Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 30 OCTOBER 1947

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Mr. SPEAKER (Hon. S. J. Brassington, Fortitude Valley) took the chair at 11 a.m.

QUESTIONS.

BUFFALO FLY CONTROL FUND.

Mr. MACDONALD (Stanley), for **Mr. RUSSELL** (Dalby), asked the Secretary for Agriculture and Stock—

"1. In reference to the amount of £9,837 13s. 6d. stated by the Auditor-General to have been collected and £3,156 12s. 11d. spent in 1946-47 under the provisions of the Buffalo Fly Control Act of 1941, what amount was expended in 1946-47 on (*a*) administration of the Act, including cost of collection of the tax, and (*b*) practical measures for the destruction of buffalo flies on cattle?

"2. In view of the balance of nearly £15,000 to the credit of the Buffalo Fly Control Fund, will he give favourable consideration to the suspension or abolition of this inconvenient, irritating, and apparently unnecessary form of taxation?"

Hon. H. H. COLLINS (Cook) replied—

"1. (*a*) £180 6s. 9d.; (*b*) £2,976 6s. 2d.

"2. The Government is committed to action for the prevention of the infiltration of the buffalo fly to non-infested areas. In addition to control measures at present operating, arrangements are in hand for the charging of a number of strategic dips with D.D.T. preparations for the treatment of stock moving into clean territory. The available money in the Buffalo Fly Control Fund will be required to meet the substantial costs involved."

STATE'S CURRENT ACCOUNTS, COMMONWEALTH BANK.

Mr. NICKLIN (Murrumba—Leader of the Opposition) asked the Treasurer—

"1. What was the approximate average amount held in Commonwealth Bank current accounts in 1946-47?

"2. What was the total amount of interest earned by such accounts in 1946-47?"

Hon. J. LARCOMBE (Rockhampton) replied—

"1. £1,400,000.

"2. £2,855 10s. 4d. Under the Banking Agreement with the Commonwealth Bank, the bank pays interest at the rate of 1 per cent. per annum on the amount by which the Government's credit balance in Brisbane exceeds £100,000, provided that the bank is not required to pay interest on a greater sum than £300,000. In order to meet the varying cash requirements of the State, it is necessary to maintain a much greater sum at current account than the amount on which interest is payable by the Commonwealth Bank in terms of the Agreement."

RYLANCE CASE.

Mr. KERR (Oxley), for **Mr. HILEY** (Logan), asked the Treasurer—

"1. What steps have been taken to tighten up the procedure of the Harbours and Marine Department in relation to the receipt of coal, the certification of purchase invoices for coal, and generally in the light of the evidence submitted in the course of the hearing of the Rylance case?

"2. What disciplinary action, if any, has been taken against any officer following on the Rylance case, and in particular will he compare such disciplinary action taken with the disciplinary action taken at the Warden's office, Mt. Isa, where two clerks were charged under the Public Service Acts and their resignations accepted following falsification of 4s. 3d. in the postage account?"

Hon. J. LARCOMBE (Rockhampton) replied—

"1. A system of coal tallying by a special officer of the Department of Harbours and Marine has been instituted, and following an inspection by the Public Service Commissioner, the Department has been reorganised, with the object to providing an efficient costing system and improved system of accounts generally.

"2. There was no proof nor evidence of misappropriation of public funds, or falsification of accounts, adduced against any officer of the Department of Harbours and Marine."

Mr. HILEY (Logan), for **Mr. PIE** (Windsor) asked the Treasurer—

"Have arrangements been completed for the settlement of the judgment debt amounting to £67,235 6s. 6d. and costs by Rylance Collieries and Brickworks Pty. Ltd.? If so, what are the terms and conditions of the settlement?"

Hon. J. LARCOMBE (Rockhampton) replied—

"Arrangements are in the hands of the Solicitor-General and have not yet been completed, but finality is expected in the near future."

INSURANCE SUSPENSE ACCOUNT.

Mr. KERR (Oxley), for **Mr. HILEY** (Logan), asked the Treasurer—

"1. Is the sum of £142,187 now to the credit of the Insurance Act of 1916 Suspense Account in the trust and special funds, a hidden reserve of the State?"

"2. Has this sum been disclosed to the Federal Treasurer as arising from payments made in lieu of State income tax by the several activities of the State Insurance Commissioner?

"3. Were similar payments up till June, 1941, included in the figure of tax collections which provided the original basis for Commonwealth reimbursement to this State?"

Hon. J. LARCOMBE (Rockhampton) replied—

"1. No. This is not a hidden State reserve. The hon. member must be confusing this matter with some private trading bank transaction. The amount is shown by the Auditor-General, on page 197 of his Annual Report for the year 1946-47, relating to the Treasurer's Statement of the Public Accounts.

"2. The State Government Insurance Office is a State instrumentality and, therefore, not subject to Commonwealth taxation.

"3. Yes. The Commonwealth Treasurer has had access to the reports of the Auditor-General and has, therefore, knowledge of the position."

REDUCTION IN RAILWAY WORKING EXPENSES.

Mr. HILEY (Logan) asked the Minister for Transport—

"Is the decrease of 9d. per train mile in working expenses disclosed on page 69 of the Auditor-General's Report a genuine reflection of reductions in working expenses, or is it the result of charging much normal maintenance expenditure to the Post-War Reconstruction Reserve Fund?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"There is no neccessary relation between actual expenses and train mile costs, which vary with the rise and fall of train miles. In 1946-47 the train miles were greater than in the previous year, and overtime and many other costs much less. There was a genuine reduction in working expenses last year."

CASH SHORTAGES, CHERBOURG ABORIGINAL SETTLEMENT.

Mr. HILEY (Logan), for **Mr. PIE** (Windsor) asked the Secretary for Health and Home Affairs—

"With reference to the sum of £96 14s. 10d. reported as a shortage in cash and stock at the Cherbourg Aboriginal Settlement, shown on page 162 of the Auditor-General's Report for this year, will he inform the House whether any disciplinary action was taken in relation to this matter, and if so, what action?"

Hon. A. JONES (Charters Towers) replied—

"Investigations have not yet been completed."

UNEMPLOYMENT FUNDS.

Mr. HILEY (Logan), for **Mr. PIE** (Windsor), asked the Secretary for Labour and Industry—

"Will he furnish the House with detailed particulars of the use to which the sum of £30,000, as disclosed in the Auditor-General's Report, was applied, and indicate where any unappropriated balance is held?"

Hon. V. C. GAIR (South Brisbane) replied—

"I presume the hon. member is referring to an advance of £30,000 made from the Unemployment Relief Trust Fund during the year ended 30 June, 1937, for the purpose of recouping outstanding advances made by the Treasury and accrued interest thereon, and towards meeting existing and contingent liabilities under Government guarantees. If this is so, then the information is as follows:—

	£ s. d.	£ s. d.
Amount originally advanced		30,000 0 0
Interest earned		2,932 6 3
		32,932 6 3
Less—Losses on Advances as detailed below :—		
O. H. Gray, Furniture Manufacturers ..	928 13 2	
Chelsea Art Potteries	225 7 0	
Cardboard Co. of Queensland.. ..	1,825 0 5	
Shand Gulf Meatworks	4,555 19 6	
Dinmore Potteries Ltd.	1,089 4 10	
Ceramic Potteries ..	350 0 0	
Queensland Fisheries Ltd.	287 1 7	
Rustproofing Pty. Ltd.	2,125 4 6	
Queensland Potteries Ltd.	535 7 0	
	11,921 18 0	
Advance to Wondai Brick and Tile Co. Pty. Ltd.	3,899 1 11	
Sundry Expenses ..	15 16 1	
		15,836 16 0
Balance as at 30th June, 1947, as per Auditor-General's Report		17,095 10 3
The balance is held as follows :—		
Fixed Deposits with Commonwealth Bank held by Department of Labour and Industry		8,000 0 0
Amount in Treasury Suspense Account at Treasury Department		9,095 10 3
		£17,095 10 3

ADMINISTRATION OF ISLAND INDUSTRIES BOARD.

Mr. MACDONALD (Stanley) asked the Secretary for Health and Home Affairs—

"Has any information been received by him indicating irregularities connected with the sale of products controlled by the Island Industries Board, and, if so—(i.) what is the nature of such information, and (ii.) what action has been taken to overcome such irregularities?"

Hon. A. JONES (Charters Towers) replied—

"No irregularities are known connected with the sale of marine products by Island Industries Board."

Mr. WANSTALL (Toowong) asked the Secretary for Health and Home Affairs—

"In view of the great number of shortages in cash and stock at various branch stores of the Island Industries Board, amounting to £3,071 3s. 10d., on page 162 of the Auditor-General's Report; in view of the great number of reported burglaries and thefts from the office of the Protector of Islanders, Thursday Island, totalling £635 13s. 9d.; and, further, in view of the fact that the Auditor-General's Reports for several years past have disclosed similar defalcations, deficiencies, and irregularities, will he make a full statement to the House and in particular advise members concerning—(*a*) the general nature of the troubles that have been experienced in this section of his administration; (*b*) what investigations have been made by the officers of the Auditor-General's Department to ensure that stocks alleged to be short in branch stores have in fact reached the native in charge and not been stolen prior to such receipt; (*c*) what steps he has taken to correct the evident maladministration of such stores and offices; and (*d*) what disciplinary action has been taken against any officer consequent upon this state of affairs?"

Hon. A. JONES (Charters Towers) replied—

"The Audit Inspector's Report revealing the alleged shortages of £3,071 3s. 10d. has not yet been submitted to my Department, and consequently the circumstances cannot be accurately determined. The Director of Native Affairs has directed a complete and thorough investigation into the transactions of the stores. During the war years white supervision was non-existent, and the transport of goods between Thursday Island and the other islands was irregular and in many instances most unsatisfactory, native storekeepers having to be left to their own resources to endeavour to record stocks and cash transactions. Although the shortages are shown for 1946-47, it is expected that the investigations will prove that the shortages occurred during the war years. The actions taken regarding the amounts involving £635 13s. 9d. are stated in the Auditor-General's Report. Whilst not condoning in any way the irregularities reported by the Auditor-General, I feel it incumbent upon me to impress upon hon. members the gravity of the situations which overtook the Torres Strait islanders and Aboriginal Missions during the war period. The threat of invasion and consequent compulsory evacuation of the whole of the white civilian population from Torres Strait and the enlistment of every able-bodied islander in the Fighting Forces seriously interfered with the protection of islanders in Torres Strait, and resulted in a superhuman effort by the Department of Native Affairs in association with the Army to maintain the protection of the islanders as near as possible on a peace-time basis. No section of the civilian community of the nation had to endure greater dislocation of their normal conditions than the Torres Strait islanders, and they deserve all the high praise that has been bestowed upon them in their singular difficulties. The immediate post-war period presented difficulties of rehabilitation greater than the trials of the War years, and it redounds to the credit of the officers of the Department of Native Affairs who carried this burden in

Torres Strait and brought the rehabilitation to the present satisfactory position. I make these observations after my recent visit to the islands in Torres Strait and my conferences with the islanders themselves.''

WEST MORETON DISTRICT COAL BOARD.

Mr. MORRIS (Enoggera) asked the Secretary for Mines—

''With reference to the particulars set out in the Auditor-General's Report on page 109 under the heading of West Moreton District Coal Board, will he furnish a detailed schedule of penalties and compensation paid during the year 1946-47 amounting to £2,109 5s. and £3,992 19s. respectively?''

Hon. T. A. FOLEY (Normanby) replied—

''Enquiries will be made for details of the penalties mentioned, and the information will be supplied when available.''

LOSSES OF BRISBANE DOCK.

Mr. MORRIS (Enoggera) asked the Treasurer—

''With regard to the Brisbane graving dock, in view of the losses, including interest and sinking fund charges on the total State indebtedness (which losses amounted in all to approximately £33,000 for the past year), will he indicate what are the prospects of this asset being put to profitable use, with consequent stabilising of employment for those skilled operatives required for the operation of the dock and the avoidance of this heavy burden on the State Treasury?''

Hon. J. LARCOMBE (Rockhampton) replied—

''The hon. member is taking a rather limited outlook of the dock. It is a defence facility, in addition to being a facility for the repair of merchant vessels. Since the dock was opened 167 vessels have been docked and repaired, &c., and every effort is being made to obtain vessels in order to make the fullest use of the dock.''

ALLEGED STEALING, PALM ISLAND ABORIGINAL SETTLEMENT.

Mr. EVANS (Mirani) asked the Secretary for Health and Home Affairs—

''In reference to the statement on page 162 of the Auditor-General's Report that the Senior Clerk at the Aboriginal Settlement at Palm Island pleaded guilty to stealing £201 and had made restitution of such amount, is the officer concerned still in Government employment and, if so, what position does he now hold?''

Hon. A. JONES (Charters Towers) replied—

''The officer concerned was convicted in the Supreme Court, Townsville, and sentenced to eighteen months' hard labour, to be suspended on his entering into a recognisance in the sum of £100 to be of good behaviour for a period of twelve months, and on condition that he make restitution of money involved. He was dismissed from the Public Service, and notification of such dismissal was published in the 'Gazette' dated 30 August, 1947. At present he is employed by a private contractor in the building trade.''

FUNDS IN AID OF MINING.

Mr. DECKER (Sandgate) asked the Secretary for Mines—

''As it appears that the funds for assistance to metalliferous mining in Queensland; gold mining encouragement; loans in aid of deep sinking; and mining machinery advances are not the subject of appropriation by this Parliament, will he furnish the House with a detailed account of each of these funds for the past financial year?''

Hon. T. A. FOLEY (Normanby) replied—

''Funds have been established for (*a*) assistance to metalliferous mining and (*b*) gold mining encouragement. *Re* (*a*)—the Auditor-General's Report for 1946-47 at page 97 shows how this fund was established. The fund is under the control of trustees—one representing the Commonwealth Sub-Treasury and two from the State Mines Department. No capital grants have been made to this fund since 1938-39, but all repayments of loans, hires of plants, &c., have been credited to the fund, which at 30 June, 1947, stood at £2,733 12s. 6d., as under—

	£	s.	d.
Balance at 1st July, 1946	2,333	9	4
Amounts received as hire of plants, and repayments of loans &c., for 1946-47	2,526	0	11
	4,859	10	3

Expenditure.	£.	s.	d.	£.	s.	d.
Advances for Mine Development &c. ..	54	17	8			
Repairs to Departmental Plants, and provision of new plant	2,069	10	5			
Sundries	1	9	8			
				2,125	17	9
Balance at 30th June, 1947				2,733	12	6

Re (*b*)—the Gold Mining Encouragement Fund was established by a grant from the Commonwealth Government of £14,000 in September, 1940, from funds provided under the Gold Tax Act.

Transactions for 1946-47 were—	£.	s.	d.	£.	s.	d.
Balance in Fund at 1st July, 1946	9,897	19	11			
Repayments of advances received during year	78	5	0			
	9,976	4	11			
Less advance made for Mine Development ..	135	0	0			
Balance at 30th June, 1947				9,841	4	11

This fund is shown in the Estimates under 'Trust Funds.' 'Loans in Aid of Deep Sinking' and 'Mining Machinery Advances' are not funds in the generally accepted meaning of the term. Amounts under these headings have been provided in the Estimates, as under—Mining Machinery Advances—under 'Loan Funds'; Loans in Aid of Deep Sinking—under 'Revenue,' the last occasion being in 1927-28. The figures shown in the Auditor-General's Report for 1946-47 on page 97 under these headings represent the outstanding balances of loans granted from provision made on the Estimates in previous years, and are not cash balances of separate funds.''

Mr. KERR (Oxley) asked the Secretary for Mines—

''Will he furnish to the House a detailed statement of the mines assisted and expenditure under the headings of (*a*) non-recoverable expenditure; (*b*) advances by way of loan; (*c*) mines-opening and working expenses, in respect of each case where assistance was furnished from the Minerals Production Fund during 1946-47?''

Hon. T. A. FOLEY (Normanby) replied—

''Transactions during 1946-47 were:—(*a*) Non-recoverable expenditure, nil; (*b*) advances by way of loan, G. Norris, Mount Carbine, insurance on truck, £5 17s. 10d.; (*c*) mines opening and working expenses, dewatering Mount Chalmers mine, £878 8s. 11d.; compensation, E. Hughes, Irvinebank, £47 7s. 2d.; total, £931 13s. 11d.''

PARLIAMENTARY CONTROL OF FINANCE.

Mr. DECKER (Sandgate) asked the Treasurer—

''Will he furnish the House with a detailed account for the past financial year of any funds under his control, advances from which are not the subject of appropriation by this Parliament?''

Hon. J. LARCOMBE (Rockhampton) replied—

''The following Trust Funds are controlled by the Treasurer, but as the expenditure from these Funds consists of refunds of amounts previously credited to the several Funds, it is not appropriated by Parliament. Payments from the Funds mentioned, with the exception of the Suspense Account, are made in pursuance of Acts of Parliament. In regard to those Funds marked (*a*) hereunder, disbursements are made by way of refund. Other than from the funds marked (*a*), expenditure is authorised by warrant under the hand of the Governor and the signatures of the Treasurer and the Auditor-General. Transactions for 1946-47:—

Fund.	Receipts.	Expenditure.
	£ *s.* *d.*	£ *s.* *d.*
Audit Act Trust Fund	1,171 10 2	3,021 10 7
Commonwealth Wire-netting Advances Fund	357 10 11	420 1 8
(*a*) Companies Liquidation Account	421 18 3	..
(*a*) Grafton-Kyogle-South Brisbane Railway Suspense Account	*Dr.* 40,323 6 1	..
Land Act Improvements Fund	44,962 19 7	25,030 7 11
Liquor Acts Fund	26,674 13 5	133 16 3
Police Reward Fund	4,278 15 10	6,250 0 0
Straits Hospital Fund	78 7 0	..
Supreme Court Funds	9,510 14 5	7,282 6 3
(*a*) Suspense Account	5,832 8 2	..

Information relating to these Funds is published in the Treasurer's Statement of the Public Accounts for the year 1946-47 presented to Parliament by the Auditor-General.''

RELIEF AID TO DAIRY FARMERS.

Mr. DECKER (Sandgate) asked the Secretary for Agriculture and Stock—

''What are the circumstances which led to the writing off of the item ''Assistance to Distressed Dairy Farmers, 1936-37 (£8,537 13s. 8d.), when similar advances dating back to 1915-16-19 (£14,584 7s. 2d.), and in 1920 (£779 15s. 4d.) and 1923 (£42,215 4s. 4d.) are still being carried forward and the debts treated as alive although no interest is being charged nor repayments being made?''

Hon. H. H. COLLINS (Cook) replied—

''The drought assistance given by the Government in 1936 was made available to dairy associations to enable them to assist dairymen, the great majority of whom met their obligations. The associations used their best endeavours to collect the debts, but when it became apparent that the outstanding accounts were irrecoverable or that further attempts to collect them would impose undue hardship, the balance of the indebtedness was written off by the Government.''

TRANSACTIONS OF GEM POOL.

Mr. KERR (Oxley) asked the Secretary for Mines—

''With reference to the quantity of gems held under the Gem Pooling Scheme and reported on in the Auditor-General's 1944-45 report, page 95, but not subsequently, and stated in that report to be of an estimated sale value of £9,335 as at 1 July, 1944, will he submit to the House a statement of the transactions of this scheme since 1 July, 1944?''

Hon. T. A. FOLEY (Normanby) replied—

"The estimated sale value of £9,335 as at 1 July, 1944, represented the following sapphires:—

Grade.	Weight. Oz. dwt. gr.
C	1,927 7 0
C^1	772 8 0
C^2	780 19 12
C Special	217 5 0
S	933 14 0
Total	4,631 13 12

"Subsequent sales have been as follows:—

Date Sale.	Grade.	Weight. Oz. dwt. gr.	Current Realisation. £ s. d.
	(*a*) *London.*		
1945—			
June ..	C^1 ..	25 0 0	800 0 0
	C^2 ..	25 0 0	
	C Special	50 0 0	
	S ..	50 0 0	
1946—			
March ..	C ..	100 0 0	1,016 1 0
	C Special	83 10 0	
	S ..	100 0 0	
1947—			
January ..	C ..	5 0 0	20 0 0
May ..	C ..	1 0 0	4 0 0
	(*b*) *Brisbane.*		
1947—			
February ..	C Special	78 5 0	624 7 6
	C Special	5 0 0	
July ..	C^1 ..	100 0 0	350 0 0
August ..	S ..	5 0 0	10 0 0

SOUTH BRISBANE-BORDER TRAIN SERVICES.

Mr. KERR (Oxley) asked the Minister for Transport—

"1. What is the average number of trains per day which use the section from South Brisbane station to the border?

"2. Will he consider instituting either a motor or diesel electric rail service twice daily from Casino to Brisbane to bring Casino and Kyogle citizens to Brisbane; to provide a valuable rail service to the areas traversed by this section of railway; and, by leaving in advance of the Sydney mail, to obviate the need for stoppages to pick up passengers between South Brisbane and the border?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"1. Seven.

"2. The prospective business would not justify such a service. Representations previously made for a service from the border to South Brisbane were rejected by New South Wales on the ground that it had no rail motors available for such a service and that the expense of providing one could not be justified."

DEVELOPMENT OF COALFIELDS.

Mr. McINTYRE (Cunningham), for **Mr. MADSEN** (Warwick), asked the Secretary for Mines—

"For how many years (approximately) has the coal deposit at each of the following places, namely, Blair Athol, Bluff, Bowen, Burrum, Callide, Howard, Killarney, and West Moreton been known to the Mines Department?"

Hon. T. A. FOLEY (Normanby) replied—

"The coal deposits mentioned below have been known to the Department of Mines since the date of discovery shown, or very shortly thereafter:—

Coal Deposit.	Date of Discovery.	Opened.
Blair Athol	1864	1892
Bluff	1894	1894
Bowen	1878	1920
Burrum	1864	1883
Callide	1891	1946
Howard	1867	See Burrum above
Killarney	1882	1897
West Moreton ..	1827	1860

EMPLOYEES IN RAILWAY REFRESHMENT ROOMS.

Mr. H. B. TAYLOR (Hamilton) asked the Minister for Transport—

"Will he lay upon the table of the House a return of the total number of employees in Railway refreshment-rooms as at 30 June, 1945, 30 June, 1946, and 30 June, 1947?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"The information desired by the hon. member is as follows:—

	No. of Staff.
As at 30 June, 1945	.. 411
30 June, 1946	.. 398
30 June, 1947	.. 373"

CALCULATIONS OF RAILWAY EARNINGS AND EXPENDITURE.

Mr. H. B. TAYLOR (Hamilton) asked the Minister for Transport—

"In view of the statement in the Auditor-General's Report that the financial result of the department is based on revenue earned during the financial year as distinct from cash collections, is the statement of expenditure by the department similarly based or is it on a cash basis with unpaid accounts left over to be borne by the following financial year?"

Hon. J. E. DUGGAN (Toowoomba) replied—

"The departmental expenditure as shown is that which has actually been disbursed during the period 1 July to 30 June."

SETTLEMENT OF CLAIMS BY STATE GOVERNMENT INSURANCE OFFICE.

Mr. H. B. TAYLOR (Hamilton) asked the Treasurer—

"In view of the fact that the Auditor-General's Report shows that general claims paid by the State Government Insurance Office totalled £18,880 for the year and that similar claims outstanding are reserved for in the sum of £20,330, does this imply that the average time for the settlement of such claims is more than twelve months?"

Hon. J. LARCOMBE (Rockhampton) replied—

"No."

CROWN LAND FOR WORKERS' HOMES.

Mr. LUCKINS (Maree) asked the Secretary for Public Works—

"With reference to the item on the liabilities side of the balance-sheet published by the Queensland Housing Commission under the heading of Workers' Homes, which item reads—Vacant Crown land set apart, £33,386 10s.—does this item represent a liability of this fund or is it part of the accumulated funds of the workers' homes account."

Hon. W. POWER (Baroona) replied—

"The liability represents the assessed capital value of the Crown land which was set apart, for the purpose of the Workers' Homes Corporation, free of any cost to the Workers' Homes Fund."

DEFALCATIONS IN PUBLIC SERVICE.

Mr. WANSTALL (Toowong) asked the Premier—

"1. In view of the great number of defalcations which are reported as being under investigation in the current Auditor-General's Report, will he suggest to the Auditor-General that a final report in all such cases should be included in the appropriate subsequent report to Parliament?

"2. With reference to the similar matters shown as still under consideration in the Auditor-General's Report for the financial year 1945-46, will he obtain from the Auditor-General and furnish to the House a supplementary report informing members concerning the outcome of every such case?"

Hon. E. M. HANLON (Ithaca) replied—

"1. Yes.

"2. Yes."

ABORIGINAL WELFARE FUND.

Mr. WANSTALL (Toowong) asked the Secretary for Health and Home Affairs—

"Will he furnish the House with an income and expenditure account for the year ended and balance-sheet as at 30 June, 1947, in respect of the Aboriginal Welfare Fund?"

Hon. A. JONES (Charters Towers) replied—

ABORIGINAL WELFARE FUND.

STATEMENT OF INCOME AND EXPENDITURE AS AT 30 JUNE, 1947.

INCOME.

	£
Cherbourg Settlement	9,848
Palm Island Settlement	15,747
Woorabinda Settlement	13,296
Aboriginal Training Farm	1,109
Foleyvale	11,064
General	19,300
Amount overdrawn 30-6-47	8,425
	£78,789

EXPENDITURE.

	£
Debit carried forward as at 1 July, 1946	512
Cherbourg Settlement	16,932
Palm Island Settlement	17,852
Woorabinda Settlement	15,012
Aboriginal Training Farm	3,447
Foleyvale	10,979
General	14,055
	£78,789

Provision for the clearing of the debit balance as at 30 June, 1947, has been made from Cherbourg Vote (on account Training Farm), £2,000, and the balance from Aboriginals' Incidentals and Miscellaneous Vote. As a reward for the services rendered to the nation during the war, the Government felt that it was its duty to make a distinct improvement in the living, training, and working conditions of the natives, and with this end in view implemented many plans for development schemes throughout the State shown in detail in the annual reports of the Director of Native Affairs."

DUST NUISANCE CAUSED BY MOTOR TRAFFIC.

Mr. PATERSON (Bowen) asked the Secretary for Health and Home Affairs—

"1. What control, if any, has the Department in respect of the dust nuisance caused or aggravated by motor traffic on gravel-surfaced streets in towns or cities?

"2. To what extent are the clouds of dust caused by such motor traffic a menace to health, particularly when they blow into homes? Do they in any way contribute to the spread of dust-borne diseases?

"3. Will he give consideration to the advisability of discussing with the appropriate authorities the need for taking immediate steps to have this nuisance abated or at least considerably reduced?"

Hon. A. JONES (Charters Towers) replied—

"1. The question is one for the local authorities.

"2. The Director-General of Health and Medical Services advises that dust caused by motor traffic is not a menace to health, even though it blows into homes, and it is not considered that it contributes to the spread of dust-borne diseases.

"3. The question is one for the local authorities."

Mr. PATERSON (Bowen) asked the Treasurer—

"1. Is he aware that a serious dust nuisance is being caused by the heavy traffic of Main Roads trucks to and from the Burdekin Bridge Works on the roads and streets in the Carstairs district of Home Hill?

"2. In view of the fact that this nuisance is causing considerable inconvenience and damage to the residents of the area, will he take immediate steps to abate the nuisance?"

Hon. J. LARCOMBE (Rockhampton) replied—

"1. The nature of this work necessitates the fullest activity during the dry season, and some dust nuisance is inevitable with construction traffic.

"2. Action is being taken to reduce the inconvenience."

MATERIALS HELD BY HOUSING COMMISSION.

Mr. MOORE (Merthyr), without notice, asked the Secretary for Public Works and Housing—

"Is there any truth in the statement made by the hon. member for Toowong in Parliament on Tuesday, 28th instant, and featured in the 'Courier-Mail,' that the State Housing Commission, with Ministerial approval, was hoarding building materials required by private builders?"

Hon. W. POWER (Baroona) replied—

"Regarding the several statements made recently that the Commission is hoarding building materials, and referring particularly to Mr. Wanstall's statement on Tuesday last, as reported in the 'Courier-Mail' of the 29th instant, that Brisbane retailers had rows of stoves, lines of baths, and stocks of sinks, all marked 'S.H.C.,' the following statement of the actual position may be of interest:—

Stoves and baths are in very short supply and manufacturers and merchants are quite unable to satisfy the Commission's demands for these items. Sinks are not very troublesome to obtain by anyone requiring them.

The actual position in respect of baths, at 29 October, 1947, is set out below—

Enamelled baths allotted to Commission since 1 January, 1947		248
Delivered to day-labour jobs	78	
Delivered to contractors ..	170	
		248
Number of baths in stock on behalf of the Commission in metropolitan area, held by merchants or on projects ..		Nil
Number of galvanised-iron baths installed in houses since 1 January, 1947		310
Number of enamelled baths required for houses completed and waiting for baths ..		89
Number of galvanised-iron baths required in near future for Commission's houses ..		400

"It will be seen that the Commission does not hoard baths but, in the interests of greater service to its clients, and of the home-seeking public generally, does not quietly accept the shortage of enamelled baths as an excuse, but makes up the large deficiency of this article by having made and installed galvanised-iron baths.

"The position re stoves has not been taken out in detail, but it is very bad. In quite a number of the Commission's rental houses small inadequate electric grillers have been provided as an emergency measure, until stoves can be provided."

PAPERS.

The following papers were laid on the table, and ordered to be printed:—

Report of the Queensland Radium Institute for the year 1946-1947.

