliament 1901*, AEC, Canberra.

<sup>6</sup> Queensland Parliament. (2016) 'Overview', retrieved 23 March 2016 from: [www.parliament.qld.gov.au/explore/history/overview](http://www.parliament.qld.gov.au/explore/history/overview)

<sup>7</sup> Shaw, S. (accessed 2015) 'Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term', *Economic and Social Research Council (ESRC) Project*.

The survey comprised a total of 27 questions—seeking information across three categories: (i) demographic information (three questions—single select multiple choice); (ii) views on best male and best female parliamentary orators (two questions—open ended); and (iii) views about how various constraints and opportunities affect the art of speaking in parliament (22 questions of three types—two kinds of rating items on a scale and single select multiple choice—each of these questions provided respondents with the option of making further comment).

Email was used to invite participation and asked potential respondents to visit a webpage where they could complete the anonymous online survey.

## Results

Thirty responses were received. The profile of the respondents is summarised in the table below.

Table—Profile of respondents

Profile element	Profile (No. of respondents)		
	Status as MP	Current MPs	
24 (80%)		6 (20%)	
Length of time as an MP	Up to 5 years	6–10 years	11 years or more
	12 (40%)	8 (27%)	10 (33%)
	Current or past Members of a state/territory parliament		Current or past Members of the Federal Parliament
Parliament type	27 (90%)		3 (10%)

A summary of responses to the 22 questions seeking views about how various constraints and opportunities affect the art of speaking in parliament is set out in the **Appendix—Views on constraints and opportunities affecting the practice of speaking in parliament**.

## Views on constraints and opportunities affecting the art of speaking in parliament

Analysis of the findings and related discussion, which also considers comparative research and practice from the United Kingdom’s parliamentary jurisdictions on the subject matter, is set out in the section following.

### Institutional attributes

Institutional attributes are concerned with the age of the legislature; its history; and its culture. As a measure of the collective impact of these attributes, respondents overwhelmingly agreed with Churchill's statement: ‘We shape our buildings, and afterwards our buildings shape us’.<sup>8</sup>

<sup>8</sup> Winston Churchill, *Hansard*, Commons, 28 October 1943; also quoted in: Rogers, R. & Walters, R. (2015) *How Parliament Works* (7<sup>th</sup> edn.), Routledge, Oxon, p. 160.

A respondent added:

I do agree with this. The shape and design of a building will have strong impact on its later use. And some buildings have been specifically designed for certain purposes. The University of Technology, Sydney building was designed in such a way as to minimise student protest by not having a place where it was easy for large crowds to gather.

As to the effect a more mature (old) parliament may have on the practice of speaking, 38 per cent of respondents felt that it had no significant effect, 38 per cent felt that it had a positive effect and the remainder felt that it had a negative effect. Conversely, as to what effect a less mature (young) parliament may have on the practice of speaking, 50 per cent of respondents felt it had no significant effect, 38 per cent felt it had a positive effect and the remainder felt it had a negative effect.

Some respondents felt that if the Chamber design was not conducive to the practice of speaking, in terms of space and acoustics, a more mature parliament was of no consequence. A respondent commented:

I think it is dependent on how well designed the parliamentary chamber is. If it is cramped and difficult to be heard in, it doesn't matter how much prestige comes with the parliament.

Parliamentary traditions were cited as having an effect on the practice of speaking in both older and younger parliaments. With regard to a mature parliament impacting negatively on the practice of speaking, respondents felt this could be assigned to characteristics of being “old fashioned” and “steeped in tradition”, with some practices considered to be outdated or obsolete.

With regard to a younger parliament having a negative effect on the practice of speaking, respondents suggested that this could be assigned, in the first instance, to a lack of traditions and less awareness of parliamentary traditions. As to it having no significant effect, perhaps this may lie in the notion that that if a parliament is built and operated on a traditional Westminster style model, irrespective of age, it should elicit a similar *modus operandi*.

As to reasons for youthfulness contributing positively to the practice of speaking, some respondents felt that newer parliaments may have been established with more thought in relation to the design of debating chambers:

In some ways I think that the younger parliaments have often been set up taking into account acoustics, and lines of sight, as well as comfort of the Members. So in some ways, even though the newer parliaments may not have the history and gravitas, they may be “kinder” to the speaker.

The concept of tradition as it relates to the role and function of key institutions, such as parliaments, should not be undervalued. Its importance was well captured by the former Governor of the Bank of England, Sir Mervyn King—when it was put to him, that some “traditions” of the Bank give the impression that it was stuck in the past—he responded:

The traditions and institutions of the Bank are not something that belongs to anyone to play around with, to make political gestures; they are part of the traditions of the Bank which has been there since 1694. Responsibility of future officeholders is to maintain some of these traditions as signals of.../symbols of what the Bank stands for – trust, continuity, honesty, integrity.<sup>9</sup>

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<sup>9</sup> The former Governor of the Bank of England, Sir Mervyn King, in an interview with the BBC's Desert Island Discs, 2 June 2013 [interviewed as outgoing Governor of the Bank of England].

## Institutional arrangements

Institutional arrangements, as they relate to the practice of speaking can be organised into two categories: (i) the Chamber—shape and size; and (ii) debate matters.

### *The Chamber—shape and size*

Debating chambers in terms of physical layout, size, seating format and design are the fundamental component of any parliament. The House of Commons has been described as the:

...stage upon which some of the most extraordinary events in national history have been enacted and remains ... the focus of pageant and politics: the pre-eminent “theatre of state”.<sup>10</sup>

### **Chamber shape—footprint**

There are some views that the footprint or shape of the chamber in terms of seating arrangements can influence the tone and atmosphere of parliamentary speaking or character of debates.

A rectangular shaped chamber (e.g. UK House of Commons) with seating arrangements where the Government faces the Opposition, and its horseshoe shaped derivation, is thought to encourage adversarial behaviour and confrontational debate. Whereas, a semicircular shaped chamber with seating arrangements orientated towards the Speaker/Presiding Officer (e.g. Welsh Assembly, Scottish and European Parliaments) is considered to generate a more consensual style of debate. This equally applies to the set up in committee rooms. The semicircle is reported as the most common seating pattern<sup>11</sup> and is found in about two thirds of the world's national legislatures.<sup>12</sup>

All nine Australian parliament jurisdictions have Westminster style seating arrangements—though not the complete replica of the rectangular seating but a horseshoe derivation, which includes the oppositional seating (Government facing the Opposition), and also provides for seating of the crossbenches.

Respondents were asked whether they thought a horseshoe shaped chamber encouraged adversarial behaviour and confrontation—47 per cent neither agreed nor disagreed, 33 per cent agreed and 11 per cent strongly agreed. A respondent noted:

I think the horseshoe shape might slightly exacerbate adversarial behaviour, but if the mood is there already to be adversarial and confrontational, then it is going to happen anyway. I think it is more about the behaviour of the people first.

Conversely, as to whether a semicircular shaped chamber generated a more consensual atmosphere/style, 70 per cent of respondents neither agreed nor disagreed, 20 per cent disagreed (10 per cent strongly) and 10 per cent agreed. A respondent commented:

I think it is more about the interplay between the individuals, than the shape of the chamber.

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<sup>10</sup> Riding, C. & Riding, J. (2000) *The Houses of Parliament. History Art Architecture*, London, Merrell, p. 8.

<sup>11</sup> A recent study (2016) by a Norwegian Architectural firm documenting and comparing the plenary halls of all 193 United Nations member states—classified 5 typologies or footprints for seating: (i) semicircle; (ii) opposing benches; (iii) horseshoe; (iv) circle; and (v) classroom [de Lara, Max & van der Vegt David. (2016) *Parliament*, XML, Amsterdam.

<sup>12</sup> Coghill, K. & Babbage, D. (1991) ‘Seating in Legislatures’, *Legislative Studies*, Vol. 5 No. 2, p. 19.

