

# How did parliaments perform during the pandemic?

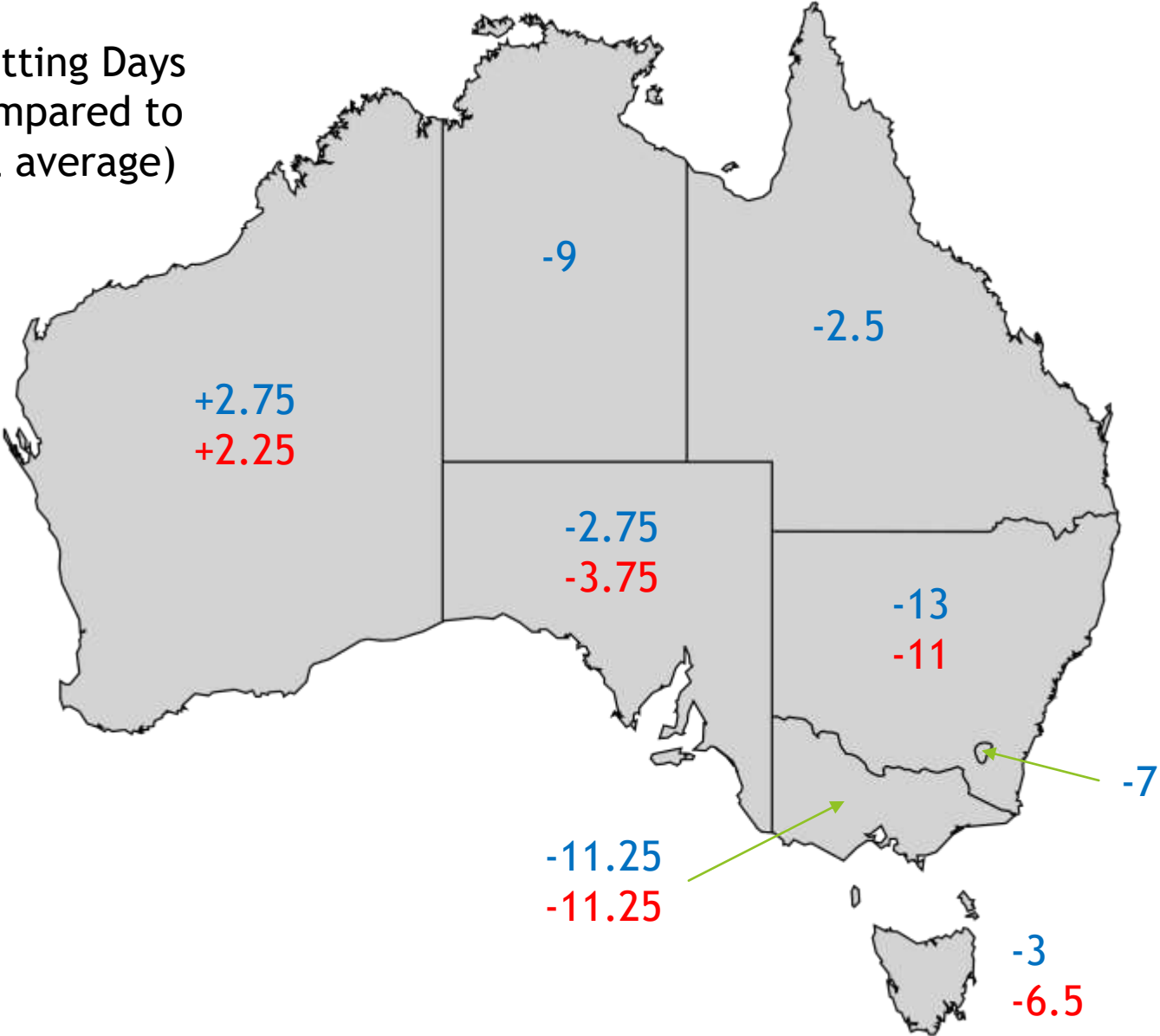
Harry Hobbs and George Williams  
Senate Lecture Series, 28 July 2023