Report of the Commissioner for Railways for the year 1946-47.

Report of the Fish Board for the year 1946-1947.

Report of the State Electricity Commission of Queensland for the year 1946-1947.

SUPPLY.

RESUMPTION OF COMMITTEE—ESTIMATES—THIRD AND FOURTH ALLOTTED DAYS.

(The Chairman of Committees, Mr. Mann, Brisbane, in the chair.)

ESTIMATES-IN-CHIEF, 1947-1948.

DEPARTMENT OF JUSTICE.
CHIEF OFFICE.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (11.31 a.m.): I move—

"That £39,302 be granted for 'Department of Justice—Chief Office.'"

The Department of Justice deals with quite a number of matters and some are controlled administratively by the head of that department.

We have the Supreme Court, presided over by the Chief Justice, with the Senior Puisne Judge and six other justices. During the year an extra judge was appointed, making in all eight for the State of Queensland, six of whom are stationed in the Brisbane district and do the necessary work throughout the southern and south-western parts of Queensland. The judge in the Northern District does circuit-court work in the north-west part of the State and the Central Judge, stationed at Rockhampton, does the circuit work west from Rockhampton, and at such places as Bundaberg, Maryborough and other places in the coastal district. Supreme Court justices are not under control by the Chief Office and are responsible to Parliament only. Parliament only can remove them from office. No control over the justices of the Supreme Court is exercised in any way at all by the Department of Justice and that, I think, is as it should be; they are independent of any

person. They have been appointed to administer justice in Queensland and we can say that the Supreme Court bench of Queensland has always been above reproach. The judges of that court have carried out their duties in such a way as to have gained the confidence of the people of Queensland, as I think they have gained the confidence of this Parliament.

Our magistrates dispense justice in what is known as the lower courts. Most of these men have been trained right from the beginning of their working life in legal work.

Mr. Macdonald: What is your purpose in stonewalling?

The CHAIRMAN: Order!

Mr. GLEDSON: I do not know whether the hon. member for Stanley has set out to be officious this morning or whether it is his purpose to try to prevent me from moving my votes and getting my Estimates through, but I can assure the hon. member that if that is so he will not be very successful.

I think I have spoken for 2¼ minutes, and now the hon. member asks me what is my purpose in stonewalling. If he desires to stonewall I shall be pleased to hear him on any of the matters covered by the Estimates for the Department of Justice. If he, as Whip of the Opposition, expresses a desire on the part of the Opposition that I give no information when moving my votes I shall merely move the vote and sit down.

Mr. NICKLIN (Murrumba—Leader of the Opposition) (11.36 a.m.): As the Attorney-General said when introducing his departmental vote, his department has many important sub-departments that have an important bearing on the lives of almost every person in the State. As his department is named the Department of Justice I take it that it and he are interested in seeing that all sections of the community get justice, and I appeal to him this morning to take some ministerial and departmental action in an endeavour to end for all time a racket that has grown up in this State and that vitally concerns a number of returned soldiers who are endeavouring to obtain homes. I refer to a racket that has been the means of enabling unscrupulous persons to rob a number of returned soldiers of their deferred pay and every other shilling of cash they had. These unscrupulous persons include men who have criminal records, and who, unfortunately, have enlisted the legal aid of some unscrupulous member of the legal profession.

Mr. Roberts: Why did they not go to the Public Curator's Office?

Mr. NICKLIN: If the hon. member will contain himself I will tell him what these soldiers have done and the result of all their actions up to the present. Perhaps then he may be able to give legal advice and help in dealing with the situation in which they find themselves.

I have referred to the Attorney-General the case about which I am going to tell hon. members, and he has been very sympathetic and had it investigated by the police but unfortunately, owing to the machinations of the legal member of this unholy gang, they have been able to carry out these actions in such a way that it has been almost impossible for the men concerned to receive justice.

Mr. Aikens: A sort of legalised robbery.

Mr. NICKLIN: It is legalised robbery. My reason for appealing to the Attorney-General is that I know he is a Minister who is particularly industrious in reviewing the various Acts administered by his department. I am referring this case to him with a view to seeing if he will look over the powers of his department to ascertain whether there is any weakness in those powers when it comes to dealing with similar cases. If there are weaknesses he may deem it desirable to bring down amending legislation to eliminate this practice for all time.

First of all, let us imagine the position of these men who have been robbed by these persons. They were discharged from the armed forces and naturally wanted to set up their own homes. Many had married while they were in the services and they were a ready prey to this gentleman—I apologise for calling him a gentlman; or should I say this man?—concerned in this racket.

The man who was the original instigator is named Mulhall, a man with a criminal record who was sentenced a few years ago to 10 years' imprisonment. He advertised in the newspapers that he would build houses for clients and that he had some land available at Camp Hill. Naturally, seeing those advertisements in the paper, these men applied but it is rather significant that this man Mulhall selected his clients from amongst the returned soldiers because he knew they had their deferred pay and had possibly a bit of money saved up during the time they were in the forces. He got these men—the 15 I am particularly concerned with—into his grip and entered into contracts with them, undertaking to build houses according to agreed specifications.

This is where the catch comes in. He had these contracts drawn up by a solicitor. Now, I do not know very much about contracts, but reading the form it seems to me to be very wide and does not seem to bind anyone who enters into the arrangement.

Mr. Power: Who was the solicitor?

Mr. NICKLIN: Hally is the name of the solicitor. In the advertisements I spoke of, Mulhall described himself as a home-designer and contractor but so far as anybody can find out he has had no experience at all in regard to home-designing and contracting. From his record he seems to have concerned himself very much with other things and did not concern himself with home-designing and contracting, until he saw the opportunity offering to take down some unfortunate returned soldiers.

Mulhall entered into sub-contracts with two men by the name of Sharpin and Evans. Evans was a contract carpenter and Sharpin

is stated to have been a builder for a number of years. Although the report that the Attorney-General received from the police stated that there was no evidence that could be obtained that false representations had been made by Mulhall, nor is there any evidence to indicate that he did not intend to carry the contracts out, I should say that setting himself up as a home-designer and contractor when he had no qualifications at all, was certainly false representation.

When I carry on with the rest of the story I think hon. members will agree that Mulhall had no intention whatever of carrying out the contracts. I do not doubt that it might have been possible if the two sub-contractors had been capable of carrying out their work with Mulhall; they might possibly have made a profit out of the execution of the contracts entered into. This is what they did: a few stumps were put in on some of the blocks of land at Camp Hill. One man was fortunate enough to get his house almost completed by actually paying over the last few shillings of the contract price.

He was called upon by Mulhall for the last payment, and the soldier said that he would not pay it until his house had been completed according to the contract. Mulhall carried out the little bit of work that had to be done and after he got the money from this soldier he and a man with him assaulted the soldier and gave him a jolly good bashing up. That was the sort of men who were carrying out this fraud on the returned soldiers of this State.

I do not know exactly what were the intentions of Sharpin and Evans, but beyond putting in a few odd stumps on these blocks and carting out a load of timber to one of them and shifting it to another and so on and the erection of the one house, that was all the work they carried out. I was informed by one of the soldiers that timber that was placed on the job out there was taken away by these two men and the house was built somewhere else—in another suburb. Sharpin cleared out of Queensland about August, 1946, leaving Evans to carry the baby. Evans was the only one in the deal who carried out his part of the work for the returned soldiers, but his partner Sharpin had cleared out leaving him without any of the cash. The cash has disappeared somewhere between Sharpin and Mulhall, and Evans is unable to carry on.

Naturally, these returned soldiers did not sit down and do nothing about the matter. The hon. member for Nundah wanted to know why they did not see the Public Curator. They saw the Commonwealth Legal Aid Bureau. Indeed, they saw everybody who they thought could possibly help them in the matter. They threw in money so that one of them might issue a Supreme Court writ against Sharpin and Evans, the sub-contractors, claiming £2,534 damages for a breach of the sub-contracts made between them and Sharpin and Evans. Civil proceedings were also taken by one of them against Mulhall in April, 1947, for the recovery of £200, which the returned soldier claimed had been paid to Mulhall as a deposit to build the soldier a home at Camp Hill. He obtained judgment for the amount but it was not worth twopence, because Mulhall cleared out of Queensland. Sharpin had already cleared.

Even if they could bring these three men back these soldiers have no chance whatever of obtaining any civil redress. Of course, they could make Mulhall bankrupt, but what would be the good of doing that? Mulhall has a criminal record and you can bet your life that he is covered up pretty well. Even if he was made a bankrupt the relief that these men would get after incurring further expenditure to make him a bankrupt would be poor solace for the loss of their money.

It is rather significant that the amount of deposit that Mulhall and the sub-contractors required from the returned soldier was equivalent to the amount of deferred pay he could draw. One man was a little more unfortunate than the others, because he had saved a little money in addition to his deferred pay, and so they worked on him by saying, "If you can pay us £400 in cash," which was all that he had in the world, "as a deposit, your house will be the first to be built." He is still waiting for his house, although a few stumps were placed in the ground on the block on which it was to be built.

There is a very definite weakness somewhere in the laws of this State when such things are permitted to happen. The reason why I bring this matter up is to ask the Attorney-General to take some action that will prevent any recurrence of it in the future. I am afraid it is virtually impossible to get back any of the money these men have paid to Mulhall & Co. for the simple reason that they have disappeared and nobody seems to be able to find them. It shows what can go on in this State and demonstrates the urgent need, as I am sure hon. members will agree, for some action to be taken by the Attorney-General's Department to prevent a similar happening in the future. The report of the police stated that their investigations had failed to disclose any criminal offence. Legally, there may not be any criminal offence, but I say emphatically that there was criminal intent by Mulhall in particular, and those associated with him, in this matter. It is obvious that they had no intention whatsoever of carrying out the contracts that they had entered into with these soldiers. All they desired was to get their money and get out of the State as quickly as they could.

I have looked at section 427 of the Criminal Code, which deals with the crime of obtaining goods or money by false pretence. It states—

> "It is immaterial that the thing is obtained or its delivery is induced through the medium of a contract induced by the false pretence."

I was wondering whether, under that section of the Criminal Code, these men had not committed a criminal offence that would make them liable. However, I know that the Attorney-General is concerned about this case and I hope that he will take action, if he has not done so already, within his department. If he cannot get action taken to deal with these men criminally—there is no doubt it was a criminal offence, as they entered into

these contracts with the criminal intent of taking down these returned soldiers—I hope he will give consideration to amending the law to prevent things of this kind from recurring in the future. I therefore hope that the Attorney-General will take appropriate action.

Mr. MOORE (Merthyr) (11.54 a.m.): I have had some similar experiences to those of the Leader of the Opposition. Unfortunately, one of the cases brought under my notice with respect to a contract of building a residence was not handled by the type of individual cited by the hon. gentleman, but by one of our leading firms of estate agents. They advertised their willingness to advance money as well as to prepare the documents. One of the clauses of one of these documents was a promise that from the payment of what might be termed a cover charge the contract would be expedited. In other words, because of this payment they would give some personal attention to procuring a builder and the necessary materials.

Mr. Low: What is the name of the firm?

At 11.55 a.m.,

Mr. HILTON (Carnarvon) relieved the Chairman in the chair.

Mr. MOORE: I am not in a position to state the name of this particular person. I do not believe in being unfair. If the hon. member wants this sort of business made public, I can give him some cases where returned soldiers and their wives have been robbed by private enterprise. If he wants it, he can get it.

The building was proceeded with up to a point and then the customary trouble arose about the supply of material. Everybody knows that materials are not easy to get.

As the Leader of the Opposition said of the men with whom he is concerned, this man had put up the money. The building was started. Then the builder comes along and says, "I cannot get any more material; I cannot go on." In this case part of the walls were built and, unfortunately, the floor, which was of pine, had been laid and there was no roof. When he questioned the firm about the clause and the cover payment of £10 they said, "We cannot get the material."

Mr. Wanstall: Did he get the £10 back?

Mr. MOORE: No, he did not get the £10 back. I referred these people to the Public Curator. I am not a legal man and I do not understand legal documents, but I have great confidence in the officers of the Public Curator. Evidently these contracts are framed in such a way that the unsuspecting individual signs them, but under the scrutiny of a legal man they will not hold water. These are very difficult times, but still I believe that even if we can only give publicity to these things it may tend to warn intending builders and get them to use other channels to get their requirements met.

The other case I had was that of a man who decided to have a house built and got a builder to build it. He put up £300 or £400 and the same thing occurred—they could not go on. He came to me with a number of documents that looked like legal documents. He went to the firm that was promoting these affairs and they referred him to some firm of solicitors who talked to him and told him nothing could be done. I sent him to the Public Curator. The second person has not told me how the matter ended but the first person finally got his house built. I cannot understand why the general public ignore such departments as the Housing Commission and fall for these snide advertisements that are inserted in the daily Press by people who promise to give them a gold brick in 24 hours, but I now believe it is the effect of the dishonest and adverse criticism that is hurled at Government instrumentalities today by the members of the Opposition themselves. That is the real reason.

Mr. Sparkes: They cannot get a house.

Mr. MOORE: They are not getting houses anyhow. If they go to the Housing Commission and to the Public Curator for advice they will at least be told the truth and they will be saved from being robbed. That is the point I want to make.

As an inspector of the State Insurance Office I spent a good deal of my time in the homes of people when carrying out my duties, and the position of the Public Curator was frequently mentioned. The people whom the Public Curator's office was created to serve have been frightened away from it by anti-Labour politicians and newspapers.

I am glad the Leader of the Opposition mentioned his experience and I thought I should back him up with the cases that had come under my notice.

Unfortunately the victims were men who offered their lives in defence of their country and who fought to defend these gentlemen and enable them to sit in their Queen street offices and make money.

I should like to see the Public Curator's Office extended by the establishment of a department that would act in a professional capacity for people of limited means who have been forced into litigation. That extension has been promised by the Minister. Legal advice today is very costly, particularly for people of limited means, and I understand that in due course, when staff is available, there will be an extension of the Public Curator's Office to provide practising solicitors who will appear in court on behalf of people of limited means. That branch of the Public Curator's Office will also offer opportunity for the children of parents of limited means to serve their articles as solicitors.

Another matter that is worrying many people today is the machinery brought into operation in evictions from rented houses. This work also could be attended to by practising solicitors in the branch of the Public Curator's Office I have in mind. Today many people are being evicted from their rented homes through no fault of their own. I know this is a matter for the Federal Government and Federal administration, but I raise

it in this Committee as another reason why the work of the Public Curator's Office should be enlarged to give the services of practising solicitors to these people. The process of eviction today is preceded by the writing of letters and a war of nerves. The tenant is asked to get out of the house because the owner wants it, but if he does not the matter is taken to the court, an eviction order is asked for and in due course the sittings of the court takes place. Probably magistrates will say they have not the time at their disposal to give these cases the time that is necessary. However, the parties go before the court and the landlord tells his story and the tenant tells his. I understand that the magistrate takes hardship into consideration and gives a decision accordingly. I believe that in many of these cases the true facts never come before the court. Probably, and for good reason, the court has not the time to investigate the stories told by the landlord in many cases.

Moreover, this procedure is costly. The person being evicted has to get a legal man, such as a solicitor, to appear in court, and the fees for this work to my knowledge range from £5 to £12. I know of an instance in which it has cost an unfortunate woman doing cleaning work about the city, her husband an invalid pensioner, £12 12s.—to be evicted, money that she could not afford. That is wrong. I have taken the matter up with the Federal authorities, but without satisfaction. Evidently some of the Federal members are not interested in these matters, and I am now throwing myself on the mercy of the State Government and asking them to create a department in the Public Curator's Office to which these people can apply for advice and get the necessary professional aid in the court, in order to have the matter straightened out with very little cost to them. I have not much sympathy with people who rush into litigation, but in matters such as this people are forced into court through no fault of their own.

It has been said that the Housing Commission should not require eviction orders in order to place people in accordance with its recognised priorities. We know that if we did not have eviction orders people would be going to the Housing Commission today who would have no right there.

The Leader of the Opposition mentioned the Commonwealth Legal Aid Bureau. My experience is that the bureau operates fairly, up to a point. When it comes to court action, however, the person for whom it acts in the first place again is placed in the hands of the legal fraternity. Some of them are playing the game, some are not, and the efforts of the Commonwealth Legal Bureau are not worth a great deal to the unfortunate person who finds himself in court.

In conclusion, I thank the officers of the section of the Public Curator's Office concerned in these matters, Mr. McAlpine and his assistants, for the good advice they give the public. I am amazed, and grieved to some extent, that the public do not make more use of the instrumentality that was made available to them by a Labour Government. In many instances they are frightened out of it by people who make statements for political reasons only. Today, through this Assembly, I appeal to them to make more use of this Government instrumentality, the Public Curator's Office, and so save themselves quite an amount of worry and hard cash.

Mr. COPLEY (Kurilpa) (12.6 p.m): I did not intend to speak on this vote at this stage, but on Tuesday last I received some startling information, I had promised to make some pungent and stringent remarks on the matter here or at some other place at a later date. I do not propose to make those remarks here at this stage because I have not quite got the evidence I want.

On Tuesday last I was informed that an investigation was going on at His Majesty's Prison at Boggo Road investigating the treatment Stevens and I received at Boggo Road. I was astounded to hear that, because no complaint, official or unofficial, was made in any way by me or by my friend Stevens against the treatment we received at Boggo Road.

I think I have said before that we are very lucky in that we have Magna Charta, the great charter that gave the British people the right to be tried by their peers. Incidentally, it is a long cry back to 1215, but I believe that irrespective of class, creed, rank, or station, any man who offends against society or the established laws of the land should be prosecuted with the utmost vigour of the law. If malicious prosecutions occur, or prosecutions of any kind, a remedy is provided by the law that may be availed of at a later date if certain evidence is forthcoming.

I am not making any threats or promises, but this is what I want to say: apparently, on the evening when we arrived at Boggo Road, some officer over there—and I want to say that he was the essence of courtesy; I had not taken the trouble to make myself au fait with all the regulations under the Prisons Act of 1890—did certain things. Let me say frankly that when my friends in this Committee and those I have met outside, asked me "How did you get on at Boggo Road?" I said the treatment that was meted out to me was rather amusing. It matters not to me whether the things that were done to Stevens and me were done under direction or whether they were done purposely or deliberately. Whether they were done in crass ignorance of the regulations or sheer stupidity, it matters not to me.

On Tuesday afternoon, when I heard this, I approached the Attorney-General and asked that the investigation should cease because I do not think any hon. member of this Assembly will ever accuse me of being a pimp, a squealer, or an informer. Further than that, I want to say that I asked him particularly to drop the investigation, but he said, "What about Stevens?" I said, "I cannot speak for Stevens because I have only heard it, but I do not think Stevens

would want to complain or have any investigation made.'' The Attorney-General pointed out to me that some other individual might go in there who would be submitted to the same indignities, and he wanted to prevent these things from occurring again. I say today publicly, and I ask publicly that any action that is contemplated by the Government be dropped immediately. Let any indignity or anything else that was suffered by Stevens and me be the punishment, because I realise that other unfortunate persons who go into that remand yard will now receive better treatment as a result of the investigations that are going on.

I do not want to give details of it but if anybody cares to look at Regulation 135 under the Prisons Act he will see what I am referring to. On the evening we arrived we were taken to the main office and then to the reception room and told to strip from head to toe. I asked if this was the usual custom and was informed ''Yes.'' There were pointed out to us a couple of sets of prison clothes, woollen shirt, coat, and old trousers—moleskins—and we were told ''You will find old shoes over there.'' Stevens and I did what we were told. I think it can be said that we were admirable prisoners whilst we were over there—God forbid that I should be there for long. I attempted to leave my singlet on instead of the woollen shirt, but was told to remove it, but that is by the way. The shoes that we were given, well, I should not care to describe them to you.

There were only two things that I requested, the first being that I be allowed to take my fountain pen into the cell to do some work at night and the second that on the following morning I be allowed to use my own razor. I shall deal with the matter of razors later. On the question of being allowed to have my fountain pen one would have thought that I had something concealed in it in the nature of a deadly weapon wherewith to stab some warder in the back. However, eventually the concession was granted to me. On the other hand, it might have been thought that I had some poison concealed in the fountain pen with which to commit suicide. The inference is apparent. I did not mind the incarceration.

On the following morning the question of showers was raised and I am not criticising the Government on this matter but the administration and I am going to suggest that certain actions be taken by the Government concerning prison reform. For instance, the barber over there who has to shave prisoners —and he shaves them twice a week—is given not more than six razor blades twice a week to shave 70 inmates. Some of the men have such strong and long growths of beard that on their first appearance he is obliged first to use scissors on them and then shave them. Heaven knows, razor blades are cheap enough, and I suggest that the Government show the unfortunate barber over there better consideration.

On the first morning it was suggested that we have a shower in the wing but one of the boys—I am satisfied that whilst men are not allowed to speak to each other the lags doing long terms can talk without moving their lips because on the way down the stairs on the first morning one said ''Bad headlines in the Press this morning''—told us what to do about a bath. We decided to go to the remand yard to have a shower. The shower is certainly public; so also is the lavatory. I could not use the pan in the cubby-house with me that night. I can understand, of course, why these things are public—that is, to avoid homosexuality which sometimes occurs when men are cooped up for years. In the remand yard my mate had a shower, whilst I used the other portion and vice versa.

I made inquiries about the clothing over there—and this is something that I think the Government should remedy. Some of the flotsam and jetsam of life who enter those walls are covered with lice and vermin of all kinds.

As soon as an accused person goes over there, he is taken to the reception room—a lovely name for it. He is denuded of his clothes. He has prison clothes given to him. If the authorities find him dirty, he is taken some hundred yards or so to a place where he has a phenyle bath. After he has had the phenyle bath he puts on the clothes that he had on when he walked from the reception room to the place where he had the bath. During the stroll down from the reception room to the bath place some of the lice and vermin will fall off him on the clothing. He may later on get another lot of clean clothes and have a wash, but he never again gets a phenyle bath, even though he may be there for 6 months or 12 months. Although they are shaved and cleaned, when they come out their bodies have more lice on them than when they went in. It is really worth while giving some little attention to these things. I do not think that the Attorney-General or any other hon. member realises that these things are going on.

There are two other matters that I think might concern hon. members, and I do not want you to think that I am mentioning these things because I am squealing. I am not. I am thinking of the other fellows who are to come afterwards. I do not know whether any hon. members have had a look at the relevant provisions in the Vagrants, Gaming and Other Offences Act contained in Volume 9 of the Statutes. Section 43, which will be found on page 743, says—

> ''Where a person has been arrested on any charge in respect of which a person may be arrested under this Act, or is in lawful custody for any offence punishable on indictment pursuant to the Criminal Code, the officer in charge of police at the police station to which he is taken after arrest or where he is in custody, as the case may be, may take or cause to be taken all such particulars as may be deemed necessary for the identification of such person, including his photograph and fingerprints.''

Then it goes on—

> ''Provided that if such person as aforesaid is found not guilty or is not proceeded against, any fingerprints or photographs

taken in pursuance of the provisions of this Section shall be destroyed in the presence of the said person so concerned.''

Under that provision it is optional for the officer in charge of the police station to take the photographs and the finger-prints. I am pleased to say that I had the honour of having mine taken although it was optional. Apparently the officer in charge of the police station thought that I had a record or that my friend had, and he wanted to send these things to the Central Bureau in Sydney to see if there was any record. That is not always done, but I was pleased it was done in my case lest it should be suggested that I had received some undue consideration.

I should like to draw special attention to the proviso in the section which says—

''Provided that if such person as aforesaid is found not guilty or is not proceeded against any finger-prints or photographs taken in pursuance of the provisions of this section shall be destroyed in the presence of the said person so concerned.''

There is no provision in this proviso for the destruction of the particulars that are taken, such as particulars of the teeth, those that are filled, the scars on the body, the marks, and so on.

Mr. Wanstall interjected.

Mr. COPLEY: Don't you come into this.

Mr. Wanstall: I was only trying to help.

Mr. COPLEY: Perhaps you can tell us the name of the man with whom you made the arrangement for the payment of £150 to Wood.

Mr. Wanstall: That is a lie.

Mr. COPLEY: I will give you the name before I am finished with you, the name of the legal man who did the work for you. That will come out when I produce the story.

Getting back to what I was going to say, the police have no authority to destroy the particulars that are taken, and I think it should be clearly laid down in the statute that where a person is found not guilty, or where a charge is not proceeded with, such particulars shall not be retained or it shall not be possible to refuse to hand them to someone else. I think that such a provision would be worth inserting.

I think, too, if I may say so, that when a jury are locked up it is quite right that the prisoner in the dock should be locked up, too. But there are cases in which an exception might be made. There is a divergence or difference of opinion amongst legal men as to whether a judge of the Supreme Court has a right to give an accused person the opportunity of not going to gaol. Personally, after having looked at the Act, I do not think a Supreme Court judge has any right to allow him out of the custody of the sheriff until a verdict has been arrived at. Recently, in the case of Mrs. Webb, we had an illustration of how an accused person has to go to gaol until her trial is completed. The judge said he had no discretionary power to remand her on bail. There are records of two previous instances in which prisoners have been remanded on bail. The late Chief Justice Hugh Macrossan gave permission on one occasion. I believe in almost every case it is desirable that the prisoner should remain in custody of the sheriff, but surely in special cases discretion should be allowed. I respectfully suggest to the Attorney-General that he give consideration to the advisability of giving certain discretion to the judges.

While I may have interested hon. members in some things of prison procedure I have not mentioned any of their harrowing features but if someone wants to have a yarn with me privately I will give them to him. I do not want to do so on the floor of this Chamber. I do not want my statements to be in any way taken as a squeal. I rise with all the sincerity at my command to ask the Attorney-General not to take any proceedings against the officials for any breaches of regulations that have been committed in the past but to start from now and see that the amenities prescribed for fifth-class prisoners are provided. If he does that I shall be satisfied.

Mr. AIKENS (Mundingburra) (12.23 p.m.): I am pleased to hear the observations of the hon. member for Kurilpa on prison reform. In regard to fingerprints I cannot do better than state what happened to the hon. member for Bowen, who was arrested on one occasion for sedition. His fingerprints were taken. The hon. member for Bowen said, ''Never mind taking my fingerprints, they will not get me into trouble; take the prints of my tongue as it is more likely to get me into trouble.''

During the case mentioned by the hon. member for Kurilpa the presiding judge, in order to prevent the possibility that the two prisoners would be held on remand over the week-end, expedited the trial by sitting in court early and finishing late on the last day. That is a particularly good idea and should be applied in every instance where there is a danger that the prisoner will be held on remand over the week-end. It was a good idea in the hon. member for Kurilpa's case, and I suggest it should not stop there. In every case where there is a danger that a prisoner will be held on remand over the week-end and there is a possibility of expediting the trial so as to finish it on Friday night, the judge should do as the judge did in the hon. member for Kurilpa's case.

I want to touch on something entirely different from the matters raised this morning. I want to return to the charge I made in this Chamber last year that judges of the Supreme Court are failing in their duty inasmuch as they do not realise the seriousness of the motor menace, and do not realise the seriousness of their duty to impose adequate sentences on the motor maimers and motor killers that will act as a deterrent to others.

When I made the charge that the only thing that stood between justice and the present ridiculously light sentences imposed

on motor maimers and motor killers was the lack of solid matter in the backbone of some of our judges, the Attorney-General, in the course of his reply, made the most irresponsible, the most damaging, and the most dangerous statement ever made in this Chamber. Unfortunately, that irresponsible, damaging and dangerous statement has had repercussions.

The Attorney-General stood up and said that before judges could inflict harsher sentences on motor maimers and motor killers it would be necessary to amend the law. I say that is absolute nonsense. Such a statement, coming from a responsible Minister, was taken up by a member of the journalist staff of the Brisbane "Telegraph"—the man who writes under the nom-de-plume of "Observer"; and in his weekly article the following week he awarded me the prize—I think it was an enamelled garbage can—for making the silliest statement of the week, saying that I should know that before those motor maimers and motor killers can be adequately punished the law would have to be amended, because the AttorneyGeneral said so.

I am going to suggest, however, that the Attorney-General should acquaint himself with the law before he makes any statement on the law. I realise that in the Attorney-General we have a man of sterling integrity and of eager desire to do good; nevertheless I realise too that in the Attorney-General we have a man who knows as little about the law as I know about the Einstein theory of relativity. Consequently, before he makes a responsible statement on the law he should at least acquaint himself with the facts.

The Attorney-General is under the same erroneous impression as is held by many members of the public—that there are different sentences for different kinds of manslaughter. We will take manslaughter as in the case in point. The Attorney-General apparently believes that a sentence inflicted on a man convicted of manslaughter depends entirely on the instrument of manslaughter—that if the man is convicted by a jury and the instrument of manslaughter is an illegal instrument, the sentence is imprisonment with hard labour for life; that if the instrument of manslaughter is a lethal weapon the sentence is imprisonment with hard labour for 14 years; that if the instrument of manslaughter is a motor-car the sentence is imprisonment with hard labour for two or three years. That is absolutely ridiculous. There is only one maximum sentence for manslaughter, there is only one manslaughter in the Criminal Code, and the sentence for manslaughter is any term up to and including imprisonment for life. So that if three persons are convicted before the same court of the crime of manslaughter, one committing manslaughter with a lethal weapon, another committing manslaughter with an illegal instrument, and the third committing manslaughter with a motor-car, the judge can, if he so desires, sentence any one or all of those three persons to imprisonment for life with hard labour; or he can, if he so desires, sentence one of them to 14 years, and another to seven years, and release the third on a bond.