The impact the mood of the chamber can have on the debate was captured by the Rt Hon. Theresa May (as Home Secretary), when commenting on judging the mood:

You never know what the mood of the chamber is going to be.<sup>13</sup>

Interestingly, contrary to views about the influence of seating footprints, the literature suggests that those parliaments where confrontational events<sup>14</sup> have occurred, and which have led to physical altercations and violence, are more commonplace in semicircular shaped chambers than in Westminster style oppositional chambers.<sup>15 [14]</sup>

Macintyre (2008) suggests that:

Some of this might be accounted for by the fact that managed and ritualised conflict is part of the design of the Westminster system. By institutionalising and accommodating conflict in the seating and the oppositional form, the chance of ‘unmanaged’ and more physical conflict is diminished. Part of it, of course, also reflects the very different political practices that operate in different parliaments and the diverse political parties and representatives that varied electoral systems generate.<sup>16</sup>

The views of respondents support the conclusion that whilst the seating arrangements and shape of the chamber can have an effect on the atmosphere of debates—either positively or negatively, there are other contributing factors such as—mixing of parties (as opposed to seating blocks); governing composition—majority, minority or coalition; debate rules and procedure; and individual behaviour.

### **Size of chamber**

There are some views that the size of the chamber—big or small—can influence the mood and dynamics of debate. This is on the basis that how people behave depends on what is around them. In large and more spacious chambers—i.e., where Members are spread out from each other (e.g., the European and Scottish Parliaments)—this can lower the temperature of debates, make them less interactive, less interesting and limit spontaneity in exchanges. Alternatively, smaller and cramped chambers, whilst increasing tension can confer a sense of ‘crowd and urgency’, lend greater importance to matters under discussion, and lead to more intimate and lively debates.<sup>17</sup>

As to whether a large and spacious chamber can be a constraint on the practice of speaking—47 per cent of respondents neither agreed nor disagreed, 33 per cent agreed and the remainder disagreed. Conversely, 56 per cent of respondents agreed that a small and confined chamber can increase the temperature of debates, whilst conferring a sense of ‘crowd and urgency’, and lead to more intimate and lively debates.

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<sup>13</sup> The Rt Hon. Theresa May MP, in an interview with the BBC’s Desert Island Discs, 23 November 2014 [interviewed as Home Secretary].

<sup>14</sup> For example—South Korean National Assembly (numerous events); Taiwan Legislative Yuan (numerous events); Ukrainian Parliament; and the Japanese Parliament.

<sup>15</sup> Macintyre, C. (1997) ‘Designing Debate: the Implications of Parliamentary Architecture’, *Legislative Studies*, Vol. 12, No. 1, pp. 46–7.

<sup>16</sup> Macintyre, C. (2008) ‘Parliamentary Architecture and Political Culture’, August, Papers on Parliament, presented as a lecture in the *Senate Occasional Lecture Series at Parliament House*, Canberra, 9 May, pp. 1–18.

<sup>17</sup> Winston Churchill, Hansard, Commons, 28 October 1943; Shaw, S. (accessed 2015) ‘Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term’, *Economic and Social Research Council (ESRC) Project*.



In considering the influence of chamber size (positively or negatively) on the character of debates, just under half of the respondents did not have a view either way. This suggests that these respondents thought there were other contributing factors, with one commenting that it:

Would require more than change in size and shape - parliamentary rules and party style would also have to be different.

Notwithstanding there have been reported examples in the literature of changes in behaviour arising in different spaces.<sup>18</sup> For example, when the UK House of Commons was damaged during WWII, the House of Lords moved temporarily to the Queen's Robing Room and the Commons sat in the Lords Chamber.<sup>19</sup> According to some, there were noticeable changes in behaviour of Members, attributed to the different seating patterns and a more spacious chamber.<sup>20</sup> Furthermore, the debate for the rebuilding of the Commons chamber took place in the Lords and one Member observed:

...a distinct change in the nature of this House of Commons since we have come into this actual place. I have noticed more difficulty in controlling the Government, as it were, a lack of intimacy, a falling off in the quality of Members' speeches, owing to the great size of this Chamber.<sup>21</sup>

Similarly with the building of Australia's new Parliament House—amongst other things, the respective upper and lower house chambers were more spacious—in comparing the new and old Parliament Houses:

The old building is often described as being more intimate, a location where Members could make eye contact and where auras could mingle.<sup>22</sup>

The Speaker<sup>23</sup> at the time, in moving to the new Chamber, and after taking up the Speaker's chair:

...felt that many Members were too removed from what I describe as the prime parliamentary triangle of Speaker/Prime Minister/ Leader of the Opposition. ... [and] suggested some radical remedies such as moving the Table to a more central point in the Chamber. This would have been an expensive solution, but one which would have facilitated greater interaction between Members' debates in the Chamber. It was not carried out, and was not revived when Mr Sinclair ceased being Speaker.<sup>24</sup>

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<sup>18</sup> Canter, D. (1977) *The Psychology of Place*, St Martin's Press, New York; Koehler, C.T. (1980) 'City Council Chamber Design: The Impact of Interior Design Upon the Meeting Process', *Journal of Environmental Systems*, Vol. 10, pp. 53–79; Patterson, S.C. (1972) 'Party Opposition in the Legislature: The Ecology of Legislative Institutionalization', *Polity*, Vol. 4, pp. 344–366; Goodsell, G. (1988) 'The Architecture of Parliaments: Legislative Houses and Political Culture', *British Journal of Political Science*, Vol. 18, No. 3, July 1988, pp. 287–302.

<sup>19</sup> Godfrey Nicholson, *Hansard*, Commons, 28 October 1943.

<sup>20</sup> Rogers, R. & Walters, R. (2015) *How Parliament Works* (7<sup>th</sup> edn.), Routledge, Oxon, p. 160.

<sup>21</sup> Stamp, G. (2000) "'We Shape Our Buildings and Afterwards Our Buildings Shape Us.'" Sir Giles Gilbert Scott and the Rebuilding of the House of Commons' in *The Houses of Parliament. History Art Architecture*, C. Riding & J. Riding. (2000), London, Merrell, p. 150.

<sup>22</sup> Harris, Ian. (2003) 'Attempts to encourage interactive debate in the Australia House of Representatives', *34<sup>th</sup> Presiding Officers and Clerks Conference*, Nuku'Alofa, Tonga, p. 2.

<sup>23</sup> The Rt Hon. Ian Sinclair.

<sup>24</sup> Harris, Ian. (2003) 'Attempts to encourage interactive debate in the Australia House of Representatives', *34<sup>th</sup> Presiding Officers and Clerks Conference*, Nuku'Alofa, Tonga, p. 2.

An MP<sup>25</sup> at the time also commented on the differences between the new and old parliament buildings:

The atmosphere is dead: indeed I have been at crematoria that were more fun. There is no life ... I suspect that the huge scale of the building ... is a psychological disincentive to venturing out ... *[it does not have]* a good debating chamber. Members are too remote to see the whites of their opponents' eyes.<sup>26</sup>

As to whether chamber size (big or small) can influence the character of debates (positively or negatively), just under half of the respondents did not have a view either way. This suggests that these respondents thought, as in the case of the chamber footprint, there were other contributing factors.

Notwithstanding, 56 per cent of respondents agreed that a small and confined chamber, as compared with a large and spacious chamber, was more influential in its effect on the temperature of debates, conferring a sense of 'crowd and urgency', and leading to more intimate and lively debates.

### *Debate matters*

Debate matters include: rules and procedures; time limits, courtesies, interruptions and rule breaking practices; and the work of effective committees. Importantly, how debate is regulated and managed in the context of debate events and the chamber floor is critical to the practice of speaking.

According to a former Clerk of the UK House of Commons:

Debate is governed by known procedural rules which ensure order and facilitate rational discussion of matters of all kinds, including matters where people are not in complete agreement, where matters are complex and a degree of control in the form of limits is needed.<sup>27</sup>

Equally important is that debate is informed by constructive and robust information, such as that which comes from effective parliamentary committees.

### **Time limits for speeches**

There are some views that limiting speeches to a set time—with no procedural provision to seek extra time—forces people to get to the point of what they want to say, makes Members more succinct and stops them waffling on. Others feel that rigid time limits mean that Members do not have enough time to develop their points, and as a consequence the standard of debate and speaking exchange can be adversely affected.<sup>28</sup>

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<sup>25</sup> The Hon. Barry Jones.

<sup>26</sup> Jones, B. (1988) *The Age*, 25 October, cited in *Rounding Up the Flock? Executive Dominance and the New Parliament House*, G. McIntosh. (1989), APSA-Parliamentary Fellow Monograph, Canberra, p. 44; Weirick, J. (1989) 'Don't you believe it: critical responses to the new Parliament House', *Transition*, Sum/Aut, p. 9.

