

# SOUTH AUSTRALIA

---

## JOINT SITTING OF THE TWO HOUSES FOR THE CHOOSING OF A SENATOR

---

### JOINT SITTING OF THE TWO HOUSES FOR THE CHOOSING OF A SENATOR TO HOLD THE PLACE RENDERED VACANT BY THE RESIGNATION OF SENATOR JEANNIE FERRIS

---

WEDNESDAY, 24 JULY 1996

1. *Meeting of the Houses -*

The Houses of Parliament met at 12.00 noon in the Chamber of the Legislative Council in answer to summons of the President of the Legislative Council, issued in pursuance of Messages from Her Excellency the Governor and by virtue of Joint Standing Order of the Houses No. 16.

The Hon. H.P.K. Dunn (President of the Legislative Council) took the Chair.

The Hon. G. M. Gunn (Speaker of the House of Assembly) occupied a chair on the floor of the Council to the right of the Chair.

2. *President's Vote -*

The Hon. D. C. Brown, M.P., moved - That the President of this Joint Sitting is entitled to the same privilege of voting as other Hon. Members in respect of the choosing of a Senator.

Motion seconded by The Hon. S. J. Baker, M.P.

Question put and passed.

3. *Nominations for the Vacancy in the Senate -*

The President announced that, the Houses having met in order to choose a person to fill the vacancy recently created in the Senate of the Commonwealth, he was prepared to receive nominations from any Hon. Member of the name of any fit and proper person to hold the said vacant place.

The Hon. D. C. Brown, by leave, tabled an Opinion from the Solicitor-General re the Commonwealth Constitution, Section 15.

The Hon. D. C. Brown proposed Ms. Jeannie Margaret Ferris as a fit and proper person to hold the place now vacant in the representation of South Australia in the Senate of the Commonwealth and stated that he had Ms. Ferris's written consent to act if chosen and that she was qualified, as evidenced by the Statutory Declaration which he tabled, to be chosen pursuant to Section 15 of the Commonwealth of Australia Constitution Act.

Nomination seconded by The Hon. S. J. Baker, M.L.C.

Debate ensued.

Mr. M. J. Atkinson, by leave, tabled an Opinion from Mr. T. L. Stanley, In re Ferris and In re a Casual Vacancy in the Representation of South Australia in the Senate.

4. *Senator Chosen -*

As there were no other nominations, the President declared that Ms. Jeannie Margaret Ferris was duly chosen to be a Senator.

5. *Notification to the Governor -*

The Hon. D. C. Brown, M.P. moved - That the President do forthwith inform His Excellency the Governor that Ms. Jeannie Margaret Ferris has been chosen by the Houses of Parliament to hold the place now vacant in the representation of South Australia in the Senate of the Commonwealth.

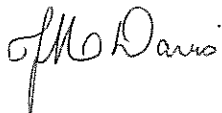
Motion seconded by The Hon. S. J. Baker, M.P.

Question put and passed.

6. The President, at ten minutes past one o'clock declared the Joint Sitting closed.

#### MEMBERS PRESENT

All Members of the Legislative Council except the Hons. R. I. Lucas and R. R. Roberts and all Members of the House of Assembly except Ms. Geraghty, The Hons. G. A. Ingerson and J. W. Olsen and Messrs. Becker, Brindal and Rossi.



J. M. DAVIS,  
Clerk of the Legislative Council



G. D. MITCHELL,  
Clerk of the House of Assembly

## SOUTH AUSTRALIA

### JOINT SITTING OF THE LEGISLATIVE COUNCIL AND THE HOUSE OF ASSEMBLY FOR THE PURPOSE OF CHOOSING A PERSON TO FILL THE VACANCY IN THE SENATE CAUSED BY THE RESIGNATION OF SENATOR JEANNIE MARGARET FERRIS

WEDNESDAY 24 JULY 1996

The two Houses of Parliament assembled at 12 noon in the Chamber of the Legislative Council in answer to a summons of the President of the Legislative Council issued in pursuance of Memoranda from Her Excellency the Governor to Parliament, and by virtue of Joint Standing Order No. 16.

**The PRESIDENT of the LEGISLATIVE COUNCIL (Hon. H.P.K. Dunn)** took the Chair.

**The SPEAKER of the HOUSE OF ASSEMBLY (Hon. G.M. Gunn)** occupied a seat on the floor of the Council to the right of the Chair.

The Clerk of the Legislative Council (Mrs J.M. Davis) read the notice summoning the Joint Sitting.

**The Hon. DEAN BROWN (Premier):** I move:

That the President of this Joint Sitting is entitled to the same privilege of voting as other honourable members in respect of the choosing of a Senator.

Motion carried.

**The PRESIDENT:** The Houses having met in order to choose a person to fill the vacancy recently created in the Senate of the Commonwealth, I am now prepared to receive nominations from any honourable member of the name of any fit and proper person to hold the said vacant place.

**The Hon. DEAN BROWN:** Before formally nominating a person to fill this vacancy, I seek leave of the Joint Sitting to table a legal opinion from the Solicitor-General of South Australia.

Leave granted.

**The Hon. DEAN BROWN:** I propose Ms Jeannie Margaret Ferris is a fit and proper person to hold the place now vacant in the representation of South Australia in the Senate of the Commonwealth. I state that I have Ms Ferris's written consent to act if chosen, and that the statutory declaration which I now table is evidence of her qualification, pursuant to section 15 of the Commonwealth of Australia Constitution Act. This is an occasion which is unusual but where certainly a precedent has been set in the past. The Houses have come together on a number of occasions to select a person to fill a vacancy for the Australian Senate.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** In fact, it was the Labor Party back in the 1970s which asked that there be an appropriate procedure whereby the nomination should come from the Party of the person who resigned.

*The Hon. M.D. Rann interjecting:*

**The Hon. DEAN BROWN:** I can indicate, if the honourable member has some patience, which yesterday he displayed he did not have, that I have a letter from the Governor-General of Australia which indicates that Senator Jeannie Ferris had tendered her resignation to him. He formally then notified the then Governor of South Australia,

Dame Roma Mitchell. On 12 July, Dame Roma Mitchell formally wrote to me, as Premier, which letter states:

I am enclosing herewith a copy of a letter—

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order!