There are barristers in this Chamber listening to me—the hon. member for Nundah, the hon. member for Bowen, the hon. member for Toowong, and I think the hon. member for Kurilpa is in the lobby—who are all eminent barristers proficient in their profession, and none of them can deny the truth of what I say.

So the determination of the sentence rests entirely on the discretion of the trial judge himself; and the judges are falling down on the job in so far as they believe that manslaughter by motor-car is a less culpable offence than manslaughter by a lethal weapon or manslaughter by an illegal instrument. In other words, they would have us believe that if you are slaughtered by a motor-car you are not quite as dead as the man who was slaughtered by a lethal weapon, and neither you nor that man is quite as dead as the woman who has been slaughtered by an illegal instrument. I cannot see the sense of that argument. I realise that there must be discretion. There may be extenuating circumstances in a case that will move the judge to clemency and mercy and perhaps move him to release the prisoner on a bond.

So that the only thing that prevents the motor maimers and motor killers from being adequately punished is the fact that the judges do not and will not face up to the fact that the motor murderer is as bad a murderer as a murderer who used an illegal instrument——

Mr. Plunkett: What is your designation of "motor murderer"?

Mr. AIKENS: My motor murderer is a man who has been found guilty of murder or manslaughter by a jury of his peers. That is my designation. If the hon. member for Albert and I were on separate trials before the Supreme Court today, I on trial for having killed a man with a motor-car and the hon. member on trial for having killed a man with a blunt instrument, and the juries at the same sittings bring in verdicts of guilty of manslaughter in both trials, what is the difference? Is my victim any less dead than the victim of the hon. member for Albert? And the law provides the same penalty.

Mr. Theodore interjected.

Mr. AIKENS: The hon. member for Herbert knows a little about sugar but he knows nothing about the law, so I will advise him to keep quiet. If anyone wants to join in this discussion, let those in this Chamber join in who do know something about the law—and that excludes the Attorney-General.

Mr. Gledson: And excludes the hon. member for Mundingburra.

Mr. AIKENS: I am doing something the Attorney-General is not game to do. I, as a layman, am throwing out a challenge to every legal man in the Assembly to prove that one word I say is wrong.

Seeing that the Attorney-General has bought into the argument I want to say that the police in this State are doing their duty in order to bring these people to trial. The police are doing their best to see that the traffic laws are observed. As a matter of fact, I will let this little secret out. It is not so long ago since a traffic constable on point duty made the Attorney-General get out of his car and pass a sobriety test because the Attorney-General was driving his car over a crossing in little fits and starts, the same as any careful driver does. The constable ordered him to get out of his car and pass a sobriety test, and of course the Attorney-General, being a life-long teetotaller, passed the test with flying colours. It is a tribute to the constable that he was not awed in the least by the position of the Attorney-General and submitted him to the same test to which he would have submitted me. I must admit that at times, if I were a driver of a motor-car, which I am not, I might not have been able to pass the test as well as the Attorney-General did. Evidently this young constable did not care about the Attorney-General and who he was, because when the Attorney-General said, "I am the Attorney-General," the constable said, "That does not matter, I think you are under the influence; get out and walk up and down the footpath and round the car." It is to the credit of the Attorney-General that he did not argue about it. He obeyed the law, the same as every other citizen should obey the law; he got out and submitted himself to the test, passed the test and drove away, like the careful driver he is, in little fits and starts. Very few members of the Government know this and certainly no member of the Opposition knows about it. It is true and I compliment both the constable and the Attorney-General on the way the test was conducted and passed.

I agree in the main with the remarks made by the Attorney-General, that the judges of our Supreme Court are men of high probity and integrity but it must also be admitted that some of the judges have a kink in regard to certain crimes. I wish to say what I am about to say quite openly. Mr. Justice R. J. Douglas, the Northern Judge of the Supreme Court, is a man of the highest character, he is a particularly fine citizen and a judge of the highest probity, reputation and integrity, yet he has a kink in so far as certain crimes are concerned inasmuch as he regards as a minor misdemeanour any crime committed by a motorist but regards as particularly heinous any offence committed with an illegal instrument. He has a kink both ways and there may be other judges who have kinks in regard to particular offences.

In case the Attorney-General thinks that my allegations of Mr. Justice R. J. Douglas's kink are unwarranted, I would point out that on one occasion, when an unfortunate woman was convicted before him in Townsville of having used an illegal instrument on herself in order to procure an abortion, Mr. Justice R. J. Douglas was so eager to inflict a dreadfully callous vicious punishment on that woman that he misquoted the Criminal Code. He told the woman she was liable to a sentence of 14 years' imprisonment, whereas the relevant section of the Code provides for a maximum of only seven years' imprisonment. Mr. Justice R. J. Douglas is too good on criminal law and too knowledgeable a judge to have me believe that he misquoted the Criminal Code unintentionally.

The TEMPORARY CHAIRMAN: Order! The hon. member cannot launch a personal attack on a judge while debating these Estimates. A judge of the Supreme Court can only be attacked on substantive motion. I must ask the hon. member to connect his remarks with the Estimates under discussion.

Mr. AIKENS: I will obey your ruling, only because I am finished. If I had not finished with Mr. Justice Douglas I should have disagreed with you, because there is nothing in the Standing Orders to prevent me from criticising a judge. Nevertheless, that is a matter that you and I, and perhaps Mr. Speaker, can discuss afterwards. There is nothing in the Standing Orders to prevent my criticising a judge so long as I lay the facts on the table.

The TEMPORARY CHAIRMAN: Order! There is. There is a certain procedure to be followed if an hon. member wishes to adopt that line of action, and when discussing these Estimates the hon. member is clearly out of order in pursuing that course.

Mr. AIKENS: Very well, I accept your ruling and I now confine my remarks to general terms. I believe that the time is rotten-ripe for the Government to inform the Supreme Court judges that they are very concerned at the light punishments that are being inflicted on motor maimers and motor murderers. The Attorney-General can do that very simply by exercising his right of appeal in every case in which he thinks that the punishment inflicted on a motor murderer is insufficient. The Attorney-General cannot contend that I am suggesting anything new, because it is not so very long ago that the Crown did exercise its right of appeal against the punishment inflicted by a Supreme Court judge on a man who had been convicted of manslaughter, and the instrument of manslaughter was a motor car. On that occasion one of the judges who sat upon the Full Court to determine the Crown's appeal said, "The Crown should let us know what they want us to do in these matters," and that remark was published in the Press.

At 12.37 p.m.,

The CHAIRMAN resumed the chair.

Mr. AIKENS: It is time the Crown intimated to the judges that the toll of the road is growing so alarmingly, that death and accident on the roads have reached such shocking proportions that the judges also must face up to their responsibilities and inflict such punishment on men convicted of unlawfully wounding, unlawfully killing and manslaughter as will make the roads safe for the people of this State.

I wish now to touch on another matter. I am very sorry that I have to discomfort the

Attorney-General so much, but on this occasion I am going to join with him the Leader of the Opposition and the Press of Queensland. Last year in this Chamber I launched what I believed to be a particularly moving appeal to facilitate and cheapen the right of appeal by a person who had been convicted in the lower court of a minor offence. My remarks went unheeded. Anyone who cares to peruse the pages of "Hansard" will see that I pointed out that many innocent men are convicted of minor offences in the lower courts for such things as creating a disturbance, assaulting the police, and obscene language, and in this State they have no right of appeal. They can appeal in other States in the Commonwealth and in Great Britain, but they cannot do so in Queensland, because here the only right of appeal to the Supreme Court is on a point of law. Not only that, but the expense of an appeal from a magistrate's court to the Supreme Court is such that very few working men can undertake it. The result is that they go through life with an unjust conviction recorded against them, and every time they get into trouble that unjust conviction is dragged out of the archives of the lower court and paraded for all the world to see.

The Attorney-General listened in silence to my appeal last year, the Leader of the Opposition listened in silence to my appeal last year and the Press of Queensland had nothing to say about my appeal last year on behalf of the unfortunate working men of this State who from time to time are wrongfully convicted and unjustly punished in a magistrate's court.

Yet when the Pink Elephant case broke and Murray, of the Pink Elephant case, went to the Full Court and lodged an appeal, because he had a wealthy father and because his father was prepared to spend every penny he possessed to clear his son, and when the Full Court upheld Murray's appeal Mr. Justice Philp from the Full Court Bench made exactly the same remarks as I made here last year. His remarks were headlined through the Press. Mr. Justice Philp said, almost word for word, phrase for phrase, what I said in this Chamber 12 months ago, that there should be some more facile and cheaper route of appeal from a magistrate's court to the Supreme or Full Court of Queensland. Immediately he repeated my remarks they were headlined. The Leader of the Opposition, because there was an election pending or brewing at the time, rushed to the Press and said that he agreed with Mr. Justice Philp and that he for one would support setting up District Courts in Queensland so that the unfortunate working man could have a more facile and cheaper route of appeal.

The Attorney-General, knowing very little about law, snubbed Mr. Justice Philp and said that any suggestion with regard to the facilitation of appeals should come from the Chief Justice himself—he as Attorney-General of this State did not recognise Mr. Justice Philp as being in the picture at all. It was an unmerited and unwarranted snub and I am pleased that Mr. Justice Philp took the same stand as I should have taken—he came back and cut a couple of pieces of skin off the Attorney-General's nose in his reply.

I repeat the appeal I made last year that in this State of Queensland unfortunate working men and women without any great financial backing are at a distinct disadvantage as compared with the working man and the ordinary man in the other States of Australia and Great Britain

In Queensland, if you are convicted before a police magistrate of a minor offence and fined, say, £2 with 6s. costs of court, as Murray was fined, you have to take that punishment or find quite a lot of money to employ high-faluting and high-sounding barristers at exorbitant fees in order to go to the Full Court to fight your case, more or less entirely on the ground of law and not on a question of fact. I appeal to the Attorney-General and members of the legal profession in this Committee to join me in this. Unfortunately the members of the legal profession we have in this Chamber are barristers—big-fee men, men in lucrative positions with lucrative practices—but I appeal to any of them who are interested, if they have the interests of the working man at heart and the interests of unfortunate citizens at heart who have not the money to follow the expensive and tortuous process of law that operates in this State today, to join with me in this appeal. It is an appeal to simplify and cheapen the route of appeal from the lower court to the higher court.

Mr. ROBERTS (Nundah) (12.43 p.m.): Once again we have been treated to a typical entertainment by the hon. member for Mundingburra. With typical rhetoric he shouted out here, "Is a man or woman any the less dead who is killed by some sort of instrument than one killed by a motor-car?" If the hon. member cared to make the slightest inquiry he would doubtless learn that the penalty inflicted for any offence is determined on the degree of culpability and not on the question whether or not the victim is properly dead or only so-so.

Mr. Aikens: Determined by the judge.

The CHAIRMAN: Order!

Mr. ROBERTS: Penalties are determined by the judge. The hon. member would apparently have us infer from his statement that these learned gentlemen did not know the law in respect of the penalties they were entitled to inflict. Such a statement is too ridiculous to merit any reply whatever.

Mr. AIKENS: I rise to a point of order. I never suggested that the learned judges were ignorant of the penalties they could inflict, but I did say that the hon. the Attorney-General was ignorant of the penalties they could inflict and the manner of their infliction.

Mr. ROBERTS: I accept the hon. member's explanation. I was simply replying to the inference that I drew and I am sure the inference that was drawn by all other hon. members from the remarks of the hon. member for Mundingburra.

The Leader of the Opposition made some very interesting remarks, and notwithstanding what I now realise to have been perhaps an inopportune interjection by me I was very interested in what he had to say. The things he mentioned should be aired in this Chamber. We should know about them so that some action may be taken to correct the position or, if that cannot be done, to see that such things cannot happen in the future.

The hon. gentleman said towards the end of his remarks that the Attorney-General was already aware of what had taken place in the instance he quoted and that action or investigation was being made. But it does seem incomprehensible to me that in these days, when returned service men have available for them the benefit of free advice at the Public Curator's Office and at the Commonwealth Legal Aid Bureau, such things should happen. While I have every sympathy for those persons who have been defrauded of their deferred pay and their savings I wholeheartedly agree with the remarks of the hon. member for Merthyr that such things could take place only so long as there is all this talk and adverse criticism of the Public Service and of public servants, which undermine public confidence in those offices and the men who are available there for the assistance of the public.

I rose to take part in this debate because I feel it is incumbent upon me to say something at this opportune time of the working of the Public Curator's Office. I spent some time in the Public Curator's Office and in other Government departments and I am very much concerned at the statements, which many people today apparently take a delight in making, that are adverse to the Public Service. There are people in our community who will blind themselves to the facts and the truth in order to point out the advantages of private enterprise and in doing that they very conveniently overlook the advantages that the public derive from the work of the very efficient officers in the Public Service generally.

We must realise that justice is very much akin to morality. To show how low the public morality of those who advocate the advantages and benefits of private enterprise can descend, I have no reason to go behind the statement made in this Chamber the other day by the hon. member for Mirani. In "Hansard" of 14 October, page 774, that hon. member is reported as having said—

> "It is human nature for these people to get procuration fees."

He was referring to bank managers, who it was alleged were paid procuration fees in respect of loans advanced. The acceptance of such a fee is a violation of the Money Lenders' Act, apart altogether from any question of business morality. It is illegal, yet apparently these champions of private enterprise appear to think it is quite right to take procuration fees in such circumstances.

Mr. Macdonald: He did not condone such a practice.

Mr. ROBERTS: Members of the Opposition have, from time to time, more particularly in the last year or two, advanced the advantages of private enterprise. We have noticed that these champions of private enterprise sometimes come out and appeal to the public servants for their support, but at the same time, in order to support their argument in favour of private enterprise, they do not hesitate for one minute to ridicule and abuse the Public Service and public servants of this State. They are painted as a body of people who are inept and inefficient in their jobs; in short, they are painted as typical bureaucrats. The word "bureaucrat" rolls off their tongue very nicely. Unfortunately, many people in the community listen to the diatribe of abuse and really believe that public servants generally are just as they are painted by these champions of private enterprise. I make bold to say no body in the community apply themselves better to their jobs, and take more interest in their work than the body of public servants we have in Queensland or do their work as well.

Perhaps I have an advantage over some hon. members, as I have been employed by private employers and in the Queensland Public Service and I have practised on my own account. I can honestly say, not only for myself but for public servants generally, that while I was in the Public Service no other section of the commnuity did their work any better than the public servants in this State.

In the Public Curator's Office—and it was of that office that I particularly desired to speak—we have a public organisation that is providing an efficient and inexpensive service that is second to none. If any hon. member would take the opportunity to go through that office and see the way the officers are obviously attending to their duties he would notice the efficiency with which they carry out their work—the large quantity of work that is turned out from that office—and he would probably have a better idea of the advantage of the service that is rendered by that office to this State. One has only to go through the office and see the work that is being done in the administration of the estates of deceased persons, the estates of persons convicted of offences for which they have been penalised with three year's imprisonment or longer, the estates of insane persons, the estates of persons who by reason of age, illness or physical or mental infirmity are incapable of administering their own affairs, to realise the great work that is carried out by that office and the advantage it is to the State.

Then, if he went a floor or two higher, he would see the work that is being done by the legal and conveyancing branch. There we see people from all over Brisbane particularly —although it is open to people from all over Queensland—getting the best legal advice free of charge. One can see wills being drawn up efficiently and well. How many cases have we heard of in which wills have been incorrectly drawn by the Public Curator? Very, very few.

Mr. Aikens: He cannot default.

Mr. ROBERTS: He cannot default because he has the guarantee of this State behind him. We see in the legal and conveyancing section very valuable work being done in connection with legal aid to prisoners who are not in a financial position to pay for private legal aid. In that office, until a few months ago, we had an officer whom I considered one of the most valuable and efficient officers in the Public Service—and I refer to Mr. Ryan—doing a job of great value to the State; and now, as one hon. member mentioned, we have Mr. McAlpine following in his shoes and also doing a magnificent job.

I do not wish to go through the whole ramifications of the department, but I pay tribute to the work being done by that office; and with the hon. member for Merthyr I appeal to the public to continue to place their confidence in the Public Curator's office.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (2.15 p.m.): I should like to reply to some of the matters raised by hon. members before we get too far from them. The Leader of the Opposition mentioned a matter that was brought before the department. I have with me all the papers, the contracts, agreements, and so on, entered into by the returned soldier. The Leader of the Opposition used certain words in connection with these people, referred to them as racketeers and that kind of thing, but I do not think the hon. gentleman used words strong enough in condemnation of their actions. They were not only racketeers, they were the worst form of confidence men and tricksters, because of the way they put it over these returned soldiers. As the Leader of the Opposition has said, one returned soldier was unfortunate enough to have paid over £400, being every penny of his deferred pay; and the other, according to the file of papers, paid over £200, being the whole of the money he had. These soldiers entered into and signed contracts with the builder, but really he was not a builder at all; in fact, he was not going to build. The man with whom this arrangement was entered into, before he took up this racket, as it was correctly termed by the Leader of the Opposition, was an oxy-welder in a motor works. He was not a builder. To me it looked more like conspiracy between this man and Sharpin, but the evidence that could be obtained was not sufficient to substantiate a particular charge of conspiracy. As a matter of fact, there was conspiracy, but we could not get evidence to substantiate it. Had this been possible we should have gone right ahead with the case when it was brought to my notice by the Leader of the Opposition. Every effort was made to obtain all the evidence necessary. We traced these gentlemen as far as we possibly could—the Leader of the Opposition does not think they should be referred to as gentlemen, and I suppose they should not be—but it was found that they had cleared out of this State and gone to New South Wales. We could not get hold of them. That was the only action that could be taken and the returned soldiers were informed of the fact. Of course, we had to do so because we could do nothing unless we could get evidence of conspiracy or of a defrauding or something like that. However, the contracts were drawn in such a way that the returned soldiers paid the deposits. The other money was to come from a building society. They were getting this additional money from the Brisbane Permanent Building & Banking Company.

I should like now to remind the Leader of the Opposition that the whole of these matters were dealt with by private enterprise and the hon. gentleman must not forget that. At no time did the State come into these dealings. We had nothing to do with them. On 26 September, the Leader of the Opposition, when speaking on the Budget debate, raised this matter and at the time he was condemning all State enterprises and therefore in this matter was condemning the State for the manner of handling something that was not handled by the State at all. The hon. gentleman, in the course of his speech made when he was condemning all State instrumentalities, brought in this private matter: the State had nothing to do with it.

Mr. Nicklin: If you were fair, you would say I brought that in in answer to an interjection from the Government side.

Mr. GLEDSON: I have the report here, setting out the position. It says—

> "Mr. Nicklin said that ex-service men had to shoulder a big debt in obtaining homes. Labour members interjected 'They have been robbed by private builders.' Mr Nicklin: 'Not by private enterprise. By crooks and sharks. The Attorney-General knows that well.
>
> "I hope that before this session is over the Attorney-General will tie up the loopholes that enable crooks and sharks to get away with robbing ex-service men.'"

Mr. Nicklin: What is wrong with that?

Mr. GLEDSON: The whole of that speech was a condemnation of State and Commonwealth activities. That condemnation is set out under great headlines. At that time the Leader of the Opposition was dealing with the nationalisation of banking.

I have one of the contracts here entered into by a certain person. He paid over £200, which was all he had, and the balance had to be obtained from a private company. In no case did the State or Commonwealth come into this business at all, except that we did have full inquiries made by the police to see whether we could take criminal action against these persons for robbing ex-service men of their deferred pay and gratuity allowances. Civil action was taken and judgment obtained for the amount paid over, but, as the soldiers were dealing with men of straw, there is very little chance of their obtaining satisfaction of the judgment.

As far as we are concerned, we will continue, through the officers of the Public Curator's Office and our own Solicitor-General, to investigate this matter with a view to seeing if we can either amend the law or bring down a law that will stop these confidence tricks from being played on returned

soldiers or any other persons in the State. So far the only advice we have been able to give is that the only remedy is to take civil action.

The hon. member for Merthyr raised certain questions, and these will be investigated to see if we can do something to tighten up the law.

He mentioned also the question of legal aid in the Public Curator's Office. For some time we have had the necessary legislation ready to establish that Legal Aid Office but we find that the legal men are pretty well tied up and we have not been able to get sufficient staff to expand.

Mr. Wanstall: What salaries are you offering?

Mr. GLEDSON: We have not called for applications or fixed salaries. That will be done in consultation with legal men and the Public Service Commissioner. When we call for applications and we are able to establish an office those salaries will be fixed with the help of the Public Service Commissioner.

We had the hon. member for Kurilpa speaking under a certain amount of strain this morning and he told us of certain things that were going on at the Boggo Road Gaol. So far as I am concerned if anything detrimental to any individual is happening over there, no matter what his position may be, a full inquiry will be made. An inquiry has been made and I have a report on the position here. However, the matters raised by him will be fully gone into to see that such things do not occur again.

As the hon. member rightly said he has made no complaint—no complaint has been received by me from the hon. member. I had the information second- or third-hand and immediately I got to know of it I caused inquiries to be made. It seems that at one time—and this is according to the information I have—one prisoner went into the gaol and he had cyanide in his possession. I do not know how he got it in there. Evidently it was concealed in his clothes. He was not able to do any damage either to himself or anybody else. After that incident the order was given that when prisoners are taken over to the gaol their clothes shall be taken from them but they are given back to them when they have to appear at the court. The order was issued directing warders to see that prisoners had their own clothes when they went from the gaol and that those clothes were removed when they went back. This was to prevent anything from being secreted in the clothes. The order was not intended to deal with a case such as the one we have under discussion today. It was misinterpreted to apply in the way in which it has been applying. These matters, I repeat, will be tightened up and persons responsible for not doing the right thing will be told to do it or get out. I will not allow this sort of thing to go on.

The other points raised by the hon. member for Kurilpa will be gone into. I shall be pleased at any time to go into matters raised by any other hon. member. Anything said in the debate on the Estimates of my department will be noted and reports will be obtained. If there is anything to be remedied it will be remedied.

The hon. member for Mundingburra got up in his usual bustling style and told the Committee and the country that the Attorney-General knows no law. The Attorney-General does know the law, because he keeps the law. The Attorney-General does not depend on himself for his legal advice, nor does he attempt to give legal advice. Everything he gives to any member of this Committee is information given him by men who are competent to give advice.

They are men whose word I would take on the law before that of the hon. member for Mundingburra, although he is an M.P. He complained that I said, in answer to a question by him, that if any alteration was to be made in a sentence imposed by a judge in a certain case it would require an amendment of the law. That answer is correct.

Mr. Aikens: It is pure nonsense.

Mr. GLEDSON: I do not know where the hon. member gets his nonsense.

Mr. Aikens: Out of the same book as you do.

Mr. GLEDSON: I have here all the papers relating to the case. It was one heard in Townsville, and one to which the hon. member referred last year and again this year, the case of Rex v. Scarth. Scarth was a young fellow, I think in the Army. He was driving a truck, ran into some people in Townsville and killed them.

Mr. Aikens: He was on a joy-ride.

Mr. GLEDSON: I do not know anything about a joy-ride. I understand he was in the Army and he was on this truck.

Mr. Aikens: He was not; he was in a motor-car.

Mr. GLEDSON: I have here all the papers relating to the case, and there is no reference in them to a joy-ride. Scarth was charged with unlawfully killing, tried, found guilty and sentenced. He exercised his right of appeal against the sentence, and the Court of Criminal Appeal upheld his appeal and ordered a new trial. The new trial was held before a judge and jury, and the jury did not find him guilty of manslaughter or of unlawfully killing, but guilty of reckless driving.

Mr. Aikens: They found him guilty of unlawfully killing.

Mr. GLEDSON: I am outlining the case to the Chamber, and hon. members can either believe me or the hon. member for Mundingburra. Whenever he gets up in this Chamber he issues a tissue of falsehoods. Every time he speaks it is just the same. What he says now is wrong—this man was found guilty of reckless driving, not of unlawfully killing.

Mr. AIKENS: I rise to a point of order. It is quite obvious that the hon. gentleman is quoting an entirely different case from the

one I had in mind, and in any case I did not confine my remarks to any particular case. I referred to the discretionary power of a judge in inflicting any sentence for manslaughter up to and including imprisonment for life.

Mr. GLEDSON: When the hon. member is bowled out in his mis-statements and falsehoods he gets up and squirms round the matter. Now he says it must have been another case, whereas "Hansard" discloses that last year he named the person who was charged. He did not make any bones about it.

Mr. Aikens: What a falsehood! I mentioned no name.

Mr. GLEDSON: Not today.

Mr. Aikens: Or last year. Come on now, I challenge you to name him.

Mr. GLEDSON: The hon. member did not mention the name today.

Mr. Aikens: You are twisting and squirming like a centepede with sulphuric acid on it.

Mr. GLEDSON: The hon. member will soon have enough sulphuric acid on him to send him to the place where they have nothing else but sulphuric acid, and by that time he will have more sense than he has now.

What does the Criminal Code, about which the hon. member for Mundingburra knows so much, say in respect of this crime? This law was amended not long ago, I think in 1943.

Mr. Aikens: I would not be here, and that is why you made such a botch of it.

Mr. GLEDSON: It is a pity the hon. member was ever here at all.

The following section is contained in the Criminal Code—

> "If any person drives a motor vehicle on a road recklessly or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition, and use of the road and the amount of traffic which is actually at the time, or which might reasonably be expected to be, on the road, he shall be liable—
>
> (a) On summary conviction to a penalty not exceeding fifty pounds or to imprisonment for a term not exceeding four months, and in the case of a second or subsequent conviction either to a penalty not exceeding one hundred pounds or to such imprisonment as aforesaid or to both such penalty and imprisonment:"

That section goes further and provides—

> "On conviction on indictment to a penalty not exceeding five hundred pounds or to imprisonment for a term not exceeding two years or to both penalty and imprisonment."

This was an indictable case. The accused person was sentenced to two years' imprisonment and let out on a bond. Nevertheless two years' imprisonment was imposed. Under the Criminal Code the presiding judge has the right to release any convicted person on a bond if he thinks that to be in the best interests of the public and prisoner. The position is as I have stated. How could I tell the hon. member anything different? If we are to ask the judges to impose greater penalties we must first prescribe those penalties in our Criminal Code or other relevant Act. It was a perfectly true statement and I stand by it, just as I did when I gave the hon. member the answer previously.

The hon. member made also a very peculiar statement this morning. He suggested that the Attorney-General should tell the judges what sentence they should or should not impose. What a ridiculous statement! Just fancy in this year of grace 1947 any Attorney-General, or any individual no matter whether he is acquainted with the law or not, being clothed with power to go to a judge and tell him what sentence he should impose! Just fancy if we had the power to tell a judge that the sentences he was imposing were not sufficient and he had to give greater sentences! This Parliament provides the law to deal with persons charged and that law is interpreted and administered by our judges.

Mr. Hiley: As a free bench.

Mr. GLEDSON: That is so. I was dealing with that point and was pointing out that our judiciary in Queensland was beyond reproach when I was rudely interrupted by the hon. member for Stanley. There never has been an instance in the history of the judiciary of Queensland where any member of it has been charged, or has laid himself open to be charged with doing anything improper. We are pleased to know that right up to the present our judges have held that record and have received the approbation not only of the people of Australia but of people throughout the world for the way they have dispensed justice. I have no intention of attempting in any way to interfere with the administration of justice by the judiciary.

Mr. Aikens: I also suggested that you should look into some of the sentences imposed.

Mr. GLEDSON: I am dealing with that now. If the sentences imposed are inadequate we now have power, which has been given by this Parliament, to appeal against them. Again I am dependent on those who know the law and who know what should be done in such matters, and they advise me accordingly. On the question whether a sentence is inadequate or adequate many things must be taken into consideration. There is the demeanour of witnesses in the witness box; and there is the evidence given before judge and jury. The only persons who can determine what is an adequate sentence are those who have the privilege of reading the depositions and going into the whole facts of the case. If those persons advise me that they think a sentence is inadequate because the law says so and so and that an appeal should be lodged, the whole matter is placed before

Cabinet. If considered advisable, an appeal is then made on the advice of those best able to give it. I would not say or determine whether a sentence was adequate or inadequate. My advisers who deal with those matters go through all the depositions and advise accordingly. If they submit to me a case in which an appeal should be lodged then after consideration of the Cabinet an appeal is lodged.

We have on several occasions lodged an appeal against sentences when our officers thought they were inadequate and did not meet the case.

Another question raised was that of appeals against magistrates' decisions. There may be something in the point raised as to whether an appeal against a magistrate's decision should be limited to a question of law or should provide by way of a rehearing so that the facts also may be reviewed.

Mr. Aikens: And whether it could be made cheaper and easier.

Mr. GLEDSON: That question was not raised by the judge of the Supreme Court.

Mr. Aikens: I did.

Mr. GLEDSON: That is a different matter altogether—as to whether a person has sufficient means of appeal. We will deal with that in a different way. When we get our bureau going we will provide for people who are not able to meet those expenses. If they have a case a question of finance should not stand in the way of getting redress in our British courts of justice. Where people have not had money our Law Society has been exceptionally good and has arranged for appeals by people and the defence of people who have not any money. I must give its members that credit—they have been exceptionally good. Whenever we have brought a case before them they have gone into the matter and helped the persons concerned considerably, and in many cases they have taken the case through with virtually no cost to the person concerned, or just out-of-pocket expenses.

Whether an appeal should be in the nature of a re-trial of the facts of the case, in addition to an appeal on the law, is a question on which legal men are divided. I discussed this matter with the Chief Justice and asked his opinion on it, and he told me that in some cases it could be done but in other cases it would simply mean a dragging on of the trial and the case would go on and on and you would never know when you would get a decision. That is one of the things we intend to go into. Until we get a fairly unanimous opinion that it would be wise to do these things we will not alter the law.