<sup>27</sup> Rogers, R. & Walters, R. (2015) *How Parliament Works* (7<sup>th</sup> edn.), Routledge, Oxon.

<sup>28</sup> Shaw, S. (accessed 2015) 'Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term', *Economic and Social Research Council (ESRC) Project*.

In the House of Lords, considered to be a self-regulating chamber (with no time limits)—peers will signal to a peer speaking when the House has heard enough by either a statement—'you have lost the attention of the House' or a question along the lines of 'Are you coming to the end of your remarks?'

As to whether rigid time limits for speeches have a positive effect on the quality of the debate—an overwhelming majority (80%) of respondents agreed, including 38 per cent who strongly agreed.

However, rigid time limits can be a double edged sword and the extent to which this can be case was captured by a respondent:

It can have the effect of making people get to the point. But it can also mean that some people don't have sufficient time to make the point.

Alternatively, as to whether rigid time limits for speeches may adversely affect the quality of debate by Members not having sufficient time to develop their points/argument—an overwhelming majority (77%) of respondents disagreed, including 23 per cent who strongly disagreed.

As to the bounded nature of time limits, a respondent emphasised:

...it will depend very much on the person. Some people will waffle on, and never really get to the point, no matter how short or long a time they are given.

As to views regarding an optimal time limit for speeches in Parliament—83 per cent felt 10 minutes was an optimal time limit, 13 per cent that 6 minutes was optimal, and one respondent felt that 20 minutes was optimal.

Several respondents qualified their selections, noting that optimal time limits were dependent on the importance of the subject, degree of technical difficulty and that the option of an extension, if necessary, was also important. The various caveats surrounding optimal time limits were articulated by a respondent:

While I say ten minutes, it is very much dependent on what the nature of the speech is. But for every day speeches, ten minutes is a good time, and allows time for others.

Historically, in considering the early days of the Australian Parliament, neither the House of Representatives nor the Senate imposed general time limits on speeches. The eventual introduction of time limits, in each House, was in response to concern over the length of speeches.<sup>29</sup>

According to a former Clerk of the House of Representatives, in the early days of Federation, a:

...good memory and an ability to remain in the Chamber were essential in order to be able to participate in interactive debate.<sup>30</sup>

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<sup>29</sup> Wright, B.C. (ed.) (2012) *House of Representatives Practice* (6th edn.), Department of the House of Representatives, Canberra; Laing, R. & Evans, H. (2009) *Annotated Standing Orders of the Australian Senate* (2nd edn.), Department of the Senate, Canberra.

<sup>30</sup> Harris, Ian. (2003) 'Attempts to encourage interactive debate in the Australia House of Representatives', *34<sup>th</sup> Presiding Officers and Clerks Conference*, Nuku'Alofa, Tonga, p. 1.

In the Senate, until 1919<sup>31</sup>—no general time limits were adopted, the rationale being:

...that Members of parliament had an important duty to perform and should be unrestricted as to time in putting their case to the legislature.<sup>32</sup>

Time limits for speeches in the House of Representatives were first adopted in 1912<sup>33</sup> in response to a recommendation of the Standing Orders Committee that the House adopt a specific standing order limiting the time of speeches, and which the House agreed:

...in order to secure the despatch of business and the good government of the Commonwealth.<sup>34</sup>

Equally important when considering time limits, is the availability of extended or unlimited time for important debates. This may occur by suspension of standing orders to grant additional time or by a motion for extension of time. Any extension of time must be for a period not exceeding half of the original period allotted.<sup>35</sup>

For the ACT Legislative Assembly, time limits are imposed by Standing Order 69, and range from 5 to 30 minutes. As with the House of Representatives, availability of extended or unlimited time to certain Members for important debates is permissible. Any extension of time must be for a period not exceeding 'one period half of the original period allotted'.<sup>36</sup>

The views of respondents (80%) support the conclusion that rigid time limits for speeches have a positive effect on the quality of the debate, but with qualification—noting that optimal time limits were dependent on the importance of the subject, degree of technical difficulty and that the option of an extension, if necessary, was also important.

Also of note, is the shift in practice regarding the introduction of time limits—from it being important that Members, in performing their duties, be unrestricted in the time allocated to make their case to the house, to time limits being necessary for the house to deal with its business. Former Clerks of the Senate have observed a correlation between changes to time limits and the evolving environment in which parliaments operate:

The standing order covering time limits in the Senate has been amended since 1919 with the effect of incrementally reducing individual speaking times. The general time limit has been reduced from one hour, to 30 minutes, to 20 minutes, but each with a 50 per cent extension possible. Alongside this change, the size of the Senate has more than doubled and the nature of society has changed, in particular in relation to information and communications technologies. In contrast, the time limit for

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<sup>31</sup> General time limits were introduced in 1919 and can be attributed to a delaying strategy on the Commonwealth Electoral Bill by a Senator Gardiner in 1918.

<sup>32</sup> Laing, R. & Evans, H. (2009) *Annotated Standing Orders of the Australian Senate* (2<sup>nd</sup> edn.), Department of the Senate, Canberra.

<sup>33</sup> Prior to 1912, there were no time limits on Members' participation in debates. The longest ever debate in the House occurred on 9 and 13 July 1909, when William Webster spoke for a period a few minutes short of eleven hours and from then on was nicknamed "Jawbone" Webster.

<sup>34</sup> Wright, B.C. (ed.) (2012) *House of Representatives Practice* (6th edn.), Department of the House of Representatives, Canberra.

<sup>35</sup> *Ibid.*

<sup>36</sup> McRae, Mark (ed.) (2009) *Companion to the standing orders of the Legislative Assembly*, September, p. 182; ACT Legislative Assembly. (2017) *Standing Orders and continuing resolutions of the Assembly*, pp. 17–18.

contributions in committee of the whole has remained constant, reflecting the status of committee of the whole as the legislative workhorse of the Senate.<sup>37</sup>

### Debate courtesies

The observation of debate courtesies shape the character and tone of debates and are fundamental to encouraging respect for the institution of parliament.

In the UK House of Commons—an MP should be present for the opening and winding up of speeches of the debate in which he or she takes part, and after speaking should stay in the Chamber for at least the next two speeches. Also, in the Commons, the Speaker will not call an MP to ask a question following a Ministerial statement (or an urgent question) unless he or she has been there for the whole of the statement.<sup>38</sup> As to whether these conventions had a negative or positive effect on the character of debates, 75 per cent of respondents felt they had a positive effect (a third of which a strong positive effect). A respondent commented:

I think this is very important. Even with the debate/discussion playing in your office, you won't be as tuned in as you are in the chamber.

Notwithstanding, the remaining 25 per cent of respondents felt that such conventions had no significant effect on the character of debates.

In the case of the Australian House of Representatives, there has been a shift away from the traditional practice of Members attending:

...the Chamber to listen to the Member speaking before them in debate, so that comment could be made on the Member's speech, and remaining to hear the Member speaking after them, so that the Member could hear observations on his or her speech'.<sup>39</sup>

A former Clerk of the House has observed that these:

...courtesies are sometimes retained, for example by some Ministers and Shadow Ministers and the Whips. However, many Members do not observe it.<sup>40</sup>

It has been advanced that an element influencing the change in behaviour has been the broadcasting of proceedings, in particular, the introduction of televising proceedings (since 1988) throughout the building on a House monitoring system. As a consequence, Members no longer need to be present in the Chamber to monitor proceedings.<sup>41</sup>

In the Australian Senate, remaining in the Chamber to listen to responses to their own speeches and to other contributors to the debate is not a specific rule in standing orders but is a convention traditionally observed. According to a former Clerk, its non-codification in standing orders is thought

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<sup>37</sup> Laing, R. & Evans, H. (2009) *Annotated Standing Orders of the Australian Senate* (2nd edn.), Department of the Senate, Canberra.

<sup>38</sup> Rogers, R. & Walters, R. (2015) *How Parliament Works* (7th edn.), Routledge, Oxon.

<sup>39</sup> Harris, Ian. (2003) 'Attempts to encourage interactive debate in the Australia House of Representatives', *34th Presiding Officers and Clerks Conference*, Nuku'Alofa, Tonga, p. 3.