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition will have his chance in a minute.

**The Hon. DEAN BROWN:** I realise that the Leader of the Opposition has trouble restraining himself. The letter states:

I am enclosing herewith a copy of a letter received from His Excellency the Governor-General notifying the resignation of Senator Jeannie Margaret Ferris.

I also have a copy of the press release put out by the Governor-General of Australia, and I quote particularly the third paragraph of that press release of 12 July 1996 from Government House, Canberra—

*An honourable member interjecting:*

**The Hon. DEAN BROWN:** From the Governor-General. The press release states:

Having received advice from the Solicitor-General of the Commonwealth, Dr Gavin Griffith, of the appropriate course to be followed, the Governor-General has written to her Excellency the Governor of South Australia advising her, pursuant to the provisions of section 21 of the Constitution, that a vacancy has happened in the representation of the State of South Australia through the resignation of Senator Ferris.

In addition, I have a letter from the Liberal Party, indicating that it has therefore nominated Ms Jeannie Ferris to fill the vacancy within the Senate. I have also a copy of a letter from Jeannie Ferris to you, Mr President, indicating that she is willing to fill that vacancy if chosen by this Joint Sitting of the two Houses of Parliament. There is also, as required, a statutory declaration signed by David Piggott indicating that Jeannie Ferris is the appropriate nomination from the Liberal Party of South Australia.

There has been a series of events. The first is that Senator Jeannie Ferris tendered her resignation. The Governor-General of Australia accepted that resignation after taking advice from the Solicitor-General of the Commonwealth Government. Of course, I draw to the attention of the Joint Sitting that the Governor-General is a former judge of the High Court of Australia. He then submitted a letter, as appropriate, to the Governor of South Australia. Equally, Dame Roma Mitchell is a former judge of the Supreme Court of South Australia and a person, as we all know, of the highest integrity who would ensure that any procedure required by the law is carefully followed, which she did. She then subsequently wrote to me, as Premier, notifying me of the vacancy.

The Liberal Party has therefore been notified. The Liberal Party held a formal meeting of its Executive, which has power under the Constitution to nominate someone for a vacancy like this. The Executive has done that, they have formalised that, and they have the approval of Jeannie Ferris

in accepting that she would be willing to fill the vacancy if chosen by this Joint Sitting. We all know that this is a procedure that has been formally set down, requested by all political Parties, so that there is no repeat of the circumstance that occurred back in the 1970s. I will not go into the history of that—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** The 1970s was the Whitlam case, and we all know the circumstances of the 1970s—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:**—and therefore the request that was made to make sure that it was the political Party where the vacancy occurred that should formally put forward the nomination to fill that vacancy. That is exactly what has occurred on this occasion. Therefore, quite rightly, the Government has, with the advice of the Solicitor-General of this State, found that a legitimate vacancy has been created. We have followed his advice, and his advice is that the Government is acting fully according to the procedures which have been laid down and which have been used previously around Australia. Therefore, I have great pleasure in officially nominating Jeannie Ferris to fill this Senate vacancy.

**The PRESIDENT:** Is the nomination seconded?

**THE HON. S.J. BAKER:** Yes, Sir.

**The PRESIDENT:** Are there any further nominations?

**The Hon. M.D. RANN (Leader of the Opposition):** I am not making a nomination but I want to comment on Ms Ferris's nomination. There is a strong tradition in the Australian Federation, now enshrined in law, that obliges the States to fill a vacancy with a nominee of the Party which has that vacancy. It is an important principle which the Labor Party strongly supports and does not attempt to breach today. Labor suffered at the hands of an abuse of this provision of the Federal Constitution with the appointment to the Senate of Albert Field by Queensland Premier Bjelke-Petersen's Government in 1975. It was that incident that led to the change in the Constitution. But now we see that constitutional obligation being abused and corrupted today by the Liberal Party in this State. What we are witnessing—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:**—is a good, old fashioned political rot. It is an attempt to corrupt the system, the High Court of Australia, the Constitution of Australia and the law of Australia. Yesterday—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** We can wait a long time.

*Members interjecting:*

**The PRESIDENT:** Order! Everyone seems to be on song this morning. If members like, we can start with the first stanza of the national anthem, if they are so good. I ask members just to listen to the debate. Members on my right should listen to what the Opposition has to say and vice versa.

**The Hon. M.D. RANN:** Today, we have seen an attempt by the Premier to politicise the role of the Governor of this State quite improperly.

*Members interjecting:*

**The Hon. M.D. RANN:** No, let me just answer this. Let me just tell members a few facts. Yesterday and today, the Premier—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:**—tried to tell us that, in calling this Parliament together, he is acting on the advice of the Governor and the Solicitor-General. Perhaps, apart from reading up about the South Australian and the Australian Constitutions, he should also look at what the Solicitor-General said, as follows:

Upon receipt of the notification and upon the advice of the Premier and/or Executive Council, the Governor sends a message to each House informing each House of the notification for this joint sitting.

That is what the Premier denied yesterday. He said that this was somehow the former Governor as a judge advising him. That is a total falsehood, and the Premier knows it.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** Yesterday, the Premier slurred the Governor of this State by trying to politicise her.

*Members interjecting:*

**The PRESIDENT:** Order! I ask the Leader of the Opposition to address his remarks through the Chair.

**The Hon. M.D. RANN:** We have also been told that the Premier acted on the advice of the Solicitor-General in calling together this joint sitting. That is interesting, because last week we were told that the advice was seven days in advance, yet the Solicitor-General's opinion is dated yesterday. So we have a Premier of this State who does not understand the Constitutions of Australia and South Australia, and who has tried to rot the system to look after one of his mates.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** Quite rightly, the South Australian public will ask why someone who says she was legally elected to the Senate is resigning so that she can be reappointed to the same position 11 days later. Where is the Premier's precedent for that? South Australians will rightly ask themselves, 'Who resigns from a job so that they can be reappointed to the same job less than two weeks later?' The answer is: the Liberal senators who want to avoid the scrutiny of the High Court of Australia. They want to get behind the judges, the law and the Australian Constitution. Let us remember that this issue was raised by me in the Parliament on 29 May. The Premier advised then that today's sitting would not and could not happen.