Mr. Aikens: A modified form of appeal worked very successfully in Victoria.

Mr. GLEDSON: That may be so. In some cases it would be excellent if the whole of the case could be gone into; sometimes the law position alone does not give the judges hearing the appeal a fair picture of the case and they are not allowed to go outside it. These are matters on which we do not stand hard and fast. If we find that it can be done, and it is in the interests of the litigant, we shall be prepared to go into it.

The hon. member for Nundah raised certain questions in connection with the Public Curator's Office, and he made certain suggestions. I want to thank the hon. member for his appreciation of the work of the officers of the Public Curator. I think we have been well served by those men. The hon. member specially mentioned the legal officers. At one time the Public Curator was a legal man, Mr. Barnett, but the others were not. Yet they have done and are doing an excellent job in the interests of the people of this State. Our legal office there has been exceptionally good. Its officers have been virtually worked to death, owing to lack of staff, but we have now got some help and we hope to build it up so that it will be more useful to the public than it has been.

I can assure hon. members that a note will be made of the matters raised in the debate and we will endeavour to tighten up loose ends and do everything we possibly can to improve our system, either in the law courts, the Public Curator's Office, or anywhere else in the department.

Mr. WANSTALL (Toowong) (2.45 p.m.): The Attorney-General's remarks in reply to the somewhat startling suggestion of the hon. member for Mundingburra that the Crown should inform the judges if the Crown considered sentences imposed were too light was an entirely adequate reply and had the Attorney-General not dealt with that point I had intended to deal with it at greater length.

Mr. Aikens: I did not say that the Attorney-General should tell each judge.

Mr. WANSTALL: I was coming to that. The hon. member for Mundingburra was urging that the Attorney-General should inform the judges by exercising his right of appeal against their sentences more extensively. But the use by the hon. member of the words that the Crown should inform the judges that the Crown are considerably concerned at the light punishment meted out by them was a very unfortunate choice of words by a responsible member of Parliament. They might give rise to the suggestion, particularly in the minds of people who do not appreciate the significance of his later remarks, concerning the use of the Crown's right of appeal against those sentences, that the hon. member for Mundingburra was suggesting that the Crown should attempt to influence judges by expressing the Crown's opinion as to the degree of punishment.

Mr. Aikens: I wanted the Crown to express their disapproval, not their opinion: I do not care how they do it, either.

Mr. WANSTALL: So far as the other interchange between the hon. member for Mundingburra and the Attorney-General is concerned, I think the two gentlemen are at cross-purposes. The hon. member for Mundingburra was speaking on the question of

sentence on a verdict of manslaughter, whereas the Attorney-General replied by dealing with the discretion the judge has in passing sentence for the lesser offence of reckless driving.

Mr. Aikens: He was too cunning to deal with manslaughter.

Mr. WANSTALL: There is no doubt that for manslaughter the maximum is life imprisonment.

Mr. Aikens interjected.

The CHAIRMAN: Order!

Mr. Aikens: I am sorry.

The CHAIRMAN: Order! The hon. member for Mundingburra had an opportunity to state his case this morning and I hope he will allow the hon. member for Toowong to make his case without interruption.

Mr. WANSTALL: The two gentlemen appeared to be at cross-purposes.

It is interesting to me to know that the Government are approaching the stage of bringing down legislation for extending the activities of the Public Curator's Office and here I desire to thank the Attorney-General for his acknowledgment of the part played by the legal profession in their private capacity towards helping indigent parties with a just cause for litigation. From my own experience I know that what the Attorney-General has said is quite correct, but at the same time the work that it is suggested is to be done by an extension of the Public Curator's Office will, I am sure, exercise the very careful attention of hon. members when the Bill comes before the House. There will be the greatest necessity for a common-sense approach to this question because if the Public Curator as a department is to undertake litigation presumably in the event of his professional attendance and appearance, it will be for one of the two parties in litigation and he may frequently find himself in the position of representing both parties in the one trial.

Mr. Copley: It is working very well in New South Wales.

Mr. WANSTALL: I am not saying that it cannot be successful, but it will be necessary to approach this question with a great deal of care. I might mention to hon. members that in the Federal Legal Aid and Guidance Bureau the same thing is happening today. That bureau does not undertake litigation but undertakes giving advice to parties in potential litigation or disputes, and it frequently happens—it has happened in my personal experience—that while one officer is interviewing one of the parties to a dispute at one table, in the same room at another table another officer is interviewing the other party to the same dispute. Naturally that causes a great deal of unrest in the minds of the persons concerned.

I wish to take this opportunity of replying to some of the unfounded allegations made by the hon. member for Nundah concerning hon. members of the Opposition in general when he accused us of undertaking and carrying on a campaign of vilification of State public servants. That is a complete untruth, and I throw it back at him in those deliberate words. My own reaction to his episode was an impression that he spent a great deal of time smooging and trying to "make his ally good" with public servants in this State, and I am very sorry to see him descend to such tactics. I did not think he would do it.

The only public servants who have been criticised on this side are not the old-school public servants who are very faithful and who give very efficient service to the whole of the people, but that new type of bureaucrat, the controller and regimenter. They are the only people who come in for justifiable criticism from this side. I deny absolutely the sweeping and general condemnation that came from the hon. member for Nundah. He had no grounds whatever for such suggestions.

In dealing with the very serious matter raised by the Leader of the Opposition, about which the Attorney-General displayed a very proper concern, the question of the wholesale taking down of returned service men by unscrupulous people, I notice that in his reply the Attorney-General endeavoured to use such an incident as criticism of the system of free enterprise in general. That is equal to arguing that because charlatans and quacks practice medicine the whole practice of medicine is wrong. The argument is specious. The merits or demerits of the philosophy of free enterprise had nothing whatever to do with this matter.

The state of affairs that has been disclosed is very alarming and it does indicate that the civil remedy is entirely inadequate for dealing with such actions of fraud, and they can only be described as fraud. I am sorry that the Attorney-General did not elect to indict these people even though he expected that they would be found not guilty. That would have been better than letting them off entirely.

Let me suggest to the Attorney-General that when he is considering this matter, as he says he is, he give earnest consideration to the advisability of extending the operations of the Trust Accounts Act to circumstances such as these, where anybody advertises and says he will build or undertake to build on behalf of people. A simple regulation under the existing Trust Accounts Act in respect of the application of that Act may serve a very useful purpose, and I should like the Attorney-General to refer that suggestion to his advisers for consideration.

The question of extending the available grounds on which appeals can be taken from magistrates is causing much concern to the legal profession in this State. A point that must not be overlooked is that apart altogether from the question of value or serious consequences in civil matters, and dealing only with the aspect of the numerical side of litigation, at least 90 per cent. of litigation in Queensland goes through the inferior court. This gives some idea of how many people are affected by an inadequate right of appeal on

questions of fact. The magistrate is the sole and only arbiter as to the facts in far too many cases.

The difficulty is not, as the Attorney-General says, that the available grounds of appeal did not enable the court of appeal to appreciate the position fully but simply that whilst in many cases the court of appeal can and does appreciate the full significance of the facts, the hands of the court of appeal are tied because it cannot set itself up in the place of the magistrate to form its own opinion on the facts.

In the Pink Elephant case one of the judges pointed out that he thought he was straining his powers to the utmost to correct what was obviously an injustice. That is the point to be kept in mind. As one hon. member interjected, in other States a modified form of appeal exists, which is extremely beneficial.

Mr. Aikens: Victoria in particular.

Mr. WANSTALL: Yes. Whilst on this vote I wish to say a word or two on the jury system, and the point I make is that there should be some tightening up in administration. We all know that our jury system is the bulwark between us on the one hand and a tyrannical Crown on the other hand. That great protection was brought about by the barons against a tryannical king, and was incorporated in Magna Carta, where it has stood as a right ever since. In the administration of such a system little defects creep in occasionally, with deleterious effects to the cause of justice. On this very question recently in a week-end paper there was a controversy between the Attorney-General and the paper concerning the jury system, and I believe that the Attorney-General admitted that convicted men had in fact been called up for jury service. He went on to point out that possibly a man sentenced to 12 months' imprisonment could still remain on the jury list. That, to my mind, is an amazing state of affairs in this modern age. If a convicted person can still be thought to be a fit and proper person to pass between the King on the one hand, and his subject on the other on an indictable offence, it is an abuse to which the jury system is open, and it is something to which the Attorney-General's attention should be directed on these Estimates.

Such an occurrence does not require any alteration of the law at all; it is merely a matter requiring some reform in the practical methods of the administration of the jury system. What is wanted is a very much stricter check on the panel selected to serve on juries. The police, we know, carry out certain cursory investigations as to the characters of the persons called, but far too often we hear tales going round that juries are biased and prejudiced, either for or against the Crown, as the case may be. I daresay we all have a personal knowledge of instances in which some irregularity has occurred in the selection of jurymen. A proper check by the police would immediately prevent criminals and convicted persons from getting on a jury, and also prevent perfectly innocent people who might have an interest in the particular litigation from being selected on the jury.

I have a case in mind in which a well-known detective's son was not only selected to serve on a jury but was actually empanelled to try a prisoner. After the case got under way the juryman realised that the prisoner was a man about whom he had heard his detective father speak at home. He realised that under the circumstances that it was wrong for him to sit on the jury, and he took the proper action by getting in touch, through the sheriff, with the trial judge. The trial was stopped and a re-trial of the case undertaken later on in the sittings by another jury. The point is that in that case the juryman was scrupulously honest and had a high-minded regard for the administration of justice. If he had been of a different make-up he could have sat through the case, and if the prisoner was convicted in circumstances of doubt everybody would be saying that it was because a detective's son was on the jury. The whole jury system could have come into disrepute through sheer carelessness.

Mr. Aikens: Probably it would have been said that the detective had arranged to get his son on the jury.

Mr. WANSTALL: That might have been said by some people.

Then there was another instance where a father and son were on the same list from which a jury was to be selected for the trial of one of their own employees. No thorough inquiry had been made by the police into the matter and the father and son had to be excused from service on disclosing the circumstances themselves. Here was a glaring instance where there might have been a grave miscarriage of justice had it not been for the scruples and principles of the persons concerned.

There have been scores of similar cases. I had personal experience of one myself in which I was retained to defend a prisoner charged with interfering with a female. There were two indictments to be presented at those sittings. The one that came on first concerned a girl A and the second indictment which was to be presented later, concerned a girl B. On the jury panel from which the jury were to be empanelled to try the prisoner in respect of girl A was the father of the girl B. The police must have known of the circumstances, that this same prisoner was to face a second indictment in relation to the daughter of one of the jurymen who was to try him at the first trial. Of course, I took appropriate action and challenged that juryman for cause and it was tried by the jurymen already sworn and they could come to no other conclusion than that he would be biased and he was discharged by the judge from service on the jury. There was an incident that should never have happened.

The worst feature of these cases is that men with convictions themselves have to make approaches to the authorities. It is not right that jurymen with convictions should have to approach the sheriff and use their

convictions as an excuse, and a very proper excuse, in order to be released from service on a jury.

There are many other cases that do not involve convictions for criminal offences yet still render the persons concerned unfit subjects to serve on a jury. I have in mind many National Security cases where people have in recent years been convicted of sly-grog selling, black-marketing, and the like. There was a case in which I was defending against the Commonwealth and I noticed that my friend on the other side challenged two or three jurymen in particular, jurymen who appeared to be very reasonable and intelligent people. I remarked upon this to him and he said, "Do you know why I challenged them? Only a couple of weeks ago they were convicted of breaches of Commonwealth regulations." That is the sort of thing that can happen and the very fact that I can give concrete examples should be an indication to the Attorney-General that there is great laxity in this connection and that the duty devolves upon him as Minister responsible for the administration of justice in this State to see that these things do not happen.

I make no suggestion that there is anything dishonest about it or anything wilfully wrong. I am merely pointing out the laxity that calls for careful consideration. It does not require any alteration of the law but merely a tightening-up of the instructions to the police to carry out a more comprehensive check of the characters of jurymen. All that happens at the present time is that the officer in charge of the suburban police station in the district in which the jurymen live is asked for an opinion about the men concerned and if nothing is known to their discredit they are allowed to serve on a jury. The position is that the suburban policeman has no opportunity whatever of forming a very reliable estimate of the characters of the persons living in their district. He has a great deal of other police work to do and it is unfair to expect him to be in a position to issue a warning to the proper authorities that such a person is on the panel. Apart from that, very frequently men can come from other States and are sufficiently long in a suburban police area to qualify for jury service and the police constable in the suburb would have no opportunity whatever of forming an idea of their characters. They may have been convicted in the other States and they may have done nothing improper while they are in Queensland and so it would be utterly impossible for the police constable in a suburb to be in a position to say that such a person was a suitable person for service on a jury.

In New South Wales and Victoria the Departments of Justice undertake a much more comprehensive check of the lists of persons who are called on for jury service. They go about the business of investigating the characters of such persons in a very much more businesslike way than we do. Special police are called on to make a check. They are men who have specialised in the work, and consequently are able to make much more precise reports.

Mr. Roberts: Was not there a case recently in New South Wales where a bookmaker asked to be excused from serving on a jury?

Mr. WANSTALL: He was not ineligible to serve on the jury. He was an S.P. bookmaker. He was not one of those classes who are ineligible because of convictions, but was ineligible because of conscientious beliefs. In that case the S.P. bookmaker sought exemption from jury service because he informed the judge that he could not conscientiously find anyone guilty. Nevertheless, in Victoria and New South Wales, where they do carry out a very much more rigid investigation into characters of jurymen there is not nearly the same trouble as occurs here. In Queensland we have to all intents and purposes in the metropolitan area monthly sittings of the court and it would not be a stupendous task to undertake the investigation I speak of. The investigation could begin immediately a panel is chosen. Moreover, it would be facilitated if there was a widening of the geographical sphere from which jurors are drawn in the metropolitan area.

Mr. Roberts: Do you think public servants should serve on juries?

Mr. WANSTALL: I entertain a considerable doubt about that. I know that public servants are ineligible for jury service. That is unfortunate in some respects because a public servant is invariably a man of high intellect and a high standard of probity. In the last few years particularly the proportion of public servants to the total population has been steadily growing, until now about one person in five of the total population is employed in the Public Service. The remaining section of the population is becoming less and less a fair representative section of the whole community. This matter is one that should receive very serious consideration by the Attorney-General. I am not prepared at the moment to suggest that a public servant should be made eligible to sit on a jury on a trial between the King, by whom he is employed, and the subject. I would not go so far as to express that opinion, but the matter should receive consideration. The whole thing must be approached from the point of view of the necessity of retaining the jury as a clear representative cross-section of the community, with which you must consider that very large section of the community comprised in the Public Service. The question is one of the deepest importance.

I was going to deal very tersely with the manner of compiling jury lists. The Comptroller-General of Prisons furnishes the sheriff with a list of persons who have served sentences in gaol. He is also provided with a list of inmates of mental hospitals by the Department of Health and Home Affairs. Those persons are removed from the list and a jury panel is selected from the remainder. When the sheriff obtains knowledge of a person who is unsuitable to serve on a jury he removes his name from the panel. In the first instance, the only persons on the electoral roll who are not eligible to be summoned

as jurors are those who have served sentences of 12 months' imprisonment or over, or are inmates of the mental hospitals as advised by the Department of Health and Home Affairs. When the sheriff deletes those names he has left the eligible panel. But there are a number of people about whose character is some aspect that renders them unsuitable for jury service. Everyone except those persons is a potential juror. When a man is released from gaol he can make application to have his name restored to the roll. I do not suggest that the Sheriff would like to restore it—I have too much respect for the sheriff to suggest that—but theoretically such a person is a potential juror.

(Time expired.)

Mr. EVANS (Mirani) (3.10 p.m.): I desire to bring under the notice of the Attorney-General the matter of the valuation fees that are being charged for valuing properties, particularly in my electorate. I find that in Brisbane, for a valuation of £500 the fee is £2 2s.; £1,000, £3 3s.; £2,000, £4 4s.; and an extra £1 1s. for each £1,000 from then on. In North Queensland, and I suppose throughout Queensland, many members of the services are buying properties, and under National Security (Economic) Regulations it is necessary for the person concerned to have a valuation. I find that in my electorate the valuers are not charging these fees. I have made investigations as to the fees they are entitled to charge, and the only figures I have been given are the minimum fees, but I understand there are maximum fees. I am not saying the Attorney-General can deal with this matter, because I realise that it comes under the control of the Federal Government, but I am going to point out where the State Government actually do come into it. Very often the stamp office insists on a valuation.

Mr. Aikens: What valuation are you referring to?

Mr. EVANS: I am referring to both valuations; you cannot separate one from the other; the charges are identical. I will read a letter showing how the two valuations come within the same category.

Mr. Aikens: The valuation of the property purchased?

Mr. EVANS: Yes. We find there is lack of uniformity and co-operation between many departments of the Federal Government and the State Government. Only the other day we were talking about the fact that we have a State Labour Bureau and a Federal Labour Bureau, a duplication that is absolutely unnecessary. My point is it is the duty of the State Government to fight for the protection of the people in the State.

Mr. Gledson: Under what department would that come?

Mr. EVANS: It would come under the hon. gentleman's department. If the hon. gentleman will listen to me, I will tell my story and he will see what I am leading up to. I understand the valuation rate is fixed by the Institute of Valuers or the Real Estate Institute, and I submit that the State Government have some power to say whether it is a reasonable rate. It is mostly service men who are buying these farms, and for a £3,000 farm in Mackay the charge was twenty-one guineas. Line that up with the charge in Brisbane, £5 5s. plus mileage for a £3,000 property. In Mackay, where farms are sold every day, the charge would be roughly about 18 guineas, plus three guineas for mileage. It is the duty of the Attorney-General to put up a fight to see that these people are not fleeced to that extent. I have taken the matter up and I have come here because I could get no satisfaction.

The following is a letter that was addressed to me by a delegate of the Treasurer—

> "I refer to your letter of the 24 September, 1947, concerning the valuation fees charged to Mr. R. F. Jarrott, 'Branscomb,' via Walkerston, by Mr. H. L. Black, of Mackay.
>
> "I am informed by Mr. Black that as he had made a valuation of the property for stamp duty purposes he did not make any charge to Mr. Jarrott for the valuation of the property for National Security (Economic Organisation) regulations purposes."

Mr. Gledson: It has nothing to do with this department.

Mr. EVANS: He had made a valuation for stamp duty.

The CHAIRMAN: Order! The Attorney-General states that the matter has nothing to do with his department and that being so I am afraid the hon. member is not in order in discussing it.

Mr. EVANS: If it is not in order now, I will bring it up later when the opportunity arises.

The hon. member for Nundah referred to a statement he said I had made in connection with procuration fees but the hon. member quoted only part of my statement. I went on to say that where the human element comes in this sort of thing happens. In my speech I was applying that comment to the bank managers of the private banks and to everywhere where the human element comes in I will now state that if I were to supply a list of them at the head of that list I would place the legal profession, so far as procuration fees are concerned.

The hon. member for Nundah went further and referred to public servants. I agree with the hon. member for Toowong and since I have been in this Assembly I have never heard public servants attacked. From my dealings with public servants, particularly since I have been a member of Parliament, I cannot speak too highly of them.

Mr. Roberts: Did you not use the word "bureaucrat"?

Mr. EVANS: Of course I did and of course there are bureaucrats. I was speaking of them in general but I can understand the hon. member for Nundah, with his legal training, trying to consolidate his position with public servants politically. The hon. mem-

ber should stick to facts. I have never heard public servants attacked in this Chamber. In my own experience I have received nothing but the greatest help from public servants. During the war years, in my position as the chairman of a company, I had to deal with railway people, who are public servants. They did a marvellous job. The effort of the railway men during those years was remarkable and I frequently wondered how they really stood up to the stress and strain of long hours of work. Where I have found the public servant not to be giving satisfaction, very frequently it is not the fault of the public servant but the direction that he receives from someone on top. It is the policy that is wrong. In 99 out of 100 cases the public servant is not to blame.

To revert to bank nationalisation, my point was that it had been stated that the private banks had done certain things and so had private bank managers and I pointed out that this would not be altered by nationalising the banks because there would be the same human element in the bank managers taking advantage of their position and of the weakness of the people when dealing with financial matters and having friends who had money at call on which they were getting no interest and taking advantage of people who were prepared to invest their money and so collecting a procuration fee. I was not attacking the public servants and I resent to the fullest extent any statement that I would attack a public servant without cause. Whenever I have to attack an officer of the Public Service I will bring the matter up in the Chamber.

I was consistent in my statement but the hon. member should recall the statement he made in connection with Blair Athol when he said the development of Blair Athol would be to protect the resources of the people and stop it from being exploited by the few, but the Premier told the Chamber what was intended—he was going to give an exclusive franchise, a monopoly, to private enterprise —I did not see the hon. member rise in his place.

The CHAIRMAN: Order!

Mr. ROBERTS: I rise to a point or order. The hon. member is referring to a speech I made on the occasion to which he refers and therefore he should remember that I said also, "We ought to adopt the motto Expansion without exploitation," which is self-explanatory.

The CHAIRMAN: Order! The hon. member for Mirani is not in order in discussing either Blair Athol or the nationalisation of banking.

Mr. EVANS: In conclusion, I wish to place on record my opposition to the statement made by the hon. member that I or any other hon. member on this side attacked the Public Service. The public servant co-operates to the fullest extent, he helps us in every way, and it would be wrong for hon. members on this side to allow to pass unchallenged a statement made purely for political purposes in an endeavour to try to help the hon. member to retain his seat at the next election.

Mr. LUCKINS (Maree) (3.21 p.m.): I should like to take this opportunity of paying tribute to the Department of Justice, to Chief Office in particular. I think everyone will agree that whenever we have an occasion to do business with that office we have been treated with the greatest of courtesy and received the best of attention.

I regret very deeply the passing of one of their greatest officers, in the person of the late Mr. Alex. McGregor. He was a very valued servant of the department, he carried tremendous weight on his shoulders in the work he had to do as Registrar of Auctioneers and Commission Agents, but he filled that position with credit to the department and honour to the profession. At times it must have been difficult, but by his efforts he raised the profession to, and kept it on, a very high standard. The standard of this profession is a tribute to his wise supervision, and on behalf of the real-estate agents of this State I wish to express deep regret and sense of loss at the passing of the late Alex McGregor.

Mr. CHALK (East Toowoomba) (3.23 p.m.): I was very pleased to hear the Leader of the Opposition outline the experiences of a number of ex-service men at Camp Hill, and to hear his explanation of how these unfortunate men, their wives and families, were defrauded of their deferred pay by means that in the light of present-day law are legal but certainly, according to all rules of common decency and justice, are a crime of the worst type.

Mr. Gledson: It certainly was not legal.

Mr. CHALK: According to the report of the police, they could not take action.

Mr. Gledson: They could not get evidence that would ensure a conviction.

Mr. CHALK: Then we should see to it that something is done to tighten up the law. When such a set of circumstances arises, it reveals the necessity for doing so, and I hope the Attorney-General will give further consideration to the matter so that there will be no possibility of a recurrence of this type of fraud.

The matter mentioned by the hon. member for Merthyr was rather similar, although he said he could lay the blame at the door of certain business agencies to whom he referred as private enterprises, but when the hon. member for Cooroora asked him to name the firm he was not quite so frank as the Leader of the Opposition.

However, I am not personally concerned as to who the culprits are or what their standing is. If we can tighten up the laws of this land so that this class of racketeer can be prevented from operating, I am wholeheartedly behind it, because very often we have many people today who are home-hunters and are very desperate to get homes and these people, unfortunately, will listen to

stories and tales told them by persons who have the definite purpose not only of defrauding them of their earnings but of crippling them, so to speak, for the future.

I believe there are avenues through which we could tighten up the law. I know that at the present time I am not permitted under the Standing Orders to discuss building but I do want to suggest to the Attorney-General that, when he is thinking this matter over, he should give some consideration to the registration of builders. At an appropriate time I intend to have something to say in that regard.

My chief reason for rising to speak on the debate is to draw the attention of this Committee and the Attorney-General to what I personally term the undue amount of publicity that is being given today in the metropolitan Press to certain divorce proceedings. My words are not intended to be an attack on the Press—far from it, because I personally believe in the freedom of the Press and in present times, when we have a couple of metropolitan dailies.

Mr. Crowley: Do not apologise.

Mr. CHALK: The hon. member for Cairns has interjected that I should not apologise. I suggest to him that he speak occasionally instead of interjecting.

The CHAIRMAN: Order!

Mr. CHALK: The hon. member got into cold sweat on the first occasion he spoke. At present we have a couple of metropolitan newspapers that are in keen competition and unless there is some basis of limiting the amount of space being given by them to certain cases we cannot expect either to cut down these reports because probably it would lose a certain amount of the public support it receives.

Mr. Aikens: We know about the mammoth punter.

Mr. CHALK: I am not concerned with the mammoth punter.

The CHAIRMAN: Order! I ask the hon. member for East Toowoomba to address his remarks to the Chair.

Mr. CHALK: I am concerned about the moral aspects of this community and I do think the amount of publicity being given today by newspapers, particularly metropolitan papers, to the matter I am referring to is not in the best interests of the community. I think all hon. members will agree with me that the lamentable and scandalous reports being published at present and those that have been appearing in the metropolitan daily Press for the past eight days are not in the best interests of public welfare. I do not think there should be a law which would protect these people from having their names published or being so exposed, nor do I think that their sins should be kept from the public knowledge, as that would only encourage such happenings, but I do think it should be well laid down that newspapers should only publish bare facts or that there should be a limitation or a temperate limitation on the amount of space such reports occupy.

Every day divorce cases are heard in the courts and happenings of unfortunate people are aired before a judge but because they are not spicy they receive very little space in the daily Press. During the past eight days a very juicy and spicy divorce case has been contested in the Brisbane courts and for reasons that I cannot fathom it makes headlines in the metropolitan Press. I am pleased that the newspaper in my city of Toowoomba is giving it very little space, but it is getting far more publicity than it deserves in the metropolitan Press. Years ago such happenings got publicity only in certain papers but these did not have a very high repute in the community. However, unfortunately morals today seem to be changing and happenings of such a kind as are being reported in the Henderson case are apparently news, while scientific development and things for the betterment of the community and country receive very little prominence. I hope that the Attorney-General will see that his department gives some thought to this matter, so that such scandalous and immoral happenings are subject to some temperate limitation and do not become matters for bold headlines, as the present case has become.

Mr. PATERSON (Bowen) (3.32 p.m.): The hon. member for Kurilpa raised a very important matter when he dealt with need for certain reform in our prison administration. I was very pleased that he mentioned some of his own experiences and it seems to me that it is repugnant to the principles of justice and decent treatment that any person, prior to his conviction, should be sent to Boggo Road gaol during his trial there to be subject to the indignities to which he and Mr. Stevens were subjected. It is obvious that if they were subjected to these indignities the same treatment is meted out to numerous other people. Surely the fundamental principle of our criminal law is that a person is presumed to be innocent until he is proved guilty.

It is a scandalous state of affairs that any person, except in exceptional circumstances, should be taken to Boggo Road gaol, at any stage of his trial, or before his trial, until he is proved guilty. Some people, it is true, are not put out by such harsh or outrageous experiences, but there are others who for the rest of their lives would be affected by them. Why should any innocent man be taken to gaol at any time? Surely he should always have the benefit of the presumption of innocence until that presumption has been contradicted by a verdict of guilty. Why should he be taken to gaol, put in prison uniform, and be subject to certain prison routine, as apparently accused persons are before they are actually convicted by a court? There must be something radically wrong with our prison administration when that takes place and I am very pleased that the hon. member for Kurilpa has raised the matter. I only hope that the fact that he has had

that experience will lead to the elimination in the future of those practices in our prison administration.

I go further than those who suggest that in special circumstances a judge should have a discretion to release prisoners during their trial; I suggest that prisoners should be released overnight until the trial is completed unless there are some very special circumstances to warrant a judge's refusing to grant bail.

I see no difference at all between these two cases. Why should a person not be entitled to bail on the first night of his trial in a criminal court, when he is entitled to bail on the first night of his trial in the Police Court. He is entitled to bail while waiting his trial in the Police Court. Why then should any man or woman have to be submitted to the ordeal of being gaoled during his or her trial? I see no argument in favour of it, except in such special circumstances as when a court may hold that because the crime is very serious, and the evidence is such that there is a great probability of conviction, there is a strong suspicion that the prisoner may abscond. In those circumstances I can understand the refusal of bail.

The practice to which I refer is the ordinary rule in operation at present in the preliminary hearings before the stipendiary magistrate. Why should not the same principle apply when the trial is taking place before the Supreme Court? I know of a case at Herberton in which I appeared, in which a man was charged with three offences, all arising out of the same circumstances. He was acquitted on the first charge. He was then remanded until the trials of other prisoners took place. Those trials of other men took place and the men concerned were acquitted. Then the Crown Prosecutor announced at the end of the sittings that he was not going to proceed with the remaining charges against the first prisoner, and he was then discharged, but he was in the custody of the court during the whole of the sittings, right from the time he was charged and acquitted on the first charge. The point is that he remained in custody even though in the intervening period he was not being tried under any charge but was waiting for the other persons to be tried. Fortunately, this man did not suffer any of the indignities mentioned by the hon. member for Kurilpa, because the trial took place at Herberton, where there is no gaol like Boggo Road. He remained in custody in the remand yard. He was not forced to change his clothes because there were not any prison clothes for him to put on.

