

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 31 JULY 1956

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Legislative Assembly.

FIRST SESSION OF THE THIRTY-FOURTH PARLIAMENT.

Appointed to meet

AT BRISBANE ON THE THIRTY-FIRST DAY OF JULY, IN THE FIFTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II., IN THE YEAR OF OUR LORD 1956.

TUESDAY, 31 JULY, 1956.

OPENING OF PARLIAMENT.

Pursuant to the proclamation by His Excellency the Governor, dated 21 June, 1956, appointing Parliament to meet this day for the dispatch of business, the House met at 12 o'clock noon in the Legislative Assembly Chamber.

The Clerk of the Parliament read the proclamation.

COMMISSION TO OPEN PARLIAMENT.

The Clerk acquainted the House that His Excellency the Governor, not being able conveniently to be present in person this day, had been pleased to cause a commission to be issued under the public seal of the State, appointing the Hon. Vincent Clair Gair, the Hon. John Edmund Duggan, and the Hon. Edward Joseph Walsh, Commissioners in order to the opening and holding of the present session of Parliament.

The Commissioners so appointed being seated on the dais, and the Clerk having read the commission—

The SENIOR COMMISSIONER (Hon. V. C. Gair—South Brisbane) said: Hon. members, we have it in command from His Excellency the Governor to let you know—That as soon as the members of the Legislative Assembly have been sworn, the causes of this Parliament being called together will be declared to you: And, it being necessary that a Speaker be first chosen, it is His Excellency's pleasure that you proceed to the election of one of your number to be your Speaker, and that you present such person so chosen to His Excellency the Governor, at such time and place as His Excellency shall appoint.

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The Premier thereupon produced a commission under the public seal of the State, empowering him, the Hon. John Edmund Duggan, and the Hon. Edward Joseph Walsh or any of them, to administer to all or any members or member of the House the oath or affirmation of allegiance to Her Majesty the Queen, which commission was then read to the House by the Clerk.

RETURN OF WRITS.

The Clerk informed the House that the writs for the various electoral districts had been returned to him severally endorsed as follows:—

Aubigny—Walter Beresford James Gordon Sparkes.
Balonne—John Russell Taylor.
Barambah—Johannes Bjelke-Petersen.
Barcoo—Edward William Davis.
Baroona—William Power.
Belyando—Thomas Andrew Foley.
Bremer—James Donald.
Brisbane—John Henry Mann.
Bulimba—Robert James Gardner.
Bundaberg—Edward Joseph Walsh.
Buranda—Richard Kidston Brown.
Burdekin—Arthur Coburn.
Cairns—George Walter Gordon Wallace.
Callide—Vincent Edward Jones.
Carnarvon—Paul Jerome Remigiun Hilton.
Carpentaria—Alfred James Smith.
Charters Towers—Arthur Jones.
Chernside—Alexander Tattenhall Dewar.
Clayfield—Harold Bourne Taylor.
Condamine—Leslie Frank Diplock.
Cook—Herbert Arthur Adair.
Coorooora—David Alan Low.
Coorparoo—Thomas Alfred Hiley.
Cunningham—Alan Roy Fletcher.
Darlington—Thomas Flood Plunkett.

Fassifern—Adolf Gustav Müller.
 Fitzroy—James Clark.
 Flinders—Francis Michael Forde.
 Fortitude Valley—Michael Timothy Brosnan.
 Gregory—George Henry Devries.
 Haughton—Colin George McCathie.
 Hinchinbrook—Cecil George Jesson.
 Ipswich—Ivor Marsden.
 Isis—Jack Charles Allan Pizzey.
 Ithaca—Leonard Eastment.
 Kedron—Eric Gayford Lloyd.
 Kelvin Grove—John Albert Turner.
 Keppel—Vivian Joseph Northcote Cooper.
 Kurilpa—Thomas Moores.
 Landsborough—George Francis Reuben Nicklin.
 Lockyer—Gordon William Wesley Chalk.
 Mackay—Frederick Dickson Graham.
 Mackenzie—Neville Thomas Eric Hewitt.
 Marodian—James Alfred Heading.
 Maryborough—Horace Jason Davies.
 Merthyr—William Matthew Moore.
 Mirani—Ernest Evans.
 Mount Coot-tha—Kenneth James Morris.
 Mount Gravatt—Felix Cyril Sigismund Dittmer.
 Mourilyan—Peter Byrne.
 Mulgrave—Charles Bernard English.
 Mundingburra—Thomas Aikens.
 Murrumba—David Eric Nicholson.
 Nash—Gregory Brian Kehoe.
 Norman—William Edward Baxter.
 North Toowoomba—Leslie Arnold Wood.
 Nundah—James William Hadley.
 Port Curtis—James Burrows.
 Rockhampton—Harold Raymond Gardner.
 Roma—Alfred Dohring.
 Sandgate—Herbert Freemont Robinson.
 Sherwood—John Desmond Herbert.
 Somerset—Alexander James Skinner.
 South Brisbane—Vincent Clair Gair.
 Southport—Eric John Gaven.
 Tablelands—Harold Henry Collins.
 Toowong—Alan Whiteside Munro.
 Toowoomba—John Edmund Duggan.
 Townsville—George Keyatta.
 Warrego—John Joseph Duffey.
 Warwick—Otto Ottosen Madsen.
 Whitsunday—Lloyd Henry Scurfield Roberts.
 Windsor—Thomas William Rasey.
 Wynnum—William Morrison Gunn.
 Yeronga—Henry Winston Noble.

