

# Brief - Mark Fletcher

Patrick Leslie

09/12/2021

## Role Background – Are early amendments evidence of poor quality legislation?

Quality of legislation is (we know) an extremely tricky thing to measure but we've done some early work scraping the Federal Register of Legislation picking up all Acts and amendments since 1901, looking for ways to infer quality from easily available quant data. One candidate such measure is to look at Acts of Parliament that were amended or repealed before the end of a parliamentary term, implying perhaps that the government realises it's made a mistake and needs to change something.

We have some ideas about what might be causing the big peaks and troughs and some of this historical reasoning is quite interesting but the next step is to look more granularly at the legislation to see what patterns emerge from the bottom up. Reasons for quick amendments might be institutional (senate control), personnel (who is PM minister or drafter), more effective scrutiny, political or economic crises, or simply administrative changes caused by omnibus amending acts.

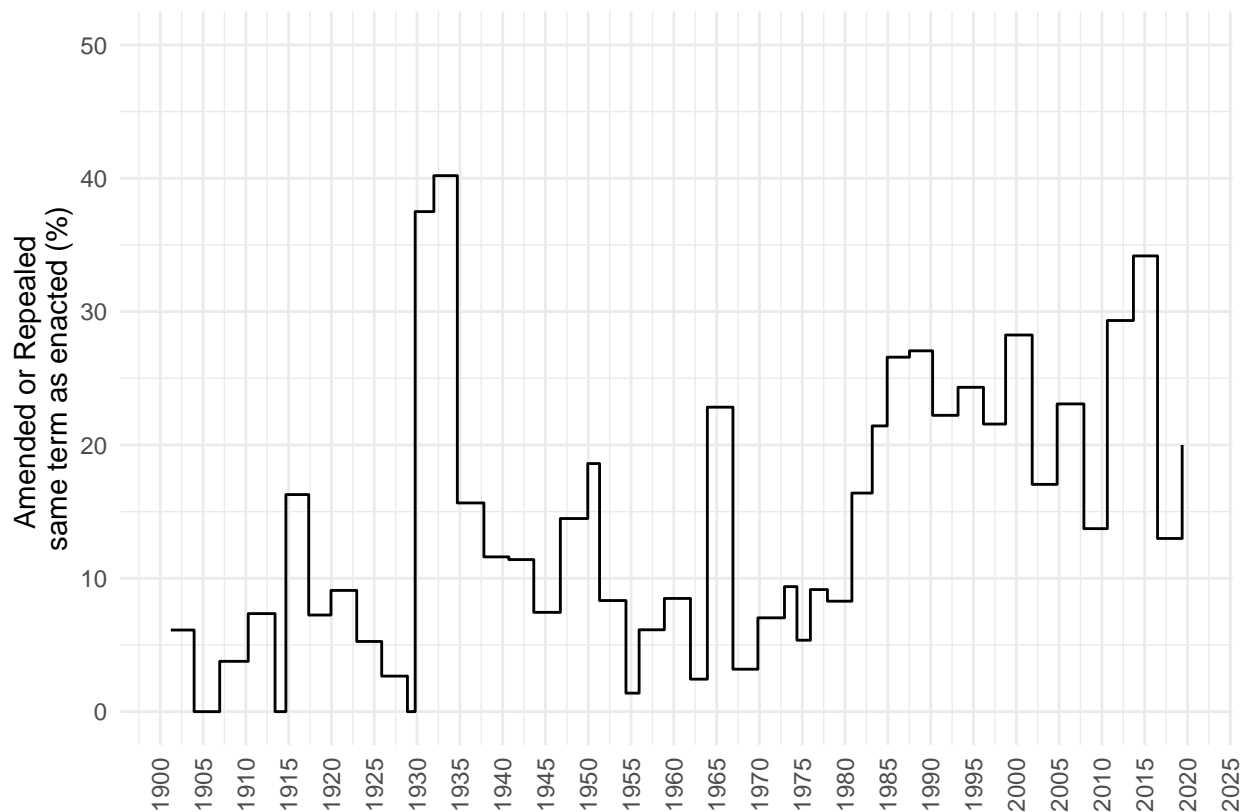


Figure 1: Percentage of Acts amended or repealed before the end of the parliamentary term in which the act was amended, 1901-2021.

## The task

The task is to determine how the following acts came to be amended or repealed before the end of the term in which they were enacted. The secondary (though ultimate) goal of the exercise is to determine why this phenomenon is on the increase, and whether or not it has anything to do with the quality of legislation.

50 acts, randomly sampled from five periods. Write a simple one-pager summarising each period and what happened with the respective acts. Give an idea of how each act changed in tabular or bullet point form. If there are any general thoughts about what you can infer from these acts about the period, that would be excellent too.

Table 1: Commonwealth Law ID numbers of Acts to Investigate

Early 1901-1961	60s and 70s	Labor 1983-96	Coalition 1996-2007	Mixed 2007-2019
C1941A00002	C2004A02599	C2004A03657	C2006A00031	C2011A00058
C1956A00053	C1964A00042	C2004A03386	C2004A05147	C2013A00020
C1947A00017	C2004A01886	C2004A02836	C2004A00422	C2012A00121
C1932A00033	C2004A01925	C2004A04647	C2004A00745	C2008A00076
C1950A00051	C1973A00073	C2004A04608	C2006A00146	C2018A00063
C1945A00005	C2004A02494	C2004A04121	C2004A05310	C2018A00145
C1903A00007	C1970A00109	C2004A04599	C2004A00040	C2011A00151
C1932A00065	C2004A01986	C2004A03523	C2004A00821	C2011A00127
C1950A00015	C2004A00119	C2004A03523	C2004A05138	C2014A00083
C1960A00008	C2004A01987	C2004A03131	C2004A00564	C2015A00024

## Details

ANU Research Officer 5, reporting to Professor Keith Dowding (supervisor) and Dr Patrick Leslie. Initial contract for **up to 20** hours RA time.