My point is this: as long as we retain as the fundamental principle of our criminal justice the presumption of innocence, I see no reason for treating a person awaiting his trial as other than an innocent man. I urge the Attorney-General to give serious consideration to the suggestions put forward by the hon. member for Kurilpa. Only recently we saw the same thing occur in the case of two women who were being tried. After all, we all agree that a woman is usually of more refined mentality than a man. Consequently she is likely to suffer more from indignities or harsh treatment than a man. But irrespective of whether a male or female is on trial, the person concerned should be treated as innocent, for our law says he or she is presumed to be innocent until found guilty.

The next matter I wish to stress is the right of the Crown to challenge in criminal trials. As the law stands, the Crown has an advantage over the prisoner in a criminal trial. During the selection of a jury both the representative of the Crown and the representative of the prisoner have in the first round an unlimited number of challenges, but in the second round the representative of the prisoner is limited to twelve challenges, while the representative of the Crown has an unlimited number. It is only when the third round is reached that the Crown's right to challenge is restricted. In a jury trial, surely, both parties should have equal rights of challenge.

Why should the Crown have any advantage in challenging? If it is good for the representative of the prisoner to have only twelve challenges in the second round, why should it not be equally good for the Crown to be so restricted? If it is good for the Crown to have an unrestricted number of challenges in the second round, why should it not be equally good for the representative of the prisoner? I suggest that it is time that reform was introduced into our jury system to remedy this injustice.

The Attorney-General in his reply has dealt fairly sympathetically with the suggestion that the right of appeal from magistrates' decisions should be altered. He has not altogether said it would be altered, because he said that at the present time there is a conflict of opinion. He suggests—if I heard him correctly—that we should wait till the opinion amongst legal men is practically unanimous. I do not agree. I suggest that his responsible officers should take it upon themselves to come to a decision—to accept the responsibility of making a decision irrespective of what lawyers generally think about it. I feel that at the present time the law can be improved by widening the right of appeal to a person convicted before a stipendiary magistrate in the Police Court.

It has been made plain by previous speakers that in effect the only right of appeal a person who is convicted in the Police Court has is on a question of law. Strictly speaking, some of our Full Courts have granted appeals upon the ground that the verdict was so manifestly unjust, so manifestly not in accordance with the evidence, that justice was not done. Such a decision is more or less looked upon as a decision on a question of law, but it actually is a decision on the facts. Irrespective, however, of whether it is purely a question of law or is based on the facts, the truth is that very, very rarely does the court of appeal grant an appeal on that ground. You have to have an overwhelming case, not simply a case in which an accused would gain a verdict if it was being heard in the first instance before a Criminal Court judge

but an overwhelming case against the magistrate's decision, before an accused has a chance of winning an appeal. We might as well be perfectly candid and admit that there is no doubt—there is no need to mince matters—that magistrates generally do have bias in favour of evidence given by the police.

I am not now stating something that only the Communists say. One of my first experiences when I became a member of the Bar——

Mr. Wanstall: I agree with you on that.

Mr. PATERSON: Yes. I had a conversation with a member of the Bar whose politics were exactly opposite to mine; he was as far to the right as I am to the left.

An Opposition Member: You do not blame him for that.

Mr. PATERSON: No, I do not blame him for that nor do I blame myself for being at the other end of the pole. I can remember him saying to me regarding magistrates, "Justices of the Peace! Injustices of the Peace is probably more correct." That, of course, was an exaggeration, but he was expressing in exaggerated form the feeling that prevailed amongst many members of the legal profession. He went on to explain to me—I was a new chum in the legal profession at the time—and he said, "You are not in the race if you go before a police magistrate"—as they were then called—"when you are up against police evidence."

I shall also tell you what one man who is now a magistrate in this State—I shall respect his confidence and I shall not disclose his name—said to me when he was a C.P.S. After I had been on a case in Townsville before the police magistrate, this man said to me, "Are you any relation of old Jo Pattison, the solicitor in Rockhampton?" I said, "No, he spells his name differently." He said, "Your remarks in the case remind me of his remarks. He said to me once, 'Give me one police witness against my client and I have no chance; give me two police witnesses and I have a chance; give me three and my man will be acquitted.'" He then told me that he asked the solicitor, "How do you make that out?" and the solicitor replied, "If you have one, there is no chance of a contradiction; if you have two, there is a chance of contradictions; and if you have three, you are bound to get contradictions." I tell these two stories to show that there is a widespread feeling amongst members of the legal profession that a magistrate, whether consciously or unconsciously does not matter, generally accepts the police evidence in preference to that of any other witness.

Such an attitude is wrong. It is completely wrong. I am not suggesting that the magistrate should not accept a policeman's evidence or that his evidence is worse than that of any other witness, but I am saying that no preference should be given to his evidence as against that of any other witness. The evidence of all persons should be placed prima facie on the same basis, and the fact that it is a policeman's evidence or a civilian's evidence should not weigh with the magistrate. Other circumstances should be taken into consideration, but neither of these two facts. That being so, I suggest that it is high time that the right of appeal from a magistrate's decision was widened.

Mention has been made of the fact that the wider system of appeal operates successfully in Victoria. I do not know anything about what operates there in this respect, but I do understand it operates in New South Wales. There they have appeals to the Court of Quarter Sessions—I think that is what it is termed. These appeals are rehearings on the facts. Only a few days ago I read that a member of the Federal Parliament was convicted for a traffic offence, I think, before a police magistrate or whatever the magistrate is termed in Sydney. He appealed against his conviction to the Court of Quarter Sessions, presided over by a judge, and was acquitted. This shows clearly that a widely different attitude is adopted by a magistrate and a judge. The reason may be—and we must face up to this possibility—that magistrates come up the ladder in the Public Service and when doing so are constantly in touch with the police in the course of their duties, and would unconsciously become influenced in a case by a bias in favour of the police, whereas the man who has become a judge does not come through the Public Service and in the early stages of his career is not in constant contact with police. Consequently he has a more unbiased attitude to a policeman's evidence. Therefore, in the interests of justice, I suggest that the method of appeal should be widened.

The Attorney-General raised the objection that it would tend to draw out and lengthen proceedings, and a person would never know, or would have to wait for a long time before he knew what was going to happen to him. I think, however, that it is preferable that a case be drawn out and justice ultimately done rather than that there be swift and sharp retribution and punishment, unmerited sometimes—and convictions are unmerited sometimes—without any adequate means of redress. I think that any disadvantage that might arise from the delay or lengthening of the time before a case is finally settled would be far outweighed by the advantages to be gained from a wider form of appeal.

The question has been raised whether Public Servants should be given the right to sit on juries. I make no bones about it; I say they should be given the right. I cannot see why public servants should not have the right to sit on juries. The right of challenge can be used against them if it can be shown that in any particular case a public servant on a jury might be biased because of his particular job. The public servant can be challenged to show cause. Therefore, any injustice that might arise can be remedied under our jury laws. I cannot see why, in principle, public servants or railway men—they also are excluded at present—should not have the right to sit on a jury, not because I think they are more or less reliable than anybody else but because I cannot see there is any need for distinction. Think, for instance, what would happen if the State were to enter

into business, trade or industry much more than it does at present. Supposing the State widened its activity and State enterprises were widely spread, we should find not only railway men, public servants, coal-miners and coke workers employed by the State, but numerous factory workers, and so on. The mere fact that they were State employees and not private employees would not impair their ability to act as jurymen nor would it weaken their ability to administer justice as jurymen. As the present principle is that public servants and railway men are excluded because of their employees' relationship to the Crown, all these other State employees would also have to be excluded.

I am very pleased that the hon. member for East Toowoomba has raised the question of undue publicity being given to certain divorce cases. He should have gone further than he did, and told the Press straight out what he thought of some of them and make no apologies for them. I make no apologies for them.

I say emphatically that it is not freedom of the Press or liberty of the Press that these people want. On the contrary it is licence for the Press, and I for one am against this unrestricted licence of the Press. After all, whether it is a divorce case, a criminal case or any other sort of case, we have to remember that it is not only the unfortunate individuals who are directly involved in the case who are affected by this undue publicity, but it is their unfortunate wives and children. I can remember well the loathing and disgust with which I saw some of the posters and articles of the "Telegraph" when that unfortunate man Brown was on trial and later on when Brown committed suicide and when his funeral took place. I was filled with loathing and disgust. I was not concerned so much about Brown but I was concerned about his unfortunate wife and the unfortunate members of his family. I admit I did not know them at all, I have never met them. I do not know them and I know nothing about them, but I had sufficient decency to consider the feelings of his wife and children. As a matter of fact, I remember saying to a friend at the time, when I read that one reporter actually went down to the funeral parlour for news—he wanted to interview one of the family at the funeral —that he was lucky he was not knocked down with a stick, because that is what should have happened to him. Just imagine the feelings of this unfortunate woman and her family at the time her husband was being buried and yet these ghouls sneaked along to get news because it might sell their newspapers! I make no bones about where I stand on the matter. I detest such journalism. But the point is: why do the newspapers publish these sensational items? It is because they are out to make money. That is the sole reason, and we can trace the whole of these evils to the fact that the Press as a whole is run for profit and not to serve the interests of the people. I support, therefore, the complaint and protest of the hon. member for East Toowoomba, but I go further and say that we have to root out the whole basic cause, the profit-making motive of the Press before we are ever going to get a proper presentation of the news.

At 3.52 p.m.,

Mr. DEVRIES (Gregory) relieved the Chairman in the chair.

Mr. PATERSON: Freedom of the Press is merely freedom to spread all sorts of sensational stories about people. It may be suggested that the Press should have an unrestricted right because, so long as the people know that publicity is available through the Press it will be a deterrent to these people who might commit criminal offences or who might become involved in divorce proceedings. That would be all right if the Press were consistent. If that was the real principle that motivated the Press, then it is obvious that the papers would publish in full or as fully as possible every criminal case and every divorce case in order to deter all criminals and persons who may become involved in divorce proceedings. But they do not. They only pick out what will sell. That is all they are concerned about. It would not matter if it was the worst criminal offence committed in this State, if there was nothing sensational about it, the Press would not worry about publishing details. Even though the case involved the lives of hundreds of people, they would not give it great publicity if its details were not sensational, but, if the case did not involve the life of anyone, if it was only some minor case, they would give it publicity provided it did contain something sensational. Therefore, I do not think we should be depriving the Press of any just liberty; we should be depriving it merely of unrestricted licence.

I conclude by stating that there is no such thing in our law as unrestricted and unrestrained liberty of the Press or unrestricted or unrestrained liberty of speech or unrestricted or unrestrained liberty of anything. All our liberties and freedoms are limited by law. The Press is restricted to a limited liberty, the liberty to publish things so long as the publication does not conflict with the law. At present there are three main limitations, which are that a newspaper cannot publish anything blasphemous, it cannot publish anything seditious and it cannot publish anything defamatory unless it is prepared to take the risk of being punished for breaking the law. So it is wrong to suggest that there is such a thing as absolute liberty of the Press. There is not. Just as the law has restricted this liberty in relation to defamation, blasphemy and sedition, it could equally restrict it, if not in the interests of morality particularly, then certainly in the interests of the welfare and comfort of the wives and children of the unfortunate people who are involved in the law.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (3.55 p.m.): There are only a few matters for me to reply to.

The hon. member for Toowong raised the question of the jury system, and the practice is as he set it out. First of all, to get on

the jury list it is necessary that a person be on an electoral roll. That is the first qualification. We have 27 jury districts in Queensland and those districts are situated where there is a court house and the arrangement is that persons within a radius of 5 miles of the court house are eligible to go on the jury list. I am referring to male persons, unless they have certain disqualifications. We find in the Brisbane district, within a radius of 5 miles from the centre of the city, there are approximately 53,000 persons on the jury list; in the whole of the 27 districts there are approximately 104,000 persons.

The qualifications for juror are these—

(1) He must be between the age of 21 and 60; when a person becomes over 60 years of age his name is taken off the roll;

(2) He must be of good fame and character;

(3) He must be a resident of Queensland;

(4) He must be a householder; and

(5) He must be enrolled as an elector.

For a female to serve on a jury she must give notice in writing to the Principal Electoral Officer of her willingness to act on a jury. A female is not allowed on a jury unless she signifies her willingness to act in writing, and then her name is put on the list at her request.

A householder is defined as a person or the husband or wife of a person who occupies a dwelling house, any son or daughter residing with such householder, and also any person occupying residential quarters, flat or room continuously for not less than six months immediately prior to the compilation of the jury list. The jury list is prepared in the first place by the Principal Electoral Officer who has a key roll for every electorate in Queensland.

There are disqualifications in that—

(1) No alien is allowed to be on a jury list;

(2) Any person convicted of a crime or misdemeanour is not allowed on a jury list but an exception in that regard is made if that person has received a free pardon. With very limited exceptions fines and misdemeanours are indictable offences, and it follows that persons with bad criminal records would not necessarily be disqualified by this provision by jury service;

(3) An undischarged bankrupt;

(4) Illiteracy; and

(5) Anyone of bad fame or repute.

Every effort is made to keep the jury list as clean as possible and when the Principal Electoral Officer prepares his jury roll he prepares it from his records of past years.

Any person found to be disqualified through any prescribed cause is marked as being disqualified on the jury roll. When a person fills in a claim card seeking enrolment on the electoral roll he is asked whether he is eligible or ineligible for jury service. In that way we have discovered that certain claimants had criminal convictions and were thus disqualified from being on the jury list. The Principal Electoral Registrar gets all the information he can for the preparation of the jury roll which is then sent to the Police Department to be checked. If the police discover that certain persons on the jury roll have criminal convictions or are otherwise ineligible to serve on a jury, the names are marked accordingly and such persons become ineligible to serve on a jury. Then the roll is sent to the sheriff who has his own roll showing those exempt from service on a jury through being over age or for some other cause, and the jury list is again checked against his roll before the jury list goes out. After all this elimination has taken place the names are put into a barrel and the jury panel is selected therefrom. When the panel is drawn up there is a further check to see whether there is any person on the panel who is not fit or should not be on the panel. There is another check by the sheriff before the names are sent out.

I have discussed the matter with the sheriff, Mr. Emerson, and he told me that on some occasions the rolls as sent over to him have included names that should not have been on the jury roll, but in the whole of the history of Queensland juries, on no occasion has a person convicted of an indictable offence actually got on a jury. Although the names of some such persons have been included in the jury panel they were prevented from getting on the jury either by counsel for the defence or counsel for the prosecution. We want, as far as possible, to remove any doubt about these matters and to prevent there being any chance of any person's being on a jury who is not entitled to serve. There are checks by the Principal Electoral Registrar, the Police Department, and the Sheriff of the Supreme Court, and now at my request they are making further inquiries with a view to tightening up the whole situation to prevent even the few that have wrongfully been included on the jury list from being there. We shall look into the matter to see whether something cannot be done.

Mr. Wanstall: They will go into their characters as well as their convictions?

Mr. GLEDSON: Yes. It may be necessary to have a more complete police check on the characters of the persons on the jury list. When we get all that information we can tick off the names as being eligible to serve and so it can go on year after year. We are going into the matter with a view to seeing whether persons unsuitable can be eliminated from the jury list.

The hon. member for Maree paid a tribute to the officers of the department, especially to the late Alex McGregor, who unfortunately has just passed away. I want to thank the hon. member for Maree for the very fine tribute he paid to Alex McGregor. He was a splendid officer, a man of excellent character, and a man who had done a great deal of work for Queensland. He had been in Queensland for many years. He was not only an officer of my department but he was a personal friend of mine. I can assure

you, Mr. Devries, that not only I but the whole of the officers associated with him very much regret his passing. I am sure that other members of the Opposition, with the hon. member for Maree, regret the passing of Mr. McGregor. The deceased gentleman did splendid work as the Registrar of Auctioneers and Commission Agents and the people affected appreciated the work he did in trying to help them in eliminating those who were not fit and proper persons to engage in business on those counts. Mr. McGregor took many actions against persons who brought discredit on the profession of auctioneers and commission agents.

The other matter raised by the hon. member for East Toowoomba has given us some concern for a considerable time. It is very difficult to know how to deal with the matters raised by him and the hon. member for Bowen. We can deal with matters as they affect our courts, but the question of Press reports goes further than my department. It might be difficult to deal with the Press from the point of view of the department. We could in some way place certain limits on the reports of proceedings in court. That would be only tinkering with the question. It should be dealt with from the wider angle. Certain photographs and advertisements published from day to day in the Press are not elevating and do not help to uplift the morality of our people. As the hon. member for East Toowoomba and Bowen aptly stated, at one time you would not see these things appearing in the Press.

Mr. Maher: You repealed our 1931 Act in 1932. That Act prevented the Press from publishing details of divorce cases.

Mr. GLEDSON: I understand an Act was repealed, but it was repealed in the interests of the freedom of the Press. As the hon. members for East Toowoomba and Bowen stated, the Press has a certain freedom but it must not mistake that freedom for licence. Probably the subject will have to be dealt with in a broader sense than dealing with it from the point of view of restricting reporting in court and the administration by the department.

The hon. member for Bowen, as he did last year, raised the matter of Crown challenges in criminal cases. We investigated that matter last year and obtained reports on it. This system has been in practice for a very long time; in fact, it goes back to Magna Charta. For some reason or other, we still carry on the traditional opinion that the King can do no wrong and that there should be no curtailment in the King's administration of justice. The matter has had some consideration but not sufficient to justify an alteration at the present time.

Another matter raised was the question whether courts accept police evidence before the evidence of an accused person. I do not know whether those whose work takes them into the courts are more fitted to express an opinion on that than I am, but irrespective of whether the evidence is police evidence or the evidence of an accused person, our courts are supposed to deal with the matter on the justice of the case. They take into consideration the credibility of the witnesses. If mistakes are made in some cases, that is unfortunate. I hold with the hon. member for Bowen that there should be no discrimination, that the evidence should be considered on the basis of truth and credibility. It is not right to say that the police can do no wrong. There have been cases in our courts where the evidence of the police has not always been accepted in preference to the evidence of the accused person. That is the only way to carry out justice, to take the credibility of the witness and the likelihood of the truth of his statements, irrespective of whether it is a policeman or a civilian. The case should be decided purely and simply on the evidence, irrespective of the person.

Hon. W. POWER (Baroona—Secretary for Public Works) (4.12 p.m.): I desire to say a few words on this vote. I wish to refer to some remarks made by the hon. member for Toowong during my absence in hospital a little time ago. The hon. member said he was sorry that the hon. member for Baroona was not in the House to listen to what he had to say, perhaps implying I had deliberately absented myself.

Mr. Wanstall: There was no such suggestion.

Mr. POWER: The inference was there. For the information of the hon. member for Toowong let me tell him I was seriously ill in hospital at the time. Many statements were made by that gentleman that were untrue and unfounded, and attacks were made on honest, decent people. One most ridiculous statement the hon. member made was that a Labour organiser had called at a place and the lady asked for a postal vote and he got the form signed and the Labour organiser put his hand in his pocket and pulled out a bundle of ballot papers and presented one to the lady——

Mr. Wanstall: I have a statutory declaration to that effect.

Mr. POWER: The hon. member may have. No doubt it would be faked, like many others for the purpose of trying to injure members of the Labour movement.

Mr. Chalk: You cannot judge others by yourself.

Mr. POWER: If I were to judge the hon. member, I would not express what I thought of him in this Chamber.

The hon. member can have as many declarations as he likes, but they can be faked. He has attacked the returning officer for the Baroona electorate. I do not know the returning officer very well, but I know he is an employee of the Railway Department and holds a very responsible position. He has not an opportunity of replying to the remarks made by the hon. member. I want to say that I can make some charges in connection with the Baroona election, and I have evidence that Mr. Toombes, my political

opponent, called at a house and took from that house a postal vote that had not been witnessed. He took it away and it was witnessed by somebody else. Toombes took that postal vote and I have a statement from the woman, who is prepared to give the evidence that Toombes took that vote.

Furthermore, if the hon. member wants to take the gloves off with me in regard to the Baroona election, Mr. Toombes was caught stealing one of my signs. He took the sign down. One of my men saw him. I did not know it was Toombes but I immediately rang the police. I had the Police Department make a check to see who was taking down the signs. I had the number of the truck and it was found that the man who was driving the truck was not the owner. The truck had been borrowed but the person driving the truck was Toombes, the Queensland People's Party candidate for Baroona. As a matter of fact, he went to the hon. member for Toowong, who gave him legal advice in connection with the matter.

Mr. WANSTALL: I rise to a point of order. That statement is untrue and I ask for its withdrawal. I did not give Mr. Toombes any legal advice. I did not hear about it until several days later.

Mr. POWER: I accept the hon. member's statement but I will repeat to the Committee what Toombes told me on the Saturday morning. I think I am entitled to do that. On Saturday morning I saw Toombes and I saw the green truck. I said, ''Mr. Toombes, were you taking my signs last night?'' He said, ''For God's sake forget it. The police have been out to me and Charlie Wanstall told me to say nothing until after the election results come out on Monday.''

Mr. WANSTALL: I rise to a point of order. If that statement was made, it was completely untrue and I ask the hon. gentleman to accept my assurance that it is untrue.

The CHAIRMAN: Order: I ask the Minister to accept the denial of the hon. member for Toowong.

Mr. POWER: In that case Toombes must be telling lies. Toombes made that statement to me and I would suggest to the hon. member for Toowong that he interview Toombes in connection with the matter. As a matter of fact, in common decency, immediately Toombes told me he was guilty of the offence I telephoned the Police Department and said, ''Kindly take no further action in connection with that matter. I have ascertained who it was who took the signs.''

It is all very well for the hon. member for Toowong to come into this Chamber and make charges without foundation. I know of some of the political tricks pulled from time to time by the opponents of the Labour Party. Many statements and charges have been made in regard to personation and other irregularities. No matter what may be done, there may be some irregularities although not wilfully made in relation to any candidate, Labour or anti-Labour. Sometimes allegations are made as to duplicate voting and at other times people do not vote at all. Such things can occur, because the presiding officer has a large number of voters waiting to be attended to and omits to strike out the names. I resent the statement made by the hon. member for Toowong and the implication as to why I was not in the House to listen to what he had to say. The hon. member could have been honest and decent enough to have said that I was in hospital at the time.

Mr. Wanstall: I said I was sorry you were not here.

Mr. POWER: He said he was sorry, the implication being that I could have been here.

Mr. WANSTALL: I rise to a point of order. Is the hon. gentleman in order in imputing an improper motive to me in making that statement? I understand he cannot impute improper motives to me. I said I was sorry he was not here.

Mr. POWER: I am not imputing any motive but desire to tell the hon. member and the people of Queensland my reason for not being present. If at any time the hon. member for Toowong wants to make any statements concerning me I shall be quite happy to meet him any time anywhere but I resent attacks made by the hon. member on honest and decent people.

A man by the name of Hall, an investigator for the Queensland People's Party, went along to certain people and sought certain information from them as to whether they had recorded postal votes or not. He interrogated one poor old lady as to whether she had recorded a postal vote and she said, ''Oh yes, Mr. Power got my vote.'' She was then asked, ''Did Mr. Power come and take your vote away?'' And the woman replied, ''I do not think you are entitled to ask me that question.'' This man then said, ''If he did he committed a breach of the Elections Act.'' The old lady said, ''Mr. Power did not come near me at all for the vote. The canvasser came along and I voted for Mr. Power.'' I might say that as a result of the way that old lay was spoken to she passed away a couple of days afterwards. I admit she was an old lady, but I do believe that the actions of these people in interrogating her hastened her death.

I want to know what authority Mr. Hall or any other member of the Queensland People's Party has to go into anyone's house and question him as to whether he recorded a postal vote or not. As a matter of fact, I know that in some of the places they went to they had their legs pulled very long indeed by some of the people from whom they sought information. I also told a number of people who got in touch with me in connection with this matter that next time they came into the house they should throw them out, because they had no right to be there.

The charges made against the returning officer for Baroona by the hon. member for Toowong are unfounded and unwarranted.

Vote (Department of Justice—Chief Office) agreed to.

COURTS OF PETTY SESSIONS.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (4.21 p.m.): I move—

"That £173,924 be granted for 'Courts of Petty Sessions.'"

The amount required is £7,437 greater than last year's expenditure, an increase of £8,526 being necessary in salaries, whilst there is a decrease of £1,089 in contingencies. The expected increase in salaries expenditure is occasioned by provision for payment of award increases and the recent basic-wage increase.

The number of officers employed is 18 less than in 1946-47. The decreased expenditure in contingencies is due mainly to a decrease of £2,500 in the amount required for retiring allowances, &c., and increases in postage and incidentals of £898, and of £710 in allowances to witnesses in criminal and quasi-criminal proceedings conducted by the police.

Vote agreed to.

ELECTORAL REGISTRATION.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (4.23 p.m.): I move—

"That £24,678 be granted for 'Electoral Registration.'"

This figure represents an increase of £362 in salaries and a decrease of £19,715 in contingencies. The decrease in contingencies is due to the fact that the general elections were held in 1946-47 and the bulk of the expenditure came from the vote for that year. There will be a certain expenditure this year, but the bulk of it was paid out of last year's vote.

Mr. NICKLIN (Murrumba—Leader of the Opposition) (4.24 p.m.): Before voting the amount asked for, I should like to know from the Attorney-General what steps he has taken or proposes to take to clean up the electoral rolls of this State, to make them correct rolls instead of the overstuffed rolls that we have at the present time.

During the debate on the Address-in-Reply I touched on this question, but I did not have time to go into it as fully as I should have liked.

The recent census has borne out the figures I quoted. There is no doubt that at the present time there are over 67,000 more names on the rolls in Queensland than adults in this State. Are hon. members of this Chamber satisfied with that state of affairs or do they think that some action should be taken to clean up the rolls and to make them a true and correct record of the names of people entitled to vote? Apparently the Government are more than satisfied with this state of affairs, because when we look at Labour legislation we find that every Elections Act passed in this Chamber since Labour came into force in 1915 has brought about conditions that make it easy to have names on the rolls that should not be there. One of the main stays of our democratic system is to have electoral rolls that can be relied on and are a true representation of the people entitled to vote, and nobody by any stretch of the imagination can say that our Queensland electoral rolls measure up to that standard.

I am about to quote a table I have prepared that gives a comparison of the population and enrolments in Queensland from 1915 up to the present time. I want to have the following table inserted in "Hansard" in table form:—

Year.	Population 30th June	Adult Population.	Enrolments General Elections.	Enrolments Percentage of Adult Population.
1915 ..	688,212	385,399	302,061	78·3
1918 ..	688,946	385,810	424,416	110·0
1920 ..	737,463	412,979	445,681	107·9
4/4/21 (Census)	755,972	423,128 (56 p.c.)	..	..
1923 ..	785,466	439,861	449,087	102·1
1926 ..	847,757	474,744	445,893	89·3
1929 ..	891,435	499,204	484,122	96·9
1932 ..	930,456	558,274	492,036	88·1
30/6/33 (Census)	947,534	565,054 (60 p.c.)	..	..
1935 ..	960,859	576,515	575,288	99·7
1938 ..	995,333	597,200	606,559	101·5
1941 ..	1,032,303	619,382	634,916	102·5
1944 ..	1,058,094	634,856	655,984	103·3
1947 ..	1,106,269	663,761	697,405	105.0

I have taken the recent census, for the year 1947.

When we analyse those figures we come to some very interesting conclusions. For instance, in the first three years after the Labour Elections Act was passed in 1915—and I shall quote the relevant sections in a moment—the total enrolment increased by 122,355, although the adult population increased by only 411. The figures are particularly interesting. The enrolment increased from 78.3 to 110 per cent. of the total adult population. It showed that there were more names on the roll than there were adults in Queensland.

For the 1920 elections, the enrolment was 22,553 greater than the total adult population six months later, as disclosed by the census. It can be seen that ever since Labour came into power in this State there have been more names on the roll than there are people entitled to vote. Their rolls are in a bad state and the bad state of the rolls coincides with the advent of Labour and its amendments of the Elections Act.

For the two elections under non-Labour Governments, the percentages of adult population were 78.3 in 1915 and 88.1 in 1932. In those periods every effort was made to keep the rolls clean but apparently Labour Governments encourage unclean and stuffed rolls, because we find that under Labour Governments the percentages range from 89.3 per cent. to 110 per cent. Those figures alone should be a damning indictment of Labour administration in regard to electoral machinery, especially the rolls. For the 10 elections under Labour Governments, the enrolments were greater than the total adult population on seven occasions.

Mr. Burrows: In 1932 you had them on the run, and they did not have time to stop and get on the roll.

Mr. NICKLIN: The less the hon. member says about rolls the better for him.

Between 1929 and 1932, under a non-Labour Government, the proportion of adult population enrolled was 88.1 per cent. In the next three years it increased by 11.6 per cent., or to almost 100 per cent. Since then the proportion has been over 100 per cent. every election.

Mr. Moore: You were defeated in 1932.

Mr. NICKLIN: The hon. member for Merthyr interjects that we lost that election. We did lose that election, but we would sooner lose an election than win one by stuffed rolls. (Government interjections).

In the first three years of Labour Government, commencing in 1932, the population of the State increased by 30,403, but the enrolment of electors increased by 83,252. For every additional 100 of the population, of all ages, there were 273 more electors on the roll. Yet hon. members are satisfied with that, and are quite content to allow this state of affairs to continue.

Let me come down to the current year. In March, 1947, the estimated total population in the metropolitan area was approximately 405,000, and the adult population was 241,200, according to the census figures just released. The enrolments of electorates within that area totalled 269,200, or 26,200 more than the total adult population.