<sup>40</sup> *Ibid.*

<sup>41</sup> *Ibid.*

to be on the basis that such behaviour is considered as ‘fundamental to civilised debate’ that it is taken as a given.<sup>42</sup>

There are no codified rules about remaining in the Chamber to listen to responses and other debate contributors in the ACT Legislative Assembly.

Whilst the televising of parliamentary proceedings, via internal house monitoring systems, provides an alternative means for listening to the debate, three quarters of the respondents were of the view that the observation of debate courtesies, such as being present in the chamber for the opening and winding up of speeches had a significant effect on the character and tone of debates.

### **Work of effective parliamentary committees**

All parliaments work to a greater or lesser extent through committees.<sup>43</sup>

Further, others in the literature have concluded:

...that a strong committee system is likely the best form by which the legislature can hold government, individual cabinet ministers and the bureaucracy accountable (Lees and Shaw 1979).<sup>44</sup>

There are some views in the literature that the work of parliamentary committees in terms of reports to the Parliament can improve debates and inform Members on a range of issues. On this basis, it is suggested that the work of effective committees can lead to better informed Members and improve the quality of debates in the Chamber.

Overwhelmingly, all respondents agreed (63 per cent strongly agreeing) that the work of effective committees can lead to better informed Members and improve the quality of debates. This supports the conclusion that effective committees are critical to the quality debate and support the view, that they are the “workhorses” of parliament.

### **Speaker<sup>45</sup> demographics**

#### **Size of a parliament—in terms of number of Members**

There are some views that the size of a parliament—in terms of number of Members—can influence the practice of speaking, for example, smaller numbers give Members greater scope and opportunity for participating in speaking exchanges in the chamber and committees. Alternatively, larger numbers mean fewer opportunities for speaking coupled with a heightened level of competitiveness among Members for such opportunities.

With more opportunities to participate in speaking exchanges, there is increased scope to improve speaking mastery in the parliamentary environment which can have a positive influence on the quality of parliamentary speaking.

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<sup>42</sup> Australian Senate. (2015) *Brief Guide to Senate Procedure*, August, p. 4.

<sup>43</sup> Laundy, P. (1989) *Parliaments in the Modern World*, Aldershot, Dartmouth, p. 86.

<sup>44</sup> Martin, S. (2010) ‘The Committee System’, in *The Houses of the Oireachtas—Parliament in Ireland*, M. MacCarthaigh & M. Manning. (2012), IPA, Dublin, p. 285.

<sup>45</sup> Not the ‘Speaker’ but the speech presenter.

An overwhelming majority (90 per cent) of respondents agreed (10% strongly) that increased opportunities to participate in speaking exchanges had an effect on the quality of parliamentary speaking.

### **Other aspects of speaker demographics**

Other aspects of speaker demographics include things like gender, length of time as an MP and multiple parliamentary experiences.

Shaw (2012) in her work examining linguistic participation, 'Gender and Language in the 'New' Parliaments of the UK' observed that:

- there is no straightforward relationship between the proportion of men and women in an institution and their linguistic participation within that institution; and
- newer parliaments offer women a more supportive and egalitarian environment than older and more traditional parliaments.<sup>46</sup>

In the context of chamber seating arrangements and design, there are some views in the literature that the adversarial style associated with the traditional rectangular chamber and the horseshoe could be counterproductive to participation for some Members.<sup>47</sup> Nancy Astor—the first woman to take a seat in the Commons, argued that the adversarial system could be disadvantageous to a member 'who does not relish, and flourish in, a conflictual environment'.<sup>48</sup>

As to gender differentiation in the context of participation, Sawyer (2000) has commented that 'women perceive themselves as doing less well in the adversarial chamber politics characteristic of majoritarian Westminster systems'.<sup>49</sup> Sawyer further suggests that the seating layout and design in a traditional adversarial chamber supports a 'masculine styles of politics'.<sup>50</sup>

### **Speaking preparation and delivery**

The features of speaking preparation and delivery considered in terms of impact on the practice of speaking are: reading of speeches; spontaneous applause/clapping after speeches; and debate interruptions or out of order utterances.

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<sup>46</sup> Shaw, S. (2012) Discourses of differentiation: gender and participation in the devolved parliaments of the UK, in: *The Political Science Association (PSA) Women and Politics Bi-annual Conference*, 'Making a Difference for Women', 18th February 2012, University of Bristol and the West of England, Bristol.

<sup>47</sup> Shaw, S. (2006) 'Governed by the Rules? The Female Voice in Parliamentary Debates', in *Speaking Out: The Female Voice in Public Contexts*, J. Baxter (ed.) Palgrave, Basingstoke, pp. 81–102; Bäck, Hanna, Debus, Marc and Müller, Jochen (2014) 'Who Takes the Parliamentary Floor? The Role of Gender in Speech-making in the Swedish Riksdag', *Political Research Quarterly*, Vol. 67, No. 3, pp. 504–518.

<sup>48</sup> Quoted in: Macintyre, C. (2008) 'Parliamentary Architecture and Political Culture', August, Papers on Parliament, presented as a lecture in the Senate Occasional Lecture Series at Parliament House, Canberra, 9 May 2008. pp. 1–18.

<sup>49</sup> Sawyer, M. (2000) 'Parliamentary Representation of Women: From Discourses of Justice to Strategies of Accountability' *International Political Science Review*, Vol. 21, No. 4, pp. 361–380.

<sup>50</sup> *Ibid.*

## Reading of speeches

In the UK House of Commons—MPs may refer to notes—but the accepted practice is that they should not read questions or speeches at length. There are some views that reading speeches in the Chamber has an adverse effect on the quality of debate, encourages heckling and barracking and lowers the standard of debate.<sup>51</sup>

As to the extent to which reading speeches or questions in full has an adverse effect on the quality of debate, 54 per cent of respondents agreed (11 per cent strongly), that it does. Whilst 23 per cent neither agreed nor disagreed and 23 per cent disagreed (but not strongly) that it has an adverse effect on the quality of debate.

A respondent commented:

I don't know that it does. I know that the NZ Parliament has the same practice as the Commons, and it makes for very strong speakers. But I think for people new to the role, or not on the front bench, it can make it that bit easier to get to the lectern.

Another respondent added, that reading speeches for many MPs:

...is the only way they can get the content correct in difficult subjects.

The practice of reading speeches in full can lower the standard of debate by making proceedings lack interest and excitement and can encourage barracking. In the case of the procedure that operates in the UK, the practice can also limit opportunities for interventions, simply as the Member reading a speech in full will not take interventions. As such, the practice can reduce or limit the quality and interactivity of the debate.<sup>52</sup>

The practice is also considered as a weakness, indicating an over-reliance on text, and suggesting that the speech was probably prepared by someone else.

It is important to note that there is a distinction between using notes as prompts and reading a prepared speech. Some Members prefer to take notes into the Chamber to use as prompts when giving speeches, whilst others prefer to make spontaneous contributions. Further, some MPs prefer to prepare speeches in advance and speak from some notes or have a fully typed out speech for reference.

In the case of the Australian House of Representatives, there was a prohibition on reading speeches until 1965. The Standing Orders up till then stated that: 'A Member shall not read his speech'. The change in practice was based on a recommendation of the Standing Orders Committee in 1964 (which was subsequently adopted by the House):

As Parliamentary practice recognizes and accepts that, whenever there is reason for precision of statement such as on the second reading of a bill, particularly those of a complex or technical nature, or in ministerial or other statements, it is reasonable to allow the reading of speeches and, as the

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<sup>51</sup> Shaw, S. (accessed 2015) 'Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term', *Economic and Social Research Council (ESRC) Project*.