# Four core functions of Parliament during a pandemic

- ▶ Parliament should *meet regularly*
- ▶ Parliament should *be provided with sufficient time to debate key measures and issues*
- ▶ Parliament should *maintain legislative oversight, including of delegated legislation*
- ▶ Parliament should *scrutinise government administration and policy*

# Parliamentary Sitting Days Lost in 2020 (compared to recent historical average)

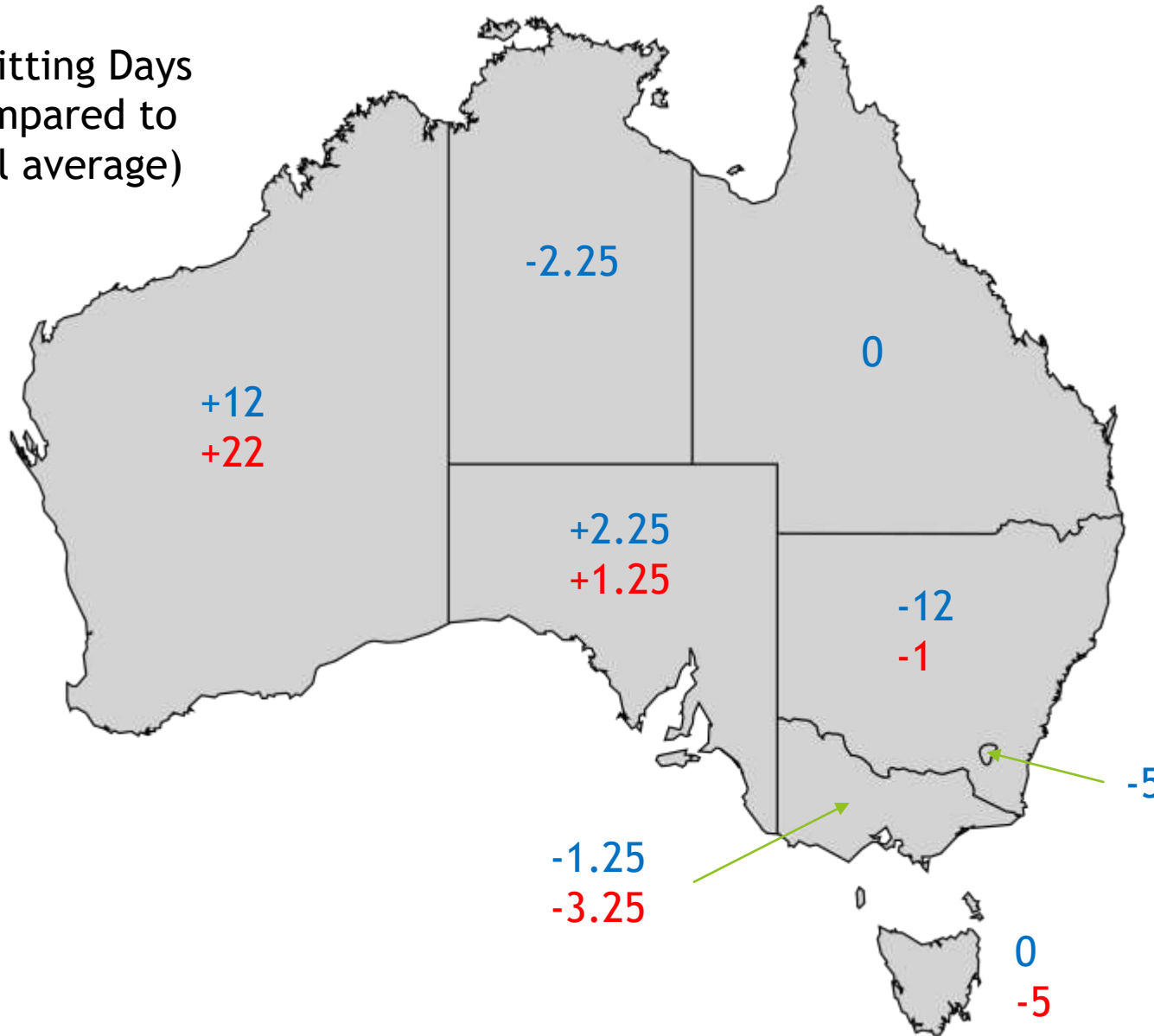
Lower House  
Upper House



Commonwealth:  
-10  
-11.67

# Parliamentary Sitting Days Lost in 2021 (compared to recent historical average)

Lower House  
Upper House



Commonwealth:  
-1  
-5.67

## MPs sent home: Victorian Parliament off until further notice



Noel Towell

March 19, 2020 – 4.00pm

Victorian state politicians were sent home from Parliament on Thursday afternoon with no idea of when they will return after the Labor government used its majority to adjourn both houses until further notice amid the COVID-19 crisis.

## Federal parliament sittings in limbo after Canberra plunged into lockdown

**ACT chief minister suggests parliamentary fortnight may need to be postponed after Covid case in nation's capital**

## 'Clamping down on democracy': Upper house votes to suspend Parliament



Sumeyya Ilanbey

August 17, 2021 – 2.35pm

State Parliament's upper house has voted to suspend Parliament with the government accused Labor of avoid

## MPs slam NSW government as return of parliament put off until 'possibly' October

ABC Illawarra / By Kelly Fuller

Posted Mon 30 Aug 2021 at 7:36pm, updated Mon 30 Aug 2021 at 7:37pm

# Government's \$66 billion coronavirus stimulus package seeks to keep businesses afloat and workers employed

By political correspondent [Brett Worthington](#)

Posted Sun 22 Mar 2020 at 11:27am, updated Mon 23 Mar 2020 at 1:32am



WATCH  
3m 7s

Scott Morrison foreshadows stronger social distancing measures.

## Morrison's \$130b to save six million jobs



**Phillip Coorey**  
Political editor

Mar 30, 2020 - 7:07pm

Save Share

Almost half the workforce will receive \$1500 a fortnight for the next six months under a record \$130 billion wage subsidy, news of which drove the [biggest jump in the sharemarket for 40 years](#).

Unveiling the massive bailout, Prime Minister Scott Morrison expressed hope but could not guarantee that it would be the last major spending package needed to deal with the [coronavirus crisis](#).