Mr. Jesson: Those are only your figures.

Mr. NICKLIN: If the hon. member can dispute my figures he is at liberty to do so. My figures are indisputable. They are census figures released by the Commonwealth Statistician. If they are checked they will be found to be absolutely correct.

The evidence I have given, extending over 22 years, shows conclusively that Labour legislation and administration create inflated electoral rolls, which provide the opportunities for corrupt practices at election time. We all want, or we should all want, a perfectly fair election, and an election free from any corrupt practices. How in the name of goodness can we have a fair election from which corrupt practices are eliminated, while the rolls are in their present condition?

I charge hon. members opposite, and the Government they support, with creating a set of conditions enabling those things to come about. All the amendments that they have made to the Elections Acts have tended to bring about a laxity in regard to enrolments, and have brought about that condition of affairs whereby we have 67,400 electors on the electoral rolls in excess of the total adult population.

I do not know whether the Attorney-General is willing to clean up the rolls; if he is I can help him a little. For example, I can give him just a few dozen of these envelopes, which I have in my hand, that have been returned to the Dead Letter Office. I can give him some names that have been checked, so there is no doubt about the correctness of them.

Mr. Theodore: Have you reported these?

Mr. NICKLIN: The hon. member knows the Elections Act and he knows that for every one of these I should have to put in 2s. 6d. and I am not prepared to do that. If I am willing to give the Attorney-General the evidence and if he is willing to do something to clean up the rolls, he should see that these names are eliminated from the rolls. These names are from the Dalby division of the Aubigny electorate and the division adjacent There are eight pages of closely-typed names with the roll number against each one, and they have all been checked; and it will be shown that these names should be eliminated from the roll because they are not entitled to be on that roll.

Here is another list from the Normanby electorate, which the Attorney-General also has. Other hon. members can supply the Attorney-General with names that are on rolls but should not be there. During my speech on the Address in Reply I quoted the case of one lady in my electorate who, unfortunately, died in 1939, and her relatives received a notice after the last election asking why she had not voted. And the Attorney-General had the colossal hide to get up in the House when replying to me and say, "Why did not her husband advise the electoral officer that his wife was dead?" Why did not the husband advise the electoral officer!

Mr. Gledson: Why didn't he?

Mr. NICKLIN: For what purpose have we got the office of the Registrar of Deaths, Births and Marriages?

Mr. Gledson: Did she die in Queensland?

Mr. NICKLIN: Yes, and she was buried in Queensland. There is a story attached to this.

Mr. Gledson: There is a story attached to it. I have the story.

Mr. NICKLIN: Yes, I know, but the hon. gentleman has the wrong story. (Laughter.) The Attorney-General thought he had one on me. (Renewed laughter.) He is chasing up the lady who died in New South Wales and he had a police officer interviewing the husband of this lady who died in New South Wales; he thought that was the one to whom I referred. I hope the Attorney-General will tell the whole story because the husband of the lady who died in New South Wales informed the electoral officer twice that his wife was dead; and they took no notice and left her name there.

Mr. Gledson: He did not advise once.

Mr. NICKLIN: The Attorney-General has not yet found the lady to whom I refer.

Mr. Gledson: Who is the mystery lady?

Mr. NICKLIN: I will tell the hon. gentleman afterwards. I am not going to put the name of that unfortunate lady in "Hansard."

Opposition Members: Hear, hear!

Mr. Gledson: She has been dead for nine years. It would not hurt her to have her name in "Hansard."

Mr. NICKLIN: If the Attorney-General realised how her relatives felt when they got that notice he would not treat it with levity.

Mr. Gledson: She has been dead for nine years, so it should not hurt for her name to be quoted.

Mr. NICKLIN: Referring to the laxity that exists in regard to electoral rolls in this State I have the case of a name that is on three current rolls for 1947. This person's name is on the Cooroora, the Nanango, and the Murrumba rolls. What sort of electoral machinery have we got in this State to allow such a state of affairs to exist?

I have here an enrolment card and at the bottom of this card one of the statements that has to be made by a person making application for enrolment or transfer of enrolment, is, "I was last enrolled for the electoral district, division and so on." One would imagine that when anybody changes his name on the roll the first thing the electoral officers concerned would do would be to put the name on such-and-such a roll and eliminate the name from the roll from which the elector was transferring.

Mr. Turner: Do you not think they do that?

Mr. NICKLIN: I have given an instance of the one name on three rolls and the hon. member asks that! It is all very well for hon. members opposite to treat this with levity, but it is a matter far too serious to laugh about. If hon. members opposite are quite satisfied with the state of the rolls as they are in Queensland, they can laugh, because apparently it must suit their purpose, but it does not suit the people of this State.

Mr. Burrows: You have one on three rolls.

Mr. NICKLIN: Nobody in this Chamber can teach the hon. member for Port Curtis anything about rolls, so I think he had better keep quiet.

Mr. BURROWS: I rise to a point of order. I take exception to the remarks of the Leader of the Opposition. I will stand up and debate my political experiences and I think they will show in just as favourable a light as those of hon. members of the Opposition. I have always had the greatest respect for the Leader of the Opposition, and for that reason——.

The TEMPORARY CHAIRMAN: Order! Is the hon. member rising to a point of order?

Mr. BURROWS: Yes. I ask the hon. member for a withdrawal.

Mr. NICKLIN: The hon. member does not appreciate that I was paying him a compliment.

The state of the electoral rolls of Queensland has to be taken very seriously when we are asked to vote for this sum of money. What is the use of our voting this money for rolls such as they are at present? If we vote money for the Electoral Office, we expect that there will be complete and correct rolls for this State, not the over-stuffed rolls we have at present, with 67,000 more names on them than there are people in the State. The figures I have quoted are official and irrefutable. If hon. members opposite want to refute them in any way, they have a job ahead.

Mr. ROBERTS (Nundah) (4.49 p.m.): The remarks of the Leader of the Opposition have been most illuminating, in view of the statements coming from that side of the House that hon. members do not attack the public servants, but here we find them making a violent attack on the public servants employed in the Electoral Office. Any person who knows the Principal Electoral Officer, Mr. Maguire, and his officers, will be satisfied that in these men we have men of considerable efficiency, ability and, above all, courtesy. There is no foundation whatever for such an attack as the Leader of the Opposition has made this afternoon upon men of the ability of these gentlemen. There is no reason for attacking these men, who daily are doing their duty well and efficiently.

Perhaps the hon. gentleman has not had the opportunity of visiting the Electoral Office and seeing the methods adopted by those officers to keep the rolls as up to date as possible. They can only keep them as up to date as the information given to them will enable them to do. The hon. gentleman scoffed at the idea that when they get a new enrolment card they do not cross the name of the person concerned off the old roll. I can assure him that every enrolment card that comes into that electoral office is very carefully and properly checked.

Mr. Nicklin: Then how did the same name remain on three different rolls?

Mr. ROBERTS: The only significance about that is that in the case quoted by the hon. gentleman the names were on three anti-Labour rolls.

Apparently the crux of the hon. gentleman's remarks is based on the figures he gave us. We must commend him for his diligence and research in getting those figures, if they are correct—and I have no reason to doubt them—but the significant point is that he says that there is something in the nature of stinking fish where there are more names on the roll than there are adults within the State. That is not the significant point, although the hon. gentleman attempts to make it so. What would be significant would be if there were more votes cast at the election than there were adults living in the State.

The only inference we can draw from the fact that there are more names on the roll than there are adults living in the State is that primarily the policy of the Labour Government has been to see to it that every person who is entitled to be enrolled is enrolled and not to deprive anyone of the opportunity of a vote. On the other

hand it was significant that the first figures given to us by the Leader of the Opposition for the period following the initial stage when Labour began to govern this State, showed that fewer people were enrolled than there were adults in the State, and I suggest that the only inference to be drawn from that is that the Tory Governments of those days saw to it that as many Labour supporters as possible were kept off the rolls.

While we are on this point, although I am rather reluctant to bring the individual into it because I am at least friendly with the hon. member for Cooroora, as his leader has brought this matter up primarily for publication in the Press, not so much for the information of the Committee, I must make some reference to the condition of the Country Party rolls in Cooroora, the rolls used by that party for the purpose of their plebiscites prior to the last election. Before any responsible member of this Chamber gets up and preaches about what the Labour Government should do, he should put his own house in order. We all know that for the purpose of its plebiscites for the selection of candidates for election this anti-Labour organisation at present called the Country Party has rules that provide that only financial members of the organisation and persons enrolled on the State electoral roll for the district are entitled to be included on such Country Party rolls. For the information of the hon. member I could table the Cooroora electoral roll and the Country Party roll at a later stage if desired. It is an illuminating fact that the Cooroora Country Party roll used by my friend the hon. member for Cooroora in the Country Party plebiscite prior to the last elections contains not one but many names of persons who were at that time unfinancial with the Country Party and of others who had long since moved out of the electorate and were enrolled in other State electorates in Queensland. I submit that before the Leader of the Opposition or any hon. member on that side of the Chamber tells us to put the affairs of the State in order he should first take the opportunity of putting his own house in order.

I submit that the significance of the information given us by the Leader of the Opposition is not any inference we might draw from the fact that more people are enrolled than there are adults living in the State, but the proof that our electoral machinery is so good and our elections are so well conducted that more votes are not cast than there are adults living in the State. This matter was debated during the Address-in-Reply, and I have no hesitation in saying that it was brought up again, not because the Leader of the Opposition really believes that the officers of the Electoral Office have not done their job well and honestly, not because he believes the Labour Government have fallen down on the job in any way, but for one purpose and one purpose only—to keep the matter alive in the hope that they might in some two and a-half years' time be able to hoodwink the people of Queensland into believing that there is something rotten about the Labour Party and that they will return an anti-Labour Government to conduct the affairs of this State.

Mr. JESSON (Kennedy) (4.58 p.m.): At the outset I should like to congratulate Mr. Maguire on the very fine job he has done in keeping our electoral rolls so clean. As a matter of fact, it is an obligation on the part of every elector who leaves a district to notify the electoral registrar in his new electorate of his arrival. It is also part of the job of any relatives or friends so to notify that officer after the required residential qualifications have been fulfilled.

I join with the hon. member for Nundah in his remarks concerning the aspersions cast upon public servants engaged on this job. Clerks of petty sessions, constables, and sergeants of police and others have, ever since the House met in August of this year, been maligned by the Opposition for what they call malpractices in connection with the rolls prior to the last election.

Mr. Russell: Only odd ones.

Mr. JESSON: Every electorate was mentioned. The funny part about the whole business is that it was in the Labour electorates that the malpractices were alleged to have occurred. Nobody has said anything about any other electorates; the ones quoted by the Leader of the Opposition were Labour seats. You would probably find the same incidents happening in many other electorates if you went through the whole lot.

Anomalies will creep in. Frequently the applicant does not fill in the enrolment card properly. I have even had them come to me and say, "You fill it in, Mr. Jesson, and I will sign it." How do I know where they come from or where they live? They should fill it in themselves. I tell them to go to the police constable, or the clerk of petty sessions and get him to fill it in.

A few months before every election a police constable or some other public servant goes round the electorate to bring the roll up to date, and to say that the rolls are corrupt is only casting aspersions on the integrity and honesty of these officers. After all, what is the source of the information upon which the electoral registrar acts? It is only the information contained in the enrolment cards. The Principal Electoral Officer in Brisbane can be guided only by the information sent to him on the cards from the country. There is an obligation on the elector to see that he is properly enrolled. It is an offence for an elector not to become enrolled and to have his name erased from the roll in respect of a district that he has left. This is the responsibility that devolves upon the individual, not on the Government or an electoral registrar. It is a civil right, a right for which the people fought for years, the right to vote. Women fought for years for women's suffrage, and now half of them overlook the fact that they have to vote, they do not worry about going to the polls. They cannot blame the Government if they are not enrolled. I agree with the hon. member for

Merthyr that the only purpose hon. members opposite have in mind in suggesting that the rolls are rotten and corrupt is that they hope some of the mud will stick and that the Government will be brought into disrepute.

During an earlier debate much was said by hon. members of the Queensland People's Party that amounted only to the casting of aspersions on not only presiding officers but also returning officers in all electorates, including my own, but events proved that all their charges were baseless. It was difficult to follow the actual charges of the members of that party, because their material was all jumbled up.

For instance, the hon. member for Toowong read the speech that his leader, the hon. member for Windsor, had prepared for the occasion, because the hon. member for Windsor had been unavoidably detained in Mount Isa through aeroplane trouble. Like Horatius at the bridge, the hon. member for Toowong jumped into the breach and read the speech prepared by his leader, but not knowing anything about the subject he made a great many mistakes. Then the Leader of the Queensland People's Party returned and tried to rectify the mistakes that had been made by the hon. member for Toowong. He waved a piece of paper round the Chamber in a most excited manner.

Incidentally, here I would point out that when the Leader of the Opposition was asked to give the name of a woman whose name was wrongly on the roll he declined to do so, but there was no hesitation on the part of hon. members opposite in bandying my name about the Chamber, and accusing me of being guilty of corrupt and rotten practices. During the debate on the Address-in-Reply, the hon. member for Enoggera made these remarks, which are to be found at page 318 of "Hansard"—

> "That is the humbug. They are not minor matters; they are serious irregularities, and action of some sort should be taken. All our witnesses and the deponents of these statutory declarations are honest men and of good standing. Not one thing has been said by a member of the Government Party to disprove the standing of any of the men who have given evidence in support of the charges we have made."

At 5.5 p.m.,

The CHAIRMAN resumed the chair.

Let us examine the man who defamed decent people's characters. In the Kennedy electorate, with the exception of the candidate himself, the imported villain who came from Rockhampton to Townsville to cause trouble, and another gentleman who was there, I congratulated the scrutineers of the Queensland People's Party on its fairness and decency. But its decent showing was spoilt by the employment of these gangsters.

Then a Mr. T. Byrne, of Townsville, made some lying and scurrilous statements. He was stupid enough to sign his name to a document. Let us see who this Mr. Byrne is. He resigned from the Clerk of Petty Sessions Office—he was a public servant—in 1935. He was then appointed secretary of the Cairns Show Society. After having occupied that position for three years, he was dismissed by the committee. That committee consisted of Mr. Headrick, Mr. Crowley, and Mr. Bennett, three highly respectable citizens of Cairns, because they had no further confidence in him. They appointed Mr. Hooper to succeed him as secretary. What happened? The society wanted to obtain its books from the ex-secretary but he could not be found. Subsequently they found some of the books, but others have not been found since. Mr. Byrne had to meet the committee at 4 o'clock one afternoon and hand over all books in his possession. On account of his not having certain books certain malpractices could not be laid at his door.

Then on 12 October, 1937, Mr. Thomas Byrne, who signed this lying document, and Frederick Charles Thompson were fined £4 each and 4s. 6d. costs of court by the stipendiary magistrate for holding themselves out as registered tax agents when in fact they were not. This is the class of individuals whom the hon. member for Enoggera said were honest. The reason why they were not registered was that some years previously, when they were so registered, they were struck off the roll of registered tax agents because of some malpractice. However, they continued to trade "under the cush" but were eventually found out and fined by the stipendiary magistrate. These are the arch Kewpies, the rogues and vagabonds, the defamers of decent men.

I have in my hand a copy of a report made to the Department of Justice in which all the charges made by the Queensland People's Party on the Address in Reply, the charges made by the hon. member for Windsor, are dealt with. The report reads—

> "State School,
> "Belgian Gardens,
> "Townsville,
> "4 September, 1947.
>
> "Sir,
>
> "In reply to your letter of the 27th ultimo, I submit herewith my comments on certain allegations recently made in Parliament by Mr. Wanstall."

The reason why the Attorney-General or Under Secretary obtained this document was that the hon. member for Toowong was badly confused or messed about while he was reading the speech of the leader of the Queensland People's Party. The whole subject matter got boxed up, but people will be able to decide the truth without any trouble after reading this report. It continues—

> "As a preliminary observation, I have to state that the motive and purpose of the application for the recount of votes are now apparent.
>
> "The application was opposed by the local Queensland People's Party Committee and its opposition was supported by members of the Country Party, but contrary to the advice and better judgment of his local friends and supporters, Mr. Johnstone

obstinately persisted such persistence being undoubtedly supported and prompted from Brisbane.

"This strong local party opposition was the reason for the importation of a scrutineer from Rockhampton."

That storm trooper who was imported from the Central District was Mr. Smithers.

The letter continues—

"Mr. Wanstall shows open resentment at the charge of 'frivolity' as applied to the recount, and facts have been grossly exaggerated and misrepresented in a vain and abortive attempt, to prove it otherwise.

His quotation from 'Mark Twain' becomes humorous when applied to himself, because facts have not only been 'distorted,' but under his forceful compression have suffered complete strangulation.

If Mr. Wanstall's encomium 'that their candidate's word is as good as anyone else's' is deserved, then I am exonerated, for Mr. Johnston remarked as he shook hands with me after the recount, and I quote—

'I want to congratulate you on the fairness and accuracy of the count, and when I go back to Ingham, I will be able to tell my party that everything was fair and above board.'

Mr. B. Smithers also remarked as we shook hands and, again I quote—"

He is No. 2 storm trooper of the Fascist Party—

"'I was told before leaving Rockhampton that there would be no need to doubt the integrity of Chandler and I am very happy about it.'

I am reluctant to invoke these personalities, and only do so in confirmation of my previous report that there was no acrimony or recrimination at the recount, and, as evidence, that the vindictiveness of the allegations vilifying me was prompted by Mr. Wanstall's dual purpose to bolster his attempt to prove the recount justified and to place discredit on the conduct of the elections.

It is a significant fact that of the eight persons present at the recount, only two (the affected candidate and his imported scrutineer) have allied themselves with the allegations. All the others (including the candidate's Campaign Director and a fellow committee man) have denounced the allegations as barefaced misrepresentations.

At the original count, where the motive, intention and purpose of the scrutineers were not ulterior but fair and honest, and where Mr. Johnston was always doubly represented very little difference of opinion arose and practically all cases of 'validity' or 'invalidity' were determined by the scrutineers themselves.

At the recount, however, and subsequently, it is now quite evident that, again prompted from Brisbane, the motive and purpose on the part of the imported scrutineer, were to obtain what he considered as 'ammunition' to justify the recount and some startling statements of untruth have resulted.

I have already replied to his allegations concerning the validity of certain votes and submit herewith my replies to all his other charges as appearing in the copy of Parliamentary debates published on the 19th and 20th ultimo.

1. Charge:

The sectional votes could not possibly have been adequately checked because the returning officer did not make up his key roll and refused to make it up.

Answer:

This is another unadulterated lie. No scrutiner asked me at any time to produce my key roll. Mr. Smithers casually asked me if it were completed.

It was not completed at that date but only insofar as the transcribing of the voter's identity from all the rolls used at all the polling booths was concerned, but otherwise was up to date.

All section votes were very definitely checked with the voter's name before they were counted, and the name on the roll annotated accordingly.

If Mr. Wanstall would allow common sense and honesty to operate instead of unfounded suspicion he would realise that not even a 'super-colossal' returning officer could otherwise allow the section votes to be counted.

I would remind Mr. O'Hagan of my telephone conversation with him after the recount on Sunday, 25th May, whereat I pointedly asked him if my key roll was to be shown to the scrutineers if requested so to do.

The information was required to know my position should they ask for it. However, no such request was made.

2. Charge:

There were a number of postal votes in which the name of the Labour candidate had been written in the same handwriting.

Answer:

This is a gross exaggeration. Formal objection on the part of a Queensland People's Party scrutineer was to two and to two only. Exactly four others were looked at, but a dissimilarity was pointed out. In all these cases the name 'Jesson' was in printed lettering not in handwriting as stated.

3. Charge:

The same thing happened in regard to a number of absent votes.

Answer:

This is another distinct lie. No scrutineer, at any time, objected to an absent vote on these grounds, nor was my attention at any time called to such a similarity."

Hon. members will see that the charges made have no foundation whatsoever. They were concocted three months after the election. These people are not supermen and

they did not have the intelligence to write down what they thought they would say, and when the Queensland People's Party was trying to find charges to lay against the Government they devised something and dug up all the dirt they could out of their own filthy sewerage minds to slander decent people.

The letter proceeds—

"(4) Charge:

'On Wednesday, 7th May . . . the Returning Officer had failed to ensure that certain postal and other votes were checked and placed in the ballot-box away from the envelopes . . .'

"Answer:

'This charge is distinctly untrue. On each occasion of the counting of section votes, four persons each performed one operation.

'One person cut the outer envelope open; a second extracted the ballot-paper, handed it to me and the declaration (envelope) to the third party, I entered the roll or other number on the top right-hand corner and handed it to a fourth who gummed it down and deposited it into a ballot-box ready for counting.

'If the identity of a voter was discovered it was not through negligence or connivance on my part, and I am not aware of the incident charged against Mr. Jesson.' "

This chap, the secretary from Cairns, who was fined for falsifying taxation returns, deliberately charged me. He said I threatened to get the man the sack. There was only one union organiser in the district, that of the A.W.U., and he was with me all the time during the election campaign. I know where he voted, because he voted first thing in the morning in the booth at Ingham. He did not use a postal vote at all. But this individual is trying to malign me in the eyes of the working people in my electorate.

The letter continues—

"(5) Charge:

'When the votes from Hervey's Range were counted . . . .'

"Answer:

'This is untrue, as there was no polling booth at Hervey's Range nor was there any collection of votes classed as Hervey's Range votes.' "

How the devil could these people make such lying statements and come into the House and say that I used low and filthy language relating to Hervey's Range and said, "They will never get the bloody road while I have anything to do with it," to use their own words, when there was not a polling booth at Hervey's Range? They would say any damn thing at all to malign and defame decent men to suit their own party ends. Over the past few weeks we have had ample evidence of the lowest type of filth they would get down to in their efforts to malign a member of this party and a decent citizen. This story will come out one of these days to their lasting disgrace.

I will now continue reading the letter—

"(6) Charge:

'The ballot-box from Peacock Siding was missing for four days. What was the delay in bringing it to the Returning Officer?'

"Answer:

'As Peacock Siding was one of the Ingham Z Group polling places it was the duty of the presiding officer to forward the box to the Assistant Returning Officer at Ingham and not to me as stated by Mr. Wanstall.' "

More irregularities? A story concocted months after the election campaign was over and should have been forgotten.

"(7) Charge:

'Very few of the ballot-boxes were sealed.'

"Answer:

'Mr. Wanstall is referring to four boxes in the Ingham Z Group and here again he misrepresents facts, as each of these had the official gummed label pasted over the cleft at the top of the box, thereby constituting a seal.'

"(8) Charge:

'Any person would be led to the conclusion that there was some liaison between the officials and the party organiser.'

"Answer:

'If this charge is applied to the electorate of Kennedy it is not only the figment of a suspicious imagination but a dastardly lie. Actually the postal vote favoured Mr. Johnston——' "

Hon. members must remember that—they charged me here with rigging postal votes when the postal vote was in charge of their riggers and not me at all. Johnston received 61 votes and Jesson 60.

'——who obtained sixty-one (61) to Mr. Jesson's sixty (60), so that any statement that there was concerted action to wrongfully obtain postal votes for Jesson can be dismissed as fantastic.

'I again express resentment at the unfairness of these allegations and claim to have shown them as already expressed, to be ulterior in motive, malicious in purpose, and false in fact. In conclusion, I repeat that my greatest vindication is in the fact that a document was signed by the scrutineers certifying to the truth and accuracy of the counting of the votes.' "

That completely vindicates Mr. Chandler, who has been returning officer for the Kennedy electorate for nearly 27 years without one blemish or stain on his character until this gangster crowd got together to malign and discredit him. What do they care about his wife and family and the large circle of friends he has in Townsville and elsewhere? What do they care of my wife and my family and circle of friends? What do they care in their filthy efforts if I am sneered at in club rooms?

As a matter of fact, we have had nothing so ghastly as the history of the members of the Queensland People's Party in maligning people and conducting whispering campaigns. The hon. member for Mundingburra can tell the Committee about the whispering campaigns conducted by these people who did not have the intestinal fortitude to come out in the open. These people get up in this Chamber and have placed on record their assertion that everyone connected with them is honest and decent, yet I have proved that one of their supporters is a criminal, whose right place is in gaol. Yet this man is signing affidavits. I hope that before very long the Commonwealth Government will do something to put that man where he justly belongs.

Mr. MAHER (West Moreton) (5.21 p.m.): I have been tempted to participate in the debate by the remarks of the hon. member for Nundah who attibuted certain malpractices to the Country Party plebiscite that was conducted in respect of Cooroora. I recognise, of course, that the hon. member for Nundah is only new to this Chamber and he might not yet have become——

The CHAIRMAN: Order! I remind the hon. member that the County Party's plebiscite is not provided for in this vote.

Mr. MAHER: I suggest that it has a bearing upon electoral registration in the State and enrolment generally. I was trying to connect my remarks with that and to reply to the statement made by the hon. member for Nundah a while ago.

There was nothing wrong with the Cooroora enrolment. The roll governing the plebiscite closed in June of last year and the ballot was held in September. An appeal was certainly lodged by one of the candidates who was defeated in the plebiscite, but that was dealt with in a constitutional way. So far as the enrolment was concerned, everything was perfectly in order.

If it were relevant to this debate, I could give some particulars to the hon. member for Nundah as to how numerous Labour plebiscites have been conducted in various electorates, but I do not propose to do that; I am merely premising my general remarks by saying that given the scope and the opportunity I could enlighten the hon. member for Nundah considerably about malpractices, proved beyond all doubt, in which candidates for Labour selection at plebiscites have got there by very devious means indeed.

The CHAIRMAN: The hon. member is getting away from the matter before the Committee.

Mr. MAHER: Dealing more particularly with this vote, let me say that I remember some years ago that when I was contesting the old seat of Balonne I was at Hebel on the New South Wales border and was asked by a swagman who had come across from New South Wales to give him a lift to Dirranbandi. I gave the poor fellow a lift and delivered him right into the town of Dirranbandi. Not only that, but as it was a very hot day, I took him up to the nearest tavern and bought him a long schooner of beer. The next day I had occasion to take my car round to the local blacksmith for repairs.

No garage was available at Dirranbandi. When I got there I found this old swagman signing an enrolment card, and the blacksmith concerned was a prominent member of the A.L.P. at Dirranbandi. I said, "You are not putting this man on the roll by any chance, are you?" and he said, "Yes, I am; it will be another nail in your political coffin." I said, "That is O.K. with me. I will take a note of the circumstances and I will go round to a justice of the peace and make a statement to the effect that this man came over the border only yesterday and was being enrolled, and if by any chance there is a narrow contest at the election I will hold it as evidence that this man was irregularly enrolled, as he has not fulfilled the qualifications for enrolment by living in the State for the prescribed period."

I mention that, Mr. Mann, to show that these irregularities are not imaginary by any means. They happen. That instance could be multiplied thousands of times. There is no doubt that keen and enthusiastic organisers of the Labour Party, and members of the A.L.P. in many electorates, do engage in wrongful enterprises in their enthusiasm and zeal to support their political candidate. It is a great pity, and I think there is a greater percentage of wrong-doing in that respect amongst supporters of the Labour Party than there ever could be by those amongst the supporters of the Opposition groups.

I should like, whilst I have the opportunity, to say that inflated rolls provide a great opportunity to wrong-doers to record votes in the names of people who have died or who have long since left an electorate. That is the great danger of having heavily inflated rolls. In fact, I sense it to be the deliberate policy of the Government to maintain inflated rolls. They perhaps have their own reasons, but the fact of having a number of people on a roll for years who are dead, or who have left the district and enrolled somewhere else, gives the opportunity and provides scope or temptation for any evil individual to personate other people. I say that that is where democracy can be defeated. The inflating of rolls gives an opportunity to persons so disposed to record votes by the old devious means of personation.

As an instance of that, I shall quote from a novel entitled, "Three O'clock Dinner." A Mrs. Vinney Hessenwinkle was a character in the book, and she was being teased about her association with politics. She made this reply—

> "I ain't ashamed of nothing. Mr. Redcliff's got sense—he knows how things are run. Now don't get me wrong, Mr. Redcliff; all I do is telephone a list and find out if the people are sick or dead or gone away—you know, so they can't get to the polls—and then I give the names to the secretary. Well, if the boys go on and vote the graveyard, I don't know anything about that. It's none of my business. I ain't done anything crooked."

That refers to the United States of America but I think you can apply the words of Mrs. Vinney Hessenwinkle to the political set-up in this country. I have not the slightest doubt at all that it happens, because I have checked my own roll occasionally, but these practices are not so current in country districts as in others, because generally speaking I believe there is a higher degree of honesty and a better standard of political conduct in rural electorates than in the metropolitan area. As I say, I have checked my own roll from time to time and I have noticed that votes have been recorded in the names of people who have long since left the district. Whether it is by accident or design it is not possible for me to say.

The greatest difficulty in our electoral system at the present time, the outstanding vice, is that which relates to the rolls upon which the State elections were conducted last year and particularly refers to the fact that the elections were conducted under a set-up whereby 22 electoral divisions of the State had enrolments outside the prescribed limits set down in the Elections Act. Obviously there has grown up a most terrific racket, to such an extent that although the Government have been returned to power with a substantial majority in this Chamber they polled a minority of the aggregate votes recorded in the State.

Mr. Moore: That is not true.

Mr. MAHER: It is true. The Labour Party obtained only 43 per cent. of the total votes recorded at the recent elections, yet they are returned to this Chamber with a big majority.