<sup>52</sup> *Ibid.*



difficulty of applying the rule against the reading of speeches is obvious, e.g. “reference to copious notes”, it is proposed to omit the standing order.<sup>53</sup>

Notwithstanding the change of practice, a former Clerk of the House Representatives noted in 2003 that, for example, during consideration of a bill in detail:

...Members rarely make use of fully scripted contributions, I should comment that a number of Members do not in fact enter into debate with their contributions fully written out. They are usually regarded as being effective participants in debate.<sup>54</sup>

In contrast, in the Australian Senate, Senators are not permitted to read speeches.<sup>55</sup> The basis for this rule is that the Senate should have some guarantee that speeches being made have been prepared by Senators themselves and not others.<sup>56</sup> Further, it is also advanced that reading speeches can ruin the interactivity of debate, especially the ‘exchange of views which is the hallmark of real debate’.<sup>57</sup>

When standing order 187 was debated in 1903, Senator Stewart from Queensland expressed opposition to the restriction on reading speeches:

We wish to hear the views of an honorable senator, and if he can give utterance to those views more satisfactorily by having previously committed them to paper, surely it is to the advantage of the Senate, as well as to the advantage of the honorable senator himself, that he should be permitted to do so. I see no reason for this prejudice against written speeches.<sup>58</sup>

Senator McGregor from South Australia (who was blind) was of the view that permitting speeches to be read:

...was a gift to potential “stone-wallers” who (in the days before time limits on speeches) could “write or type a speech to last for a week”.<sup>59</sup>

Today, in the Senate, there are some circumstances where reading of speeches is permitted, such as ministers reading second reading speeches and statements prepared by officials and senators making a first speech. By a ruling of the President, Senators have been permitted to refer to notes and quote from documents, and make use of portable lecterns.<sup>60</sup>

There is no prohibition on Members reading their speeches in the ACT Legislative Assembly.<sup>61</sup>

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<sup>53</sup> Standing Orders Committee report, p. 129 (1964–66); Quoted in *House of Representatives Practice* (5<sup>th</sup> edition), p. 479, relating to the 1964 Standing Orders Committee recommendation to omit the standing order preventing a Member from reading “his” speech. The other reason given for omitting the rule was difficulty in implementing it.

<sup>54</sup> Harris, Ian. (2003) ‘Attempts to encourage interactive debate in the Australia House of Representatives’, *34<sup>th</sup> Presiding Officers and Clerks Conference*, Nuku’Alofa, Tonga, p. 4.

<sup>55</sup> Australian Senate, Standing Order 187—Speeches not to be read.

<sup>56</sup> Australian Senate. (2015) *Brief Guide to Senate Procedure*, August, p. 3.

<sup>57</sup> Laing, R. & Evans, H. (2009) *Annotated Standing Orders of the Australian Senate* (2<sup>nd</sup> edn.), Senate, Canberra.

<sup>58</sup> Australian Senate Standing Orders Committee, *Second Report on Proposed Standing Orders*, PP No.S.3/1903, tabled 23/7/1903, p. 3; 12/8/1903, J.119, SD, pp. 3430–32.

<sup>59</sup> 13/6/1901, SD, p. 1034. Senator McGregor (ALP, SA) continued: ‘if we want equality with the other House ... we ought to be placed in the very same position’.

<sup>60</sup> Lecterns were already a feature of the new Senate Chamber for the Leader of the Government and the Leader of the Opposition.

<sup>61</sup> McRae, Mark (ed.) (2009). *Companion to the standing orders of the Legislative Assembly*, September; ACT Legislative Assembly. (2017) *Standing Orders and continuing resolutions of the Assembly*.

## Spontaneous applause/clapping after speeches

In some parliaments, spontaneous clapping after speeches or other speaking events is permitted (such as the Scottish Parliament). In others, such as the UK House of Commons, whilst clapping is not banned, it is traditionally something Members do not do.

The Select Committee on the Modernisation of the UK House of Commons (1998) commented with regard to applause:

While we agree that spontaneous clapping at the end of a speech could in no way be interpreted as disturbance of the speaker, there is a danger that such a practice might be open to abuse and could lead in certain circumstances to orchestration of what would amount to standing ovations with the success or failure of a speech being judged not by its content but by the relative length of the ovation at the end. This might not disrupt an individual speech, but would disrupt the tenor of the debate, as indeed would slow handclapping.<sup>62</sup>

Respondents were asked whether a practice permitting applause after speeches or other speaking events in parliament could be open to abuse, in certain circumstances. 77 per cent agreed (44 per cent strongly) and 23 per cent disagreed.

In May 2015, the newly elected Scottish National Party's MPs were told to stop clapping in the House of Commons, with the Speaker asking the MPs to show some respect for the traditions of the House. At the time, several new Members accepted that interruptions during a Member's speech such hissing, chanting, clapping, booing, exclamations or other interruptions as described in Erskine May were not permissible. However, they 'indicated that they find it incomprehensible that it is not in order to clap at the end of a speech, a practice which is commonplace in other gatherings and indeed in other Parliaments'.<sup>63</sup>

As to whether spontaneous clapping after speeches or other speaking events is permitted in the Australian House of Representatives, Senate and the ACT Legislative Assembly, it is not banned, but is something traditionally reserved for significant events on the debating floor. It is not a common occurrence as that which occurs in the Scottish Parliament.

The views of respondents support the conclusion that spontaneous applause after speeches could be open to abuse, in certain circumstances.

## Debate interruptions

Interruptions or out of order utterances can be closely linked to the mechanisms regulating or controlling the debate floor. For example, where speaking turns are limited to specific amounts of time, interruptions may be used as a means of gaining the floor to allow contributions to be heard and recorded in the *Hansard* or official record.<sup>64</sup>

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<sup>62</sup> UK House of Commons. (1988) *Select Committee on the Modernisation of the House of Commons*.

<sup>63</sup> BBC News. (2015) 'SNP MPs told off for clapping in House of Commons chamber', 27 May; Hardman, I. (2015) 'SNP MPs rebuked for clapping in the Chamber. Will Tory and Labour hecklers be next?', *Spectator*, 27 May.

<sup>64</sup> Shaw, S. (accessed 2015) Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term, *Economic and Social Research Council (ESRC) Project*.

Interruptions can also signal engagement by Members in the debate topic and when they are good spirited can contribute positively to the tone of a debate/speaking exchange and make proceedings more interesting.

All respondents agreed (23 per cent strongly) that interruptions or banter that is in good spirit (as opposed to adversarial and personal attacks) contributes positively to the tone of a debate/speaking exchange.

## **Multimodal communication**

Multimodal communication is defined as using multiple resources or modes— textual, aural, linguistic, spatial, and visual resources—to compose and communicate a message.<sup>65</sup> In the parliamentary speaking environment this can include: language use; use of props/articles to display during a speech; and other techniques such as using sign language.

### **Language use—speaking in first language**

In many international English-speaking parliaments, languages other than English are permitted to be spoken—in practice, this can either take the form of: (i) bi-lingual signage and simultaneous translation (e.g., the European Parliament, Welsh Assembly); or (ii) languages other than English are spoken first but the speaking turn must then be spoken in English immediately afterwards (e.g., Gaelic in the Northern Ireland Assembly, Irish Parliament).

In parliaments where this occurs—there are some views that the option of speaking in one’s first language, where one has a non-English first language, can make an important contribution to the message of a speaking exchange. Others consider speaking in English has more of an impact because the content/coverage is more likely to be taken up by the media. Furthermore, some Members use the option of speaking in their first language, where one has a non-English first language, tactically to limit interventions and for political motivations.<sup>66</sup>

As to whether, speaking in one’s first language, where one has a non-English first language, can have a positive effect on the message of a speaking exchange, 78 per cent of respondents agreed (11 per cent strongly).

Equally, 12 per cent of respondents considered the option of speaking in one’s first language, where one has a non-English first language, to have no significant effect, whilst 10 per cent felt that it had a negative effect on the speaking exchange.

The degree to which its positive effect may be diminished or negated rests on other Members being aware of what is being said:

...as long as it is translated by an interpreter or read in English after being read in a non-English language.

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<sup>65</sup> Moreno, R. & Mayer, R. (2007) ‘Interactive Multimodal Learning Environments—Special Issue on Interactive Learning Environments: Contemporary Issues and Trends’, *Education Psychology Review*, 19, pp. 309–326.

<sup>66</sup> Shaw, S. (accessed 2015) Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term, *Economic and Social Research Council (ESRC) Project*.

Views of respondents as to whether the option of speaking in one's first language (aside from English) can be used tactically to limit interventions/interruptions from other Members and for political motivations were equally apportioned between the three answers: disagreed, neither agreed nor disagreed, and agreed.