The Clerk: I also inform the House that on the 19th day of July, 1956, an Order in Council was issued validating the election of Harold Henry Collins and John Joseph Duffey as members to serve in the Legislative Assembly of Queensland for the electoral districts of Tablelands and

Warrego respectively, notwithstanding that the poll was not taken at certain polling places in those electoral districts until 2 June, 1956, and 26 May, 1956 respectively.

MEMBERS SWORN.

The Commissioners, who, with other members of the Ministry, had been sworn in before His Excellency the Governor on 5 July, 1956, and subscribed the roll, then administered the oath or affirmation of allegiance to the following other members, who thereupon also subscribed the roll:—

Adair, Herbert Arthur, Esquire.
 Aikens, Thomas, Esquire.
 Baxter, William Edward, Esquire.
 Bjelke-Petersen, Johannes, Esquire.
 Brosnan, Michael Timothy, Esquire.
 Brown, Richard Kidston, Esquire.
 Byrne, Peter, Esquire.
 Chalk, Gordon William Wesley, Esquire.
 Clark, James, Esquire.
 Coburn, Arthur, Esquire.
 Cooper, Vivian Joseph Northcote, Esquire.
 Davies, Horace Jason, Esquire.
 Davis, Edward William, Esquire.
 Dewar, Alexander Tattenhall, Esquire.
 Dittmer, Felix Cyril Sigismund, Esquire.
 Dohring, Alfred, Esquire.
 Donald, James, Esquire.
 Duffey, John Joseph, Esquire.
 English, Charles Bernard, Esquire.
 Evans, Ernest, Esquire.
 Fletcher, Alan Roy, Esquire.
 Foley, Thomas Andrew, Esquire.
 Forde, The Right Honourable Francis Michael.
 Gardner, Harold Raymond, Esquire.
 Gardner, Robert James, Esquire.
 Gaven, Eric John, Esquire.
 Graham, Frederick Dickson, Esquire.
 Gunn, William Morrison, Esquire.
 Hadley, James William, Esquire.
 Heading, James Alfred, Esquire, C.M.G.
 Herbert, John Desmond, Esquire.
 Hewitt, Neville Thomas Eric, Esquire.
 Hiley, Thomas Alfred, Esquire.
 Hilton, The Honourable Paul Jerome Remigius.
 Jesson, Cecil George, Esquire.
 Jones, Vincent Edward, Esquire.
 Kehoe, Gregory Brian, Esquire.
 Keyatta, George, Esquire.
 Lloyd, Eric Gayford, Esquire.
 Low, David Alan, Esquire.
 Mann, John Henry, Esquire.
 Marsden, Ivor, Esquire.
 Moores, Thomas, Esquire.
 Morris, Kenneth James, Esquire.
 Munro, Alan Whiteside, Esquire.

Nicholson, David Eric, Esquire.
 Nicklin, George Francis Reuben, Esquire.
 Noble, Henry Winston, Esquire.
 Pizzey, Jack Charles Allan, Esquire.
 Power, The Honourable William.
 Rasey, Thomas William, Esquire.
 Roberts, Lloyd Henry Scurfield, Esquire.
 Robinson, Herbert Fremont, Esquire.
 Skinner, Alexander James, Esquire.
 Smith, Alfred James, Esquire.
 Taylor, Harold Bourne, Esquire.
 Taylor, John Russell, Esquire.
 Turner, John Albert, Esquire.
 Wallace, George Walter Gordon, Esquire.
 Wood, Leslie Arnold, Esquire.