The racket is worked in this way. If you have 10 or 11 electorates with 6,000 or 7,000 electors on the roll, which of course is below the margin prescribed in the Elections Act, and all of them with the exception of one are Labour seats, then obviously if there was a proper enrolment in accordance with the Act the enrolment in a great number of the seats would be nearly double and so the Labour Party would have fewer members in the Chamber.

Now take the case where the electorates are above the margin, seats generally held by the Queensland People's Party and the Country Party, electorates with enrolments up to 14,000, 15,000, 16,000, and even 17,000. If those numbers were reduced in order to conform with the requirements of the Act, there would be more members of the Opposition in Parliament than there are today.

The operation of this illegal set-up, something that contravenes the Elections Act, gives the Government an unfair advantage and, of course, accounts for the paradoxical situation that we have a Government in power with a substantial majority in the House after receiving only a minority of the aggregate votes at the elections. That is one of the greatest rackets at the present time and unless something is done by the Government during the present parliamentary term to have a redistribution of electoral boundaries to conform with the requirements of the Elections Act, hon. members of the Opposition will be entitled to petition His Excellency the Governor and draw attention to the unfair position in which hon. members of the Opposition are in in facing the elections by being handicapped out of the political race from the very beginning.

That is the position. Under the present circumstances one political party is favoured by the prevailing set-up. Any party that is prepared to act in an undemocratic way, that is prepared to contravene the law, and go to the electors with the position of the electoral boundaries so fixed as to give them a big advantage must obviously win. But is it a fair win? Can it be any satisfaction to the true democrat? I should have no satisfaction at all in winning the Government of the country on an unfair and unjust distribution of the electoral boundaries. It would be no satisfaction to me. I should say to myself that I was occupying the Government benches under false pretences because I rigged the boundaries of the State to suit my political group. If we are democrats, and if we do not only give lip-service to democracy, no-one should object to a fair appeal to the electorates based on an equal and reasonable distribution of the boundaries on conditions as set down in the Elections Acts. If the Elections Acts are wrong, the Government should bring in an amending Bill to rectify whatever they consider to be wrong. But as things stood at the last election, the Government went to the country and were actually rejected by the people on the aggregate vote but, strange to say, because of the way the electorates were distributed, and the way the enrolment had been allowed to drift, they were able to get an advantage that the opposition could not overtake. They appear in this Parliament with numbers out of all proportion to the number of votes received from the people.

It is up to the Government to do the decent thing during the currency of this Parliament and have a redistribution of electorates in accordance with the terms and conditions of the Elections Acts. This would give the people a fair opportunity to vote into power just whatever political party group they wish to have there. That is the advice I tender to the Premier and his followers—to give the democracy of the State a fair opportunity to decide who shall govern when we approach the electors on the next occasion, and not repeat the very unfair happenings of the last election in which the Opposition were handicapped out of the political contest.

Mr. BURROWS (Port Curtis) (5.38 p.m.): The Opposition's chief weapon is slander. They never neglect to use it. They adopted that practice long before they came here today to debate this particular question. Their inability to win the election is the greatest vindication of the judgment of the electors on 3 May last when they relegated them to the cool shades of Opposition occupied by them today. One cannot fail to perceive the unsportsmanlike manner in which they have taken their defeat. The attacks of some of their members on some of the successful candidates have been dwarfed into

insignificance when they started on the poor, defenceless public servants who had to do the job of breaking the bad news to them that they were hopelessly and badly defeated.

On the Address in Reply the hon. member for Toowong and his friends went down to Albion Park to get a precedent. He did not go to Palmer or any of the authorities to which they usually resort. As we know, the connections of a horse on a racecourse have the right to protest. Unscrupulous owners who prevent their horses from doing their best usually hop in before the stewards take action and lodge a protest against the winner in a vain attempt to conceal their own roguery. (Laughter.)

It is amusing to hear a defeated party that has resorted to every form of political trickery accusing its opponents of the very practices in which it indulged itself. Shakespeare said—

> "And oftentimes excusing of a fault
> Doth make the fault the worse by the excuse."

I think that can be very well applied to what has happened here. You might say, "Why should these men have an excuse?" Well, they had to make an excuse. They induced numbers of people to back them. Those people thought that they were backing Bernboroughs and they found out they were backing billy-goats. (Laughter.) And they had to square off to them. They had to say, "We will win next time." They could not say, "We were not good enough." They turned round and said that the other mob were crook. That is the easiest way out of defeat.

We know why hon. members opposite were defeated but we are not going to tell them. It is the strongest weapon we have. (Laughter.) We hope that when we are defeated we shall be able to take it like men. We shall not suffer from an over-developed sense of frustration or the realisation of the futility of our task in the same way as members opposite. If anyone believed these men were the victims of economic pressure, condemnation of their tactics might be tempered by a certain amount of sympathy, but when it is realised their lust of power has robbed them of the elementary and ordinary sense of decency you can only have nothing but the utmost contempt for them.

Government Members: Hear, hear!

Mr. BURROWS: The hon. member for Murrumba made some reference to my knowledge of electoral matters. He said it in a suggestive sort of way, implying that I might be eligible to qualify for the service of the party over there if ever I got out of a job. I can assure members that I should never be able to qualify for such a job, because, as the hon. member for Kennedy has pointed out, the qualifications necessary to become one of their tools or stooges are such that I am afraid if the electors of Port Curtis are at any time not satisfied with me I shall not be able to satisfy the Queensland People's Party.

I am surprised at the remarks of the hon. member for Murrumba. I ask him to get in touch with officials of the Country Party in Gladstone. I think I am safe in saying that the chairman of the Country Party in Gladstone would be the first one to give me a credential, if it were required. I should be prepared to stake my reputation on that.

The hon. member for West Moreton said there was nothing wrong with the enrolment for Cooroora and somebody else said there was. The hon. member for West Moreton related an incident about a blacksmith that happened 30 or 40 years ago in the Balonne.

The hon. member no doubt quoted it in good faith—one of those little things that will occur through over-zealousness on the part of somebody, but generally speaking the only thing wrong with the election was that the defeated parties could not take a licking and not being able to do that have not been able to qualify as good Queenslanders and good Australians.

Mr. AIKENS (Mundingburra) (5.45 p.m.): To some extent I disagree with the hon. member for West Moreton when he suggested that there should be a redistribution of electorates under the Elections Act. I suggest that the present population position of Queensland should be giving some of the members of the Labour Party who represent country electorates considerable concern, because if there is a redistribution of seats purely and simply in accordance with the existing Elections Acts then three, if not four, of the Australian Labour Party representatives of country electorates will be out of a job after next election and three, if not four, country seats will be transferred to Brisbane. I do not agree with the hon. member for West Moreton when he says that these three or four seats transferred from the country to Brisbane will be won by the Opposition. I know that the Labour Party is just as good at a redistribution of seats as are hon. members of the Opposition and no effort will be spared to make sure that the three or four extra metropolitan seats will be more or less safe Labour seats.

I do not intend to indulge in the dog-fight taking place at present between the Labour Party and the Queensland People's Party, or, I should say, the de-facto Liberal Party, because really that is what it is, and the Country Party. I fought a particularly clean election campaign and I do not feel I am called upon to get down to the cesspits with any of the other parties that are saying that the recent election was fought in a particularly dirty way. I rise at the present time merely in order to make good the pledge and promise I made to the people of Mundingburra during the recent election campaign. I always try to make good my pledges and promises, particularly those I make to my electors. I want to express my utter and undying contempt for the cowardice of the Queensland People's Party in the last election. Just prior to the last election, about July, 1946, the leader of the Queensland People's Party, the hon. member for Windsor, came to Townsville and at a subsequent discussion in the Queen's

Hotel with some leaders of the Queensland Country Party he said "Leave Aikens to me. Aikens is our bird. We will run a candidate for the Mundingburra electorate at the next elections." I am glad the hon. member for Hamilton has nodded his head. Was he there?

Mr. H. B. Taylor: No.

Mr. AIKENS: Then if the hon. member was not there he apparently knows all about it.

As I was saying, the hon. member for Windsor said "Aikens is our bird. We will do Aikens up." But what did they do? They developed a yellow streak up their political back about a yard wide and got out of the Mundingburra electorate. I stand here today in the unique and invidious position as being the only man in the House who did not have an official Country Party or Queensland People's Party candidate opposing him at the last election. That was not the fault of the Country Party. That party in all honesty and decency accepted the word of the Queensland People's Party that it would run a candidate for the Mundingburra electorate but it squibbed. I gave statements to the Press, made statements from the platform to try to goad the members of the Queensland People's Party into making good their promise. But did they? Not on your life; they squibbed it. Although the Independent candidate, Mr. Coburn, would not touch them with a 40 foot pole, the whole forces of the Queensland People's Party in Townsville, Ayr, and Giru were thrown behind Mr. Coburn.

And they adopted some particularly dirty tactics. One can expect only dirty tactics from some of the dirty individuals who associate with the Queensland People's Party in Townsville and North Queensland.

In Northern Queensland the Queensland People's Party members consist entirely of rejects from the Country Party and people who cannot belong to any other particular political party. In Townsville they decided to adopt what I consider is the lowest political tactic in the whole of the political calendar, the tactic of sectarianism. As I told the Assembly previously, in the Townsville end of Mundingburra I was branded by the Queensland People Party whisperers and stooges as a Black Catholic.

An Opposition Member: What is your religion?

Mr. AIKENS: I have told hon. members what my religion is. I am not like many other hon. members of this Chamber who change their religion as often as a flapper changes her boy-friend, I am not like many hon. members of this Chamber who go to the Church of England in one street, the Methodist Church in the next, the Baptist in the next, the Roman Catholic in the next, the Salvation Army in the next, and then to the Joyful News Mission every time they come to Brisbane. I have only one religion and that is the religion I openly expressed to the hon. member for Fassifern the other day.

Mr. Muller: I thought you told me the other day you were a Christadelphian.

Mr. AIKENS: I told the hon. member I was a sinner, irredeemable and irrepressible. I did not say that I was irrepentable. I merely stress that if I am to repent I am to repent in my own way, and in my own time, and I will not be bluffed, bullied, or cajoled into it.

They decided to issue a sectarian how-to-vote card against the hon. member for Townsville and myself. Very cunningly—and I want to say they have the cunning of a kitchen cockroach—they did not include the hon. member for Kennedy in their sectarian pamphlet because if they had done so this sectarian pamphlet would have been used as an accusation against the Queensland People's Party candidate there, so they said to this particular chap, "Leave Nugget Jesson alone. We have not got a Queensland People's Party candidate in Townsville, so you can have a go at George Keyatta, and we want to get rid of Tom Aikens from Mundingburra, so it does not matter about poor old Parker, the Labour Candidate for Mundingburra; he has not got the remotest chance in any case, so put him in," and this pamphlet was issued by the Loyal Orange Lodge, Dreadnought No. 38, in Townsville, at the instigation of the Queensland People's Party, and I am going to read it and table it because I told my electors I would. It says—

"HOW TO VOTE.

"As recommended by the Loyal Orange Lodge, Dreadnought No. 38, Townsville.

"For Kennedy no recommendation."

See how good they were? If they had recommended their Queensland People's Party candidate in Kennedy they would have disclosed that this was a Q.P.P. sectarian how-to-vote pamphlet. It goes on—

"For Townsville, F. Feather recommended. G. Keyatta not recommended."

Then, in order to smother up, they have poor old Parker recommended for Mundingburra, Coburn recommended, and Aikens not recommended. The pamphlet concludes—

"Issued by Dreadnought No. 38 L.O.L. Townsville and authorised by the W.M., Charlotte street, Aitkenvale."

Mr. Power: That is more a submarine than a dreadnought.

Mr. AIKENS: They did not issue this in Giru, where Mr. Johnson, the cane inspector, and a cane inspector controls all cane for the mills, whether proprietary or co-operative, went round the farmers day after day for weeks at a time organising for Coburn because, as I told the Assembly previously, at the Giru end, where there is a fairly strong little Catholic fraternity, I was a Royal Arch Chapter mason, in Ayr I was a Communist, and in Townsville a Black Catholic.

I am going to table that document as an example of the filth of the Queensland People's Party.

Another document I propose laying on the table was issued by a particularly scurrilous individual, and it is headed—

"To Ernie Evans (also known as 'Firestick' Ernie)."

As I said on the public platform at Townsville, it is the best example of undiluted scurrility I have ever read.

Somebody suggested to me that parts of it might be true and I said, "If parts of it are true—if it is all true, then the person responsible should have had the guts to get on the platform and say it." If I knew as much as that about my Queensland People's Party opponent, do you not think I would have said it? I said that if it is not true, and I do not believe it is true, then it is the dirtiest, foulest and filthiest and most contemptible document that ever came off the press.

Mr. Evans: The people of Mirani gave their reply to it.

Mr. AIKENS: That is so. I used to read parts of it as examples of the depth to which some people will sink to win an election. I do not know who issued it. I have been informed as to where it was posted. It was posted from Townsville, I know, because I brought the envelope with me. I am sorry that the Premier is not in the Chamber but I am certain somebody is sure to tell him what I am about to say. The Premier—and I have no objection to his doing this—issued a typewritten letter to the electors of Mirani and Mundingburra and I understand he issued a similar letter to the electors of many other electorates. Now, there is nothing wrong with that. His letter was a straightforward, honest, decent, clean propaganda appeal to the electors of Mirani to vote for Mr. Walsh. I am sure the hon. member for Mirani could not object to it.

Mr. Evans: Not at all.

Mr. AIKENS: I am glad to hear the hon. member say that. The Premier's letter came in exactly the same type of envelope and it was in exactly the same type of typing and the typing was typed in the same manner.

Mr. Evans: I cannot buy those envelopes in Queensland.

Mr. AIKENS: I am making this point, which is absolutely irrefutable: the Premier's decent letter was in the same type of envelope and was typed in the same typing and the same manner as this scurrilous thing circulated in the Mirani electorate and posted from Townsville.

Mr. Hilton interjected.

Mr. AIKENS: That is not my fault. I do not want to take an unfair advantage of anybody. I gave these to a friend of mine with both envelopes pinned to them to drive home my case, and when this friend of mine returned them to me he pinned only one envelope with them. Search as we may, no trace can be found of the missing envelope.

Now that the Premier is back in the Chamber I am sure he will agree with me that his clean, decent, honest propaganda appeal was in the same type of envelope used to send this scurrilous thing to the electors of Mirani. I do not suggest that the Premier had anything to do with the pamphlet circulated to the Mirani electors headed "To Ernie Evans (also known as 'Firestick Ernie')." In view of the remarkable similarity of the envelopes and the typing and the type of typing I will lay these documents on the table, because I promised my electors I would do so. I think the Premier will be the first to order a complete investigation into the source of this scurrilous pamphlet.

I do not mind fighting any election under any rules. I fought my election cleanly and on this occasion I avoided all personalities from my platform whilst at the same time I gave my opponents an open go. They kept the fight reasonably clean, too. The Labour Party got off over the fence now and again but Mr. Coburn fought a particularly clean election. There was one occasion when a supporter of his made a statement I thought should not be made. I know that on some occasions elections are dirty and I think that this was the dirtiest thing ever written. Because of a promise I made that I would put it on the table of the House and give the Premier every opportunity of investigating its source and particularly of investigating the remarkable coincidence borne out by the same type of envelopes, I table the sectarian dodger and the other pamphlet to which I have referred.

(Whereupon the hon. member tabled the documents.)

Mr. THEODORE (Herbert) (7.15 p.m.): After every election we have this dismal wail by hon. members opposite bemoaning their defeat, their pretty hopeless defeat, in an endeavour to find some reason for it and someone to blame. I know it is very humiliating for a political party to be defeated, especially after giving such glowing assurances to their supporters that at last on this occasion they would be returned victorious. Having come back to sit again in the cool shades of Opposition, they look round to find the cause. Usually they blame the electoral officers or the condition of the rolls—everyone and everything except themselves.

I have taken part in four elections now and on all occasions they have been conducted very efficiently so far as I could judge in my electorate and I want to pay a tribute to Mr. O'Hagan and his staff for the very satisfactory way in which they carried out their tremendous job. All eyes are on them during election, some watching for anything that may be regarded as evidence that something was wrong with the conduct of the elections. I had this experience in my electorate on the last occasion and it has happened before, that an elector would come to me, perhaps one from a remote part of the area, and say, "I am going to work for you and vote for you. I will do everything I can to help you. I will be at the polling booth." After the election I found that he had not voted for me at all.

Mr. Evans: How did you know that?

Mr. THEODORE: Because he was not on the Herbert roll but on The Tableland roll, the electorate represented by the Secretary for Public Instruction, Mr. Bruce. He did not know that until he went to look at the roll and his attention was drawn to the fact.

The Leader of the Opposition would have us believe that Mr. Maguire, the Principal Electoral Registrar, was responsible for the condition of the rolls and that he was responsible for there being thousands of names on the rolls of people who have been dead for some time. The inference to be drawn from his remarks was that there were quite a number of dishonest people in these electorates, who voted in the names of people already dead. What would be the good of keeping these names on the rolls unless someone exercised votes in their names? I know of only one instance in which it was proved that a man had voted in the name of a person who was dead.

The compilation of electoral rolls is a complicated business, because electors are scattered all over the place. Some do not remain in one town or in one electorate. When I was living in Kalgoorlie in Western Australia complaints were made by people who moved from one street to another just a few weeks before an election that their names had been struck off the roll. They did not discover the fact until they went to record their votes. I know of instances that are the converse to those mentioned by the Leader of the Opposition. For instance, I had been living in Tully in the Herbert electorate for six or seven years and had rarely been out of that town, and when I went to vote, never dreaming that my name was not on the roll as I had hardly been out of the district, I found my name was struck off. The returning officer told me it served me right, and that I could not vote. I replied that it did not serve me right, and that I was going to demand a vote. I happened to know something of the electoral law.

Mr. Roberts: Was that between 1929 and 1932?

Mr. THEODORE: It was. That was done by supporters of the party represented by the Leader of the Opposition. They will adopt any device to facilitate their return to the Treasury benches, but they will not take the blame. They say someone else did it. They say "We do not know anything about it."

These things occur. It is reasonable to assume that the Leader of the Opposition and some of his supporters know that there are snide gentlemen who are actively watching these things on their behalf in an endeavour to help them to get a majority. The administration of the Elections Acts is the responsibility of the Attorney-General. For all these things we have heard mentioned blame is hurled at him, no matter how carefully or sincerely he tries to carry out his job, assisted by his staff who are immediately responsible for that work. I do not care how long it goes on, these complaints will be made, and we shall continue to be blamed for this sort of thing until the Opposition, if they ever do, are returned to the Treasury benches. If that happens, they will keep quiet for a long time.

Mr. BROWN (Buranda) (7.23 p.m.): I first of all should like to congratulate the Attorney-General on the way in which he introduced his Estimates, particularly this vote.

The Leader of the Opposition went down in my estimation because of his attack on the Government in respect of electoral matters.

Mr. Macdonald: What a tragedy.

The CHAIRMAN: Order!

Mr. BROWN: I happened to come from Scotland, but I do not know where the hon. member for Stanley comes from, because I cannot understand him. (Laughter.) It would be a good thing if we could get an interpreter for him.

I could not understand the Leader of the Opposition making the attack he did, especially attacking the Public Service, particularly the officers of the Electoral Office. My experience of the Electoral Office over the past 40 years has been a very pleasant one. During that time I have received the greatest courtesy and attention whenever I sought information. In my opinion the Leader of the Opposition cast a slur on the public servants in that office.

Mr. Aikens: He will apologise later.

Mr. BROWN: I think hon. members opposite should apologise not only to this Parliament but to the men who have done a wonderful job in the Electoral Office. Despite the fact that the Opposition contend that the rolls are stuffed and that the names of dead people are on the rolls and votes were cast in their name, we find that almost 90 per cent. of the electors cast a vote at the last election, which is a very big percentage and compares favourably with the results in any other part of Australia or the world. There are quite a number of people whose votes were informal because they did not know the electorate in which they lived. When the count was being made at the Buranda election, Mr. Scott, my opponent, and I, were present, and we found that many postal votes for Scott or Brown were cast by people who lived in another electorate.

Mr. Luckins: They must have been in Maree.

Mr. BROWN: Some of them were in Maree, some were in South Brisbane, and some were in Logan. That is no fault of the Electoral Office. Such a person might have got a letter from the department asking him why he had not voted, because he had not been crossed off the roll on which he was enrolled. That happens at every election.

The hon. member for West Moreton complained that only 43 per cent. of the electors voted for the Labour Party and therefore they should not be in power. What a ridicu-

lous statement! This sort of thing can happen whenever there are more than two parties in the field. The Opposition could not form a Government. Even if the four or five parties got together they could not form a Government because they have not got the number. The same thing can apply whenever there are more than two parties in the field. We have to realise that the majority of the people voted for a majority of Labour men and put the Labour Party into power. That is the thing that counts and we are here as a result of that majority.

There has been much talk to the effect that the rolls were stuffed. I know that there are numbers of names of dead people on the rolls and I say quite definitely that nobody has the right to cross a name off the roll unless there is a card applying for a transfer or notifying a change of address. The Electoral Office has no right to cross anybody off the roll unless it gets definite information that the person is dead.

I remember the time when it was difficult to get on a roll, and I hope this Government will not alter the easy method now in operation for enabling legitimate voters to get on the rolls of their legitimate electorates.

This afternoon the Leader of the Opposition gave many figures which on review spell success to the Electoral Office and Department of Justice for the way in which they carried out their duties. I here take the opportunity to thank the people of Queensland for rolling up in such large numbers to vote. In the Albert electorate there are 13,320 names on the roll and 11,958 voted. Therefore, 1,363 people whose names appear on the roll did not vote. The percentage of voting works out at 89.9. In my own electorate of Buranda the percentage works out at approximately 91. That is particularly good, and as I have said previously, taking the elections throughout Queensland one finds that the percentage of people who voted is from 87 to 90 per cent. of the total electors.

I was surprised to hear the figures given by the Leader of the Opposition this afternoon, because they are not altogether in keeping with facts.

Mr. Nicklin: Show me where they are wrong.

Mr. BROWN: I will show the hon. gentleman where I think they are wrong. The elections were held on 3 May and the census was taken somewhere about 29 June, or two months after the elections. The figures the hon. gentleman gave today were census figures, but the closing of the electoral rolls occurred three months before. Therefore how can he reconcile the two? It is impossible. People came to Queensland and hundreds have come to get the good conditions that the Labour Government have got for the people. All those who came after the closing of the rolls had no chance of having their names put on the roll. That is the position, and I am not prepared to accept the census figures as to the number of names that should have been on the Queensland electoral roll.

We have heard much squealing from the Opposition as to the elections and the fact that the Labour Party is in power. I was brought up in a school that taught us always to play the game, to be able to take defeat, and accept victory with modesty. On two occasions I was a defeated candidate, but I took it like a gentleman. In the Buranda elections I had as an opponent candidate a man whom I did not know until the day of the elections, but as far as I can see he played the game throughout the whole campaign. I expected him to do that.

When he saw that I was the winner he still played the game and congratulated me. It is significant, too, that in all their talk about irregularities and dirty work during the campaign, no mention is made of the Buranda electorate. There the fight was clean.

I congratulate the Department of Justice, the Electoral Office, the returning officer, and all his presiding officers and assistants for the able, clean and the impartial way in which they carried out their duties during the last election.

Mr. INGRAM (Keppel) (7.36 p.m.): I listened with a great deal of interest to the Leader of the Opposition charging this Government with stuffing the rolls. He contended that the rolls were stuffed for the express purpose of enabling this Government to be returned to power. Nothing could be further from the truth and I am surprised that the Leader of the Opposition should make such statements. I have always had a great deal of admiration for him, but by making his assertion he has lost some of that.

During his speech, when he was laying the blame at the door of the Labour Government, I interjected, "Sour grapes." The hon. member for Aubigny squirmed and twisted in his seat and then said, "Look, he said 'sour grapes'!" The reason why I said it was that the Opposition were saying that had they been the Government the rolls would have been perfect, whereas the actual fact is that under a Labour Government they are perfect and it is because of that fact that a Labour Government have been returned to power.

Much has been said to the effect that the rolls were stuffed. It may be news to hon. members opposite to know that although I have lived at Gray Street, Walter Hall, near Mount Morgan, for the last 15 years, I found that at the last election my name had been scratched off the roll. Dozens and dozens of other Labour supporters were treated in the same way. The reason for that was that one of the snide agents of the Queensland People's Party had been going round suggesting that this one and that one had left the district.

The members of the Queensland People's Party talk about clean elections. Their party was anything but clean. They even went through my electorate and pulled my signs down from trees, posts and everything else.

Mr. Sparkes: They nearly pulled you down.

Mr. INGRAM: The reason why they could not pull me down was that the Queensland People's Party candidate, the man endorsed by that party, claimed to be not only the Queensland People's Party candidate but also the Country Party candidate, and he had not been endorsed by the Country Party.

Mr. Sparkes: He gave you a hell of a fright, anyhow, no matter who endorsed him.

The CHAIRMAN: Order! I ask the hon. member for Aubigny to withdraw that remark, as it is unparliamentary. I have drawn attention to the use of it before.

Mr. Sparkes: I withdraw it.

Mr. INGRAM: Let me go a little further with the Queensland People's Party. During the last election campaign they had a publicity officer by the name of Smith in Rockhampton.

Mr. Aikens: Not C. B.?

Mr. INGRAM: No.

The CHAIRMAN: Order! I ask the hon. member for Mundingburra to allow the hon. member for Keppel to make his speech without interruption. The hon. member for Mundingburra is developing the bad habit of interrupting.

Mr. INGRAM: They had a publicity officer by the name of Smith, not Smithers. In order to give some idea of how low the Queensland People's Party stooped in an effort to defeat the Labour candidates in the Central District, let me say that this Smith went so far as to forge another man's signature, and I challenge contradiction of that statement.

He forged another man's signature to a letter that appeared in the Rockhampton "Morning Bulletin." Eventually it came out, because the man whose name had been forged wrote to the "Bulletin" and said that he had nothing whatever to do in any shape or form with the letter. The Queensland People's Party, to hide its face after the facts got out to the people in the Central District, sacked this man.

I was astonished to find how low the Queensland People's Party would stoop to defeat the endorsed Labour candidates. I speak my mind in matters of this description. In the 1944 elections I had as my opponent a member of the Country Party and that fight was one of the cleanest I have known. I cannot say that, however, for the Queensland People's Party at the last elections. It would stoop to anything to defeat this Government going back.

I challenge the statement that the rolls were stuffed and I say that not one person voted who should not have been on the rolls. I congratulate the Attorney-General on his electoral administration.

Mr. DECKER (Sandgate) (7.42 p.m.): It surprises me, Mr. Mann, to hear every hon. member of the Government lavish so much praise on the staff of the Electoral Office. As I speak on this matter, I shall advance another angle to it and I hope the Attorney-General will heed my remarks.

Firstly, I think the Government treat the staff of the Electoral Office damnably at every election. In the first place, to gain political advantage they will not disclose the date of the elections far enough ahead to give the staff of the office any opportunity of getting into line and preparing the rolls for the 62 electorates in the State. The date of the election is usually held a close secret and is known only to one or two of the party. Then the date is given, fixed at a time perhaps five weeks ahead, and in that time the Government expect the staff to prepare the 62 rolls, and supplementary rolls, and do all the additional work involved in that time. I suggest to the Attorney-General that if he wants to be generous and if he appreciates the work done by the office, the staff be given greater notice of the date of the election. He could alter the Act and close the principal or supplementary rolls earlier to give the staff the opportunity of preparing the rolls. I say that there is nothing worse than for a Labour Government to sweat men in that department for five weeks. Sweated they are, because not only have they to work day and night but have to engage extra staff to cope with the work in the five weeks. It is no use saying what fine fellows the staff are if you do not treat them properly. We should give them a fair chance of doing the work in the proper way without sweating.

My remarks apply to the police also. We call upon an understaffed Police Force to supply men to do a house-to-house canvass in an endeavour to bring the rolls up to date. What surprises me is that we have available for three years the services of officers of the department to make periodical checks and do the bulk of the work and so take it off the shoulders of the Electoral Office staff in the last few weeks. I suggest that it is within the means of the Government to put on special men to make an annual check of the rolls so that work at election time is not rushed as it is today.

Much of the trouble is of the Government's own making—they will not give proper consideration to the needs and comfort of the staff. I am drawing the attention of the Attorney-General to the fact so that he and the other members of the Cabinet and of the Government Party will take steps to see that something is done for these public servants, who are deserving of much better consideration than they get today.

Hon. W. POWER (Baroona—Secretary for Public Works) (7.46 p.m.): Hon. members opposite have made a good many allegations of roll-stuffing, and I should like to remind hon. members of a little incident, although I think they are all aware of it, when a prominent member of the Queensland People's Party, Merna Gillies, came to Brisbane and made a false declaration after she had been here only one week.

Mr. Copley: Only five days.

Mr. POWER: Then it was only five days. She applied for electoral enrolment, and I am sure you remember the incident very well, Mr. Mann, because she was to be your political opponent. These are the things that are done by a party that accuses the Labour Party of indulging in irregularities. Whatever the Labour Party may do, it does not stoop to the practices adopted by Merna Gillies, a member of the Queensland People's Party.