Whilst there is no specific rule set down in standing orders for the language of debate in the Australian House of Representatives, the House follows the practice of requiring Member's speeches to be in English.<sup>67</sup> The rationale for this is that other Members and those listening to proceedings are entitled to be able to follow the course of a debate, and it is unlikely that the Chair would know whether a speech was in order unless it was delivered in English. It is in order, however, for a Member to use or quote phrases or words in another language during the course of a speech.<sup>68</sup>

There are neither rules nor conventions about speaking in English in the Chamber of the ACT Legislative Assembly. Any question relating to procedure or the conduct of business of the Assembly not provided for in standing orders or practices of the Assembly, shall have reference to the practice at the time prevailing in the House of Representatives in the Parliament of the Commonwealth of Australia.<sup>69</sup>

Recently, the Australian Prime Minister when presenting the Closing the Gap statement to the Parliament in February 2016 began his address using words from the language of the indigenous Ngunnawal people, who are the traditional owners of the land that the parliament is built on.<sup>70</sup> The opening remarks in Ngunnawal contributed positively to the tone and importance of the address—which was on the subject of reconciliation and addressing disadvantage in the indigenous community.

Another example occurred in the Northern Territory (NT) Parliament where an indigenous Member interjected a number of times in her first language while another Member was speaking and was subsequently asked to withdraw her words. This was on the basis that for the transaction of everyday business the language of the Assembly is English.<sup>71</sup> Where a Member uses a language other than English without leave it will be ruled disorderly and the Member is required to withdraw the words.<sup>72</sup>

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<sup>67</sup> In 2003, a meeting of the two Houses in the House of Representatives Chamber was addressed by the President of China in Mandarin. Members and Senators used headphones to hear the simultaneous translation into English. On another occasion (2007), the Prime Minister of Canada spoke in French during some parts of his address [Wright, B.C. (ed.) (2012) *House of Representatives Practice* (6th edn.), Department of the House of Representatives, Canberra].

<sup>68</sup> Wright, B.C. (ed.) (2012) *House of Representatives Practice* (6th edn.), Department of the House of Representatives, Canberra.

<sup>69</sup> ACT Legislative Assembly. (2017) *Standing Orders and continuing resolutions of the Assembly*, p. 131.

<sup>70</sup> Gordon, Michael. (2016) 'Closing the gap and learning the language', *Sydney Morning Herald*, 13 February.

<sup>71</sup> The NT Assembly, at the time, has a standing order that prohibits interpreters and translators on the floor during proceedings (suggesting that official language of the chamber is English). There is no prohibition on Members speaking in their first language at times, in context, but by leave of the Chair. This often happens when Members are making inaugural speeches [Correspondence from the Hon. Bess Price to Speaker NT Assembly, dated 13 February 2016; Correspondence from NT Speaker the Hon. Kezia Purick MLA to the Hon. Bess Price MLA, dated 13 February 2016].

<sup>72</sup> Correspondence from the Hon. Bess Price to Speaker NT Assembly, dated 13 February 2016; Correspondence from NT Speaker the Hon. Kezia Purick MLA to the Hon. Bess Price MLA, dated 13 February 2016.

The option of using a language other than English can contribute to the message and significance of the address (and its persuasiveness) but importantly also communicates with a specific population group—ensuring that parliaments are able to communicate with all the people they represent. Importantly, though a key consideration of speaking in a language other than English is that Members need to be aware of what is being said.

### **Other communication modes**

Other forms of communication modes can include the use of props/articles to display during a speech; and other techniques such as using sign language. In the Australian Senate, using noisy equipment, holding up placards or newspapers or displaying items with slogans etc. have been ruled as disorderly.<sup>73</sup>

In the Australian House of Representatives there has been some allowance of the use of articles for Members to display during their speeches. Items used have included:

...a flag, plants, a golden nugget, a bionic ear, a flashing marker for air/sea rescue, a gynaecological instrument, hemp fibres and a heroin cap. However, a Member was ordered to remove two petrol cans he had brought into the Chamber (in the security environment of today, it is questionable as to whether they would be permitted into the building).<sup>74</sup>

The underlying principle for the allowing the use of articles in the House of Representatives is that it is 'hoped that Members would use some judgement and responsibility in their actions'.<sup>75</sup> The same principle applies in the ACT Legislative Assembly and when a Member used electoral material to illustrate a point they were making concerning electoral legislation before the Assembly (1995):

...a point of order was taken suggesting that the display was in breach of standing orders. The Speaker ruled that, since the Member had not 'displayed any irresponsibility in his action', there could be no objection to his action.<sup>76</sup>

As to the negative impact, an overuse of props or articles can have, it has been advanced that a variety of historical and political factors mean that debate in the Austrian parliament is now virtually non-existent, as MPs address their speeches to TV cameras (and use a wide variety of props to catch the viewer's attention).<sup>77</sup>

Other examples of multimodal communication to represent (and communicate with) a specific population group and its impact on the message of the speaking exchange include—the ACT Legislative Assembly, on 23 October 2014, resolving to permit an Auslan interpreter on the floor during proceedings for an adjournment debate contribution during National Week of Deaf People.

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<sup>73</sup> Laing, R. & Evans, H. (2009) *Annotated Standing Orders of the Australian Senate* (2nd edn.), Department of the Senate, Canberra.

<sup>74</sup> Harris, Ian. (2003) 'Attempts to encourage interactive debate in the Australia House of Representatives', *34<sup>th</sup> Presiding Officers and Clerks Conference*, Nuku'Alofa, Tonga, pp. 6–7.

<sup>75</sup> Wright, B.C. (ed.) (2012) *House of Representatives Practice* (6th edn.), Department of the House of Representatives, Canberra, p. 493.

<sup>76</sup> McRae, Mark (ed.) (2009) *Companion to the standing orders of the Legislative Assembly*, September, p. 162.

<sup>77</sup> Konrath, Christoph and Sully, Melanie. (2016) 'All the World's a stage – parliamentary debates from mewling to sans everything: a look at the Austrian Nationalrat', Paper presented at *Speaking in Parliament: history, politics, rhetoric Conference*, Queen Mary University of London, 6–7 April 2016.

## **Influences of media coverage, IT and the 24 hour media cycle**

### **Broadcasting of debates—effect on delivery and preparation of speaking events**

As long ago as 1923—the BBC sought unsuccessfully to broadcast the King’s Speech at the State Opening of Parliament. It was not until 3 April 1978—that regular broadcasting of both houses and committees began on a trial basis. The House of Lords has been televised since 23 January 1985 and the Commons since 21 November 1989.

The well-known British Parliamentary orator—Edmund Burke—issued some of his speeches (after they were made in Parliament) as separate publications (from 1765 onwards). During his time there were important benefits from adding publication to his speaking—his published speeches were a means of: (i) educating readers in the way he was thinking—not just to parliamentarians but to others; (ii) it brought political advantages, in that, it expanded the range of effects his speeches could have; and (iii) publication gave him lasting gains, contributed to his reputation, his standing, and was a means by which he communicated directly with his constituency.<sup>78</sup> Burke could be considered to be one of the earliest adopters of the use of broadcasting to permit a speaking event in parliament to have a life beyond one occasion.

In terms of the early adopters of the benefits of broadcasting in some form, it has been noted that the development of regular press reporting of Commons debates was a profound cultural change in the late 1620s and that this publicity affected the ways in which MPs spoke in the House.<sup>79</sup>

Prior to broadcasting—to speak in parliament was:

...to act at one time and place before one audience, and its direct effect is limited to one occasion (Harris, 2007).

Today—broadcasting of parliamentary proceedings across several media now means a speech/debate can extend beyond a single event and reach audiences beyond parliament, around the country and the world.

As to whether the potential for a speaking event in parliament to have a wider reach in the electronic age positively influenced preparation of content for speaking exchanges—43 per cent of respondents reported that it had. As to the significance of the wider reach, a respondent commented:

...I was always conscious that I was making a public speech, that could be pulled up via hansard, and that there is a responsibility that comes with that.

Conversely, the majority (57 per cent) of respondents reported that the potential for a speaking event in parliament to have a wider reach had no significant effect on how they prepared for a speaking exchange in parliament.

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<sup>78</sup> Harris, Ian. (2007) “Publishing Parliamentary Oratory: The Case of Edmund Burke” in *The Print Culture of Parliament, 1600–1800, Parliamentary History*, Jason, Peachy (ed.) (2007) Edinburgh University Press for the Parliamentary History Yearbook Trust: Edinburgh, Vol. 26 (part 1), 9 March.