ELECTION OF SPEAKER.

Mr. WOOD (North Toowoomba) (12.23 p.m.): Mr. Dunlop, I move—

“That Mr. John Henry Mann do take the chair of the House as Speaker.”

The first duty of the Parliament after the swearing in of its members is to select one of its number to act as Speaker to preside over the House. The office of Speaker is both onerous and responsible and the holder should possess certain qualities to carry it out to the credit of the House and the institution of Parliament. The qualities are not necessarily in this order of importance, first, a knowledge of Standing Orders and Parliamentary procedure. Mr. Mann has that qualification as he has amply demonstrated to all who have had the honour to serve under his guidance in previous Parliaments.

It is essential, too, that Mr. Speaker be impartial. I know that it must be difficult for any loyal member of a political party to subjugate his personal feelings while he occupies the Chair but Mr. Mann has shown that he is able to do that to an admirable degree. Every fairminded hon. member will admit that Mr. Mann has discharged his duties with dignity and impartiality.

Firmness is required and Mr. Mann has always shown firmness but tempered with justice.

Mr. Speaker must be able to make quick decisions. Mr. Mann has that ability too, but he can also be firm, and impartial. In spite of the irritations to which he has been subjected he has preserved the decorum of Parliament which compares favourably with other Parliaments in the Commonwealth. If decorum suffers under the firm guidance of Mr. Mann, it will not be his fault but that of those hon. members who instead of helping him to discharge his heavy responsibility seek to make his job difficult.

Every hon. member knows the qualities of Mr. Mann, qualities that admirably fit him for the discharge of his high office. I

submit his nomination with the firm conviction that he will continue to discharge his duties with efficiency, dignity and impartiality.

Mr. DONALD (Bremer) (12.28 p.m.): I regard it a privilege to associate my name with the nomination of the hon. member for Brisbane, the Hon. John Henry Mann, and to second the motion.

Mr. Aikens interjected.

Mr. DONALD: There is always an exception to the rule and the hon. member for Mundingburra is certainly the exception.

I second the motion with the knowledge gained by observation during the period I have had the privilege of serving in the House. I know that Mr. Mann will fill this all-important position with the dignity and ability which is necessary for such a high office. He will do this with distinction and credit to himself, his Party, the Government, and all that our Parliamentary institution stands for. He has had considerable Parliamentary experience. He was elected as member for Brisbane in 1936 following the death of Mr. Funnell. He served as Chairman of Committees for six years and during that time he served an apprenticeship which has enabled him efficiently to discharge his onerous duties as Speaker. As the hon. member for North Toowoomba said, he has served with distinction, credit and grace. He has all the qualities of a successful Speaker—experience, judgment, courtesy, wisdom, ability and impartiality. He has the necessary courage to be firm yet fair. His decisions are always given without any hesitation, in a firm, clear voice which can be heard and understood by all. He has always upheld the decorum of the House and dispensed justice to every hon. member. New hon. members will find him tolerant, sympathetic and anxious to assist. Please do not mistake that tolerance and sympathy for weakness. It is the duty of the Speaker to see that the business of Parliament is conducted in such a manner that the prestige of our democratic system of government is maintained and that the citizens of our State do not lose any confidence in or respect for our parliamentary system which is our chief bulwark against totalitarianism and dictatorship.

Each hon. member should realise that he has an obligation and duty in that respect and that it can be best discharged by assisting Mr. Speaker in his onerous duty. I emphasise that in view of the ill display by the hon. member for Mundingburra.

While I derive both pleasure and satisfaction in seconding Mr. Mann's nomination, I must confess that if the hon. member for North Toowoomba and myself had to follow the practice of long ago and drag the Speaker-elect by force to the Speaker's Chair, I might have refrained from seconding the nomination which I now

do thereby allowing you, Mr. Dunlop, to point the approving finger, and not the bone, at the hon. member for Brisbane.

Mr. MANN: Mr. Dunlop, and hon. members, I appreciate the honour sought to be conferred on me and I submit myself to the pleasure of the House.

Honourable Members: Hear, hear!

There being no other nomination, Mr. Mann was called by the Clerk, and conducted by the mover and seconder to the chair. Speaking from the dais, he said: I wish to thank hon. members for the honour conferred on me by re-electing me as Speaker of this Assembly. I feel that hon. members—despite the suggestion of the hon. member for Mundingburra—will assist me to maintain dignity and decorum which is so essential.

Honourable Members: Hear, hear!