When I asked whether there had been any legal discussions, legal advice and discussions in the Liberal Party about Jeannie Ferris stepping down and avoiding the scrutiny of the High Court and then being reappointed, he said it would not happen. He was very firm, very Premier like. He said:

There has been no discussion with me or my Government about a replacement, because we do not believe there will be a replacement. We are very confident indeed about our position. How confident are they? So confident that they will not face a High Court judgment, so confident that they will not face the scrutiny of a Court of Disputed Returns. If the Premier and Jeannie Ferris are so confident about their position, why has she had to resign to be reappointed? A few weeks later

Ms Ferris resigned, and here we are today exactly as I predicted in the Parliament.

*An honourable member interjecting:*

**The Hon. M.D. RANN:** 'Oh no', the Premier says.

*Members interjecting:*

**The Hon. M.D. RANN:** We have seen how his veracity was judged in the Supreme Court of this State. He was an unreliable witness. This is the Premier.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** What we are seeing here today is a shabby circumvention of the High Court, the Australian Constitution and the will of the Senate. Ms Ferris stood at No. 3 on the Senate ticket for the Liberals in South Australia at the 2 March Federal election.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** She won that position after a bloody factional battle. The Liberals secured three Senate positions in South Australia at the March poll, and Ms Ferris became a senator-elect to take up her seat on 1 July. The trouble was that Ms Ferris then worked as an assistant to South Australian Liberal Senator Nick Minchin. He is the special adviser to the Prime Minister, he is the parliamentary secretary, and he is supposed to be a lawyer with some years' standing in politics. Ms Ferris worked for him from 18 March to 28 June this year. Senator Minchin confirmed that in a letter of 25 March 1996 to the Minister for Administrative Services (David Jull) advising that he had:

... appointed Ms Jeannie Ferris to the position of Assistant Adviser to me in my capacity as parliamentary secretary to the Prime Minister.

Ms Ferris received more than \$9 400 in taxpayer funded pay and allowances. She worked in an office of profit under the Crown. The Constitution says that you cannot do that and hold a Senate or House of Representatives seat at the same time.

*Members interjecting:*

**The Hon. M.D. RANN:** I know. we have been listening to Amanda Vanstone and Robert Hill. Section 44(iv) of the Australian Constitution provides that any person who:

... holds any office of profit under the Crown, shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.

*The Hon. Dean Brown interjecting:*

**The Hon. M.D. RANN:** This is not an opinion, this is the Constitution of Australia. The Premier of our State thinks that this is the legal opinion from Nick Bolkus when it is the Constitution of Australia. He is like Joh Bjelke-Petersen: he does not understand the separation of powers, the role of the Governor, or his own constitutional duties as Head of Government.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** Ms Ferris's employment with Senator Minchin may never have been known to us if her colleagues from the opposite faction had not told us. Senator Amanda Vanstone has already been named in this Parliament as the person who blew the whistle on Ms Ferris. I dare say that she was not alone in that. They all compete to ring us and our Federal colleagues to dob each other in. It is Dean Brown versus John Olsen, writ large. Robert Hill's name has also been mentioned as a possible whistleblower.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. S.J. BAKER:** I rise on a point of order, Mr President. I do not know what Standing Orders we are operating under, but I presume that an issue of relevance is involved.

*Members interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition.

**The Hon. M.D. RANN:** Thank you, Sir, for protecting me against this abuse.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** She was dobbed in by factional colleagues on the other side of the Liberal Party because she had worked for and received pay from the Commonwealth, and the Senate voted to send the matter of Ms Ferris's eligibility to the High Court sitting as the Court of Disputed Returns. This is not a Magistrates Court, a JP's Court, a District Court or a Supreme Court—it is the High Court of Australia that we are talking about, and that is the court that the Premier is trying to subvert. Of course, the case did not get to the High Court because what we had predicted actually happened.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** Ms Ferris resigned so that she could be reappointed in an attempt to avoid facing the High Court. She had nothing to worry about. If she was as confident as the Premier was of her position, why did she do a runner? Why did she try to dodge the system?

This Premier is the Arthur Daley of the Australian Constitution, but he needs his minders and autocue to do the job. The Liberals have told us that Ms Ferris was elected fair and square, that she repaid the money that she earned and all could be forgiven. The Premier and Senator Minchin said that there were no problems. Again, if there are no problems, why are we sitting here today appointing someone to the Senate position from which she resigned 11 days ago? If it was all above board, why are we here today? That is the key question that all of us have to examine.

We have been told a series of untruths about the role of the Governor and even about the role of the Solicitor-General. How could we call a sitting of this Parliament on the basis of advice from the Solicitor-General a week ago when it is dated yesterday? The fact is that Senator Ferris's eligibility is in doubt and the Liberals know it. But this little trick today—resigning to be re-appointed—may not work. The Labor Party in South Australia has obtained a legal opinion that states that it is arguable that there is no—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** We have released it.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** Absolutely. Do you want a copy? We will send you one. It is interesting that the Solicitor-General's opinion, upon which this sitting was supposed to have been called—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** —was delivered today at 10 minutes to 11. That is the contempt that the Premier has for this Parliament. Someone else from the Liberal Party—no-one is arguing that—could well be entitled to be in Ms Ferris's place. It could be the next Liberal on the ticket:

perhaps Maria Kourtesis, who came fourth on the Liberal card but, of course, she is from the wrong faction. She is actually a Dean supporter, not a John Olsen supporter.