<sup>79</sup> Kyle, Chris. R. (2007) “From Broadside to Pamphlet: Print and Parliament in the Late 1620s” in *The Print Culture of Parliament, 1600–1800, Parliamentary History*, Jason, Peachy (ed.) (2007) Edinburgh University Press for the Parliamentary History Yearbook Trust: Edinburgh, Vol. 26 (part 1), 9 March, p. 10.

As to whether the potential for a wider reach impacted on delivery of speaking exchanges, 55 per cent of respondents reported that had a positive effect on their delivery. Conversely, 44 per cent of respondents were of the view that it had no significant effect on their delivery.

### **Access to the Internet—use of media in the chamber/committee rooms**

In many parliaments internet access (via Wi-Fi connectivity) is available for Members in the chamber and committee rooms. Some are of the view that internet access can provide real time access to audiences outside of parliament. This access can provide opportunities for Members to make comments about debates through social media while taking part in a debate, and for receiving information from outside the Chamber while the debate is taking place. Some Members have reported acting on a live request via social media to ask a question in a Question Time session.<sup>80</sup>

Others are of the view that the use of technology in this way can make the Chamber a "cold" place to deliver a speech because Members are distracted by looking at screens and portable devices rather than listening to the debate.<sup>81</sup>

Overwhelmingly, all respondents agreed (of which 23 per cent strongly agreed) that internet access provided opportunities for audiences outside parliament to contribute to the debate/discussion. As to whether such opportunities were negative or positive, a number of respondents noted that they did not consider this form of outside or "real time" engagement to be 'necessarily a negative thing'.

Forty-three per cent of respondents disagreed that internet access could be disruptive to the quality of debate/discussion. Conversely, 33 per cent agreed (including 10 per cent that strongly agreeing) that internet access could be disruptive to the quality of debate/discussion.

Some respondents noted that disruption to the quality of debate/discussion could be attributable to factors other than technology:

In my time, there was no technology allowed in the chamber, but it didn't mean that people were paying attention to the speaker on their feet.

Electronic devices<sup>82</sup> are permitted in the Australian Senate chamber subject to rules issued by the President. The guiding principle is that the device must not disturb proceedings and therefore may be used in silent mode.<sup>83</sup>

The use of electronic devices is also permitted in the Australian House of Representatives' Chamber, Federation Chamber and committees (by resolution of the House adopted 26 March 2015).

Amongst other things, the Resolution adopted by the House states that the use of electronic devices are permitted, provided that:

'(a) use of any device avoids interference or distraction to other Members, either visually or audibly, and does not interfere with proceedings... ; (d) the use of devices is as unobtrusive as possible and is directly related to the Members' parliamentary duties;...<sup>84</sup>

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<sup>80</sup> Shaw, S. (accessed 2015) Gender and Linguistic Participation in the Devolved Parliaments of the UK—Language politics in the 2007–2011 term, *Economic and Social Research Council (ESRC) Project*.

<sup>81</sup> *Ibid.*

<sup>82</sup> Laptop or tablet computers, mobile phones and similar devices.

<sup>83</sup> Australian Senate. (2015) 'Brief Guides to Senate Procedure: No. 23 Provisions governing the conduct of senators in debate', August, Department of the Senate, Canberra.

Whilst the use of electronic devices are now very much part of the parliamentary landscape, the overriding principle in their use being permitted in either the chamber or committees, is on the basis that they do not disturb proceedings—either by interference or distraction to other Members.

The views of respondents support the conclusion that internet access provides opportunities for audiences outside parliament to contribute to the debate/discussion. However, views of respondents, as to whether such access could be disruptive to the quality of debate/discussion, supports the principle that its availability should not interfere with or distract proceedings and be related to parliamentary duties.

## Conclusion

Parliaments across the world all share a common and unifying element—the act of speaking—an act upon which the fundamental purpose of Parliament, that being to discuss, debate and legislate, is premised and shaped.

However, the practice of speaking in parliament—within the chamber and its committees—is much more than what one says or how one says it because it is also subject to a continuum of environmental influences. These influences have the potential to either impede or assist with the delivery of spoken word and ultimately its persuasiveness.

The aim of this paper has been to contribute to the evidence base, from an Australian perspective, regarding the extent to which certain environmental influences can impact on the practice of speaking in parliament.

Whilst acknowledging limitations concerning sample size, the Australian experience is no different to that of the UK and its devolved parliaments, in confirming Churchill's notion that the art of speaking is so much more than the spoken word itself as it also extends to the environment (for better or worse) in which the spoken word is taking place.

Effectively, the environmental influences to which Australian respondents views were sought are a blend of tradition and practice; building architecture and physicality; and the contemporary landscape in which parliaments operate today. As to the views of respondents:

Traditions associated with maturity of a parliament were cited as both a positive and a negative in terms of its influence on speaking. Traditions were noted by some respondents as either signalling or suggesting that more mature (or older) parliaments were stuck in the past and a lack of tradition(s) were considered a positive for younger parliaments. Conversely, the lack of and limited knowledge of traditions that may be associated with a younger parliament were also considered a negative.

As an example of the intersection of traditions with the contemporary environment, respondents felt that younger parliaments by virtue of new buildings offered potential to design chamber features that were more conducive to acoustics, line of sight and interactivity—in that, whilst 'newer parliaments may not have the history and gravitas, they may be "kinder" to the speaker'.

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<sup>84</sup> Australian House of Representatives. (2015) 'Use of electronic devices in the Chamber, Federation Chamber and committees', Resolution adopted 26 March 2015.



The views of respondents supported the conclusion that whilst the seating arrangements and shape of the chamber can have an effect on the atmosphere of debates—either positively or negatively, there are other contributing factors such as—mixing of parties (as opposed to seating blocks); debate rules and procedure; and individual behaviour.

Overwhelmingly, the views of respondents (80%) supported the conclusion that rigid time limits for speeches have a positive effect on the quality of the debate, but with qualification—noting that optimal time limits were dependent on the importance of the subject, degree of technical difficulty and that the option of an extension, if necessary, was also important.

Also of note, as an example of the intersection of traditions with the evolving parliamentary landscape—is the shift in practice regarding time limits—from Members being unrestricted in the time allocated to them to make their case to the house, to time limits being necessary for the house to deal with its business. Former Clerks of the Senate have observed a correlation between changes to time limits and the evolving environment in which parliaments operate:

The standing order covering time limits in the Senate has been amended since 1919 with the effect of incrementally reducing individual speaking times. The general time limit has been reduced from one hour, to 30 minutes, to 20 minutes, but each with a 50 per cent extension possible. Alongside this change, the size of the Senate has more than doubled and the nature of society has changed, in particular in relation to information and communications technologies.<sup>85</sup>

Also, as an example of the intersection of traditions with the contemporary tools of parliament is that notwithstanding the televising of parliamentary proceedings, via internal house monitoring systems, three-quarters of the respondents were of the view that the observation of debate courtesies, such as being present for the opening and winding up of speeches had a significant effect on the character and tone of debates.

All respondents agreed (63 per cent strongly agreeing) that the work of effective parliamentary committees can lead to better informed Members and improve the quality of debates in the Chamber. This supports the conclusion that effective committees are critical to the quality of debate and support the view that they are the “workhorses” of parliament.

The option of using a language other than English can contribute to the message and significance of the address (and its persuasiveness) but importantly also communicates with a specific population group—ensuring that parliaments are able to communicate with all the people they represent. Importantly, a key consideration of speaking or signing in a language other English is that other Members and the wider parliamentary audience need to be aware of what is being said.

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<sup>85</sup> Laing, R. & Evans, H. (2009) *Annotated Standing Orders of the Australian Senate* (2nd edn.), Department of the Senate, Canberra.

In concluding, whilst the act of speaking in parliament has remained unchanged from the early days of the UK House of Commons, and even from as far back as the Icelandic Althing (which began as an outdoor assembly on the plains of Þingvellir<sup>86</sup> around 930AD and is considered to be the oldest running parliament in the world<sup>87</sup>) what has changed, and remains subject to change, is the environment in which the spoken word takes place.

Goodsell (1988) proposed that parliamentary buildings in terms of architecture and the design and fit out of their respective chambers make three contributions:

...they perpetuate the past, they manifest the present and they condition the future.<sup>88</sup>

The same can be said in terms of the impact the parliamentary environment (for better or worse) has on the practice of speaking—in that, it perpetuates the past, manifests the present and conditions the future. This is supported by the research findings.