Hon V. C. GAIR (South Brisbane—Premier) (12.33 p.m.): Mr. Speaker, I should like to take this opportunity of congratulating you on your re-election to the very high and honourable position of Speaker of the Legislative Assembly of Queensland, and with my congratulations go my wishes for a very successful term of office. The responsibilities attaching to the position of Speaker of any Parliament in our democracies are not light. Indeed, they are heavy and onerous and call for men of quality, capacity, and a sense of justice and appreciation of parliamentary duties so as to discharge those duties with satisfaction to the Parliament and the people of the democracy who elect them. More than glory attaches to high and honourable positions; there is the grave responsibility on the occupants to conduct themselves in keeping with the positions they are privileged to occupy and to discharge their duties fairly, conscientiously and to the best of their ability. If all men, all servants of the people, conscientiously discharged their obligations to the best of their ability, not only would the people enjoy satisfaction, but the holders of the offices would also have every reason to be pleased with their own efforts.

The responsibility for the proper conduct of Parliament does not begin and end with Mr. Speaker; each and every hon. member also has the responsibility and obligation to preserve and maintain the prestige of the Parliament. Hon. members have the obligation at all times to co-operate with the Speaker or the Chairman of Committees for the proper conduct and decorum of the House.

That is a responsibility that goes with the honour of being members of this Assembly. We should endeavour at all times to preserve the prestige of the Parliament of this young democracy.

Mr. NICKLIN (Landsborough—Leader of the Opposition) (12.36 p.m.): On my own behalf and on behalf of hon. members on this side of the Chamber I extend congratulations to you, Mr. Speaker, on your re-election as Speaker of this Parliament.

In my opinion you have earned that honour. During the period that you have been Speaker you have always upheld the dignity of the Chair. You have done your best at all times to conduct the affairs of this House in the way they should be conducted. You have all the qualifications that make for a good and efficient Speaker. If I have any complaint about your actions as Speaker, it is that you sometimes err on the side of generosity. At times you could have exercised your powers under the standing orders more vigorously in the conduct of the affairs of the House, but you have preferred to be generous. Nevertheless you have earned the respect of hon. members, and you have conducted our proceedings with credit to yourself.

The appointment of the Speaker is the prerogative of the Government Party. He is elected at a party meeting, and is then appointed by the House. It would be useless to nominate as Speaker any one who was not a nominee of the Government Party, because he would not be elected. In other words, in the first place the Speaker is a party nominee, but immediately he is elected to the office of Speaker he should no longer be a party member. He is then responsible only to the House, to hold the balance between the political parties on the one hand and between individual hon. members on the other. In this respect I believe that the practice followed in the House of Commons has much to commend it, that is, that the Speaker is a non-party member. In fact, he is never opposed at an election. Perhaps that is worthwhile. Once elected as Speaker he becomes a non-party man. He is in charge of the House; he guides the destiny of the House.

Mr. Aikens: A fellow like myself.

Mr. NICKLIN: When I said, Mr. Speaker, that you sometimes erred on the side of generosity, I was thinking of the hon. member for Mundingburra. If I had been Speaker there would have been many occasions when he would have been outside the Bar of this Chamber.

As the Premier and other hon. members have said, your greatest responsibility is to uphold the prestige of this House and in this regard you can do very much, but you cannot do it alone. You must have the co-operation and support of each and every hon. member in this Chamber.

I trust that you will get that support especially at a time like the present when democratic institutions all over the world are being threatened. Every hon. member should by his conduct endeavour to uphold the prestige of Parliament and do nothing that would cause it to lose the respect of

the people. We on this side of the Chamber will do our best to help you in the discharge of your onerous duties and so uphold the prestige of Parliament. I congratulate you and wish you a happy term in office.

Mr. AIKENS (Mundingburra) (12.42 p.m.): We have heard some noble and idealistic sentiments expressed this morning, first of all by the hon. member for North Toowoomba who moved that you be elected Mr. Speaker, and by the Premier and the Leader of the Opposition—

Mr. Gair: And by the hon. member for Bremer.

Mr. AIKENS: He did not labour the noble and idealistic sentiments as much as the three hon. members I have mentioned. As one who is of a truly noble and idealistic nature, I listened with considerable interest to their remarks, and I hope to live to see the day when this House will be conducted in accordance with their high sentiments.