The legal opinion also concluded that, even if Ms Ferris is elected by this body today, her future can only be finally decided by the High Court sitting as the Court of Disputed Returns. Looking at Brad Selway's opinion, never have I seen Brad try to have such a bob each way. He gave himself a series of outs in case he got a bit of bad case law in the Liberal books when the High Court handed down its position.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** It is a bit like his scrutiny of the water deal.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. RANN:** Ms Ferris's election is open to challenge by any elector in South Australia or at any time by the Senate itself. Today, just an hour or so ago, the Opposition received a copy of the legal opinion from the Solicitor-General. Guess what! It does not conflict with the opinion that we have received. On page 2 the Solicitor-General acknowledges that the question whether there is a casual vacancy or who holds the seat can be decided ultimately only by the Senate or the Court of Disputed Returns. That is exactly our point. The opinion does not address the issue whether there is a casual Senate vacancy.

This opinion humiliates the Premier. As I said, yesterday the Premier said that it was Dame Roma's advice, yet the Solicitor-General's opinion states that Dame Roma acted on the Premier's advice. Talk about a short circuit!

**The Hon. S.J. Baker:** Wrong, wrong, wrong!

**The Hon. M.D. RANN:** Wrong, wrong, wrong! Have a look at the Solicitor-General's opinion. The Premier clearly does not understand the Constitution.

*Members interjecting:*

**The PRESIDENT:** Order! I call the Deputy Leader to order.

*Members interjecting:*

**The Hon. M.D. RANN:** He is a bit tired and emotional. He has had a late night coping with more of his factional enemies.

*Members interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition will resume his seat. I am going to enjoy lunch later, but it does not look as if members will if they carry on like this. I ask members to listen to the argument. I am interested in it if they are not. The Leader of the Opposition.

**The Hon. M.D. RANN:** At least this President believes in the integrity and decorum of his office, even if the Premier does not.

**The PRESIDENT:** Order! The honourable member will get on with his speech.

**The Hon. M.D. RANN:** And this President does not need an autocue to make him look as if he can make speeches off the cuff. If the Liberals were so confident of Ms Ferris's appointment, why did she not stay in the Senate and let the High Court put the matter beyond doubt? The Premier said that there was no doubt; he was confident that she did not have to step down. If so, why would they not allow the High Court to hear the case?

That is the crux of what we are doing today and that is why it is a good old-fashioned rort: you all know it and half of you are prepared to admit that behind the scenes.

The irony of this stunt today is that it may only delay Ms Ferris's day in court, as the Premier, the Attorney-General and Solicitor-General acknowledge. I am pleased that the Attorney-General is prepared to acknowledge today that Ms Ferris's day may well come later. The Liberal Party has nominated Ms Ferris and she will be elected in line with tradition and constitutional obligations. How long she sits in the Senate and whether she sits there validly—whether she has ever sat there validly—is something that will be tested later, but this Premier will be remembered for a great political rort.

*Members interjecting:*

**THE PRESIDENT:** Order! I would like to hear this argument too.

**The Hon. K.T. GRIFFIN (Attorney-General):** From the outset I affirm that there is no abuse of the process, there is no corruption of the process, there is no political rort and there is no abuse of the High Court.

**The Hon. M.D. Rann:** Try to keep a straight face.

**The Hon. K.T. GRIFFIN:** I will keep a straight face. Obviously, the Leader of the Opposition operates in a different way from the way in which I operate.

**The Hon. Frank Blevins:** Tell us about stamp duty.

**The Hon. K.T. GRIFFIN:** I will talk about stamp duty.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.T. GRIFFIN:** One could have expected that this joint sitting would be used as a basis for defaming people and calling into question the motives of individuals and the processes which have been followed. The Leader of the Opposition has sought to confuse the issue, because on the one hand he is asserting that this process seeks to abuse the High Court and on the other hand he is acknowledging that ultimately this may get to the High Court.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.T. GRIFFIN:** The fact of the matter is—

**The Hon. M.D. Rann:** You're not going to make the District Court, the way you are going.

**The PRESIDENT:** Order! The Leader of the Opposition has had his say.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.D. Rann:** We'll be behind you, don't worry.

**The Hon. K.T. GRIFFIN:** That really is a worry. We have had the issue of knives raised 12 times in the past two years by the Leader of the Opposition; maybe this is the thirteenth time.

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition has had his say.

*Members interjecting:*

**The PRESIDENT:** Order! The Hon. Frank Blevins.

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition has had a good show and I have given him some protection. I expect him to be silent for the rest of the afternoon.

*The Hon. Frank Blevins interjecting:*

**The PRESIDENT:** Order! The Hon. Frank Blevins.

**The Hon. K.T. GRIFFIN:** The advice of the Solicitor-General has been tabled. It is now on the public record. Those who wish to look at it objectively will see that it certainly paints a picture that is warts and all and identifies quite clearly that there may be an opportunity for the Leader of the Opposition to put his money where his mouth is and take the matter to the High Court of Australia.

**The Hon. M.D. Rann:** Don't you worry about that.

**The Hon. K.T. GRIFFIN:** I am not going to worry about it at all, because I am confident that, if it gets to the High Court of Australia, the actions of the Government and Ms Ferris will be validated. Let me just deal with that, Mr President. If it was referred only by the Senate, who would appear? There would perhaps be the Commonwealth Solicitor-General acting for the Senate. It may be the State Solicitor-General acting for the State. It may be someone representing Ms Jeannie Ferris. It would be very much a closed shop. No-one would in fact be putting a point of view which might be contrary to that which might be argued by those people. The fact is under the process—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.T. GRIFFIN:** South Australia has a legitimate interest.

*Members interjecting:*

**The PRESIDENT:** Order, members on my left!

**The Hon. K.T. GRIFFIN:** The fact is that if there is an elector to the Senate from the State of South Australia who is prepared to put his or her money where his or her mouth might be, then they can petition. If the appointment is made today, they can petition the High Court. There will then be a contravener who can put an alternative point of view to the High Court of Australia. Ultimately that will be the final court, the final place of decision. We are not afraid of that. The fact is that if someone wants to go in that direction they are entitled to do so. So, there is no attempt to subvert the High Court. There is no attempt to abuse the High Court because, ultimately, it can go to the High Court of Australia, and there the real arguments can be put.