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<sup>86</sup> 45 km from Reykjavík, Iceland's capital

<sup>87</sup> Byock, J. (2002) "The Icelandic Althing: Dawn of Parliamentary Democracy", in *Heritage and Identity: Shaping the Nations of the North*, J.M. Fladmark (ed.), The Heyerdahl Institute and Robert Gordon University, Shaftesbury, Dorset, St Mary, pp. 1–18.

<sup>88</sup> Goodsell, G. (1988) 'The Architecture of Parliaments: Legislative Houses and Political Culture', *British Journal of Political Science*, Vol. 18, No. 3, July 1988, pp. 287–302.

**Appendix 1—Views on constraints and opportunities affecting the practice of speaking in parliament**

Category (constraint or opportunity)	Sub-category	Question	Results—(No of respondents)*				
			* In some instances, one respondent did not answer the question.				
<b>(i) Institutional attributes</b>	<b>(a) Maturity <i>per se</i></b>	1. To what extent do you agree or disagree with Churchill's statement? <i>We shape our buildings, and afterwards our buildings shape us.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>	
			-		3	27	
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree
				3	21	6	
	<b>(b) More mature (old) parliament</b>	2. What effect does a more mature (old) parliament have on the art of parliamentary speaking?*	<b>Negative effect</b>		<b>Neutral</b>	<b>Positive effect</b>	
			7		11	11	
			Strong negative effect	Negative effect	No significant effect	Positive effect	Strong positive effect
				7	11	11	-
	<b>(c) Less mature (young) parliament</b>	3. What effect does a less mature (young) parliament have on the art of parliamentary speaking?*	<b>Negative effect</b>		<b>Neutral</b>	<b>Positive effect</b>	
4			14	11			
Strong negative effect			Negative effect	No significant effect	Positive effect	Strong positive effect	
			4	14	11	-	
<b>(ii) Institutional arrangements</b>	<b>(a) Chamber shape—seating footprint: horseshoe shaped</b>	4. To what extent do you agree or disagree with the following statement? <i>A horseshoe shaped chamber encourages adversarial behaviour and confrontation.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>	
			3		14	13	
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree
				3	14	10	3
	<b>(b) Chamber shape—seating footprint: semicircular shaped</b>	5. To what extent do you agree or disagree with the following statement? <i>A semicircular shaped chamber generates a more consensual atmosphere/style.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>	
			6		21	3	
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree
				3	3	21	3
	<b>(c) Chamber size—large and spacious</b>	6. To what extent do you agree or disagree with the following statement? <i>A large and spacious chamber lowers the temperature of debates, makes debates less interesting and not as interactive, and limits spontaneity in exchanges.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>	
			6		14	10	
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree
				-	6	14	10
	<b>(d) Chamber size—small and confined</b>	7. To what extent do you agree or disagree with the following statement? <i>A small and confined chamber increases the temperature of debates, whilst conferring a sense of 'crowd and urgency', and leads to more intimate and lively debates.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>	
			-		13	17	
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree
				-	-	13	17
	<b>(e) Debate rules—time limits for speeches encourage people to get to the point</b>	8. To what extent do you agree or disagree with the following statement? <i>Rigid time limits for speeches encourages people to get to the point of what they want to say and makes members more concise which has a positive effect on the quality of the debate.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>	
			3		3	24	
Strongly disagree			Disagree	Neither disagree or agree	Agree	Strongly agree	
			-	3	3	13	
<b>(f) Debate rules—time limits for speeches may mean not enough time to get to the point</b>	9. To what extent do you agree or disagree with the following statement? <i>Rigid time limits for speeches results in members not having sufficient time to develop their points/argument which has an adverse effect on the quality of debate.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>		
		23		7	-		
		Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree	
			7	16	7	-	
<b>(g) Debate rules—optimal time limit for speeches</b>	10. What do you consider to be the optimal time limit for speeches in parliament?	6 minutes	10 minutes	15 minutes	As long as you like		
		4	25	-	1 respondent nominated 20 minutes.		

Category (constraint or opportunity)	Sub-category	Question	Results—(No of respondents)* * In some instances, one respondent did not answer the question.							
(ii) Institutional arrangements (continued)	(h) Debate courtesies	11. What effect does conventions like requiring members to—(i) be present for the opening and winding up of speeches of the debate in which they take part; and (ii) stay in the Chamber for the next two speeches after their speaking turn—have on the character of debates?*	Negative effect		Neutral	Positive effect				
			-		7	22				
			Strong negative effect	Negative effect	No significant effect	Positive effect	Strong positive effect			
			-	-	7	15	7			
		(i) Work of effective parliamentary committees—better informed debates	Disagree		Neutral	Agree				
				-		30				
				Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree		
				-	-	-	11	19		
(iii) Speaker demographics	Size of parliament—in terms of number of members	13. What effect does increased opportunities to participate in speaking exchanges/debates have on the quality of parliamentary speaking?	Negative effect		Neutral	Positive effect				
				3		27				
				Strong negative effect	Negative effect	No significant effect	Positive effect	Strong positive effect		
				-	3	-	24	3		
(iv) Speaking preparation and delivery	(a) Reading of speeches	14. To what extent do you agree or disagree with the following statement? <i>Reading speeches or questions in full has an adverse effect on the quality of debate.</i>	Disagree		Neutral	Agree				
			7		7	16				
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree			
			-	7	7	13	3			
			(b) Spontaneous applause/clapping after speeches	Disagree		Neutral	Agree			
					7		23			
				Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree		
				-	7	-	10	13		
		(c) Debate interruptions	Disagree		Neutral	Agree				
				-		30				
				Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree		
				-	-	-	23	7		
(v) Multimodal communication	(a) Speaking in one's first language—positive impact on message	17. What effect does speaking in one's first language, where one has a non-English first language, have on the impact of the message of a speaking exchange?	Negative effect		Neutral	Positive effect				
			3		4		23			
			Strong negative effect	Negative effect	No significant effect	Positive effect	Strong positive effect			
			-	3	4	20	3			
		(b) Speaking in one's first language—used tactically	Disagree		Neutral	Agree				
				10		10		10		
				Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree		
				-	10	10	10	-		
(vi) Influences of media coverage, IT and the 24 hour media cycle	(a) Broadcasting of debates—effect on preparation for a speaking event	19. What effect does the potential for a speaking event in parliament to have a wider reach in the electronic age have (or had) on the way you prepare (or have prepared) your content for speaking exchanges in parliament?	Negative effect		Neutral	Positive effect				
					-		17		13	
					Strong negative effect	Negative effect	No significant effect	Positive effect	Strong positive effect	
					-	-	17	13	-	

Category (constraint or opportunity)	Sub-category	Question	Results—(No of respondents) * In some instances, one respondent did not answer the question.						
<b>(vi) Influences of media coverage, IT and the 24 hour media cycle</b> <i>(continued)</i>	<b>(b) Broadcasting of debates—effect on delivery of a speaking event</b>	<b>20.</b> What effect does the potential for a speaking event in parliament to have a wider reach in the electronic age have (or had) on the way you deliver (or have delivered) your speaking exchanges in parliament?	<b>Negative effect</b>		<b>Neutral</b>	<b>Positive effect</b>			
			-		<b>13</b>	<b>17</b>			
			Strongly negative effect	Negative effect	No significant effect	Positive effect	Strong positive effect		
			-	-	13	17	-		
	<b>(c) Access to the Internet—facilitates contribution to debate/speaking exchanges</b>	<b>21.</b> To what extent to you agree or disagree with the following statement? <i>Access to the Internet in the chamber and committee rooms provides opportunities for audiences outside parliament to contribute to the debate/discussion.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>			
			-		-	<b>30</b>			
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree		
			-	-	-	23	7		
	<b>(d) Access to the Internet—disruptive to speaking exchange</b>	<b>22.</b> To what extent do you agree or disagree with the following statement? <i>Access to the Internet in the chamber and/or committee rooms is disruptive to the quality of debate/discussion because it distracts members from listening to speeches and being attentive to other aspects of proceedings.</i>	<b>Disagree</b>		<b>Neutral</b>	<b>Agree</b>			
			<b>13</b>		<b>7</b>	<b>10</b>			
			Strongly disagree	Disagree	Neither disagree or agree	Agree	Strongly agree		
			-	13	7	7	3		