When I entered Parliament 12 years ago—this is my fifth of goodness knows how many terms I shall serve in the House—I came here believing that Parliament was conducted in an atmosphere of dignity and decorum. I came here with the now plainly mistaken belief that Mr. Speaker was impartial. I entered this Chamber fully prepared to play my part in upholding and maintaining the best traditions of Parliament within the British Empire, but I was not here very long before I realised that in the opinion of the Government and Mr. Speaker justice is spelt "Just Us." I had to wait for 12 years to hear it so succinctly expressed as I did a moment ago by the Attorney-General.

Mr. POWER: I rise to a point of order. I never made that statement.

Mr. SPEAKER: Order! I hope the hon. member for Mundingburra in being facetious will not involve any other hon. member of the House. At the same time I ask that he accept the denial of the Attorney-General.

Mr. AIKENS: I am compelled by standing orders to accept the hon. gentleman's denial, but it indicates what I am about to say. Hon. members of this House are prepared to do, say and deny anything and nevertheless consider it the correct conduct that they should adopt in this House.

Mr. SPEAKER: Order! I think that is a reflection on all hon. members and I ask the hon. member for Mundingburra not to proceed in that manner.

Mr. AIKENS: After I was a member of this House for a little while I said that I had come to Parliament prepared to fight under the rules laid down by the Marquis of Queensberry, but bitter experience, particularly in the West—

Mr. Brosnan: You did not do too well in one fight . . .

Mr. AIKENS: I did all right, but incidentally, it was not under the Marquis of Queensberry rules. However, I was saying that bitter experience in my young life taught me that anybody fighting anybody else and using the Marquis of Queensberry's rules against his opponents' "Rafferty's" rules was doomed to defeat, and in the circumstances it would be better to use Rafferty's rules or the Dog and Goanna rules as well. I said that I would fight in this Chamber according to the rules laid down and practised in it. What is the good of backing and filling about the issue? We have seen on innumerable occasions organised interruption almost amounting to hooliganism from Government benches going unchecked.

At times I have, as the Leader of the Opposition so truthfully says, decided to get in for my cut—if they want to fight under those rules that is O.K. with me—but the moment I opened my mouth too loudly, I have been threatened either with the penalty of being named and suspended, as has happened to me on more than one occasion, or with the imposition of the new standing order, which gives you, Mr. Speaker, the right to order me out of the Chamber for the remainder of the sitting. But I have never heard you, or any other Speaker, threaten any member of the Government with naming or with the use against him of the standing order to which I have just referred. How then can I subscribe to these noble and idealistic sentiments that the House is conducted impartially? Let the members of this House set the rules for themselves. I will play to the rules that they set down. If they want it rough, I will play it rough. If they want it calm and dignified, even in the atmosphere of a Sunday school, I will play those rules too. As they set down the rules, so I will play the rules. I know, of course, that I am up against a pretty tough proposition in yourself. You are not only a man of considerable parliamentary knowledge, but in worldly knowledge you could buy and sell 90 per cent. of the members of this Chamber.

As I say, if you want decorum and dignity in the Chamber—even if you want a lavender-scented mid-Victorian atmosphere—you can set the pace and I will be in it with you. But while you play the rough game, you can count me in the ruck. There will be no 3-yard ball rule with me; you can have offside play, punches in the scrums, anything at all. You set the rules, and I will play to them.

Mr. SPEAKER: I thank the Premier and the Leader of the Opposition for their congratulations on my re-election as Speaker of this Assembly. I have a deep sense of responsibility and, despite the ravings of the hon. member for Mundingburra, I shall endeavour at all times to carry out the duties of my office to the best of my ability.

To err is human and if I err it is only because I am human. I always endeavour to conduct the affairs of this Assembly in a manner befitting Parliament. It is an institution that should be respected by all, and it is our responsibility to see that it is. I feel sure that all hon. members will help me in the proper conduct of the affairs of the House; I assure them that I shall do my utmost in that regard.

PRESENTATION OF MR. SPEAKER.

Hon. V. C. GAIR (South Brisbane—Premier): I desire to inform hon. members that His Excellency the Governor will receive the House for the purpose of presenting Mr. Speaker to His Excellency at Government House this afternoon at 2.30 o'clock.

Mr. SPEAKER: I wish to inform the House that at 2.15 p.m. today I shall leave for Government House, there to present myself to His Excellency the Governor as the member chosen to fill the high and honourable office of Speaker, and I invite such hon. members as care to do so to accompany me.

SPECIAL ADJOURNMENT.

Hon. V. C. GAIR (South Brisbane—Premier): I move—

“That the House, at its rising, do adjourn until 11.57 a.m. tomorrow.”

Motion agreed to.

The House adjourned at 12.50 p.m.