If the Leader of the Opposition wants to go to the High Court—presumably he is an elector for the Senate in South Australia, although I have not checked the validity of the that claim—the fact is that he has a right to go, and then we will see whether all these protestations will come to anything.

Let me just deal with the opinion of the Solicitor-General. It is dated yesterday, but that does not mean that it is the only advice which the Solicitor-General gives. The Solicitor-General can give oral advice, and the Solicitor-General has been consulted—

*Members interjecting:*

**The Hon. K.T. GRIFFIN:** You can't table oral advice, can you?

*Members interjecting:*

**The Hon. K.T. GRIFFIN:** Mr President, let me remind members that the Solicitor-General is a man of high reputation. He advised the previous Government and previous Governments before that as Crown Solicitor—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. K.T. GRIFFIN:**—and no-one has questioned his integrity in the way in which he has administered the functions of his office. If the Leader of the Opposition or anybody else is going to question the integrity or capability of the Solicitor-General, then let them do so now, but be

warned that, if they say it outside the confines of this Joint Sitting, they will be subject to litigation.

**The Hon. M.D. Rann:** I will say it outside the confines of this Chamber—in the other Chamber!

*Members interjecting:*

**The PRESIDENT:** Order! The Attorney-General.

**The Hon. K.T. GRIFFIN:** In the context of the Solicitor-General's opinion, he has identified the issues, and they are there on the table for everyone to see. If the Leader of the Opposition is prepared to table his own legal advice, we will be very pleased to receive it. He interjected earlier that it would be made available. I hope that will be the case.

*Members interjecting:*

**The PRESIDENT:** Order, members on my right!

**The Hon. K.T. GRIFFIN:** Let me take you briefly through the advice so that those who might not have the benefit of a copy in front of them might in fact know what the Solicitor-General has advised. He states:

The first question arises in the context that the allegations made in respect of Ms Ferris raise the possibility that Ms Ferris may not have been qualified to be elected at the last election, in which case there would not be a casual vacancy, and the proper result is that there should be a recount or another election.

For the purpose of this advice, it is unnecessary for me to consider whether or not there is at law a casual vacancy. Nevertheless, you are aware of my opinion that Ms Ferris was capable of being chosen for the purposes of section 44 of the Commonwealth Constitution and that there is now a casual vacancy to be filled in accordance with section 15 of the Commonwealth Constitution.

He then goes on to refer particularly to sections 15—under which this Joint Sitting is now being convened—19 and 21 of the Commonwealth Constitution. He makes it quite clear when he says:

The Governor and the Joint Houses are under no obligation under section 15 of the Commonwealth Constitution or otherwise to choose a replacement unless there is a casual vacancy. Indeed, if there is no casual vacancy they cannot choose a replacement.

It follows, in my view, that both the Governor and the joint Houses are entitled to satisfy themselves that there is a casual vacancy, even if they receive a notification from the Governor-General purportedly made pursuant to section 21 of the Constitution. This is not to suggest, of course, that either the Governor or the joint Houses need to give detailed consideration to the matter every time it arises. In the normal course, I would expect that they would both rely upon the notification from the Governor-General and the presumption of regularity to proceed to choose a senator to fill the casual vacancy.

Even where they do seek to satisfy themselves that there is a casual vacancy, there are practical issues that need to be considered. He refers to two. The first is:

If either the Governor or the joint Houses reach the view that there is not a casual vacancy and consequently decline to make a choice, the result may be a deadlock with no means of appointing a replacement senator at least until the next Senate election. Of course, that may be very convenient for the Opposition: it gives them some more numbers in the Senate. The second is:

If both the Governor and the joint Houses proceed on the basis that there is a casual vacancy and choose a replacement senator, then that choice can be challenged by an elector under section—

*The Hon. Frank Blevins interjecting:*

**The Hon. K.T. GRIFFIN:** I think I did a service to the Legislative Council. He refers to sections—

*Members interjecting:*

**The PRESIDENT:** Order! I ask that honourable members do not reflect on other members in the Chamber.

**The Hon. K.T. GRIFFIN:** He refers to section 353(2) and sections 355, paragraphs (c) and (e), of the Commonwealth Electoral Act 1918. He further says:

In addition, the Senate has power to determine for itself if a 'new' senator has been properly appointed or to refer to the matter to the Court of Disputed Returns pursuant to section 376 of the Commonwealth Electoral Act.

It amazes me that the Leader of the Opposition did not know his Commonwealth law sufficiently to deal specifically with that issue, and I draw members' attention again to the fact that this does not avoid ultimately resolution of the issue in the High Court, if someone wishes to take it there. Then he goes on to say:

As can be seen the risks of a constitutional deadlock involving South Australia having a reduced representation in the Senate and with no mechanism to achieve a final determination of the matter are significantly greater if the Governor or the joint Houses decide that there is not a casual vacancy than if they proceed on the basis that there is. This is a practical issue that can and should be taken into account in determining whether they are satisfied that there is a casual vacancy. Taking a commonsense view of the matter, it may be, for example, that the joint Houses would require significantly stronger evidence to satisfy them that there was no joint vacancy than they would require to satisfy them that there was. Of course, this is consistent with my view that, in the normal course, both the Governor and the joint Houses can rely upon the notification by the Governor-General and the presumption of regularity to proceed to choose a senator to fill the casual vacancy.

We are entitled as a Joint Sitting, as the Government is in relation to the way in which it seeks to deal with this matter, to rely on that presumption of regularity.

If members look at it objectively, they will see that the alternative is not to make an appointment, and then who resolves the deadlock? It may be still be the High Court. It may be that no-one takes action to do anything to fill that vacancy, and that is not in the interests of South Australia.

