

**Submission
No 10**

INQUIRY INTO STATE SENATE BILL 2015

Name: The Hon Trevor Khan MLC

Date received: 26 March 2018

Submission to the Legislative Council Select Committee on the State
Senate Bill

The matter of the State Senate Bill 2015

26 March 2018

The Hon. Trevor Khan MLC
Deputy President and Chair of Committees
Parliament of New South Wales
6 Macquarie Street
SYDNEY NSW 2000

Committee Secretary
Select Committee on the State Senate Bill 2015
Parliament of New South Wales
6 Macquarie Street
SYDNEY NSW 2000

Dear Committee Secretary,

I write this submission consistent with my Second Reading Speech on the State Senate Bill 2015 delivered on 26 November 2016 in the Legislative Council (see 'Attachment 1').

I oppose this bill, for the reasons I stipulate below:

1. This bill is simply not necessary. The Parliament of New South Wales often debates matters that go to the heart of how our society operates, that have a significant impact on our constituents' lives. Indeed, this is the role of the Parliament – to debate issues and pass legislation to the betterment of society. This is not such an issue.
2. The substance of a Member is always more important than the form in which they are addressed. It is the substance of Members' contributions to this place and to the democratic process that is relevant to their significance, not what a Member is called. A Member ought to be recognised for the work they have done to make people's lives better, not whether they are publicly recognised as a 'State Senator'.
3. I note Reverend the Hon. Fred Nile's concern that being styled a 'Member of the Legislative Council' can be confusing in the eyes of the public as to what this role entails. I fail to see that such a confusion can be alleviated by Members styling themselves as a 'State Senator', when federal senators of this state are referred to as a 'Senator for New South Wales' and when every state bicameral parliament in Australia also uses the terms 'Legislative Council' and 'Member of the Legislative Council'.
4. The only thing this bill achieves is sucking oxygen from other far more important issues on the Notice Paper. I fear that if this bill is passed, it would subject this parliament to derision in the wider community.

I urge the Select Committee to recommend the rejection of this bill.

Yours Sincerely,

The Hon. Trevor Khan MLC
Deputy President and Chair of Committees
Parliament of New South Wales
6 Macquarie Street
SYDNEY NSW 2000

Attachment 1 – the Hon. Trevor Khan Second Reading Speech, State Senate Bill 2015, 26 November 2016

The Hon. TREVOR KHAN (11:09): It could rarely be said that one is forced to speak in debate because of a contribution made by a member of one's own side of politics. But after that last contribution by the Hon. Shayne Mallard I am absolutely compelled to say something. Let me say that substance is always more important than form. Both the bill before the House and that last contribution demonstrate that. I have looked at the bills on the *Notice Paper*. It does not matter whether I agree with them or not, but some of them are of real significance. They deal with matters that go to the heart of how our society operates and are extremely important to individuals.

The bills on the *Notice Paper* range from alcohol advertising to the right of women to terminate a pregnancy, and a variety of other issues. Those are the things that will determine whether people think we are of substance and making a contribution to democracy in this place. Questions about what somebody calls me or anyone in this Chamber do not make any difference as to whether we are making a significant contribution to the people of New South Wales, which is our job. Our job is to make a significant contribution to the democratic process to make the lives of the people of New South Wales better. It is not about whether we can get in front of a crowd and have them say, "We know he is a State senator."

Is this really where we have come to? Are we at a point where our appearance or title determines our significance to ourselves and the people? Reverend the Hon. Fred Nile has been involved in some very significant lawmaking in this State. Only this week a trial in New South Wales resulted in a killer again being acquitted of murder because of provocation. He got off because the law that Reverend Nile was involved in changing did not apply to him as the killing occurred before our law came into effect. The fact that a person who in truth is a murderer has only been convicted of manslaughter is a terrible event. It is a further demonstration that the killing of women, their lovers and homosexual men has been treated as a less than significant event in our society. Reverend the Hon. Fred Nile was involved in changing that law, which is a demonstration of his significance.

What does not make any difference to Reverend the Hon. Fred Nile's significance is whether he is called a senator or a member of the Legislative Council. The essence of Reverend Nile's significance is what he does, not what he is called. That is what we should take away from this debate rather than this bill, which I cannot agree with. At the end of the day we should be doing serious stuff. When we are finally laid in that hole or turned into ashes people should be able to say, "He did something worthwhile", not, "He was a senator of New South Wales." I oppose this bill.