Described by the Prime Minister as an "economic lifeline", the subsidy, known as the JobKeeper payment, takes the figure to \$214 billion now allocated towards stimulus and support measures in three separate packages in less than three weeks.

This amounts to about 11 per cent of GDP.

## The 2021 federal budget reveals huge \$311bn cost of Covid to Australian economy

**Massive health and economic measures to tackle the pandemic have helped plunge the budget into deficit**

- **[Wednesday's federal budget 2021 LIVE updates and reaction: Australia politics live](#)**
- **[Budget super changes; immigration; infrastructure](#)**
- **[Explore all of our 2021 Australia federal budget coverage here](#)**



“

Dan Murphy's is open but parliament isn't? We send nurses, doctors, ambos, police, teachers, transport workers, retail workers back to work – but politicians are too precious? No matter the time or crisis, democracy and oversight isn't an optional extra.

”



# Hybrid proceedings were not unusual

- ▶ A study of legislatures in 159 countries with a population of over 1,000,000 found that 13 states used videoconferencing and/or remote voting in lieu of physical presence between 23 March 2020 and 6 April 2020



# Debate on key measures and issues

How many hours did the House sit on the day it passed its first suite of emergency legislation?

- ▶ **Australia:** 9 hours and 29 minutes
- ▶ **New Zealand:** 3 hours and 31 minutes
- ▶ **Canada:** 25 minutes

# House of Representatives Pairing Arrangements 2020

Parliamentary Sitting	Members present at some stage during the sitting (151)	Pairs arranged for division
23 March	92 (61%)	30
8 April	59 (39%)	47
12 - 14 May	130 (86%)	38-41
10 - 18 June	143 (95%)	40 in the first week, 20 in the second week
August - September	109 in person (72%) 23 via video link (15%)	Up to 36

# Legislative oversight



## Biosecurity Act 2015

No. 61, 2015

### Compilation No. 15

Compilation date:	5 June 2023
Includes amendments up to:	Act No. 76, 2022
Registered:	8 June 2023

## **107 Offence for failing to comply with a human biosecurity control order**

An individual commits an offence if:

- (a) a human biosecurity control order is in force in relation to the individual; and
- (b) the individual engages in conduct; and
- (c) the conduct results in the person failing to comply with a biosecurity measure included in the human biosecurity control order; and
- (d) the individual is required to comply with the measure under subsection 74(2) or (4).