I repeat what I said at the beginning: there is no abuse of the system. There is no corruption of the system. There is no political rot. There is no abuse of the High Court because, ultimately, the highest court in the land can resolve this issue, but there is no point in not proceeding to fill the vacancy in the way in which it is proposed in this sitting and under the Constitution.

**Mr ATKINSON (Spence):** I seek leave to table a legal opinion of Mr Tim Stanley provided to the Opposition on this matter.

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. K.T. Griffin interjecting:*

**The PRESIDENT:** Order! The Attorney-General.

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order! The Leader of the Opposition. Leave granted.

**Mr ATKINSON:** I thank the sitting for that courtesy. Mr Stanley was employed by the Liberal Government in the recovery of State Bank moneys.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr ATKINSON:** My concern is the spirit in which this process has been conducted. The question remains: why did

Jeannie Ferris resign? That is the fundamental question and it has been answered in a manner adverse to her in the debate today. The matter was on its way to the High Court, sitting as a court of disputed returns, in order to be resolved according to law, but that process was interrupted by the resignation of Jeannie Ferris, who seeks to be reappointed to a position from which she resigned only 12 days ago. It is remarkable. The matter was to be finally decided by the High Court, but Jeannie Ferris has sought to avoid its resolution according to law and instead to bring it here, where the Government can rely on the presumption of regularity.

*Members interjecting:*

**Mr ATKINSON:** Yes, happy to—by appointment. So, the matter was to be decided according to law and it is not now being decided according to law but by the presumption of regularity. The spirit of the rule of law is absent from this process. When we raised this matter in the House yesterday, the Premier replied:

I am willing to wait and see what happens tomorrow. I suspect that the numbers will be there to vote to ensure that the convention is upheld and that Jeannie Ferris is the nomination from South Australia to fill the vacancy.

So, the Premier does not meet our points about the spirit of the process or about the rule of law; all he says is that he will have the numbers in the joint sitting today. Those words will not read very well when the precedents in these kinds of case are looked at in generations to come.

The other utterance of the Premier yesterday which I regarded as most improper and probably contrary to Standing Orders was his invoking the name of the Governor to defend a political decision which he and his Party made. I will quote it. The Premier told the House:

I have a copy of a letter from Dame Roma Mitchell as Governor of South Australia to me concerning the vacancy.

He goes on to say that the Opposition—

...has slighted the former Governor of South Australia, who happens to be a former Supreme Court judge of this the State and a woman who, I assure the Leader of the Opposition, would not write any letter which she believed breached the law.

The objection to using the Governor's name in that way is that under our State Constitution the Governor is obliged to take the advice of the Premier and his Government. Indeed, a civil war was fought in Great Britain to establish the principle that the Queen or the Governor must take the advice of the Government of the day. So, Her Excellency the Governor wrote that letter on the advice of the Premier.

*The Hon. S.J. Baker interjecting:*

**The PRESIDENT:** Order! The Deputy Premier.

*Members interjecting:*

**The PRESIDENT:** Order! We all want to hear this, and you will all have a say if you just hold your breath.

**Mr ATKINSON:** So, the Governor writes a letter on the advice of the Premier and, when that process is criticised in the House, the Premier invokes the name of the Governor to defend the writing of a letter that was written on his advice. That is contrary to Standing Orders because it is the gratuitous use of Her Excellency's name to influence the House.

Back in December 1977, we had the first test of the new constitutional process brought in by the amendments of 1977 to the Constitution to make sure that a casual vacancy for the Senate was filled with a person from the same political Party. It was a difficult test for this joint sitting because the person who was being replaced, Senator Steele Hall, had been



elected as a Liberal Movement Senator, but the Liberal Movement had subsequently split in two into the new Liberal Movement, which became the Democrats, and the other part of the Liberal Movement returned to the Liberal Party, and that part included Senator Hall himself.

Senator Hall resigned from the Senate in order to contest the Federal division of Hawker. As it turned out, he was not successful in contesting the Federal division of Hawker, but he did not have the cheek to come back to the House the week after the Federal election and say, 'I failed in my bid to get into the House of Representatives; put me back in my own vacancy in the Australian Senate.'

*Members interjecting:*

**Mr ATKINSON:** To Senator Hall's credit, he did not attempt to do that, not like the Hon. Michael Elliott, as members opposite point out. It was obviously a controversial appointment and the then Premier, the Hon. Donald Dunstan, seconded by the Hon. Robin Millhouse, nominated Janine Haines to fill the vacancy and the Liberal Opposition nominated Mr Baden Teague to fill the vacancy, so there was a vote at the sitting on the question of who should fill the vacancy. In those circumstances of a constitutional controversy, the Dunstan Government of the day provided the Solicitor-General's opinion on the matter well ahead of the joint sitting. It had that courtesy. It did the right thing in the spirit of the rule of law.

Yesterday, we had to ask the Attorney-General whether he would do the same courtesy to the joint sitting and provide the opinion of the Solicitor-General, and he said, 'I will endeavour to ensure that proper information is provided to members and provided within an appropriate time frame to enable proper consideration.' I do not regard it as a proper time frame to supply the Solicitor-General's opinion at 10.40 a.m. before a noon sitting. It is a discourtesy by the Attorney-General, which is uncharacteristic of him.

The most significant paragraph in the Solicitor-General's opinion is where he says, 'For the purpose of this advice, it is unnecessary for me to consider whether or not there is at law a casual vacancy.' He does not address himself to the question. He then says, 'However, my advice is currently sought on the question of whether either the Governor or the Joint House can or should inquire into whether there is a casual vacancy rather than whether there is in fact and law a casual vacancy.' The Solicitor-General avoids the nub of the question. His opinion is not of much value to the House.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr ATKINSON:** And I want to add this from the Solicitor-General's opinion to bolster my earlier point about the Premier's improper use of the Governor's name: the Solicitor-General says, 'Upon receipt of the notification and upon the advice of the Premier and/or Executive Council, the Governor sends a message to each House informing each House of the notification.' Make no bones about it: Her Excellency was acting on the advice of the Premier and his Government in doing what she did, and the majesty of her office ought not to be invoked to defend what is political advice from the Premier of the day.