During my absence on account of illness, the hon. member for Toowong made certain statements concerning the election in Baroona. For instance, he said that certain Labour Party organisers had taken the ballot slips to various people who had applied for postal votes. The hon. member for Toowong, being a legal man, must know that that practice is laid down in the Elections Act and that there was nothing wrong with it. That same hon. member endeavoured to have that section omitted from the Elections Act when it was being amended. If any returning officer gave a ballot slip to any canvasser to take to an elector who had applied for a postal vote, that would be in order. As a legal man, the hon. member for Toowong knew that it was in order, but he tried to mislead the people of Queensland into believing that it was something irregular on the part of the Labour Party. The section of the Act that provides for that procedure reads as follows:—

> "Subject to sub-section two of this section, a Returning Officer or Electoral Registrar to whom an elector applies for a postal vote certificate shall deliver or cause to be sent to such elector . . . ."

There we have it as plain as the nose on your face, and the hon. member for Toowong knew that there was legal sanction for this procedure. I have no knowledge of anything like that in the Baroona electorate. I have no need to stoop to despicable tactics to win the suffrage of the people in Baroona. I have represented them in Parliament since 1935. While I am on the subject of the Baroona elections, let me tell hon. members that the Queensland People's Party candidate, Mr. Toombes, who was my opponent, said, "I will not be coming to Baroona any more. I am going to Oxley. That old fool, Tom Kerr, is too old and ought to be thrown out."

Now let me deal with the attack of the hon. member for Toowong on the returning officer for Baroona. He wrote to the Under Secretary, replying to these charges. I should have defended him had I been in the House at the time, but unfortunately I was ill in hospital. The returning officer was charged by the hon. member for Toowong with having condoned certain irregularities.

Mr. Gair: That was before the Kenmore Chalet case came on.

Mr. POWER: Yes. That matter was dealt with very effectively by the Premier. Incidentally, I have heard a great deal about irregularities in connection with postal votes in the Maree electorate.

Mr. LUCKINS: Mr. Mann, I rise to a point of order. If there were any irregularities in the Maree election they were committed by the Labour Party.

Mr. POWER: As the hon. member has made charges against the Labour Party I want to tell him that I have quite a number of friends in the Maree electorate and they told me that the hon. member for Maree personally went round handling many of the postal votes.

Mr. LUCKINS: Mr. Mann, I rise to a point of order again. That statement is untrue and I ask that it be withdrawn.

The CHAIRMAN: I ask the Secretary for Public Works to accept the denial of the hon. member for Maree.

Mr. POWER: Certainly I will accept his denial. I am only telling you what certain people told me.

Mr. LUCKINS: I want that statement withdrawn properly according to the Standing Orders, especially when that statement is made by a Minister of the Crown.

The CHAIRMAN: The hon. gentleman must accept the denial of the hon. member for Maree without question.

Mr. POWER: I accept his denial. I am not saying it is true; I am saying it is what people told me.

The CHAIRMAN: Order!

Mr. POWER: Let me return to the charges concerning my own opponent. I was very fair in this matter. I had evidence on which I could have laid a charge against Mr. Toombes. Regulation 31 of the Elections Act reads—

> "Any candidate, or agent paid by a candidate . . . ."

A number of paid agents of the Queensland People's Party were operating in my electorate. A number at the General Hospital got £1 a day for handling postal votes. That occurred at a number of other hospitals also. This section deals with these people—

> "for services in connection with the elections, who attests, receives or takes such postal-vote envelope containing a postal vote shall be liable to a penalty not exceeding £10."

Had I pressed the matter I could have asked that Mr. Toombes be prosecuted. I had the evidence. I could have produced additional evidence from people at the General Hospital who had been in touch with the officers who stated that they were being paid £1 a day for handling postal votes and postal-vote applications, yet they come along here and make charges without any evidence to substantiate them whatsoever.

This is the reply of the returning officer for Baroona, addressed to the Under Secretary, Department of Justice, Brisbane—

> "With reference to your letter of 27 August enclosing copy of 'Hansard 2.'
>
> "I desire to inform you the allegation that postal votes were 'manipulated' by some liaison between officials and the party organiser is incorrect.

"All applications which were in order were dealt with and despatched without any delay, any applications not in order were returned.

"No organiser connected with the Labour Party, Communist Party, or Independent asked me about opponents' applications, but I give below instances of what the Queensland People's Party representatives did.

"Firstly, a Queensland People's Party organiser saw me and read to me from a typewritten sheet 'Hints to Candidates' and among one of the hints was 'Ask the Returning Officer to give you details of all postal votes forwarded daily. If he refuses, well and good.' "

Those instructions were prepared by Mr. Hall and a few others at the Queensland People's Party rooms.

They had the temerity to ask their candidates and paid agents to ask the returning officer the names of those people who had made applications for postal votes. Those are the people who talk about free elections and non-interference with the rights of the people!

"When the candidate nominated this was one of the questions he asked. I understand other Returning Officers were asked a similar request. From this it would appear the Queensland People's Party were willing to form some liaison.

"During the election campaign the Queensland People's Party canvassers complained of non-receipt of ballot papers, and the inference that I was holding them up, but on every occasion I proved to them that they were wrong."

These people should not be called Q.P.P. but Q.P.E. from what I know of their actions—

"To give a couple of cases. A woman canvasser complained that two postal applications were forwarded 10 days ago, but no ballot papers had been received. On investigation I found that the applications were received on the day that complaint was made. The applicants were inmates of the Sunsetholme and signatures were witnessed by the matron of the Home."

They were signed for some time previously but the canvasser for the Kewpies held them and complained that they had not been received.

"Sunsetholme" is a place where a Labour man cannot put his nose inside the door, despite the fact that it is subsidised by the Government. On more than one occasion at the last election when a Labour Party canvasser called to see if any inmate required a postal vote the matron said, "It is all right," that Major Cooper was coming to the home to fix up the ballot papers. I suppose the same thing happened on this occasion, that Ken Toombes went there and fixed them up.

"The next day the woman canvasser returned and I informed her of the circumstances, but the inference was that I held them up. Labour canvassers complained they were unable to interview persons in this home, but other canvassers were allowed. Another case of two persons not receiving ballot-papers. I found on perusal of the application forms the ballot-papers were forwarded to the address requested, but the canvasser was calling at the address shown on the electoral roll. I informed the canvasser of this, and no further complaint was made and no apologies received. The whole trouble appeared to be poor organisation.

"Complaint was made by a Labour canvasser that the Queensland People's Party candidate took a postal ballot-paper from a voter, but on my questioning the candidate he denied it.

"The statement that a Labour organiser had a bundle of ballot-papers in his pocket is utterly ridiculous."

There is the reply from the returning officer of Baroona. When you find a party adopting the attitude that the Queensland People's Party has adopted and taking the action the members of the Queensland People's Party have taken, I think their proper name is Q.P.E.

A Government Member: What is that?

Mr. POWER: Queensland Political Excreta.

Hon. H. A. BRUCE (The Tableland—Secretary for Public Instruction) (7.56 p.m.): After listening to the whole of the debate on the previous occasion, and that on the present occasion, I believe, despite all the charges levelled at one side by the other, that the elections were carried out in a fair and equitable way. I cannot understand the attitude of the Opposition. As far as I am concerned the only comment I have is that in The Tableland they tried to get several returned soldiers to stand as their candidate, and they failed to get them, and they exploited a young prisoner of war from New Guinea and nominated him for a seat where he had no chance at all. They also went round and told the Italians that if the Labour Party got in no Italian would be able to hold a farm. That is all I have to complain about.

The Leader and the Deputy Leader of the Country Party paid a visit to the North and were quite happy about everything. They reported that they would win The Tableland, Cook, and Cairns seats; so obviously, after reviewing the situation, they were not perturbed or thought that anything was wrong with the rolls. Of course, the hon. member for Cairns and I did not worry. We let the statements of the Country Party go through the paper without contradiction. We just continued to put the Labour Party's platform before the people, and we continued to show up the shortcomings and discrepancies of the Opposition. The result was that we won the Cairns seat and held The Tableland and Cook seats. After the Leader and the Deputy Leader of the Country Party had expressed complete satisfaction with the position in those electorates, it is very difficult to understand why they should come here and complain so bitterly now, simply because they were beaten. It is lack of sportsmanship. We had the New South Wales

cricketers complaining about the umpires, simply because they were beaten; and now we have the Opposition complaining because they were beaten.

I went along in my usual way, with my usual Communist opponent and Country Party opponent, and defeated them in the usual way, as I have done since 1923. Not only did the Country Party not improve its figures, but I cut the Communist figures down by 50 per cent. Why we should waste the good time of Parliament in this way when we could be getting on with other things I am at a loss to understand. All these arguments will get hon. members opposite nowhere. The Opposition have no chance of arguing us over to that side.

There is no chance whatever of that, no matter how long they argue, and the sooner they drop the argument and let us get on with the business of Parliament the better.

Mr. COPLEY (Kurilpa) (8 p.m.): I am sorry that the hon. member for Toowong is not present this evening, to the same degree that he was sorry when the Secretary for Public Works was not present when he was making his allegations. I also was not present on the two occasions when he made comment about particular matters in the Kurilpa election. He alleged that there was a leakage between the returning officer and the Labour organisation and, secondly, that overnight there was a disastrous increase—disastrous for themselves, of course—in favour of the Labour candidate.

As regards postal votes the Queensland People's Party candidate certainly had a splendid organisation and on the first day on which it was legal for its canvassers to collect postal votes they worked very hard but ran themselves off their legs and consequently could not keep up the pace and had to find some excuse for their defeat.

The hon. member drew attention to a shortage for their candidate, or should I say an increase for me, of 130 votes between the count on Saturday night and the Monday morning. But that is very easily explained. I suppose the booth in Merivale Street is the best patronised booth in the electorate for Labour supporters and the count of figures on the first night showed that at one table I received a majority of 91 out of 391 votes cast, at the second table a minority of 31 votes out of 377 votes cast, at the third table a majority of 101 out of 369 votes and at the last table a majority of 83 out of 357 votes cast. People after the count who happened to be there thought there was something wrong at the second table, particularly when we had the figures of the previous election for comparison, and the difference with the figures at the other tables in this area. These figures are used for comparative purposes on receipt of the first figures, to give some idea of what the result may be. They are kept by the Kurilpa A.L.P. Branch.

The returning officer is meticulously careful. All packets are properly sealed in accordance with the Act and regulations at the close of the counting on the Saturday night and on the following morning at 9 a.m., irrespective of how tired one may be after the elections, one has to be present at the count. Mr. Berry made a request. The returning officer said to Mr. Berry, "Don't worry, we always have a recount," and when we arrived at this table we found that 65 Copley votes were placed on the bundle belonging to Berry, so rather than say there was anything crooked on the part of the administration I should say it was some unscrupulous Queensland People's Party scrutineer who had deliberately put these 65 votes in bundles on Berry's heap rather than mine. If it is possible for them to make these allegations it is equally possible for me to put that construction on it.

The Secretary for Public Works dealt with a story told by the hon. member for West Moreton about the poor old swaggie he picked up.

Mr. Aikens interjected.

Mr. COPLEY: I had something to do with the disclosure of that. She was a very fine type of woman. She came back from Sydney. She was paid tributes by the Tory organisation and I think the gentlemen in the Queensland People's Party originally wanted her as a candidate for Brisbane. I am afraid if it was not the Brisbane Labour candidate they wanted to defeat she would have been my opponent.

With a Tory Government in power no Labour candidate who came back could sign an enrolment card as she did, without a prosecution. These enrolment cards are signed under the provisions of the Oaths Act of 1867 so that it is competent to lay a charge against anyone who makes a false declaration on an enrolment card.

The Secretary for Public Works said there was a home in his electorate that no Labour man could enter. Unfortunately, I have a similar home in my electorate. During the election before last, neither the returning officer, the Queensland People's Party candidate, my scrutineer nor I could identify a certain signature as that of a person on the roll. After an adjournment, when the votes were being counted, the Queensland People's Party candidate came back and was able to tell us the name of the person concerned. It was just decipherable, and the returning officer couldn't decide, in order to make sure that this man was entitled to witness a vote. A check of J.P's showed him to be a competent witness. Every other vote was counted. Believe it or not, Mr. Mann, the signature on every one of those 13 votes—and they were all for Brandon—was written in the same handwriting of the man whose signature we found it hard to decipher!

I wish to say now, more in sorrow than in anger, that when I was recently in the South I saw quite a deal of publicity given to some pole-sitters. Those pole-sitters were ordered down by the Minister for Health because of insanitary conditions. Down there now any

person who stoops to the gutter or descends to filth is called a pole-sitter and if the Queensland People's Party continues with its present methods it will be known as the Queensland Political Pole-sitters Party.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (8.7 p.m.): During the course of his remarks, the Leader of the Opposition quoted certain figures in an attempt to establish an assertion that the rolls were inflated, that there were on the roll a number of people who had no right to be enrolled. Let me point out that in quoting his figures he used a statement that is 14 years old. First he quoted the recent census figures, then he took the 1933 census return and said that 60 per cent. of Queensland's population were adults. If he had looked at the correct figure he would have seen that according to the recent census 64 per cent. of Queensland's population are adults, the difference in number being 44,000. The hon. gent is 44,000 out in the first statement he makes!

The electors enrolled at the time of the general election numbered 697,405 and the adult population was 702,000. That being so, how does the Leader of the Opposition make out that there are more people on the roll than the actual number of our adult population?

Now 632,909 people (90.75 per cent.) voted at the last general election. A letter was sent by the returning officer to every one of the 29,226 people who did not vote, and replies were received giving the causes for their not voting. That 29,000-odd has to be added to the number who voted, which of course brings the total up. The number who did not vote represent 4 per cent. of the total enrolment. At the last elections, in round figures 95 per cent. of the people enrolled voted or gave reasons for not voting. I ask, Mr. Mann, is there any inflation of rolls in that? Over the whole of Queensland only 5 per cent. were not accounted for, and yet that 5 per cent., according to the Leader of the Opposition, defeated the Opposition and put them in the Opposition benches. What a ridiculous statement for any hon. member to make, let alone the Leader of the Opposition! Those figures I have given are the true figures and not the wrong ones supplied by the Leader of the Opposition.

Let us go a step further and deal with some more of the criticism of hon. members opposite. They say that nothing was done to clean up the rolls—no attempt is made to clean up the rolls. Let me give you, Mr. Mann, some figures to show that every day the Electoral Office is cleaning the rolls and keeping them in order and up to date. It is not being done spasmodically or at election time, but is done day by day every working day. If we take the metropolitan area and take the last full year, 1946, and I give the total erasures from the rolls hon. members will see what work is being done. In Baroona 815 erasures were made and in Brisbane 1,643. Yet they say that we do not do anything to clean up the rolls. Other figures are—

Bulimba	451
Buranda	357
Enoggera	792
Fortitude Valley	1,253
Hamilton	710
Ithaca	657
Kelvin Grove	869
Kurilpa	796
Logan	328
Maree	709
Merthyr	1,184
Nundah	613
Oxley	564
Sandgate	454
South Brisbane	368
Toowong	897
Windsor	763
Wynnum	758

The total number of names erased from the rolls in 1946 in the metropolitan area is 14,981. Is that not doing something to clean up the rolls?

Mr. Nicklin: After the elections.

Mr. GLEDSON: In 1946, cleaning the rolls. It was prior to the election. The rolls were cleaned up during that year. The figures I have given are those up to 31 December, 1946.

I will now give you the country districts as follows:—

Albert	897
Aubigny	387

And the Leader of the Opposition said he had a list as long as your arm of names that should be off. In the Aubigny electorate 92 per cent. voted. It shows that all this tarradiddle about these names on the rolls is so much eyewash and the Leader of the Opposition knows it very well.

I will continue with the country electorate—

Barcoo	555
Bowen	861
Bremer	182

There was a by-election in Bremer and the rolls were cleaned up prior to that by-election.

Here are further figures—

Bundaberg	113
Cairns	278
Carnarvon	643
Carpentaria	1,161

Mr. Sparkes: There must be nobody there.

Mr. GLEDSON: I am showing that attention is given to the rolls. I am giving the figures showing the erasures from the rolls. Here are further figures—

Charters Towers	610
Cook	896
Cooroora	306
Cunningham	508
Dalby	537
East Toowoomba	315
Fassifern	169
Fitzroy	1,094
Gregory	667

Gympie	64
Herbert	698
Ipswich	272
Isis	539
Kennedy	593
Keppel	494
Mackay	243
Maranoa	632
Maryborough	11
Mirani	431
Mundingburra	780
Murrumba	723
Nanango	665
Normanby	738
Port Curtis	442
Rockhampton	1,255
Stanley	364
The Tableland	1,091
Toowoomba	111
Townsville	1,054
Warrego	908
Warwick	500
West Moreton	366
Wide Bay	330

In one year, that is, in 1946, a total of 23,483 names were erased from country rolls, or a total erasure from all rolls of 38,464. Yet we are told that nothing is done to clean the rolls.

Mr. Nicklin: How many were put on?

Mr. GLEDSON: I have a list of those too.

Mr. Nicklin: The aggregate will do.

Mr. Brown: Do you suggest that those that were put on were wrong?

Mr. Nicklin: No.

Mr. GLEDSON: Every person who applies for enrolment must fill in a claim card.

Mr. Nicklin: I am not objecting. I only want to know the number.

Mr. GLEDSON: Every applicant for enrolment must sign a claim card. He must have resided for one month in the electorate and three months in the State or six months in the Commonwealth. The point is that every one of them must sign a claim card.

Let me deal now with the statement made by the hon. member for West Moreton concerning the attempted enrolment of a man who, according to him, had only been in the State for, say, 24 hours. I took part in the Balonne election on that occasion in support of the Labour candidate, Mr. Ted Land, and I met the hon. member for West Moreton who was contesting the seat. I met him on the road as he was going from Dirranbandi to Cunnamulla. He got out of his car and let down the sliprails so that we could pass into the next paddock. What happened on that occasion? The Leader of the Opposition knows that the writs for the election had been issued and that the rolls had closed on the issue of the writs. How could this man get on the roll to vote against the hon. member for West Moreton? Let the hon. member for West Moreton explain to me how a man who had just come over the border could get on a roll after the writs had been issued and the rolls closed. Why not tell the truth? There is no use in trying to get away from it. I have given the facts.

I have a list showing the numbers of electors enrolled in every electorate. I am not going to weary the Committee by reading it. (Opposition laughter.) It is a fairly big list. It would take me about a quarter of an hour to read the number of electors enrolled and the percentage who voted. It is sufficient for me to say that about 95 per cent. of the people enrolled either voted or accounted for their not having done so. If anyone can tell me that 5 per cent. of the electors agreed with the Opposition and allowed the Labour Party to get in, then they have another think coming to them.

Those are the actual figures in reply to the statement by the Leader of the Opposition. The population of the State on 31 March, 1947, according to the Government Statistician's estimate, was 1,100,000. It has since been found, according to the census, that on 30 June, 1945, of a total population of 1,079,039 persons, 690,400, or 64 per cent., were of the age of 21 years or over. Those are the actual figures from the Commonwealth Government Statistician. Consequently, the latest figures to determine the proportion of adults to the population is 64 per cent., not 60 per cent. as stated according to the 1933 census. Had the Leader of the Opposition asked, I could have given him the actual figures. In fact, I am always pleased to supply him with information to keep him abreast of the latest figures, and he should come along to me and get it. About the same date, 24 March, 1947, the total number of electors enrolled on the State electoral rolls was 697,205, but as it is estimated that a total of about 7,700 persons, comprising aliens, mentally sick persons, and persons under sentence of imprisonment are not entitled to be enrolled, there is a possible excess of 905 electors upon the estimated total of persons entitled to be enrolled. However, upon figures that are estimates only and having regard to the abnormal intake of population from other States that has been observed during the past 15 months, it is doubtful whether such excess does in fact exist. At one time, over a period of six months, the enrolments of persons from other States numbered 60,000. They were mostly migrants who had come to Queensland. That shows that Queensland's population is increasing faster than that of the other States. In fact, that has been so for the last two years. It is because Queensland, under a Labour Government, is attracting people from New South Wales. The reason for that attraction is well known. The States governed by the friends of the Leader of the Opposition and the Queensland People's Party—the Liberals—are losing population. The latest census figures disclose that Queensland is the only State that will receive an extra M.P. in the Federal House of Representatives. Yet we find statements made by the Leader of the Opposition and his supporters that in effect amount to crying stinking fish—that Queensland is not a good place to live in.

I will give examples of the results of the poll in the larger electorates, not the smaller ones. For example, take Logan. That has a very high enrolment. The actual enrolment there is 17,874. The total number of votes polled equalled 93.2 per cent. of the total enrolment.

I have the returns here showing the number of letters received from people who did not vote giving reason for not doing so. I might tell the Leader of the Opposition, too, that the letters are not sent out to the people just for fun. These letters are sent out to find why they did not vote and whether they were entitled to be on the roll. If we do not get a reply inquiries are made to see whether the person is entitled to be on the roll. If we get a reply that they have changed to another electorate——

Mr. Kerr: Or are still there?

Mr. GLEDSON: If they are still there and give reasons why they did not vote their names remain on the roll. If there is any reason why they should not be on the roll the Principal Electoral Officer immediately removes them from the roll and sends out a notice to them to that effect. So as to obviate any chance of a mistake a notice is sent to the person whose name has been removed, and if he points out that it is a mistake his name is retained on the roll.

Take the Oxley electorate. We find that there were 15,353 electors on the roll and the poll was 93.8 per cent. and, according to letters I have here, about 5 per cent. of those who did not vote gave good reasons for not doing so; therefore they are entitled to be on the roll. That brings it up to 98.8 per cent. If you can get a better vote than that and if you can find out where there is any inflation I should be pleased to hear where it is.

Mr. Kerr: What would you expect?

Mr. GLEDSON: You cannot get anything better than that.

Mr. Muller: You could get 101 on that roll.

Mr. GLEDSON: We can understand that the people who voted here are men and women over 21, not cats. The hon. member for Fassifern makes a ridiculous statement. How could you get 101 if they were not on the roll?

The CHAIRMAN: Order! There is too much noise in the Chamber. I ask hon. members to allow the Attorney-General to make his speech without interruption.

Mr. GLEDSON: The next I come to is Sandgate, where 14,688 electors were enrolled and the poll recorded was 93.5 per cent.; add to that the number of persons who did not vote for various reasons—I suppose they did not like the candidates; many people will not vote because they do not like the candidates, or for some other reason—and it is virtually 97 per cent. If you can get a better percentage than that I should like to hear of it. Never in the history of Queensland has it occurred. For 65 years when the Liberals and Country Party and their forebears governed Queensland there has never been a better roll than at the present time.

Then we have the statement made by the hon. member for Sandgate that the Electoral Office should do something to clean up the rolls and that it is not doing anything.

The hon. member has stated that the Electoral Office is not being treated properly inasmuch as there is not enough staff, that they are given only five weeks before an election to get the rolls and everything else ready. What a ridiculous statement for a member of Parliament to make! The Electoral Office works from one election to another and rolls are being prepared from one year's end to the other. Months before an election additional employees are put in the Electoral Office. For what reason? Because not only has it to get the rolls ready but hundreds of pamphlets and forms have to be printed and sent out to every electorate. Every day the Principal Electoral Officer puts names on his key roll kept in the office. On every working day in the year the Electoral Office is working in top gear to keep the rolls clean and everything up to date, but the hon. member for Sandgate states that only five weeks before an election extra staff are put on and that the office then begins to get ready for the elections. That shows that the hon. member does not know his business or understand what is going on. I venture to say that during the three years between elections the hon. member for Sandgate sees to it that every name that should be placed on the roll for his electorate is placed on the roll, if he thinks such people will vote for him. He would be very foolish if he did not. Every member looks after the people who come into his electorate and sees that their names are placed on the roll for that electorate. Every member has a copy of the roll as it is printed annually and when supplementary rolls are printed ready for election purposes hon. members receive copies. Naturally he checks them up to see whether there is anybody on the roll who he thinks should not be on the roll, if he thinks that elector will vote for the Labour Party. He also endeavours to see to it that the name of any person who he thinks will vote for his party is put on the roll. The hon. member for Sandgate is ridiculous when he states that only five weeks prior to an election we put extra staff in the Electoral Office and the staff have to work so hard that they are not able to do the work for the election.

In the 15 months preceding a general election, with all this work going on, the rolls of the State are checked twice. The metropolitan rolls were checked prior to the last municipal election, as you know, Mr. Mann. During the last 15 months a check was made of every electoral roll in the State of Queensland and in that period the total transaction of names erased from the roll, names put on the roll, names transferred from one roll to another—one electorate to another—totalled 434,752. Notwithstanding this, according to the Opposition nothing is being done at the Electoral Office. The truth is that everything is being done to keep the rolls clean and up

to date. Of course, nothing is being done to take off the rolls names of persons entitled to vote and while a Labour Government are in power no name will be taken off the roll of a person who is entitled to vote. But that is what the Opposition desire. They want all people who are likely to vote against them taken off the roll. What they want is a deflated roll, as in the early days when the Tory Governments were in power. They wanted to defranchise virtually every worker in the State who had to travel from one place to another to find work. Unless a man was in permanent employment it was almost impossible to get a vote under the Tory system which hon. members opposite would like to see re-established. Why, as you know, Mr. Mann, they even tried to get an amendment accepted by this Parliament. You heard them moving an amendment to increase the qualification period of one month to two months.

Why did they want that? It was not because they wanted clean rolls or that they wanted on the roll every person who is entitled to be enrolled but in order that they might be able to remove from the rolls those people who they fear will vote against them.

Of the 434,752 transactions I have mentioned, the new entries on the roll in 1946 numbered 153,798. During the period from 1946 until the election, there were a further 57,515 new entries on the roll. Needless to say, that figure does not represent only newcomers to the State; it includes also those who attained the age of 21 years and became entitled to enrolment. The total enrolment for the 15 months prior to the elections was therefore 211,313. Erasures during that period numbered 126,572 for 1946, plus 39,448 to 24 March, 1947, making a total of 166,020. The changes of address during that period numbered 57,419.

Let me point out also that any hon. member or any other person who knows that a person's name is wrongly on the roll has the right to lodge an objection to the retention of that name on the roll, and not for many years now has there been one objection from hon. members opposite. Even the Leader of the Opposition, who told us today that one lady has been dead for nine years, did not go to the Electoral Office with that information. He elected to come into the Chamber and make a great song about the fact that the name of a lady who has been dead for nine years is still on the roll. Of course, the Electoral Office will not remove any name from the roll without positive evidence that the person is not entitled to be enrolled.

I could deal with many other matters. I have the reports from every returning officer in the State. We have charges made by members of the Country Party and by members of the Liberal Party, not one of which has been substantiated; on the contrary, all have proved to be unwarranted. There was an attack on the returning officer for Kennedy, another on the returning officer for Kurilpa, and another on the returning officer for Baroona, all of which have proved to be absolutely false, which is the strongest parliamentary term we can apply to them. If we were outside we could say something else about them.

Why were these attacks made? They were made simply because the Opposition were defeated at the elections. They are like the New South Wales cricketers. Every time they come here to play cricket they growl at the umpire. The Opposition are growling at the umpire because they are not on the Treasury benches. If they live, I suppose, to the year 2,000, they still will not be on the Treasury benches, because of the way they are behaving now.

The people in Queensland and even in Australia like to get the truth, particularly from their representatives in Parliament. If those men will not tell the truth but tell falsehoods the people do not want them. They want men who will stand up to the truth and tell it on every occasion.

I say in conclusion, Mr. Mann, that the Electoral Office and the officers who conducted the elections have been commended by every decent member of the Oposition on the way the elections were conducted. They have likewise been commended by members of the Labour Party for the clean way in which the elections were conducted. Do we expect anything else? Who are the officers who conducted the elections? Mr. J. D. O'Hagan is the Under Secretary of the department and he is responsible for the conduct of the elections. He sees that everything required for the conduct of the elections goes out to every returning officer. Returning officers are appointed by commission and they are not every Tom, Dick, and Harry. They are appointed to act in a judicial capacity. In these attacks upon these men the Opposition are not attacking me; the Government have nothing to do with the conduct of the elections because when Parliament is dissolved we are the same as anybody else. The conduct of elections is in the hands of returning officers, who, I repeat, are appointed by commission signed by the Governor of the State. In that judicial capacity each one has the right and the power and it is his duty to conduct the elections under oaths of office, to see that there is no favour or fear in connection with any candidate. It is these men the Opposition are condemning. Nothing has been produced to show that any of the 62 returning officers has done anything wrong. On the other hand, as the hon. member for Kennedy says, there was a signed statement by the scrutineers for the Opposition saying that the election was conducted in fair and aboveboard fashion and thanking the returning officer for his work.

Mr. MAHER (West Moreton) (8.43 p.m.): I just wish to refer to the story I told of the swagman who came across the border into Queensland. I understand that the Minister stated that he did not think I would stoop so low as to state that this man was being enrolled, as the rolls would then be closed. I should like to say that this was an election at the time in connection with the old Balonne seat. I had a big electorate, something like 400 miles wide by 200 miles

long, and I had to cover a lot of ground. Consequently, I started out on my political crusade early and I was for about three months moving about. The incident I referred to was in the early stages of the campaign before the rolls were closed. I should like to make that clear, because I should not like hon. members to think I had misrepresented the position.

Hon. D. A. GLEDSON (Ipswich—Attorney-General) (8.45 p.m.): I want to put the hon. member for West Moreton right. I was taking part during that election campaign in support of the Labour candidate, Mr. Land.

Mr. Maher: But this was the second campaign, when Mr. Brassington was the Labour candidate.

Mr. GLEDSON: I think that the electoral boundaries had been altered at that time. In any case, if the incident occurred three months before election day, then the man referred to by the hon. member for West Moreton would be entitled to be enrolled.

Vote (Electoral Registration) agreed to.

Progress reported.

The House adjourned at 8.46 p.m.