Penalty: Imprisonment for 5 years or 300 penalty units, or both.



**Biosecurity (Listed Human Diseases) Amendment Determination 2020**

I, Professor Brendan Murphy, Director of Human Biosecurity, make the following legislative instrument.



**Biosecurity (Human Health Response Zone) (Howard Springs Accommodation Village) Determination 2020**



**Health Insurance (Section 3C General Medical Services – GP and Allied Health COVID-19 Services) Amendment Determination No.1 2020**

I, DAVID WEISS, delegate of the Minister for Health, make the following determination.



**Social Security (Coronavirus Economic Response—2020 Measures No. 1) Determination 2020**



**Coronavirus Economic Response Package (Deferral of Sunsetting – Financial Management and Accountability Determination 2020/2021)**



**Guarantee of Lending to Small and Medium Enterprises (Supporting COVID-19)**



**Therapeutic Goods (Medical Devices—Excluded Purposes) Amendment (COVID-19 Rapid Antigen IVD Medical Devices for Self-Testing) Specification 2021**

I, John Skerritt, as delegate of the Secretary of the Department of Health, make the following specification.

Dated 29 September 2021



**Biosecurity (Emergency Response Communities) Determination 2022**

I, Greg Hunt, Minister for Health and Aged Care, make the following determination.

Dated 2 February 2022



**Child Care Subsidy Amendment (Coronavirus, Local Area Emergencies and Other Measures) Minister's Rules 2022**

I, Stuart Robert, Minister for Employment, Workforce, Skills, Small and Family Business, make the following rules.

Dated

23 March 2022

Between 18 March 2020 and 17 April 2022, the Commonwealth made 727 legislative instruments in response to covid-19

# Covid crisis: Australians trying to return home from India face up to \$66,000 fine or five years' jail

Treasurer Josh Frydenberg defends Coalition's move as 'drastic' but needed

**Katharine Murphy, Paul Karp and Mostafa Rachwani**

Sat 1 May 2021 10:58 AEST



Greg Hunt has announced the Morrison government will introduce fines and jail time for Australians who try to return home from India. Photograph: James D Morgan/Getty Images



# Executive oversight

## Leaders in unprecedented 'national cabinet' to tackle coronavirus

Nick Bonyhady and Jennifer Duke

March 13, 2020 – 5:37pm



Save



Share



A

A

A

15

View all comments

High-profile barristers Bret Walker, SC, and Geoffrey Watson, SC, and University of Sydney law professor Anne Twomey variously describe the idea that Morrison’s fortnightly consultation with state and territory leaders amounts to a cabinet as “inappropriate”, “ludicrous” and “fundamentally flawed”.

Patrick and Secretary, Department of Prime Minister and Cabinet  
(Freedom of Information) [2021] AATA 2719 (5 August 2021)

## Anthony Albanese backflips on national cabinet secrecy and refuses to say why

**PM opts to continue to prevent release of documents related to meetings with state leaders despite his previous criticism of the practice**

- [Follow our Australia news live blog for the latest updates](#)
- [Get our free news app; get our morning email briefing](#)

**Paul Karp**

@Paul\_Karp

Fri 17 Jun 2022 13:56 AEST



After his first national cabinet meeting, Anthony Albanese confirmed the commonwealth had not proposed ending the practice of not releasing meeting documents. Photograph: Mick Tsikas/AAP

Anthony Albanese has backflipped on national cabinet secrecy, opting to continue to prevent the release of documents related to meetings of the prime minister and state and territory leaders, despite strident criticism of the practice in opposition.

The new Federal government's decision illustrates the need for Parliament to reassert its constitutional role to scrutinise and monitor the executive.