*Members interjecting:*

**Mr ATKINSON:** I am happy to say it not only outside the Chamber but also on the Bob Francis program, if you like, with an audience of 29 000 people.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr ATKINSON:** As I said at the outset, this matter was going to be decided according to law in the High Court. Jeannie Ferris's resignation has stopped that consideration by the High Court sitting as the Court of Disputed Returns. The Government is now saying that Joe Blow from Brompton ought to bring the case at his own expense to the High Court so that—

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr ATKINSON:**—the case can be decided according to law.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr ATKINSON:** The Government knows that the case was going to the High Court to be decided according to law. It stopped it from proceeding. Now it expects a private citizen to bear personally the cost of the matter being decided according to law. In my view, that is just not good enough.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr D.S. BAKER (MacKillop):** It is with sadness that I rise to speak in this Joint Sitting of the Houses. One of the great things about the parliamentary process is that it operates on convention. One of the great conventions of this Joint Sitting is that the nomination of the Government is accepted. I have sat in here as Leader of the Opposition, as many other people have sat in here, and have heard nominated from both sides of the Joint Sitting a nomination. It is courteously seconded and then it goes through the normal process with nominations to the Senate. However, on this occasion the Opposition has chosen to throw all those conventions out the window.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr D.S. BAKER:** All of those arguments can be argued in the High Court if the members opposite have the guts to have a whip around to argue it. All of those arguments can be made in the High Court.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr D.S. BAKER:** An Opposition member might like to tell us how the Carmen Lawrence whip around went. She failed dismally. They have not got the guts to put up; they want to bring it into this place and bring down one of the conventions that many of us have had the privilege of upholding during our time in this place. It is a very sad day on which some of us have to speak. However, it is important that I make a few points. The resignation and reappointment process of Jeannie Ferris has been reviewed by some very eminent persons. They have been alluded by the Hon. Attorney-General. They are the Commonwealth Solicitor-General, Dr Griffith QC; the Governor-General, a former High Court judge, Sir William Deane QC; the South Australian Solicitor-General, Brad Selway QC; the former Governor of South Australia and former Supreme Court judge, Dame Roma Mitchell QC.

*Members interjecting:*

**The PRESIDENT:** Order!

**Mr D.S. BAKER:** Ms Ferris also sought advice, which has been publicly acknowledged, from Christine Wheeler QC; from Ian Callinan QC; from John Mansfield QC; and from a barrister named Josephine Kelly. No fewer than seven QCs from five States and one Territory

have reviewed this case and said that the process was correct. Members would also be aware that this matter was handled by the Senate and I would like to quote from comments made by Senator Robert Ray, who made a statement to the Senate when it was canvassed.

*An honourable member interjecting:*

**Mr D.S. BAKER:** The honourable member asks, 'Which Party?' He is a Labor Senator from Victoria and a former Deputy Leader. When it was canvassed in the debate as to what would happen if the High Court found that Ms Ferris was not eligible, he said:

This may all become a pointless exercise, because I am sure the South Australian branch would then reappoint Senator Ferris to the post. I am fairly certain that would be normal political behaviour of any of us.

That was the eminent Senator Robert Ray. But then I read with considerable interest in the paper this morning (which we got in the early hours while we were sitting in our House) that outside the House Mr Rann said that the Labor Party had legal advice which questioned Ms Ferris's eligibility to sit to take her seat in the Senate. I wondered then where that legal advice had come from.

**The Hon. M.D. Rann:** I have just tabled it.

**The Hon. D.S. BAKER:** You have lately, but I thought at 4 o'clock this morning: did it come from Senator Bolkus, who has had a lot to say on this? But then I thought: his only experience in court is for some misdemeanour with Telecom, so I guess that it would not have come from him. So then I went further.

*Members interjecting:*

**The PRESIDENT:** Order! I do not think it is helpful at all in the debate if we degrade other members of the Parliament.

**The Hon. D.S. BAKER:** I apologise, Mr President. However, it has now been revealed that the author of the advice that the Opposition has obtained is none other than T.L. Stanley. T.L. Stanley is a Labor stooge who has done nothing else than be a bag carrier for John Mansfield QC. That is his claim to fame. Thank goodness the honourable member will table the opinion, because that opinion, I can assure members, does not support with any strength the case that the Opposition is trying to mount.

*Mr Foley interjecting:*

**The PRESIDENT:** Order! I ask members to hold their breath.

**The Hon. D.S. BAKER:** When I looked into some of the background of Mr Stanley it was rather interesting. He was the person who in March 1993 was described by the *Advertiser* as follows:

Labor lawyer Tim Stanley, who is hotting up to stand for the Federal seat of Bonython—

*An honourable member:* Which Party?

**The Hon. D.S. BAKER:** It is also said that he was mooted in the press to be going to stand for the Hon. Chris Sumner's position when he resigned. Also, I am advised that he is the gentleman who recently moved from the centre Left, when that ship was sinking, over to the Right in the factional brawls that go on in the Labor Party. I am told that he was a very willing jumper. In fact, he jumped much more willingly than Peppermint Grove did for Gillian Rolton last night in the Olympic Games! He just could not get out quickly enough, because his ship was sinking. He is currently working for the Group Asset Management Task Force. The Deputy Leader interjected when we first asked

for the document to be tabled and said 'Where did you get it from?' He said, 'The best place we could.'

