



## LEGISLATIVE COUNCIL FACT SHEETS

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### FACT SHEET 20: INCORPORATION OF MATERIAL/SPEECHES IN HANSARD

The incorporation of material in Hansard has occurred for many years, although it is not provided for in the standing orders. Material can only be incorporated by leave, and one objection is sufficient to prevent the incorporation.

The principal reason for incorporating items is to save time. For example, leave is often granted for incorporation of ministers' second reading speeches on bills forwarded for concurrence from the Assembly since members have already had time to peruse the contents of the speech when the bill was introduced into the Assembly. Other types of material that have been incorporated include graphs, maps, tables, newspaper extracts, extracts from reports, letters, diagrams, schedules, answers to some questions without notice and on one occasion a photograph.

Another reason for incorporating items is that material such as columns of figures, graphs and charts are more easily comprehended visually rather than orally. However, the notion of saving time must also be balanced against the underlying principle that the Hansard record is a true record of what was said in the House. The inclusion of unread matter in Hansard is a distinct departure from this principle.

Other objections to the practice include that:

- a speech may be lengthened beyond the member's entitlement under the standing orders, such as on the adjournment debate;
- incorporated material may contain irrelevant or defamatory matter, or unparliamentary language;
- other members will not be aware of the contents of the material until production of the daily Hansard next morning and therefore not have an opportunity to rebut or answer claims made;
- following speakers may appear to be less relevant and informed than if they had been aware of the unspoken material before speaking.<sup>1</sup>

Objection to the incorporation of material has been taken in the Council on the grounds that material should be read or spoken in the House, thus enabling members to debate the matters fully;<sup>2</sup> the material was not voluminous and could easily be read to the House;<sup>3</sup> and that leave should only be granted on the basis that the material is lengthy and technical in nature.<sup>4</sup>

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1 Harris IC (ed), *House of Representatives Practice*, 5th edn, Department of the House of Representatives, Canberra, 2005, p 491.

2 *LC Debates* (5/11/1975) 2273-2274.

3 *LC Debates* (24/3/1977) 5643.

4 *Ibid.*

Various rulings of the President have determined the parameters within which material can be incorporated. While any member may seek leave to incorporate material, the House is the final arbiter of what will be incorporated, subject to the technical capacity of Hansard to reproduce the material. In objecting to incorporation, a member may not give reasons for the objection,<sup>5</sup> and where leave has been denied it is within the prerogative of the member, subject to the standing orders, to read an entire document onto the record.<sup>6</sup>

As the practice of incorporating material in Hansard has increased, rulings of the Chair have also focused on the impact which incorporation of material has on the flow and quality of debate in the chamber, and have urged members to ensure that the courtesy extended to members in this regard is not abused.<sup>7</sup> In particular the Chair has cautioned against seeking to incorporate material which is readily available elsewhere.<sup>8</sup>

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5 Ruling: Johnson, *LC Debates* (27/11/1979) 3869.

6 Ruling: Johnson, *LC Debates* (25/11/1980) 3368.

7 Rulings: Johnson, *LC Debates* (15/8/1979) 150-151; Healy (Deputy), *LC Debates* (24/8/1983) 403.

8 Rulings: Johnson, *LC Debates* (18/2/1982) 2157, (7/4/1982) 3581, (5/3/1984) 4087, (15/6/1988) 2003-2004; Healey (Deputy), *LC Debates* (24/8/1982) 342; Solomons (Deputy), *LC Debates* (14/4/1989) 6374; Gay (Deputy), *LC Debates* (17/11/1983) 5572.