*Members interjecting:*

**The Hon. D.S. BAKER:** I suppose they paid the relevant amount for it, too. We have eminent people who have gone through this process to allow Senator-elect Ferris to stand down and be re-elected. Much more than that, it is the convention of this House that it is done in a proper and courteous manner. It is most embarrassing that we have to put up with this. When the Leader of the Opposition relies on the advice of a Labor stooge, it becomes a farce.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.J. ELLIOTT:** According to convention, the Democrats support the motion to fill the casual vacancy. There is no doubt that what can politely be called clever politics has been played in this matter, but I do not think that we are being asked to resolve that issue here.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. M.J. ELLIOTT:** The question posed is whether a casual vacancy does exist. That is a legal question and it is not the question we are being asked to resolve. I do not think that even the Leader of the Opposition is asking us to resolve that question here today. I do not think it is for this joint meeting to resolve that question. There has been no attempt to put the facts on that question. The advice of the Solicitor-General is quite clear: the appointment is still open to legal challenge. His advice also makes it clear that the Senate itself, which initially referred the matter to the High Court, is capable of further addressing the issue. It is my view that it is appropriate that it be handled in one of those two ways. It is a great pity that it is 3½ years since the Cleary case and the issue of office of profit under the Crown has not been addressed, even though it plainly has anomalies within it. If a serious issue is to be addressed, it is that question.

**The Hon. S.J. BAKER (Deputy Premier):** I will be brief. One of the most appalling aspects of the debate is that we have seen the sacrifice of the former Governor of this State and the Solicitor-General on the high altar of pathetic Labor Party politics. I have said three times that the Labor Party is wrong on the issue of the advice of the Governor. It knows—

*The Hon. M.D. Rann interjecting:*

**The Hon. S.J. BAKER:** Read, read and read! Go and do a remedial reading lesson. The Governor-General sends a letter to the Governor, and the Governor sends a letter to the Premier—there is no intervention and no advice is tendered.

*An honourable member interjecting:*

**The Hon. S.J. BAKER:** You are wrong, wrong and wrong.

*Members interjecting:*

**The Hon. S.J. BAKER:** He is wrong and he should know better. To even assume that the former Governor was part of a political conspiracy is a disgrace to the Leader of the Opposition—in the same way that he has suggested that the Solicitor-General of this State has somehow cooked up something to get across the line. On both those issues I do not believe that the Leader of the Opposition can stand in this Parliament with any credibility. The Hon. Michael Elliott has made the point that, first, there is no doubt that

Jeannie Ferris was properly elected. The second issue is that the vacancy is properly constituted. There is no doubt about that. The third issue is that Jeannie Ferris is a fit and proper person to stand in the Senate. It is about time that the Labor Party followed the convention of this Parliament.

**The Hon. DEAN BROWN (Premier):** The two Houses of Parliament have come together this afternoon as part of a procedure. That procedure is to fill the vacancy in the Senate with a nomination from South Australia. The procedure to be followed has been clearly outlined by the Solicitor-General in his opinion. It is partly determined by the Constitution Act of Australia, and partly determined by the Standing Orders of both Houses of Parliament. The Leader of the Opposition and members opposite have not raised a single question about the legitimacy of the procedure being followed today—not one legitimate question.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** Further to that, the Opposition has not even had the gall to put up a nomination, because it knows only too well that the Government has complied with the procedures laid down and approved by the Solicitor-General, at Commonwealth and Senate level, through the Governor-General and then to the Governor of South Australia. Let me take up this point of the so-called letter from the Governor of South Australia. The Solicitor-General's opinion states that the calling of the joint sitting of Houses must be on the advice of the Government—the Premier and Executive Council. The sending of the letter—

*The Hon. M.D. Rann interjecting:*

**The Hon. DEAN BROWN:** Just listen. The sending of the letter from the Governor—

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** —to the Premier is not done on the advice of the Premier. So, all the argument used by the Leader of the Opposition throughout this debate is entirely wrong.

*The Hon. M.D. Rann interjecting:*

**The SPEAKER:** Order!

**The Hon. DEAN BROWN:** The Solicitor-General himself has backed that up. Only the sitting of the joint Houses of Parliament required the advice of the Premier. I pointed out that the letter I received from the Governor of South Australia was sent without advice from me. The letter was sent based on the advice she received from the Governor-General of the whole of Australia. I come back to the legitimate issue today—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** —which is this joint sitting of the Houses of Parliament to fill a vacancy for the Senate. The procedure is laid down by the Constitution of Australia.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** The procedure is laid down by the Standing Orders of the Parliament.

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** The Leader of the Opposition has brought forward no argument whatsoever to even question that procedure—no argument; not one skerrick of evidence that there was any fault with the procedure.

*The Hon. M.D. Rann interjecting:*

**The PRESIDENT:** Order! I call the Leader of the Opposition to order.

**The Hon. DEAN BROWN:** All we have had from the Leader of the Opposition this afternoon is political sleaze of the worst type. No evidence—

**The PRESIDENT:** Order!

*The Hon. Carolyn Pickles interjecting:*

**The PRESIDENT:** Order! We do not need side comments. If the Leader of the Opposition wants to hear the remainder of this debate, I suggest he hold his breath.

**The Hon. DEAN BROWN:** We have had nothing but political sleaze from the Leader of the Opposition this afternoon. He set out to use the protection of the Parliament to slander the Solicitor-General of South Australia. He used the protection of this Parliament to slander the former Governor of South Australia. I believe—

*Members interjecting:*

**The PRESIDENT:** Order!

**The Hon. DEAN BROWN:** —that his behaviour this afternoon has been shabby, and it has brought shame on this Parliament. I am sure that the people of South Australia, when they watch television tonight, will hang their heads in shame that Her Majesty's Opposition could behave in such a manner, with no substance to its argument whatsoever. I have put forward a nomination; I support that nomination.

*Members interjecting:*

**The PRESIDENT:** Order! Is there any further nomination?

*Members interjecting:*

**The PRESIDENT:** Order!

*The Hon. Frank Blevins interjecting:*

**The PRESIDENT:** The member for Giles should sit back in his seat and be quiet. There being no further nomination, I declare that Ms Jeannie Margaret Ferris is duly chosen to be a Senator.

**The Hon. DEAN BROWN (Premier):** I move:

That the President forthwith inform His Excellency the Governor that Ms Jeannie Ferris has been chosen by the Houses of Parliament to hold the place now vacant in the representation of South Australia in the Senate of the Commonwealth.

Motion carried.

**The PRESIDENT:** I now declare the joint sitting closed.

The joint sitting closed at 1.5 p.m.